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Legislative Journal

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Session 1923 125th of the General Assembly

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HOUSE OF REPRESENTATIVES

WEDNESDAY, APRIL 18, 1923.

The House met at 11:00 o'clock A. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Oh Lord, how excellent is Thy name in all the earth. We give Thee praise and thanks this morning for every privilege of life we enjoy and we would invoke Thy divine blessing to rest upon each member of this House. Grant to each the guidance of Thy spirit, that they may be thoroughly furnished in every word and work to the task in hand. May Thy blessing rest upon the Governor of the Commonwealth and upon the Speaker, as well as upon those that assist him in the transaction of the business before this House. Lead us all by Thy counsel. Direct us to Thy praise, and eventually, with Thy grace, bring us to Thyself. We ask it in the name of Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Andrew F. Stevens, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 399. (HOUSE BILL No. 1419).

An Act making an appropriation to reimburse the fund in the Mechanics Trust Company of Harrisburg standing to the credit of the Water Supply Commission for the improvement of French Creek for moneys inadvertently paid into the State treasury.

Referred to the Committee on Appropriations.

SENATE BILL No. 584. (HOUSE BILL No. 1420.)

An Act extending and enlarging the powers and rights of Trust Companies and Banks organized and incorporated under the laws of the Commonwealth of Pennsylvania.

Referred to Committee on Banks and Banking.

SENATE BILL No. 268. (HOUSE BILL No. 1421.)

A Joint Resolution proposing an amendment to article four, section eight of the Constitution of the Commonwealth of Pennsylvania, prohibiting after adjournment the appointment to office of any person whose nomination the Senate failed to confirm.

Referred to Committee on Constitutional Reform.

SENATE BILL No. 388. (HOUSE BILL No. 1422.)

An Act relating to the assessment and valuation of property and occupations for the purpose of taxation in counties of the second class; creating a general board of tax appeal; providing for the appointment of subordinate assessors of personal property and occupations and for the annual assessment and valuation of personal property and occupations through-out the county and for the annual assessment and valuation of real property except in cities and authorizing said General Board of Tax Appeal to make assessments of property in such County for State purposes under any laws hereafter to be enacted; making assessments and valuations for city purposes, the basis for county valuations within such city and imposing part of the cost of such assessments on the county; imposing certain duties on certain city officers making certain city officers members of the general board of tax appeal in certain cases; abolishing the board for the assessment and revision of taxes and providing penalties.

Referred to Committee on Municipal Corporations.

SENATE BILL No. 389. (HOUSE BILL No. 1423).

An Act creating a Department of Real Estate and Assessment in cities of the second class; providing for the appointment, qualifications, compensation and dismissal of a commissioner and deputy commissioners where a county tax assessors' examining board exists and where no such board exists; prescribing the powers and duties of such department with regard to valuing real property for any purpose, and in valuing and assessing property for the purpose of taxation; providing for annual assessments, the classification of real property for purposes of taxation into buildings on land and land exclusive of buildings, and the assessment of a less tax upon the buildings than upon the land exclusive of buildings; and abolishing the Department of Assessors.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 464. (HOUSE BILL No. 1424).

An Act providing a means whereby real estate devised upon a trust to divide it among other persons and the trustee has died without performing the trust may be divided amicably by the interested persons with the approaval of the Orphans' Court and the legal title be vested in them by judicial decree.

Referred to the Committee on Judiciary Special.

SENATE BILL No. 598. (HOUSE BILL No. 1425).

An Act authorizing cities of the third class to sell certain real estate and prescribing the procedure to be followed.

Referred to the Committee on Judiciary Special.

SENATE BILL No. 649. (HOUSE BILL No. 1426).

An Act to repeal the act approved the sixth day of June one thousand eight hundred and seventy-three (one thousand eight hundred and seventy-four Pamphlet Laws four hundred and ten) entitled "An Act to provide for the creation of a board of examiners and the appointment of an inspector of steam engines and steam boilers for the county of Allegheny."

Referred to the Committee on Judiciary General.

SENATE BILL No. 653. (HOUSE BILL No. 1427).

An Act to amend section one thousand four hundred and six, as amended, of an act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred and nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

Referred to Committee on Education.

SENATE BILL No. 654. (HOUSE BILL No. 1428).

An Act to amend sections one, two, three, and four of an act approved the eighteenth day of June, one thousand and nine hundred and nineteen, (Pamphlet Laws, four hundred ninety-eight). entitled "An act defining consolidation of schools providing for the establishment and regulation of consolidated schools; and providing for State aid for the transportation of pupils to and from consolidated schools."

Referred to the Committee on Education.

SENATE BILL No. 746. (HOUSE BILL No. 1429).

An Act relative to the disposition of fines and forfeitures in counties of this Commonwealth of the fourth class and authorizing the expenditure of a portion of all of said fines for the support and maintenance of a law library in said counties.

Referred to the Committee on Judiciary Special.

SENATE BILL No. 770. (HOUSE BILL No. 1430).

An Act fixing the salary of sheriffs in counties of the eighth class providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county and prescribing penalties.

Referred to the Committee on Counties and Townships.

SENATE BILL No. 776. (HOUSE BILL No. 1431).

An Act making an appropriation for the restoration of buildings and property at the State Hospital for the Insane of the Southeastern District of Pennsylania located at Norristown Pennsylvania damaged and destroyed by a Cyclone.

Referred to the Committee on Appropriations.

PETITIONS.

PROTESTING AGAINST THE PASSAGE OF HOUSE BILL No. 855.

The SPEAKER presented a petition from citizens of Dauphin County protesting against the passage of House Bill No. 855 and House Bill No. 1029.

Referred to the Committee on Counties and Townships.

PRTESTING AGAINST THE PASSAGE OF HOUSE BILL No. 850.

The SPEAKER presented a petition from Henry A. Dreer Co. protesting against the passage of House Bill No. 850.

Referred to the Committee on Labor and Industry.

PROTESTING AGAINST DAYLIGHT SAVING BILL.

The SPEAKER presented a petition from W. F. Clement of Philadelphia protesting against the Daylight Saving Bill.

Referred to the Committtee on Judiciary General.

FAVORING DERRICK DAYLIGHT SAVING BILL.

The SPEAKER presented a petition from W. A. Pike of Philadelphia favoring Derrick Senate Bill relative to Daylight Saving.

Referred to the Committee on Judiciary General.

FAVORING OLD AGE PENSION BILL.

The SPEAKER presented a petition from Mrs. Joseph Maurer of Altoona favoring Old Age Pension Bill.

Referred to the Committee on Appropriations.

TELEGRAM OF APPRECIATION FROM THE FAMILY OF THE LATE HON. FRANK E. KORNS.

Johnstown, Pa., April 17, 1923.

House of Representatives, c/o Hon. C. J. Goodnough, Speaker,
Harrisburg, Pa.

Please accept our sincere thanks for your beautiful floral offering; also our appreciation for the presence of the different Representatives of the House who attended the funeral of our beloved husband and father.

Mrs. Felicia H. Korns and family.

APPOINTMENT OF PENROSE MEMORIAL COMMITTEE.

The SPEAKER. The Chair appoints as the Penrose Memorial Committee, Messers. Lafferty, Haws, Spangler, Wells and Whitehouse.

QUESTION OF PERSONAL PRIVILEGE.

Mr. SARIG. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. SARIG. Mr. Speaker and members of the House, I felt very much humiliated this morning, as a member of this body, to see in the newspapers, the statement issued yesterday by the chairman of the Ways and Means Committee of this House. Now, I want to say that some of the newspapers have interpreted this action as though two guardians were to be appointed for the Pinchot administration. Now if the Governor and his administration feel that they need any guardians, so far as I am concerned, they are welcome to them; but so far as this House is concerned, of which I happen to be a member, I strenuously object to any such methods of procedure. The statement of the chairman of the Ways and Means Committee says that these guardians have been called in from Washington because they are men of broad vision. Now, I would like to know whether that is to be interrogated as saying that we, 207 or 208 members of this House, are men of small vision and that we are incompetent, that we have been elected by the people to come here and perform the functions which belongs to this House as a member of this body, and that we are here now, to confess publicly in the newspapers and before the people of Pennsylvania and before the people of the world that we are a bunch of incompentents, that we are not able to do the work for which we are sent here by the people of Pennsylvania. If the orders are to come to this House, if we are to have guardians who are to come here from the City of Washington or who are to go to Atlantic City and hold conferences and decide what shall be done in this House or in this Legislature, then I feel that, at least in justice to ourselves and in justice to this House, we should know what is going on in those conferences and we are entitled to know what their orders are. If we are simply sitting here as a body of men, as a body of rubber stamps, to carry out what a few men

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P381
1923

have decided on, I feel that at least even as rubber stamps, we would be entitled to know what the orders are and what we are supposed to do. Another statement that was contained in the newspapers says that the welfare of the Republican Party damands that we call in a couple of guardians to take charge of this House. Are we in the class of the feeble-minded? Why, only the feeble-minded appeal to the courts and ask for guardians and say that they are not able to take care of their property and that they are not able to take care of their business or their work. I ask you seriously, are we to be put down, in the present Pennsylvania Assembly as belonging to the same class as the feeble-minded? Insofar as the welfare of the Republican Party is concerned, I have nothing to say. I am not interested in one faction or the other, and I believe that every man and every woman in this House will bear me out in the fact that I have persistently and consistently, during my four terms as a member of this House, stood for legislation which I beleive to be right and fair, and many a time, on the same day, have I been aligned with the Administration and then an hour later aligned with the opponents of the Administration. I have done that during this session on a number of occasions. I have been lined up with the forces of the Administration, and whenever there is a bill under consideration on my desk which I feel is right and just and which is for the benefit of my constituents and for the benefit of the people of Pennsylvania, I have invariably voted "aye" on that measure, regardless as to whether the man across the hall wanted it or whether he didn't want it; and when I felt that there was no merit in the bill and when I felt that the bill should not have been passed, I have almost invariably voted "no". And, as I have said frequently, on the same day, I have been aligned three, four times with one side and three, four times with the other, and so far as the welfare of the Republican Party is concerned, I have no interest in that, but I do have an interest, as a member of this House, in insisting that we, as members of this honorable body, shall not be insulted and humiliated by the statements that we must call on men of broad visions to come here and tell us what to do and how to do our work. I have full faith and confidence in the men and women occupying the seats of this House today. I have never reproached, in my four years' experience here, I have never reproched one single member for voting against any bill or any measure that I have had in here, and I shall not do so. I always have had confidence in the membership of this House that they were able to stand up and to act, and I have that confidence now and I believe that what has happened in the last forty-eight hours stands as a slap in the face to this House and as an insult to the members of this House. Insofar as it effects the governor or the men across the hall, I am not interested in that. If Governor Pinchot feels that he needs a couple of guardians to take care of him and to advise him, that is up to him. He may answer that for himself, but so far as the members are concerned, I want to voice my emphatic protest that this House is able to take care of its own work and that we have been sent here by the people of Pennsylvania, and the men who are supposed to be our guardians have been elected by those people for a different work. They have been elected to look after the affairs of Pennsylvania down yonder in Washington and not here on Capital Hill at Harrisburg.

QUESTION OF PERSONAL PRIVILEGE.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. SCHLEITER. Mr. Speaker, and members of the House, I am afraid my colleague is taking this matter rather seriously. The House was in a condition in which the S O S call was absolutely imperative. The House has been without leadership. As the members of the House, with a goodly exception, have been accustomed to leadership the leadership was not always in the House or by members of the House, but it was directed from Philadelphia or Washington or Atlantic City or Florida. Wherever it happened that the oracle was at that time, so, I am not surprised that these newly-made senators have come to the rescue or have offered their assistance to get the old ship of state back into calm waters, in order to have the affairs of the State go on in a good old way. Why my friends, it is evident, self-evident, that a strong arm is necessary here, because of the fact that bills are being passed here, not on their merits, but by and for the reason that certain members are sponsoring those bills, and it makes absolutely little difference how meritorious a bill might be, how just it might be, if that offer has in some way offended, if, perchance, he has voted "dry", that bill is marked. I have remarked to numbers of members that have come among my neighbors here and have said, "Now, boys, we will vote so and so on that bill," and I have heard them say, time and again, "We will hit that fellow;" and they didn't know a thing about that fellow's bill. So it seems to me, Mr. Speaker, that Mr. Pepper, whose first official act, when appointed by Governor Sprowl on Thursday, was on Friday to vote to seat a man who practically purchased, and was convicted in the courts of the State of Michigan,and who practically purchased his election, voted to seat him in his place, from which he had to resign, To call him into consultation is eminently right, insofar as that kind of leadership is demanded, in order that order may be brought out of chaos. I think it is high time, and agree with my friend, Mr. Sarig, to this extent, that I think it is high time that the members of the Legislature, who were sent here by their constituency, to assert themselves be taken and that no orders be taken from United States senators and even from governors.

QUESTION OF PERSONAL PRIVILEGE.

Mr. ALEXANDER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. ALEXANDER. Mr. Speaker and members of the House, if it is the desire of a member of this body to come to some definite understanding and to arrive at some conclusion which it beneficial to the whole people, then I think the remarks of the gentleman from Berks this morning will do much toward defeating this end. If it is however for the purpose of muddying the waters and keeping the different factions and different interests in play, the gentleman from Berks was a success. I might say that the new United States senators did not come to Harrisburg for the purpose of giving any orders whatever, but those of us who have endeavored during this whole session to do something that was beneficial to the whole people and arrive at a conclusion in the way of taxes, have always been told that the educational program must have some sixteen or eighteen millions of dollars. In order that those taxes may be laid upon the shoulders of those who can best bear it, we have been carrying on an investigation toward that end. When a tax bill is offered, we have this industry objecting and another industry objecting. When another tax bill is offered, we

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have the objection from this corner and from the other corner. And without any reflection on the members of this House, each of these industries and each of these different people who are interested and who will bear these taxes have their friends in this House, and they listen to what those friends say to them. For instance, we have the manufacturers' side of it, we will take that because that has been spoken of, when we speak about a manufacturing tax friends of the manufacturers are up in arms; when we talk about a surtax on corporations, the friends of the corporations are up in arms, and with that situation in this House, with those men lobbying in this House, interested in each one of these things, we saw it was absolutely impossible to force upon anybody this taxation. Therefore, the two gentlemen who are in close touch with the manufacturers, in close touch with the business, with all the business of this State, were asked to come here, not that they should show us the way, not that they should dictate to us what we should do, but to call to their assistance those people who are going to pay the tax, the corporations, of you please, the manufacturers, if you please, and all other people and they are going to and see if they are going to and see if they can't agree among themselves. For instance, the manufacturers may say, "I will take a certain proportion of this burden;" the corporations will say, "I will take a certain proportion of this burden;" and some other industries will say, "I will take a certain proportion of this burden." and then, when it comes back to us in that condition, rather than us forcing a tax on somebody, we are getting the people who are going to pay the tax in a receptive mood and saying, "We will take this burden;" you fix the taxes accordingly, and then you and I will have a smaller part to do. Therefore, when we talk about the guardians, we are only asking them to help us in this great task, because you and I, of all things, don't want to force anybody, be they manufacturers, corporations, or individuals, to pay a tax which may be burdensome to them. They know better than anybody else which taxation will be less burdensome, these men are in close touch at all times, I say these Senators are in close touch with the business of the State and with those people that are going to bear those taxes, and they know better than we, being a big body as we are, how to get into close touch with them and come back to us, perhaps, with some plan which has been agreed upon by the people who are going to pay the tax. They are not here, as I said, as guardians or as bosses or as dictators or anything else. They are here simply as anybody else in the Commonwealth that is interested in the benefit and in the industries and in the different institutions, the educational program of this State, and to see that this grand old State of Pennsylvania does not stand back when her duty calls her to certain things, but they are here to assist us in order to avoid confusion, and our duty will not be so hard as it might be otherwise.

BILL INTRODUCED.

Mr. McCAIG asked and obtained unanimous consent to introduce the following bill:

By Mr. McCAIG. HOUSE BILL NO. 1432.

An Act making an appropriation to Saint Rita's L. C. B. A. Home for Infants, Pittsburgh, Allegheny County, Pennsylvania.

REPORTS FROM COMMITTEES.

Mr. POST, from the Committee on Judiciary Local, reported as amended House Bill No. 1287, entitled:

An Act to amend section second of the act approved the ninth day of July, one thousand nine hundred and one (Pamphlet Laws, six hundred fourteen), entitled "An act relating to the service of certain process in actions at law, and the effect thereof, and providing who shall be made parties to certain writs," as amended.

Mrs. PITTS, from the Committee on Judiciary Local, reported as committed House Bill No. 1164, entitled:

An Act amending an act entitled "An Act for the better and more impartial selection of persons to serve as jurors, in each of the counties of this Commonwealth," approved the 10th day of April, A. D. 1867, Pamphlet Laws, page 62.

Mr. ALBERT, from the Committee on Elections, reported as committed House Bill No. 200, entitled:

An Act providing for the assistance of voters at general municipal or special elections; regulating the manner and return thereof; providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation.

Mr. IRVIN, from the Committee on Elections, reported as committed, House Bill No. 1105, entitled:

An act to amend section fourteen of the act approved the twelfth day of July, one thousand nine hundred and thirteen, (P. L. 719), entitled, "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State Committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State Committee of a political party to make, and to alter, amend and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," as amended.

Mr. BEHNEY, from the Committee on Judiciary Local, reported as committed, House Bill No. 1219, entitled:

An Act making it a misdemeanor in office for any magistrate, alderman or justice of the peace to refuse to admit to bail a person charged with a bailable offense.

Mr. PARKINSON, from the Committee on Fisheries, reported as committed, House Bill No. 353, entitled:

An Act to amend section eight of the act approved the sixteenth day of May, one thousand nine hundred and twenty-one, (P. L. 559), entitled "An Act for the better protection of fish; requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth, or in the waters bounding or adjacent thereto; and regulating the issuance of such license; providing penalties for the violation of this act, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the penalites recovered and license fees received," by making county treasurers agents of the Commonwealth in collecting license fees and issuing licenses.

Mr. ASTON, from the Committee on Judiciary Local, reported as committed, House Bill No. 825, entitled:

An Act for the protection of owners of electric storage batteries upon which the word "rental" or any other word, mark or character is printed, painted, stamped or attached to identify the same; and providing penalties.

Mr. LORENZO D. THOMAS, from the Committee on Elections, reported as committed House Bill No. 480 (Senate Bill No. 47), entitled:

An Act to amend section eleven of the act approved the thirteenth day of June, one thousand eight hundred and forty (Pamphlet Laws, six hundred and eighty-three), entitled

"A Supplement to an act entitled 'An Act relating to the elections of this Commonwealth' passed the second day of July, Anno Domini, one thousand eight hundred and thirty-nine and for other purposes, allowing constables mileage for advertising, elections and compensation for advertising elections where there is more than one polling place in a district, said mileage and compensation to be paid by counties.

Mr. BREWSTER, from the Committee on Elections, reported as committed House Bill No. 1101 (Senate Bill No. 198), entitled:

An Act to amend section seventy-four of an act approved the second day of July, one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen) entitled "An act relating to the Elections of this Commonwealth," as amended.

Mr. WRIGHT, from the Committee on Elections, reported as committed House Bill No. 810 (Senate Bill No. 233), entitled:

An Act to further amend section one of an act approved the fifth day of March, Anno Domini one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for the violation of its provisions."

Mr. GELDER, from the Committee on Insurance, reported with a negative recommendation House Bill No. 1227, entitled:

An Act requiring fire insurance companies, associations, and exchanges to attach to all policies certain certificates of examination of insured premises.

Mr. STAUDENMEIER, from the Committee on Judiciary Local, reported as committed House Bill No. 148, entitled:

An Act authorizing cities, boroughs, and incorporated towns, to require and permit the laying and constructing of sanitary sewers and sewer pipes, outside the cartway and the curblines thereof, in all streets and highways, and prescribing the uses thereof; and providing for the assessment of the costs and expenses of any such sewer against the abutting property in the front of which the said sewer is laid.

LEAVE OF ABSENCE.

Mr. NOLTE asked and obtained leave of absence for Mr. Blumberg.

ANNOUNCEMENT BY THE SPEAKER.

The SPEAKER. The Chair reminds the House that a session will be held on Thursday of this week as usual and that bills on Third Reading and Final Passage will be considered. Last Thursday the attendance was so light that a few votes would defeat any bill. Little is to be gained by transferring bills from Third Reading to postponed calendars which have already reached unweildly proportions, yet it would be unfortunate should the House decline to allow further transfers of this kind. For these reasons the Chair trusts that we may have a full attendance tomorrow, and to this end we have made special arrangements to have the calendar delivered in time so that the Session tomorrow may begin at ten o'clock.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 985, entitled:

An Act providing that mortgages shall cease to be a lien upon the real estate described in the mortgage from and after the expiration of fifty years from the date the principal becomes due unless such mortgages are re-recorded or a declaration recorded that the principal or some part thereof remains unpaid and Providing further That every mortgage the principal of which is overdue more than fifty years at the time of the approval of this act shall not lose its lien under the provisions of this act if within five years after the approval of this act such mortgage shall be re-recorded or a declaration recorded that the principal or some part thereof remains unpaid

The first, second, third and fourth sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every mortgage heretofore given or hereafter to be given and which is or hereafter shall become a lien on real estate in this Commonwealth shall cease to be a lien on the real estate covered by the said mortgage at the expiration of fifty years from the time when the principal of such mortgage becomes due unless before the expiration of the said period of fifty years from the time the principal of the said mortgage becomes due the holder and owner of the said mortgage shall either (a) re-record the said mortgage or (b) shall record a declaration setting forth the name of the holder or owner of such mortgage and such a description of the said mortgage and the real estate against which the same is a lien as is sufficient for purposes of identification and a statement that the principal secured thereby is unpaid or if not all of the principal is unpaid then a statement of how much of the principal is unpaid Such declaration shall be signed by the owner of the mortgage and duly acknowledged before some person authorized to take acknowledgments of deeds for lands and shall be recorded in the office of the Recorder of Deeds where the real estate on which the said mortgage is a lien is situated Such mortgages and declarations shall be recorded in books in which mortgages are recorded and shall be indexed in the mortgagor index in the name of the original mortgagor in the same manner as mortgages are indexed and shall also be noted on the margin of the record of such mortgage

Section II Every mortgage the principal of which has become due and payable more than fifty years prior to the approval of this act shall (unless sooner satisfied released or discharged) remain a lien for further period of five years following the approval of this act and shall cease to be a lien at the expiration of such further period of five years from and after the date of this act unless before the said period of five years the holder or owner of such mortgage shall either (a) re-record such mortgage or shall (b) record a declaration that the principal or some part thereof is unpaid in the manner provided in the first section of this act Such mortgages and declarations shall also be indexed in the mortgagor index as provided in the first section of this act

Section III All Recorders of Deeds of the several counties of this Commonwealth are hereby authorized and required to receive or record and to re-record every mortgage tendered for re-recording as hereinabove provided and also every declaration as hereinabove provided and the Recorder of Deeds shall record every such re-recorded mortgage and recorded declaration in the books in which mortgages are recorded and the Recorder of Deeds shall also cause the same to be noted upon the margin of the mortgage affected thereby and also to be indexed in the name of the original mortgagor on the mortgagor index in like manner as mortgages are indexed

Section IV Upon the re-recording of any mortgage or the filing of a declaration as provided in this act such mortgage so re-recorded or concerning which such declaration is filed shall continue a lien for and during the further period of fifty years from the date of such re-recording or recording unless sooner satisfied released or discharged

The fifth section was read as follows:

Section V All acts and parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the section?

Mr. BLUETT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section V, page 4, by adding at the end thereof in line 2 thefollowing: "Provided That nothing contained in this act shall be construed to repeal or vary the legal presumption of payment of a mortgage after a period of twenty-one years nor be construed to repeal any law providing a procedure to obtain satisfaction of a mortgage where the legal presumption of payment of a mortgage exists."

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act providing that mortgages shall cease to be a lien upon the real estate described in the mortgage from and after the expiration of fifty years from the date the principal becomes due unless such mortgages are re-recorded or a declaration recorded that the principal or some part thereof remains unpaid and Providing further That every mortgage the principal of which is overdue more than fifty years at the time of the approval of this act shall not lose its lien under the provisions of this act if within five years after the approval of this act such mortgage shall be re-recorded or a declaration recorded that the principal or some part thereof remains unpaid

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 282, as follows:

An Act to amend section one of an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and twenty-three) entitled "An act providing for the nomination and election of judges of courts of record and repealing certain acts"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and twenty-three) entitled "An act providing for the nomination and election of judges of courts of record and repealing certain acts" is hereby amended to read as follows

Section 1 Be it enacted &c. That all judges of the Supreme Court and Superior Court shall be nominated on party tickets at party primaries in any year in the same manner and subject to the same laws in all respects as govern the nomination of other State officers nominated by the voters of the State at large and such judges shall be elected at general or municipal elections which shall be held and conducted in the same manner and subject to the same laws in all respects as govern the election of other State officers elected by the voters of the State at large Provided however that whenever at any election two or more judges of the Superior Court are to be elected for the same term of service each elector may vote for as many persons less one as there are judges to be chosen at said election

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The ruel requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1122, entitled:

An Act regulating the selection of jurors for service in the several courts civil and criminal of the county of Allegheny creating a Board of Judges from the Court of Common Pleas of said county for this purpose and prescribing the powers and duties of such Board imposing the entire cost and expense of maintaining and operating such Board upon said county requiring the County Commissioners of said county to provide suitable office quarters equipment and supplies for said Board authorizing the employment of the necessary clerks assistants deputies and other employees abolishing the existing office of jury commissioner in said county and providing that the present jury commissioners shall become clerks of said Board until the expiration of their term of office requiring other County Officers and Boards to furnish information to said Board and prescribing punishments for violation of the provisions hereof

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That CREATION OF "BOARD FOR THE SELECTION OF JURORS" For the better and more impartial selection of persons to serve as jurors in the several courts civil and criminal of the county of Allegheny there is hereby created a Board to be known as the "Board for the selection of Jurors" Said Board shall consist of three judges of the Court of Common Pleas of said county of which Board the President Judge of said Court shall be a member ex-officio The President Judge of said Court annually on or before the first day of December of each year shall appoint the three members of said Board who shall hold office for the calendar year next ensuing their appointment All vacancies arising in said Board shall be filled by the President Judge of said Court from time to time as occasion may arise Two members of said Board shall constitute a quorum for the transaction of business

On the question,

Will the House agree to the section?

Mr. PRICE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 1, page 2, line 1, by inserting after "Section 1." the following: CREATION OF "BOARD FOR THE SELECTION OF JURORS"

Amend sec. 1, page 2, line 4, by striking out the following: CREATION OF "BOARD FOR THE SELECTION OF JURORS"

Amend sec. 1, page 2, line 11, by striking out the words "of which Board" and inserting in lieu thereof "and"

Amend sec. 1, page 2, line 12, by striking out the words "shall be a member ex-officio"

Amend sec. 1, page 2, line 14, by inserting before the word "three" the word "other"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second third and fourth sections were separately read and agreed to as follows:

Section 2 DUTY OF OTHER COUNTY OFFICERS The County Commissioners of said county shall provide suitable office quarters for said Board at the county seat and shall properly furnish and equip the same and shall provide said Board with all needed supplies All expenses incurred in the maintenance and operation of said Board and all salaries and wages payable to clerks assistants deputies and other employees of said Board shall be payable out of the funds of said county in the County Treasury upon payrolls approved by said Board

Section 3 CLERKS EMPLOYEES AND SALARIES Said Board shall at all times employ a sufficient number of clerks assistants deputies and other employees as shall be necessary in the opinion of said Board to efficiently perform the duties provided herein The President Judge of said Court shall appoint all officers clerks assistants deputies and employees of said Board who shall be under the general charge of a clerk to be known as the "Jury Clerk' who shall be paid a salary of seven thousand five hundred dollars ($7,500.00) per annum

All salaries shall be payable in monthly or semi-monthly instalments All salaries payable to all employees of said Board other than as herein provided shall be fixed by the majority vote of a County Salary Board consisting of the members of the Board hereby created the County Commissioners of said county and the County Controller

Section 4 JURY CLERK The Jury Clerk under the direction of the Board shall have general charge of the work of said Board and shall be responsible for the efficient operation thereof The Jury Clerk is particularly charged with the duty of collecting information relative to the various persons in said county qualified to act as jurors and their fitness therefor and for the preparation of proper indices for the purpose of making readily available to said Board at all times full information pertaining to jurors and the list of jurors

The fifth sectin was read as follows:

Section 5 LIST OF TAXABLES—DUTIES OF OTHER COUNTY OFFICERS AND EMPLOYEES On or prior to the first day of June one thousand nine hundred and twenty-three the County Commissioners of said county or other officers or Board charged with the duty of making assessments for taxable purposes shall furnish to the Board hereby created a certified list arranged alphabetically of the names of all taxables of said county in the several cities borougns and townships located therein together with the residence and occupation of each taxable and each year thereafter a certified list of the names of all taxables who have been added to or removed from said list during the preceding year in each and every district in the said county together with any change of residence or occupation

It shall be the duty of the several local assessors to ascertain by strict inquiry the proper name of each taxable present within his respective district the exact place of residence together with the taxables present occupation and to state plainly written all such particulars in his assessment list

The duly authorized clerks assistants deputies and employees of said Board shall have the right of access at all times to all public offices in said county for the purpose of examining any lists of taxables on file in such office

On the question,

Will the House agree to the section?

Mr. PRICE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 5, page 4, line 2, by striking out the word "June" and inserting in lieu thereof "September."

Amend sec. 5, page 4, line 10, by inserting after the word "thereafter" the following: "on or before June first"

Amend sec. 5, page 4, lines 15 to 20, by striking out lines 15 to 20 both inclusive, and inserting in lieu thereof the following: It shall be the duty of the several local assessors to ascertain by strict inquiry the proper name of each taxable person within his respective district, the exact place of residence, the taxable's present occupation, and the name of the taxable's employer, if any, and to state plainly written all such particulars in his assessment list.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixth section was read as follows:

Section 6 PREPARATION OF JURY ROLL It shall be the duty of said Board to meet at the seat of justice of said county at least thirty days before the first term of the Court of Common Pleas in each and every year and thereupon to proceed with due diligence to select from the certified list of taxables of said county and not otherwise a sufficient number of names to fill the quota of persons required for service as jurors in all the Courts of said county for the ensuing calendar year duly qualified to serve as such in the manner hereinafter provided

Except as otherwise herein provided said Board shall in the manner now directed by law place the names of the persons so selected in the proper jury wheel which wheel securely locked and safeguarded from interference shall remain in the custody of the Board and the keys thereof in the custody of the President Judge of said Court

Said Board shall be the sole judge of the requirements and disqualifications of any person for jury service Provided however That if before trial any party to the cause shall submit proof to the Court that any juror on the panel does not possess the necessary qualifications or is exempt from jury service the Judge shall order his dismissal from the panel and the striking of his name from the jury roll

At the end of each year the Board shall ascertain the names of all persons on the jury roll during the preceeding year who have served and who have been excused and the names of such as have served shall be omitted for the following year and those who have not served and are duly qualified to act as jurors shall again be put on the jury roll for the following year

On the question,

Will the House agree to the section?

Mr. PRICE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 6, page 4, line 28, by striking out the word "thirty" and inserting in lieu thereof "ninety"

Amend sec. 6, page 5, line 3, by striking out the word "a sufficient number of" and inserting in lieu thereof "the"

Amend sec. 6, page 5, lines 3 and 4, by striking out the words "to fill the quota"

Amend sec. 6, page 5, line 4, by inserting after the word "persons" the words "who may be"

Amend sec. 6, page 5, line 16, by striking out the word "disqualifications" and inserting in lieu thereof "qualifications"

Amend sec. 6, page 5, line 18, by inserting after the word "submit" the word "satisfactory"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventh section was read and agreed to as follows:

Section 7 JURY ROLL The names of taxables so selected with their respective address and occupations shall in the presence of the Board be written on separate pieces or slips of paper which shall then and there be placed in a closed wheel to be provided by the County Commissioners and kept in the exclusive custody of the Board securely locked sealed or otherwise guarded from intrusion and a list of all the names appearing on the jury roll with their respective residences and occupations shall be certified to and filed in the office of the Prothonotary of the Court of Common Pleas of said county for preservation and public inspection One other such list shall be made out and kept in the office of said Board.

The eighth section was read as follows:

Section 8 QUALIFICATIONS OF JURORS To be a qualified juror a person must be

(a) An American citizen and a taxable resident of said county not less than twenty-one years of age nor more than seventy years of age

(b) One who bears a good reputation for honesty and integrity

(c) One who can read write and understand the English language

(d) One who has no physical disability that will tend to interfere with the duties of the juror

(c) One who has not served a full term of at least ten days within three years next preceding the year when the jury roll was made up

The foregoing prerequisities are mandatory and in order to obtain the foregoing information the Board shall cause a reliable investigation to be made to ascertain such facts as well as the other facts relating to the qualifications of such taxable as a juror

No persons other than those whose names appear on the certified list of taxables hereinbefore mentioned shall be placed upon the jury roll

The Board shall have the power to obtain in whatever manner it deems most suitable the information required in the performance of its duties hereunder and for this purpose the jury clerk in person or by deputy may visit as often as necessary every house office shop building or other place within the county

The jury shall be of convenient form arranged alphabetically and classified as to cities boroughs and townships The jury roll shall as to each name specify age occupation office address and residence address

On the question,

Will the House agree to the section?

Mr. PRICE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 8, page 6, line 27, by striking out the word "the" before the word "juror" and inserting in lieu thereof "a"

Amend sec. 8, page 6, line 28, by striking out the word "(c)" and inserting in lieu thereof "(e)"

Amend sec. 8, page 7, line 2, by striking out the word "when" and inserting in lieu thereof "for which"

Amend sec. 8, page 7, line 2, by striking out the words "was made up" and inserting in lieu thereof "is prepared"

Amend sec. 8, page 7, line 17, by inserting after the word "jury" the word "roll"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The ninth section was read as follows:

Section 9 EXEMPTION FROM JURY SERVICE The following persons are hereby exempted from jury service and their names shall not be placed upon the jury roll

(a) The mother of a small child or children

(b) A doctor of medicine an attorney at law a minister of the Gospel or a pharmacist in active practice in his or her profession

On the question,

Will the House agree to the section?

Mr. PRICE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 9, page 7, line 24, by striking out the entire line.

Amend sec. 9, page 7, line 25, by striking out the word "(b)"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The tenth section was read as follows:

Section 10 EXCUSES FROM JURY SERVICE No juror shall be excused from service when drawn from the wheel except

(a) For personal incapacity by reason of illness or injury or such illness in his or her immediate family as in the opinion of the Court shall require his or her attendance at home or

(b) When it shall appear that service at that particular period of the year impose an exceptional hardship on the juror's own business

In either event the juror shall be excused from service at the particular time but the name of such juror shall remain upon the jury roll and shall not be returned to the wheel but shall be set apart for service at such later date in the same or the following year as said Board may deem best Any juror whose name is so set aside shall be deemed to have been drawn from the jury wheel at the later date fixed for service by said Board

On the question,

Will the House agree to the section?

Mr. PRICE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 10, page 8, line 8, by striking out the words "period of the year" and inserting in lieu thereof "time"

Amend sec. 10, page 8, line 8, by striking out the word "impose" and inserting in lieu thereof "cause"

Amend sec. 10, page 8, line 9, by striking out the word "on" and inserting in lieu thereof "arising from"

Amend sec. 10, page 8, line 9, by striking out the words "juror's own business" and inserting in lieu thereof "affairs or business of the juror or his employer"

Amend sec. 10, page 8, by inserting after line 10 as a new clause the following: "(c) The mother of a small child or children"

Amend sec. 10, page 8, line 10, by striking out the entire line.

Amend sec. 10, page 8, line 11, by striking out the words "vice at the particular time but the" and inserting in lieu thereof "The"

Amend sec. 10, page 8, line 11, by striking out the word "such" and inserting in lieu thereof "any"

Amend sec. 10, page 8, line 11, by inserting after the word "juror" the following: "excused under the provisions of clauses (a) and (b) of this section".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The eleventh section read and agreed to as follows:

SECTION 11 DRAWING OF JURORS FROM THE WHEEL As often as directed by a judge of a court of record of said county the Board shall cause to be drawn from the jury wheel the number of names required who shall be summoned to appear before said judge at the time designated in the venire in the manner hereinafter mentioned The Jury Clerk personally or by his deputy or assistant in the presence of one of the members of the said Board shall draw the names from the jury wheel A minute of each drawing shall be kept which shall specify the court for which the juror is drawn the name of each juror drawn together with his or her address and occupation which shall be signed by the person in charge of the drawing and the judge present

A certified copy of the minute shall be delivered to the Clerk of Court for which the jury is drawn on the return day of the venire together with a return stating the time place and manner of serving each juror Such return shall be presumptive evidence of the fact of such service

The names of jurors drawn shall not be given to any person by the Jury Clerk or any employee of said Board unless authorized in writing so to do by the judge issuing the venire which order shall be preserved among the records of said Board

Any person in the employ of said Board giving any such information shall be guilty of a misdemeanor in office and on conviction shall be sentenced to pay a fine not to exceed one thousand dollars and to undergo an imprisonment not to exceed one year or either or both at the discretion of the Court

The twelfth section was read as follows:

Section 12 CUSTODY OF WHEEL The Jury Clerk shall preserve the said wheel secure from all interference by others and if the said Board on any examination the members thereof may make into the condition of the said wheel and its contents shall discover that any names have been surreptitiously withdrawn therefrom or that the contents of said wheel have been in any manner tampered with it shall be evidence of a misdemeanor committed by the Jury Clerk and thereupon it shall be the duty of any member of said Board to bind him over to answer at the next Court of Quarter Sessions and upon conviction thereof he shall be subject to a fine not exceeding one thousand dollars and to imprisonment not exceeding one year or either or both at the discretion of the Court

On the question,

Will the House agree to the section?

Mr. PRICE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 12, page 10, line 2, by inserting after the word "thereupon" the following: "unless the Board shall be satisfied he is free from all blame in the matter"

Amend sec. 12, page 10, line 3, by striking out the words "any member of"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The thirteenth section was read as follows:

Section 13 NOTIFICATION OF JURORS ON JURY ROLL AND AFFIDAVITS AS TO JURORS Within thirty days after the jury roll is completed the Jury Clerk shall cause notice to be given by mail to each of the persons whose names appear thereon

Thereafter any person shall have the right to file with the clerk of said board an affidavit setting forth any facts relating to the qualifications or disqualifications of any person whose name appears on the jury roll and it shall be the duty of the clerk to investigate and report thereon to said board and if any of such names are drawn from the jury wheel the board shall at that time determine whether or not the person is or is not qualified and in the event of their determining that the person is not qualified under the terms of this act the name of such juror shall be striken from the jury roll and if thereafter drawn from the wheel shall be cast out and another name drawn in place thereof

Thereafter any person whose name appears on the jury roll may if he or she so desires file an affidavit with the Jury Clerk setting up any ground of exemption or disqualification or any reason for not being called upon to serve at a particular time of the year by reason of the exigencies of his or her business or affairs If the board determines that the person filing such affidavit is disqualified from serving or is entitled to exemption the name of such person shall be striken from the jury roll and such name if thereafter drawn from the wheel shall be cast out If the affidavit filed requests that the person be not called to serve at a particular time of the year by reason of the exigencies of the person's business or affairs the board may in proper cases order that the name of such person if drawn from the wheel shall be set aside for jury service at such other later time in the year as will be more suitable and if the name of such person is drawn from the wheel too late in the year for service at such convenient time as the board may determine to be right in view of the nature of the person's business or affairs the board may releive the juror from service for the current year the name how ever to be set aside for service at such time in the following year as the board may deem best The names of all jurors so set aside for future service shall be deemed to have been drawn from the jury wheel at the later date fixed by the said board

On the question,

Will the House agree to the section?

Mr. PRICE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 13, page 10, lines 24 and 25, by striking out the words "if thereafter drawn from the wheel shall be"

Amend sec. 13, page 10, line 25, by inserting after the word "out" the following: "of the wheel"

Amend sec. 13, page 11, line 11, by inserting after the word "affairs" the following: "or employment"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourteenth section was read as follows:

Section 14 SUMMONING JURORS The board shall have the right to summon jurors in either of the following ways

(a) By having the Jury Clerk mail the summons by registered mail with return receipt requested

(b) By service of such summons by clerks or deputies duly appointed for the purpose such summons to be served on such persons in the manner now provided by law for the service of such summons by the sheriff of said county

(c) By causing the summons to be served by the Sheriff of said county in the manner now provided by law

Said summons shall be served upon each juror at least ten days before the time fixed for his or her appearance

The person making the service pursuant to the provisions hereof shall make return thereof to the proper court under oath stating the time and manner of such service and the same shall be presumptive evidence of the service thereof

If a juror neglects of refuses to appear the judge shall thereupon summarily cause said person to be brought before him and punish each and every offender as contempts of court are now punishable

The names of all persons excused by the court or failing to appear shall be transmitted to the Jury Clerk and the slips with such names shall not be returned to the jury wheel but shall be set apart for service at such later date as the board may direct at which date their names shall be deemed to have been drawn in accordance with the provisions thereof

On the question,

Will the House agree to the section?

Mr. PRICE. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend sec. 14, page 12, line 9, by striking out the word "ten" and inserting in lieu thereof "fifteen"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

The fifteenth, sixteenth, seventeenth, eighteenth, nineteenth and twentieth sections were separately read and agreed to as follows:

Section 15 LIMITATION OF RIGHTS TO OBJECT TO JURORS No exceptions objection or challenge to any juror grand juror or any panel of jurors shall be allowed at any time because of any failure to comply with the provisions of this act unless the complaining party shall raise the question before the case has gone to trial or if raised thereafter the facts were not known before trial and that an actual injustice has been done as a result thereof

Section 16 OATHS The Jury Clerk and such assistants and deputies as shall be named by the board shall have the power to administer oaths in any matter or thing connected with the selection and qualification of jurors or other matter to jury service

If any person shall wilfully and corruptly on his oath or affirmation administered by the jury clerk his deputy or assistant make a false statement in respect to any matter or thing inquired of such person shall be guilty of wilful and corrupt perjury and on conviction sentenced in such manner as perjury is by law punishable

SECTION 17 REPORT OF JURORS It shall be the duty of the Clerk of the several Courts of said county to notify said Board of any misconduct of jurors arising in their Court and it shall be the duty of the Jury Clerk to keep permanent record of such information and any investigations made with respect thereto and to make any investigations pertaining thereto as may be required by said Board or any members thereof or by the Court wherein any such misconduct took place It shall be the duty of the Board from time to time as occasion may arise to investigate any and all irregularities arising from the misconduct and to take such action in respect thereto as it ma deem necessary

SECTION 18 MANNER OF DRAWING TALESMEN Whenever talesmen are required in any of the said Courts the Jury Clerk shall produce the said wheel in open court and in the presence of the judges thereof draw therefrom five names for every talesman required which names so drawn shall be immediately noted on the minutes of the court whereupon a venire shall be issued requiring the clerks or deputies of said Board or sheriff to bring into court any one of the said five persons so drawn to serve as a tales juror or tales juror shall be selected or served in any other manner and the tickets or slips so drawn from the said wheel shall be returned thereto

SECTION 19 PLACING OF ADDITIONAL NAMES IN WHEEL Whenever said Board shall be of opinion that it will be necessary to place additional names in the wheel the Board shall select from the lists of taxables aforesaid the names of such number of qualified jurors as may in their judgment be necessary to supply all the venires that may be issued during the current year which names when so selected shall be placed in said wheel in the manner herein provided and a list of the names of the persons so selected and placed in the wheel with their residences and occupations shall be certified by the Board as herein required as an addition to the jury roll theretofore prepared

If the Board shall be of the opinion that the purpose of this act will be better carried out by adding further names to the jury roll and to the jury wheel from time to time during the course of the year the Board shall have the right so to do The Board shall always have on the jury roll and in the jury wheel at least five names for every juror required to be summoned during the curren year

SECTION 20 ABOLITION OF PRESENT OFFICE OF JURY COMMISSIONERS Forthwith upon the passage of this act the present office of Jury Commissioners in said county shall be and the same is hereby abolished and the present incumbents in said office hall forthwith become clerks of the Board hereby created for and during the balance of the term to which they have been elected at the same salary which they are now receiving and it shall be their duty to perform such services for the Board hereby created as may be required of them by said Board

The twenty-first section was read as follows:

SECTION 21 OTHER OFFENSES Any person who offers promises or gives money or anything of value to any person for the purpose of securing his or another's selection as a juror or for the purpose of evading for himself or another jury service or who directly or indirectly tampers with a jury roll jury wheel jury ballot or jury list or who directly or indirectly wilfully prevents hinders or subverts the execution of any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding five thousand dollars and undergo an imprisonment not exceeding two years or both or either at the discretion of the court

Any person who solicits demands or receives money or any thing of value or the promise thereof from any person for securing the selection of any person as a juror or for the purpose of excusing any person from jury service or who being a jury clerk deputy or assistant jury clerk or employee of the Board unlawfully tampers with any jury roll jury wheel jury ballot or jury list with the intent of preventing hindering or subverting the execution of any of the provisions of this act or with the intent of unlawfully securing the selection or excusing of any person from jury service shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding five thousand dollars and undergo an imprisonment not exceeding two years or both or either at the discretion of the court Thereupon if he be jury clerk deputy or assistant jury clerk in addition to the penalty imposed he shall be forthwith deprived of his said office and be thereafter incapable of holding any public office created under the laws of this Commonwealth

On the question,

Will the House agree to the section?

Mr. PRICE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 21, page 16, line 11, by striking out the word "prevent" and inserting in lieu thereof "preventing".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to,

The twenty-second section was read as follows:

Section 22 WHEN ACT TAKES EFFECT This act shall take effect forthwith upon its passage and the jury wheel now in the Sheriff's custody with the names of the jurors selected for the present year shall be turned over to said Board and the jurors for the current year shall be drawn therefrom until a new list is drawn by the Board appointed under the provisions thereof

On the question,

Will the House agree to the section?

Mr. PRICE, Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 22, page 16, line 29, by striking out the word "thereof" and inserting in lieu thereof "hereof"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to,

The twenty-third section was read as follows:

Section 23 LAWS REPEALED All general or local or special acts or parts of acts relating to the custody sealing locking opening of the jury wheel or the qualification selection drawing from the jury wheels of jurors or summoning them other than as herein provided together with all general local or special acts or parts of acts inconsistent herewith are repealed

On the question,

Will the House agree to the section?

Mr. PRICE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 23, page 17, line 7, by inserting after the word "repealed" the following: "in so far as they relate to the county of Allegheny".

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to,

The title was read and agreed to as follows:

An Act regulating the selection of jurors for service in the several courts, civil and criminal, of the county of Allegheny; creating a Board of Judges from the Court of Common Pleas of said County for this purpose and prescribing the powers and duties of such board; imposing the entire cost and expense of maintaining and operating such board upon said county; requiring the County Commissioners of said county to provide suitable office quarters, equipment and supplies for said board; authorizing the employment of the necessary clerks, assistants, deputies and other ememployees; abolishing the existing office of jury commissioners in said county and providing that the present jury commissioners shall become clerks of said board until the expiration of their term of office; requiring other county officers and boards to furnish information to said board, and prescribing punishment for violation of the provisions hereof.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1159, entitled:

An Act providing a system of registering titles to motor vehicles for the protection of owners of motor vehicles and to facilitate the recovery of motor vehicles stolen or unlawfully taken regulating the certification of such titles the purchase sale and transfer of motor vehicles and their registration providing for the collection of fees for the certification of titles and for dispositon thereof forbidding the destruction removal alteration covering or defacement of any engine manufacturer's or other distinguishing number or identification mark on motor vehicles and providing for the assignment of special numbers in certain cases imposing duties on the State Highway Commissioner sheriffs constables police officers and other peace officers and providing penalties

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term 'motor vehicle' as used in this act shall include automobiles motor-cycles trucks tractor trucks and all other vehicles which are self-propelled or designed to be self-propelled by mechanical power except traction engines tractors steam shovels road rollers agricultural machinery and vehicles which move upon or are guided by a track or travel through the air

The term 'person' as herein used shall include the singular and plural numbers and shall embrace all individuals of either sex whether acting on their own behalf or as members officers employes agents or other representatives of any other individual or of any firm copartnership corporation association or artificial body of any kind or character whatsoever

The trem 'manufacturer' as used in this act shall mean any person firm association or corporation engaged in the manufacture and sale of new motor vehicles as a regular business

The term 'jobber' as used in this act shall mean any person firm corporation or association engaged in the purchase and sale of new motor vehicles and their resale directly to dealers

The term 'dealer' as used in this act shall mean any person firm corporation or association actively engaged in the purchase and sale of motor vehicles or in the leasing of motor vehicles for a period of thirty (30) or more successive days and who has an established place of business

The term 'Commissioner' as used in this act shall mean the State Highway Commissioner of this Commonwealth

The term 'Department' as used in this act shall refer to the State Highway Department of this Commonwealth

The term 'new motor vehicle' as used in this act shall mean a motor vehicle which has not been sold bargained exchanged given away by or title transferred other than from the manufacturer to his dealer or his agent

The term 'used motor vehicle' as used in this act shall mean a motor vehicle which has been sold bargained leased exchanged given away by or title transferred from the person who first took title to it from the manufacturer or the agent of the manufacturer and is to include all motor vehicles which have been in use in such manner as to have become what are commonly known as 'second hand' motor vehicles or automobiles within such definition

The term 'rebuilt motor vehicle' as used in this act shall mean a motor vehicle which shall have been assembled by using new parts and used parts derived from other motor vehicles of the same make and rebuilt by the manufacturer thereof Such rebuilt motor vehicle for the purpose of this act shall be considered a new motor vehicle.

The term 'owners' as used in this act shall include the person or persons having a motor vehicle in his or their possession custody or control under a lease or contract of conditional sale or other like agreement

On the question,

Will the House agree to the section?

Mr. METCALF. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The aemndment was read by the Clerk as follows:

Amend section 1, page 3, line 27. Correct the word "possesion" to read "possession"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 "That no certificate of registration of any motor vehicle or registration number plates therefor shall hereafter be issued by the Commissioner unless the owner thereof shall make application for and be granted an official certificate of title to such motor vehicle or shall present satisfactory evidence that such a certificate of title has been previously issued to the owner covering such motor vehicle Said application shall be made upon a blank form to be furnished by the Commissioner and shall be acknowledged before a notary public or other officer empowered to administer oaths and shall contain a full description of the motor vehicle together with a statement of the owner's title and of any liens or encumbrances upon said motor vehicle and whether possession is held under a lease contract of constitutional sale or other like agreement The Commissioner shall use reasonable diligence in ascertaining whether or not the facts stated in said application for a certificate of title are true and if satisfied that the applicant is the lawful owner of such motor vehicle or is otherwise entitled to have the same registered in his name he shall thereupon issue an appropriate certificate of title over his signature and sealed with the seal of his office Said certificate of title shall contain such description and other evidences of identification of said motor vehicle as the Commissioner may deem reasonably necessary and proper together with a statement of any liens or encumbrances which the application may show to be thereon or that the vehicle is held under a lease contract of conditional sale or other like agreement The charge for each original certificate of title so issued shall be two ($2) dollars except in the case of a jobber or dealer acquiring a new or rebuilt motor vehicle for which no certificate of title has been issued when the charge for each original certificate of title shall be fifty (50) cents and except in case of a dealer acquiring a new or rebuilt motor vehicle from a jobber or other dealer to whom the original certificate of title has been issued and by whom it has been directly assigned to said dealer in which case the charges for the certificate shall likewise be fifty (50) cents and the certificate of title shall be good for the life of the car so long as the same is owned or held by the original holder of such certificate of title and shall not have to be renewed annually or at any other time except as herein provided In the case of motor vehicles now owned and already registered in this Commonwealth during and for the year one thousand nine hundred twenty-three an application for a certificate of title accompanied by such evidences of ownership liens and encumbrances or possession under a lease contract or conditional sale or other like agreement as the Commissioner may require shall be made within six (6) months after this act becomes effective Immediately upon the passage of this act it shall be the duty of the Commissioner to cause to be printed copies of this act and to mail every person to whom he has issued a certificate of registration for the year one thousand nine hundred and twenty-three one of such printed copies accompanied by a specific notice that the title of such motor vehicle must be registered as herein provided together with the necessary prescribed form upon which to make application for an official certificate of title as hereinbefore provided"

On the question,

Will the House agree to the section?

Mr. METCALF. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 4, line 14, correct the word "constitutional" to read "conditional"

Amend page 4, lines 27, 28 and 29 by striking out the words "or that the vehicle is held under a lease, contract of conditional sale or other like agreement" and inserting "Provided that a corrected Certificate of Title shall be issued upon request of the owner when original Certificate of Title is returned with evidence that lien, encumbrance or legal claim has been satisfied"

Amend page 5, line 10, by striking out the word "charges" and inserting the word "charge"

Amend page 5, line 16, by striking out the words "and already" and inserting the word "or"

Amend page 5, line 21, correct the word "or" to read "of"

Amend page 5, line 23, by striking out the words "becomes effective" and inserting the words "is approved"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 "It shall be unlawful and a misdemeanor punishable by a fine of not less than fifty ($50) dollars nor more than one thousand ($1,000) dollars for any person to operate in this Commonwealth a motor vehicle under a Pennsylvania registration unless such certificate of title shall have been issued as herein provided In the event of the sale or transfer of the ownership of a motor vehicle for which an original certificate of title has been issued as aforesaid the original holder of such certificate of title shall endorse on the back of the same an assignment thereof with warranty of title in a form printed thereon with a statement of all liens encumbrances or legal claims on said motor vehicle and deliver the same to the purchaser or transferee at the time of the delivery to him of such motor vehicle The purchaser or transferee shall within ten (10) days thereafter present such certificate of title assigned as aforesaid to the Commissioner whereupon a new certificate of title shall be issued to the assignee for which the charge shall be two ($2) dollars All certificates when so assigned and returned to the Commissioner shall be retained by the Commissioner and appropriately classified and indexed in such a manner as most convenient to trace title to the motor vehicle designated therein"

On the question,

Will the House agree to the section?

Mr. METCALF. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 3, page 6, line 9, amend by inserting after the word "to" the words "own or"

Amend page 6, line 25, by striking out the words "All certificates" and inserting the words "Certificates of title"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read as follws:

Section 4 "The owner or any person without the consent of the owner being first obtained who shall operate a motor vehicle in this Commonwealth under a Pennsylvania registration without securing a certificate of title as herein provided within six (6) months after this act becomes effective shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty ($50) dollars nor more than one thousand ($1,000) dollars After the expiration of six (6) months from the date upon which this act becomes effective it shall be unlawful and a misdemeanor punishable by a fine of not less than one hundred ($100) dollars nor more than one thousand ($1,000) dollars and by imprisonment for not less than two (2) years nor more than ten (10) years for any one to sell convey or transfer pass title to deliver or purchase buy procure or otherwise acquire title within the limits of this Commonwealth to any motor vehicle unless at the time of the sale or delivery thereof there shall pass between the parties such certificate of title with an assignment thereof in the form prescribed by the Commissioner or in a form approved by him if the title has been acquired or registered in any other state than this Commonwealth Any person who shall make any false statement either in his application for certificate of title herein provided for or in any assignment thereof or who with intent to procure or pass title to a motor vehicle which he knows or has reason to believe has been stolen shall accept or transfer title or possession to the same or who shall use operate or occupy any motor vehicle which he knows or has reason to believe has been stolen shall be deemed guilty of a felony and upon conviction thereof shall be punished by a fine of not less than five hundred ($500) dollars nor more than five thousand ($5,000) dollars and by imprisonment for not less than two (2) years nor more than ten (10) years in the discretion of the court This provision shall supplement and be in addition to any other penalties prescribed by law for the theft or unauthorized taking or use of any motor vehicle Any person who shall alter or forge any certificate of title issued by the Commissioner pursuant to the provisions of this act or any assignment thereof or who shall hold or use any such certificate or assignment knowing the same to have been altered or forged shall be deemed guilty of a felony and upon conviction thereof shall be fined not less than one thousand ($1,000) dollars nor more than five thousand ($5,000) dollars and be imprisoned for a period of not less than two (2) years nor more than ten (10) years in the discretion of the court"

On the question,

Will the House agree to the section?

Mr. METCALF. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 4, page 7, line 6, by striking out the words "becomes effective" and inserting the words "is approved"

Amend page 7, line 9, by inserting after the word "dollars", "Provided, however, that no prosecution shall be brought or conviction had under the aforesaid clause where is shall appear that any such operation of a motor vehicle was in conformity with the laws of the Commonwealth relating to the registration and operation of motor vehicles"

Amend page 7, line 10 by striking out the words "becomes effective" and inserting the words "is approved"

Amend page 7, lines 21 and 22 by striking out the words "in a form approved by him" and inserting the words "when that is not possible upon presentation of satisfactory proof to the Commissioner of ownership and right of possession to such motor vehicle"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth section was read and agreed to as follows:

Section 5 "In case of a lost certificate of title the loss of which is accounted for to the satisfaction of the Commissioner a duplicate certificate of title may be issued for which the charge shall be fifty (50) cents Provided The fee for a certified copy of a certificate of title shall be one ($1) dollar"

The sixth section was read as follows:

Section 6 "Any person or persons who shall destroy remove cover alter or deface or cause to be removed covered altered or defaced the engine number manufacturer's number or other distinguishing number or identification mark of any motor vehicle in this Commonwealth for any reason whatsoever other than provided herein or who shall give a wrong description in an application for a certificate of title of any motor vehicle in this Commonwealth for the purpose of concealing or hiding the identity of such motor vehicle shall be deemed guilty of a felony and upon conviction thereof shall be fined not less than one hundred ($100) dollars nor more than one thousand ($1,000) dollars and imprisonment for a term of not less than two (2) years nor more than ten (10) years at the discretion of the court"

On the question,

Will the House agree to the section?

Mr. METCALF. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 6, page 9, line 11, correct the word "imprisonment" to read "imprisoned"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventh section was read as follows:

Section 7 "Any person who thirty (30) days after this act becomes effective shall sell or offer for sale in this Commonwealth a motor vehicle on which the original engine number or identification of which has been destroyed removed altered covered or defaced with knowledge of said destruction removal alteration covering or defacement shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than two hundred ($200) dollars nor more than five hundred ($500) dollars and by imprisonment for a term of not less than thirty (30) days nor more than one hundred and eighty (180) days in the discretion of the court and upon a second conviction under this section the punishment shall be imprisonment for a term not less than one (1) year nor more than five (5) years in the discretion of the court The selling or offering for sale in this Commonwealth of a motor vehicle on which the original engine number manufacturer's number or other distinguished number or identification of which has been destroyed removed altered or defaced shall be prima facie evidence of knowledge on the part of the person selling or offering for sale such motor vehicle of said destruction removal alteration covering or defacement of said original engine number manufacturer's number or other distinguishing number or identification Provided however That any person being the owner or custodian of or having possession of a motor vehicle at the time this act becomes effective the original engine number or manufacturer's number of which has been previously destroyed removed altered covered or defaced shall before the expiration of thirty (30) days after this act becomes effective apply to the Commission on a blank to be prepared and furnished by the Commissioner upon request for a special number plate to be placed on the motor vehicle and Further provided That should the engine of a motor vehicle be placed by a new or used engine on which the engine number has been destroyed removed covered altered or defaced it shall be the duty of the owner of such motor vehicle to apply to the Commissioner on a blank furnished by the Commissioner for a special number plate to be placed on such engine Such blank shall be accompanied by Certificate of Title issued to said motor vehicle upon receipt of which a Corrected Certificate of Title shall be issued without additional fee The application shall contain a description of such motor vehicle including the make style and year of model of the same as complete a description of the original engine number or manufacturer's number if any part of the same remain as is possible to give any distinguishing marks that may be on the engine or body of such motor vehicle and the name and postoffice address of the applicant the date on which he purchased or procured possession of the same The name and postoffice address of the person from whom he purchased such motor vehicle and such other information as the Commissioner may require all of which description and facts shall be sworn to by said applicant Upon receipt of such application the Commissioner shall issue to said applicant a special number plate and certificate for such motor vehicle and when such special number plate has been placed on the motor vehicle it shall become and thereafter be the lawful engine or manufacturer's number as the case may be of such motor vehicle for the purpose of identification and registration and for all other purposes under the provisions of this act and the owner thereof may sell and transfer the same under said special number and any person or persons who shall destroy remove cover alter or deface any special number plate so issued by the Commissioner shall be deemed guilty of a felony and upon conviction thereof shall be punished by imprisonment for a term of not less than two (2) years nor more than ten(10) years"

On the question,

Will the House agree to the section?

Mr. METCALF. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 7, page 9, line 15. Amend by striking out the words "becomes effective" and inserting the words "is approved"

Page 10, line 5. Correct the word "distinguished" to read "distinguishing"

Page 10, line 14. Amend by striking out the words "becomes effective" and inserting the words "is approved"

Page 10, lines 17 and 18. Amend by striking out the words "becomes effective" and inserting the words "is approved"

Page 10, line 18. Correct the word "Commission" to read "Commissioner"

Page 10, line 22. Correct the word "placed" to read "replaced"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The eighth section was read as follows:

Section 8 "In case of the transfer of ownership or possession of a motor vehicle by operation of law as upon inheritance devise or bequest order in bankruptcy insolvency replevin or execution sale or whenever a motor vehicle is sold at public sale to satisfy storage or repair charges or repossession is had upon default in performance of the terms of a lease contract of conditional sale or other like agreement it shall thereupon become the duty of the person from whose possesson such motor vehicle was taken and without prejudice to his rights in the premises immediately to surrender the certificate of title for such motor vehicle to the person to whom possession of such motor vehicle has so passed The Commissioner upon surrender of prior certificate of title or when that is not possible upon presentation of satisfactory proof to the Commissioner of ownership and right of possession to such motor vehicle and upon payment of the fee of two ($2) dollars and presentation of application for certificate of title shall issue to the applicant to whom possession of such motor vehicle has so passed a certificate of title thereto Any person failing to comply with the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than five ($5) dollars nor more than one hundred ($100) dollars"

On the question,

Will the House agree to the section?

Mr. METCALF. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 8, page 12, line 22. Amend by inserting after the word "misdemeanor" the words "may be prosecuted by the Commissioner"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The ninth section was read as follows:

Section 9 "Any person operating or having the custody of a motor vehicle after thirty (30) days from the time this act becomes effective on which the engine or monufacturer's number has been removed altered defaced destroyed or so covered as to be concealed and application has not been made to the Commissioner for special number as hereinbefore provided shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than twenty-five ($25) dollars nor more than fifty ($50) dollars

In this instance the possessor of any such motor vehicle shall be prima facie presumed to have knowledge thereof and the burden of proof shall rest upon such person to show that he had not such knowledge Provided further That if said party cannot to the satisfaction of the court establish his ownership to said motor vehicle the same shall be confiscated by the court and sold and the proceeds thereof shall be used to pay the fine and costs of prosecution and the balance if any shall be turned into the State Treasury for the use of the State Highway Department as hereinafter provided Provided however That after judgment by the court is rendered thirty (30) days shall elapse and then if such fines and costs have not been paid said court shall proceed to advertise and sell said motor vehicle in the manner provided by law for the sale of personal property under execution If at any time while such motor vehicle remains in the custody of the court or its officers the true owner shall appear and establish his title thereto to the satisfaction of such court the same shall be returned to such owner who shall apply to the Commissioner for a special number as hereinbefore provided and may thereafter use the motor vehicle upon notifying the Commissioner of such facts by a certified copy of such proceedings and obtaining a certificate of title therefor in accordance with this act if he has not such certificate of title In case the said motor vehicle is so returned to the party as such owner before the said motor vehicle can be used again it shall be provided with special number if needed as furnished by the Commissioner and title of ownership and registration number plates shall be procured"

On the question,

Will the House agree to the section?

Mr. METCALF. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 9, page 12, line 27, Amend by striking out the words "becomes effective" and inserting the words "is approved"

Page 13, lines 6 to 10. Strike out the words "In this instance the possessor of any such motor vehicle shall be prima facie presumed to have knowledge thereof and the burden of proof shall rest upon such person to show that he had not such knowledge Provided further That if said party cannot" and inserting "If ownership to such motor vehicle is not established"

Page 13, line 11, strike out the words "establish his ownership to"

Page 13, line 12, Strike out the words "the same"

Page 13, line 18, Amend by striking out the word and figures "thirty (30)" and inserting the word and figures "ninety (90)"

Page 13, line 18. Correct the word "fines" to read "fine"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The tenth section was read as follows:

Section 10 "After the thirty (30) days referred to for procuring special number it shall be the duty of every sheriff deputy sheriff constable chief of police and other peace officer in this Commonwealth having knowledge of a motor vehicle the engine number or manufacture's number of which has been destroyed removed covered altered or defaced to immediately seize and take possession of such motor vehicle provided such party fails to secure certificate of title and arrest the supposed owner and custodian thereof and cause prosecution to be brought in a court of competent jurisdiction It shall be the duty of the court to retain the custody of said motor vehicle pending the prosecution of the person arrested and in case such person shall be found guilty said motor vehicle shall remain in the custody of the court until the fine and costs of prosecution shall be paid"

On the question,

Will the House agree to the section?

Mr. METCALF. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 9, Page 14, line 23, Insert after the word "paid" the words "not exceeding ninety (90) days"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The eleventh section was read as follows:

Section 11 "In designing special number plates for motor vehicles under the provisions of this act the Commissioner shall designate and number the same consecutively preceded by the letter 'S' and followed by the letters 'PA' for each and every make of motor vehicle for which application for special number shall be made and in order of the filing of application therefor Provided That from and after this act becomes effective the Commissioner shall not issue a certificate of title for any motor vehicle without an engine number or manufacturer's number or issue a registration for the opertion of the same except as specifically provided for herein"

On the question,

Will the House agree to the section?

Mr. METCALF. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendments will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 11, Page 15, line 3, Amend by striking out the words "becomes effective" and inserting the words "is approved"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twelfth section was read as follows:

Section 12 "It shall be the duty of the Commissioner Whenever he may receive a report of the theft of a motor vehicle whether the same has been registered or not and whether owned in this or any other State together with the make and manufacturer's number thereof to make a distinctive record thereof and file the same in numerical order of the manufacturer's number with the records of the vehicles of such make already registered In the event of the receipt of an application for a certificate of title of such motor vehicle he shall immediately notify the rightful owner thereof and unless a certificate of title has already been issued shall withhold the issuing of such certificate of title until the proper investigation shall have been made

In the event of the recovering of a stolen vehicle of which the Commissioner as been notified it shall be the duty of the owner to notify immediately the Commissioner who shall cause the record of the theft of such vehicle to be removed from the file

It shall be the duty of every sheriff constable police officer member of the State Police Force or designated officer of the Department having knowledge of a stolen car immediately to furnish the Commissioner with full information in connection therewith

The Commissioner shall prepare a report listing motor vehicles stolen and recovered as disclosed by the reports submitted to him to be distributed as he may deem advisable"

On the question,

Will the House agree to the section?

Mr. METCALF. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendments will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 12, Page 15, line 22, Amend by inserting after the word "stolen" the word "motor"

Page 15, line 23, Correct the word "as" to read "has"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The thirteenth section was read as follows:

Section 13 "The moneys derived under the provisions of this act from certificates of title certified copies of records duplicate copies of certificates of title fines and penalties collected under the provisions of this act for violation of the same bail forfeited and sale of confiscated motor vehicles shall be paid by the State Highway Department into the State Treasury and the same are hereby specifically appropriated to the State Highway Department for the purpose of assisting in the reconstruction improvement maintenance and repairs of State highways and for the payment of salaries traveling expenses and any and all other expenses necessary in the judgment of the State Highway Commissioner to effectually carry on the work of the State Highway Department as described in the Act of Assembly approved May thirty-first one thousand nine hundred and eleven known as the State Highway Act with amendments thereto and to carry out and enforce the provisions of this act and amendments thereto including the penal provisions thereof and for that purpose the Commissioner is hereby authorized to appoint such employes as in his discretion are necessary said moneys to be paid from the State Treasury upon requisition of the State Highway Commissioner and after audit and approval by the Auditor General and State Treasurer in the usual manner"

On the question,

Will the House agree to the section?

Mr. METCALF. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 13, page 16, line 8. Amend by striking out the word "provision" and inserting the word "provisions"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

The fourteenth section was read as follows:

Section 14 "The Commissioner shall cause to be maintained a record of certificates of title issued and may at his discretion destroy such records"

On the question,

Will the House agree to the section?

Mr. METCALF. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 14, page 17, line 6. Amend by inserting after the word "may" the words "after five (5) years"

Page 17, line 7, Section 14 amend by inserting new paragraph as follows: "Any person owning or possessing a motor vehicle shall notify the Commissioner within ten (10) days of the destruction or junking of such motor vehicle. Any person failing to notify the Commissioner of the destruction or junking of any motor vehicle as herein provided shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred ($100) dollars nor more than one thousand ($1,000) dollars or to undergo imprisonment not exceeding two (2) years or both at the discretion of the court."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to,

The fifteenth section was read and agreed to as follows:

Section 15 "The Commissioner is authorized to make requisition on the Department of Public Printing and Binding for the printing of necessary forms certificates of title bulletins and other printed matter required for carrying out the provisions of this act and for the dissemination of information to the public"

The sixteenth section was read as follows:

Section 16 "No fee shall be charged for a certificate of title of motor vehicles owned and used by the United States the Commonwealth of Pennsylvania or by any city borough incorporated town township or county duly authorized volunteer fire department hospital humane society or anticruelty society in this Commonwealth or by the American Red Cross but all such vehicles shall be issued a certificate of title as is provided for privately owned motor vehicles"

On the question,

Will the House agree to the section?

Mr. METCALF. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 16, page 17, line 18. Amend by striking out the word "department" and inserting the word "force"

Page 17, after line 22 amend by inserting new paragraph reading as follows:

"Section 17. Any person knowingly making and misstatement of facts in application for Certificate of Title shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than one hundred ($100) dollars or more than one thousand ($1,000) dollars and imprisonment of not less than two (2) years nor more than ten (10) years at the discretion of the court, and the Clerk of the Court in which such conviction is had shall forthwith certify such conviction to the Commissioner who shall cancel the Certificate of Title issued to such person".

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to,

The seventeenth section was read as follows:

Section 17 "If any parts of this act be declared unconstitutional the same shall not in any way affect the balance of this act remaining after such decision"

On the question,

Will the House agree to the section?

Mr. METCALF. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 17, page 17, line 23. Amend the figures "17" to read "18"

Page 17, line 23. Correct by inserting after the word "any" the words "part or".

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to,

The eighteenth section was read as follows:

Section 18 "The act approved June thirtieth one thousand nine hundred and nineteen entitled 'An act regulating the sale conveyance transfer or disposition of second hand motor vehicles requiring the making and filing of sworn descriptions thereof and statements in relations thereto regulating the registry of such vehicles imposing certain duties on the State Highway Commissioner relative to such stolen vehicles forbidding the removal defacement alteration destruction obliteration or concealment of the trade-marks indentification numbers serial numbers or other distinguishing marks of motor vehicles or the having possession of motor vehicles or parts thereof on or from which such trade or other distinguished marks or numbers have been removed defaced altered destroyed obliterated or concealed imposing certain duties upon deputy sheriffs constables police officers and proprietors of public garages prohibiting the registration of motor vehicles subject to the provisions of this act unless in compliance with its terms providing for the licensing of the business of dealing in second-hand motor vehicles and fixing penalties for violations of the provisions of this act and providing that the making of a false affidavit under the provisions of this act shall be purjury and shall be punishable as such' and the act approved May sixteenth one thousand nine hundred and twenty-one entitled 'An act regulating the sale conveyance transfer or disposition of used motor vehicles and defining the same requiring the making and filing of sworn descriptions thererof and statements in relation thereto regulating the registry of such vehicles imposing certain duties on the State Highway Commission relative to such stolen vehicles forbidding the removal defacement alteration destruction obliteration or concealment of the trade-marks identification numbers serial numbers or other distinguishing marks of motor vehicles or the having possession of motor vehicles or parts thereof on or from which such trade or other distinguishing marks or numbers have been removed defaced altered destroyed obliterated or concealed imposing certain duties upon sheriffs deputy sheriffs constables police officers proprietors of public garages and dealers in used motor vehicles prohibiting the registration of motor vehicles subject to the provisions of this act unless in compliance with its terms providing for the licensing of the business of dealing in used motor vehicles and fixing penalties for violations of the provisions of this act and providing that the making of a false affidavit under the provisions of this act shall be perjury and shall be punishable as such' and all other acts or parts of acts inconsistent herewith shall be and the same are hereby repealed"

On the question,

Will the House agree to the section?

Mr. METCALF, Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 18, page 17, line 26. Amend the figures "18" to read "19"

Page 18, line 2. Amend the word "relations" to read "relation" by striking off the letter "s"

Page 18, line 7. Correct the word "indentification" to read "identification

Page 18, line 10. Correct the word "distinguished" to read "distinguishing"

Page 18, line 27. Correct the word "Commission" to read "Commissioner"

Page 19, line 16. Amend by inserting after the word "such" the words "be and the same are hereby repealed, but said repeal shall not take effect as to section nine thereof until six months after the approval of this act"

Page 19, line 16. Amend by striking out the words "and all' and inserting the word "All"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The nineteenth section was read as follows:

Section 19 "Except as otherwise provided this act shall take effect immediately upon its passage"

On the question,

Will the House agree to the section?

Mr. METCALF. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 18. Page 19, line 19. Amend the figures "19" to read "20"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act providing a system of registering titles to motor vehicles for the protection of owners of motor vehicles and to facilitate the recovery of motor vehicles stolen or unlawfully taken; regulating the certification of such titles, the purchase, sale and transfer of motor vehicles, and their registration; providing for the collecting of fees for the certification of titles, and for disposition thereof; forbidding the destruction, removal, alteration, covering or defacement of any engine, manufacturer's or other distinguishing number or identification mark on motor vehicles, and providing for the assignment of special numbers in certain cases; imposing duties on the State Highway Commissioner, sheriffs constables, police officers and other peace officers; and providing penalties.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 667, as follows:

An Act providing for the return by the Board of Game Commissioners to persons entitled thereto of moneys erroneously paid into the State Treasury

Section 1 Be it enacted by the Senate and House of Pepresentatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any person shall have been arrested for violating the laws of the Commonwealth prohibiting the having of dogs by unnaturalized foreign born citizens and such person has paid to an officer a forfeit which has been paid into the State Treasury and if it shall appear thereafter that such person was a naturalized citizen and was not guilty of the violation of the laws of the Commonwealth then the Board of Game Commissioners is hereby authorized to return to such person the amount so paid as a forfeit and erroneously paid into the State Treasury Such moneys shall be paid from the fund in the State Treasury into which the same were paid and for such purposes such moneys are hereby specifically appropriated

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1418 (Senate Bill No. 153), entitled:

An Act providing for and regulating subject to certain restrictions limitations and liabilities assistance to certain aged persons and providing for their burial creating an Old Age Assistance Commission of this Commonwealth and an Old Age Assistance Board in each county defining their powers and duties providing for the appointment and fixing the compensation of an Old Age Assistance Superintendent and assistants and investigators making counties liable for certain expenses providing penalties and making an appropriation

The first and second sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby created an Old Age Assistance Commission hereinafter termed "the Commission" which shall be composed of three citizens of the Commonwealth who shall within ninety days of the approval of this act be appointed by the Governor for a term of four years except that of the members first appointed one shall be appointed for a term of two years and one for a term of three years Each member of the commission shall receive as compensation in addition to the necessary expenses incurred in the performance of his duties ten dollars per diem while actually engaged in the business of the commission Vacancies shall be filled for the unexpired term of the vacant position in the same way as the original appointment

Section 2 The commission shall appoint an old age assistance superintendent hereinafter termed the "superintendent" who shall be qualified by character training and experience The commission shall fix the salary of the superintendent which shall not exceed eighteen hundred dollars per annum The superintendent with the approval of the Commission shall appoint the necessary number of assistants and fix their duties and salaries within the appropriation made by the legislature

The third section was read as follows:

Section 3 The commission shall have authority to make such rules and regulations as are necessary to carry out the provisions of this act

On the question,

Will the House agree to the section?

Mr. FLYNN, Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 3, page 3, line 1, by striking out the brackets before and after the word "Governor"

Amend section 3, page 3, lines 1 and 2, by striking out the words "county commissioners"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Sections four to thirty-eight inclusive and title were separately read and agreed to as follows:

Section 4 There shall be established in each county a county old age assistance board hereinafter known as "the board" to consist of three persons domiciled in the county who shall be appointed by the county commissioners for a term of four years except that of the members first appointed one shall be appointed for a term of two years and one for a term of three years Vacancies shall be filled in the same way in which the original appointment was made The members of the board shall serve without pay except that the necessary expenses incurred while in the performance of their duties shall be paid to them upon proper vouchers therefor

Section 5 The board may appoint one or more local investigators at a salary for each of not to exceed nine hundred dollars per annum

Section 6 The commission and the board shall meet at such times and places as may be fixed by the rules of the commission

Section 7 Subject to the provisions and under the restrictions contained in this act every person while residing in the Commonwealth shall be entitled to assistance in old age

Section 8 The amount of assistance shall be fixed with due regard to the condition in each case but in no case shall it be an amount which when added to the income of the applicant from all other sources shall exceed a total of one dollar a day

Section 9 Old age assistance may be granted only to an applicant who

(a) Has attained the age of seventy years or upwards

(b) Has been a citizen of the United States for at least fifteen years before making application for assistance

(c) Resides in the Commonwealth and (1) has so resided continuously for at least fifteen years immediately preceding the date of application but continuous residence in the State shall not be deemed to have been interrupted by periods of absence therefrom if the total of such periods does not exceed three years or (2) has so resided forty years at least five of which have immediately preceded the application Provided That absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence in the State if a domicile be not acquired outside the State

(d) Is not at the date of making application an inmate of any prison jail workhouse insane asylum or any other public reform or correctional institution

(c) For six months or more during the fifteen years preceding the date of application for relief if a husband has not deserted his wife or without just cause failed to support her and his children under the age of fifteen years if a wife has not deserted her husband or without just cause failed to support such of her children as were under age and she was bound to support

(f) Has not within one year preceding such application for assistance been a professional tramp or beggar

(g) Has no child or other person responsible under the law of this State and found by the board or by the commission able to support him

Section 10 Old age assistance shall not be granted to a person if the value of his property exceeds three thousand dollars or if married and not separated from husband or wife if the value of his or her property together with that of such husband or wife exceeds three thousand dollars

The claimant must not have deprived himself directly or indirectly of any property for the purpose of qualifying for old age relief

Section 11 The annual income of any property which does not produce a reasonable income shall be computed at five per centum of its value as determined by the board

The income of the applicant shall be his income for twelve months preceding the date on which his application was made

The property owned at the date of application for relief shall be taken as property of the applicant for the purposes of this act

Section 12 On the death of a person receiving assistance under this act or of the survivor of a married couple both of whom were so assisted the total amount paid as assistance together with simple interest at three per centum annually shall be allowed and deducted from the estate by the court having jurisdiction to settle the estate and paid into the treasury of the Commonwealth

Section 13 If the commission deems it necessary to protect the interest of the Commonwealth it may require as a condition to the grant of assistance a certificate that all or any part of the property of an applicant for assistance be transferred to the Commission Such property shall be managed by the commission which shall pay the net income to the person or persons entitled thereto The commission shall have power to sell lease or transfer such property or defend and prosecute all suits concerning it and to pay all just claims against it and to do all other things necessary for the protection preservation and management of the property

The Attorney General at the request of the commission shall take the necessary proceedings and represent and advise the commission in respect to any matters arising under this section

Section 14 An applicant for assistance shall deliver his claim in writing to the board of the county in which he resides in the manner and form prescribed by the commission

All statements in the application shall be sworn to or affirmed by the applicant setting forth that all facts are true in every material point

Section 15 Whenever an application is made for old age assistance the board directly or through an investigator shall promptly make investigations and after hearing the applicant if he so request if it approve the applications shall make a recommendation of the amount of the assistance to be allowed or if it disapprove make a recommendation that no assistance be allowed. The board shall send a copy of the application its recommendation and the reasons for its decision to the commission with such supporting papers as the commission may require The commission may thereupon make investigation as it sees fit through the superintendent or through the board making the recommendation and may direct a rehearing before the board of which the applicant shall have at least ten days notice and at which he may appear and offer evidence. The commission shall decide upon the application and fix the amount of the pension if any and its decision shall be final. An applicant whose application for assistance has been rejected may not re-apply for assistance until the expiration of twelve months from the date of the previous application

Section 16 For the purpose of any investigation the commission and the board shall have the power to compel by subpoena the attendance and testimony of witnesses and the production of books and papers All witnesses shall be examined on oath and any member of the commission or of the board may administer said oath If any person fails or refuses to obey such subpoena the commission or board may petition the court of common pleas of the county where the hearing is held whereupon the court shall issue its subpoena and enforce compliance with same as in other cases

Section 17 The commission shall issue to each applicant to whom assistance is allowed a certificate for one year stating the amount of each instalment which may be monthly or quarterly as the commission may decide

Section 18 An assistance certificate shall be required for each subsequent year to be issued by the commission after such investigation as it may deem necessary and the amount of the assistance may be changed if the commission finds that the applicant's circumstances have changed

Section 19 The assistance if allowed shall commence on the date named in the certificate which shall be the first day of the calendar month following that on which the petition was received by the board

Section 20 If at any time during the currency or continuance of an old age assistance certificate the recipient or the wife or husband of the recipient becomes possessed of any property or income in excess of the amount allowed by this act in respect to the amount of assistance granted it shall be the duty of the recipient immediately to notify the board of the receipt and possession of any such property or income and the board may on inquiry and with the approval of the commission either cancel the assistance or vary the amount thereof during the period of the certificate Any excess assistance paid shall be returned to the Commonwealth and recoverable as a debt due the State

Section 21 If on the death of any person receiving assistance it is found that he was possessed of property or income in excess of the amount allowed by this act in respect to the amount of the assistance double the total amount of the assistance in excess of that to which the recipient was entitled may be recovered by the commission as a preferred claim from his estate and paid into the treasury of the Commonwealth

Section 22 On the death of any person receiving old age assistance such reasonable funeral expenses for burial shall be paid to such persons as the board directs Provided such expenses do not exceed one hundred dollars and the estate of the deceased is insufficient to defray the same

Section 23. While any person receiving assistance is an inmate of any charitable benevolent or fraternal institution the amount of assistance shall be paid to the governing authorities of that institution and shall be applied toward defraying the actual expenses of such person in such institution Provided That the commission has approved and that it and its agents are permitted freely to visit and inspect said institution Any moneys remaining after defraying such costs shall be paid to the recipient It shall not be lawful for the authorities of any charitable institution receiving public moneys to refuse admission as an inmate of such institution or to refuse relief on the ground that the person is receiving assistance under this act

Section 24 No person receiving assistance under this act shall at the same time receive any other relief from the Commonwealth or from any political sub-division thereof except for medical and surgical assistance

Section 25 If the person receiving assistance is on the testimony of reputable witnesses found incapable of taking care of himself or his money the board may direct the payment of the instalments of the assistance to any responsible person or corporation for his benefit It shall be within the power of the commission to suspend payment for such period as the board shall recommend

Section 26 All rights to old age assistance shall be absolutely inalienable by any assignment sale execution or otherwise and in case of bankruptcy the assistance shall not pass to or through any trustees or other persons acting on behalf of creditors

Section 27 If at any time the commission has reason to believe that an assistance certificate has been improperly obtained it shall cause special inquiry to be made by the board and may suspend payment of any instalment pending the inquiry It shall also notify the board of such suspension If on inquiry it appears that the certificate was improperly obtained it shall be cancelled by the commission but if it appears that the certificate was properly obtained the suspended instalments shall be payable in due course

Section 28 Any person who by means of a wilfully false statement or representation or by impersonation or other fraudulent device obtains or attempts to obtain or aids or abets any person to obtain (a) an assistance certificate to which he is not entitled (b) a larger amount of assistance than that to which he is justly entitled (c) Payment of any forfeited instalment and any person who buys or aids or abets in buying or in any way disposing of the property of a person receiving assistance without the consent of the commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment not exceeding one year or both

Section 29 Any person who violates any provisions of this act for which no penalty is specifically provided shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding five hundred dolars or to undergo imprisonment not exceeding one year or both Where a person receiving assistance is convicted of an offense under this section the commission shall cancel the certificate

Section 30 If any person receiving assistance is convicted of any crime or offense and punished by imprisonment for one month or longer the board shall direct the payments shall not be made during the period of imprisonment

Section 31 All payments for assistance allowed under the provisions of this act and all expenses incurred by the commission and the salaries of the superintendent and his assistants shall be paid by the State Treasurer out of moneys specifically appropriated for that purpose upon orders of the superintendent and warrant of the Auditor General

Section 32 All expenses incurred by the county boards in administration investigation and salaries shall be paid by the county treasurer from the moneys of the county in the same way as other expenses of the county

Section 33 Within ninety days after the close of each calendar year the commission shall make a report for the preceding year stating

(a) The total number of recipients
(b) The amount paid in cash
(c) The total number of applications
(d) The number granted
(e) The number denied
(f) The number cancelled during that year and
(g) Such other information as the commission may deem advisable

Section 34 All methods of procedure in hearings investigations recording registration and accounting pertaining to the old age assistance under this act shall be in accordance with the rules and regulations as laid down from time to time by the commission

Section 35 Every assistance granted under the provisions of this act shall be deemed to be granted and shall be held subject to the provisions of any amending or repealing act that may hereafter be passed and no recipient under this act shall have any claim for compensation or otherwise by reason of his assistance being affected in any way by such amending or repealing act

Section 36 The sum of twenty-five thousand dollars ($25,000.00) or so much thereof as may be necessary is hereby specifically appropriated to the Old Age Assistance Commission hereby created for the two fiscal years commencing June first one thousand nine hundred and twenty-three for the purpose of carrying out the provisions of this act

Section 37 Whenever used in this act the singular shall include the plural and the masculine shall include the feminine

Section 38 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

An Act providing for and regulating subject to certain restrictions limitations and liabilities asssitance to certain aged persons and providing their burial creating an Old Age Assistance Commission of this Commonwealth and an Old Age Assistance Board in each county defining their powers and duties providing for the appointment and fixing the compensation of an Old Age Assistance Superintendent and assistants and investigators making counties liable for certain expenses providing penalties and making an appropriation

And said Bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 411, as follows:

An Act to amend section one thousand one hundred and five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the laws relating thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand one hundred and five of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 1105 Townships of the first class may construct sewers and drains in any street or alley or through or on or over private property The costs damages and expenses of the construction of any such sewers or drains shall be assessed upon the properties accommodated or benefited in either of the following methods

(a) By an assessment pursuant to township ordinance of each lot or piece of land in proportion to its frontage abutting on the sewer allowing such reduction in the case of properties abutting on more than one sewer as the ordinance may specify No assessment by frontage shall be made on properties of such a character as not to be lawfully subjected to such manner of assessment and each abutting property shall be assessed with not less than its proportion aforesaid of the entire cost and expense of such construction

(b) By an assessment upon the several properties abutting on the sewer in proportion to benefits the amount of the charge on which property shall be ascertained as provided in Sections five hundred and fifty-three to five hundred and sixty-five both inclusive of this act

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—157.

Albert,
Allman,
Anderson,
Armstrong,
Asbury,
Aston,
Baldi.
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bluett,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dietz,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Gallaher,
Gelder,
Gibbon.
Gilchrist,
Glasgow,
Goehring,
Golder,
Goss,
Greeby,
Grimes,
Gundy,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Malie,
Marcus, J. C.,
Marshall, W. F.
Mathay,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Spangler,
Speiser,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage af House Bill No. 1256, as follows:

An Act imposing a State tax on Liquid Fuels "including all liquids ordinarily practically and commercially useable in internal combustion engines for the generation of power and all distillates of and condensates from petroleum natural gas coal coal tar and vegetable ferments" to be paid by distributors as herein defined providing for the collection of such tax and for the distribution and use of the revenues derived therefrom providing for the filing of certificates and reports of the sale of such liquid fuels and the collection of such tax and fixing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words terms and phrases used in this act are for the purpose hereof defined as follows

(a) The term "liquid fuels" shall mean all liquids ordinarily practically and commercially usable in internal combustion engines for the generation of power shop and shall include all distillates of and condensates from petroeum natural gas coal coal tar and vegetable ferments said distillates and condensates being ordinarily designated as gasoline naphthabenzol benzine and alcohols but not restricted to such designations

(b) The term "Distributor" shall include any and all person and persons firm co-partnership association or corporation who or which imports or causes to be imported into the State of Pennsylvania from any other State Territory or County liquid fuels as herein defined for sale or distribution in and after the same reaches the State of Pennsylvania also any person persons firm co-partnership association or corporation who or which purchases or procures any liquid fuels as herein defined from any person persons firm co-partnership association or corporation located outside the State of Pennsylvania for sale or distribution in and after the same reaches the State of Pennsylvania and also any person persons firm co-partnership association or corporation who or which produces refines manufactures or compounds any liquid fuels as herein defined in the State of Pennsylvania for sale or distribution in such State

Section 2 All distributors of liquid fuels in the State of Pennsylvania engaged in business at the time this act shall go into effect shall within thirty days thereafter and all distributors of liquid fuels engaging in the transation of such business hereafter shall prior to the commencement of such business file a duly acknowledge certificate with the Auditor General on a form prescribed prepared and furnished by him which shall set forth the name under which such distributor transacts or intends to transact business within the State of Pennsylvania and the place of business of such distributor and if distributor has more than one place of business within the State the address of the prinicpal place of business within the State if such distributor is a firm co-partnership or association the names and addresses of such persons constituting such firm co-partnership or association and if a corporation the names and addresses of the principal officers thereof No distributor as herein defined shall after the date this act becomes effective sell any liquid fuels until such certificate in filed as required by this act nor shall any distributor engaging in such business subsequent to the passage of this act commence such business without first filing such certificate with the Auditor General and any distributor failing to comply with the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars ($1,000.)

Section 3 In addition to the taxes now provided for by law each and every distributor as defined in this act who is now engaged or may hereafter engage in his on name or in the name of others in the sale of liquid fuels as herein defined in this State shall pay a tax of one cent per gallon on all liquid fuels sold within the State "by such distributor" and every such distributor as defined in this act liable to pay the tax herein defined shall state the amount of such tax separately from the price of the liquid fuels as herein defined "and also any person firm copartnership association or corporation who or which resells or offers for resale liquid fuels as herein defined shall state the amount of the tax due or paid thereon separately from the price of the said liquid fuels and any one failing so to state separately the tax and price of the said liquid fuels shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding two hundred and fifty dollars ($250) for each offense" and for the purpose of ascertaining the amount of the tax it shall be the duty of every such distributor to transmit to the Auditor General upon a form prescribed prepared and furnished by him a statement or return under oath or affirmation of the business conducted by such distributor during the preceding three months ending the last days of March June September and December of each year which statement or return shall be filed with the Auditor General on the last days of January April July and October of each year and shall show the number of gallons of such liquid fuels that was sold within the State during the said periods from the respective places of business of such distributors and such further information as the Auditor General shall prescribe If any such distributor shall neglect or refuse to make said statement or return as herein required and provided an addition of ten per centum of the amount of tax shall be added and collected on an account settled as hereinafter provided Provided however That in all cases where any taxes imposed by this act have accrued on credit sales which taxes have been prepaid by the taxpayer and subsequently prove uncollectible such taxes shall be deducted in the next return of the tax payer after such taxes become uncollectible

Section 4 The Auditor General shall settle all accounts for taxes due under the provisions of this act and upon the settlement of each account he shall transmit to the taxpayer a certified copy thereof showing the amount of the tax as found to be due by him he shall also certify to the State Treasurer the amount of the tax as found to be due by him from the several distributors made taxable by the act Every distributor liable to pay the tax imposed by this act shall pay the same to the State Treasurer within sixty (60) days from the date of the settlement of the account by the Auditor General When any tax is settled by the Auditor General as provided herein it shall bear interest at the rate of twelve per centum per annum from sitxy days after the date of the settlement of the account by the Auditor General In the event however of a resettlement of any account by the Auditor General interest shall be charged at the rate of twelve per centum per annum upon the amount found to be due from sixty (60) days after the date of the original settlement

Section 5 The Auditor General or any agent appointed in writing by him is hereby authorized to examine the books and papers of any distributor pertaining to the business made taxable by this act to verify the accuracy of any statement or return made under the provisions of this act but any information gained by the Auditor General or any other person as a result of the reports investigations or verifications herein required to be made shall be confidential and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars ($1,000) or to undergo imprisonment of not more than one year or both

Section 6 If the Auditor General is not satisfied with the statement or return made by any distributor under the provisions of this act he is hereby authorized and empowered to settle an account against such distributor based upon the facts contained in the statement or return or upon any information within his possession or that shall come into his possession with the right to the distributor dissatisfied with the settlement so made against him to appeal therefrom in the manner now provided by law If any such distibutor shall neglect or refuse to make the statement or return as required by this act the Auditor General may estimate an assessment against such distributor and settle an account for taxes penalty and interest thereon from which settlement there shall be no right of appeal

Section 7 Any distributor or distributors who shall fail neglect or refuse to make the statements or returns and pay tax as herein prescribed or who shall refuse to permit Auditor General or any agent appointed by him in writing to examine the books or papers of any such distributor pertaining to the business made taxable by this act or who makes any incomplete false or fraudulent statement or return hereunder or who does or who attempts to do anything whatsoever to avoid a full disclosure of the amount of business done or to avoid the payment of the whole or any part of the tax due shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) or in the case of an individual to undergo imprisonment not exceeding six months or both Such penalty shall be in addition to the penalty imposed by any other section of the act

Section 8 Fifty per centum of all taxes collected under the provisions of this act shall be credited to the several counties in the same ratio to the total amount of taxes collected in the State for this purpose as the amount paid to each of the respective counties for the year one thousand nine hundred and twenty-two bore to the total amount collected for this purpose in the State during said year one thousand nine hundred and twenty-two and shall be used only for the purpose of the construction reconstruction maintenance and repair of roads and highways and for the payment of the interest on county bonds issued for road purposes and shall be paid over to the counties semi-annually on the first day of April and October of each year

Section 9 It is the purpose of this act to centralize the collection of the tax herein authorized in the hands of those who originally dispose of the liquid fuels as herein described for distribution or consumption within the State but in no case shall there be a duplication of the collection of the tax authorized

Section 10 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not effect or impair any of the remaining provisions of the act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 11 That an act approved the twentieth day of May Anno Domini one thousand nine hundred twenty-one (Pamphlet Laws one thousand twenty-one) entitled "An Act imposing a State tax on gasoline and on all other liquids containing any derivative of petroleum or natural gas produced prepared or compounded or usuable for the purpose of generating power by means of internal combustion and sold in this Commonwealth except for the purpose of resale providing for the collection of such tax and for the distribution and use of revenues derived therefrom making an appropriation and fixing penalties" is hereby repealed Provided however That nothing contained shall be taken or construed to relieve any person or persons co-partnership association company or corporation whatsoever from the payment of any tax interest or penalty due or owing to the Comonwealth under any law in force at the time this act becomes effective

Section 12 This act shall become effective on the first day of July Anno Domini one thousand nine hundred twenty-three

On the question,

Shall the bill pass finally?

Mr. STORB. Mr. Speaker, I would like to ask the sponsor of this bill what becomes of this money, how it is disposed of, half of it going to the county, where the other half goes, whether it goes into the general fund, or into the highway department?

RECONSIDERATION OF VOTE.

Mr. HENDERSON. Mr. Speaker, I move that the vote by which House Bill No. 1256 was passed on third reading be reconsidered.

Mr. BUSH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. HENDERSON. Mr. Speaker, I move that House Bill No. 1256 be recommitted to the Committee on Ways and Means for the purpose of amendment.

Mr. BUSH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 358, as follows:

An Act to amend sections one and eighteen of the act approved the sixteenth day of May one thousand nine hundred and fifty-nine) entitled "An act for the better protection of fish requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth or in the waters bounding or adjacent thereto and regulating the issuance of such license providing penalties for the violation of this act and the manner of proceeding to enforce compliance therewith and providng for the disposition of the penalties recovered and license fees received" changing the age limit of persons required to procure licenses and providing for the purchase with surplus moneys of lands and waters and the impounding of waters

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and fifty-nine) entitled "An act for the better protection of fish requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth or in the waters bounding or adjacent thereto and regulating the issuance of such license providing penalties for the violation of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties recovered and license fees received" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the word "persons" as used in this act except where the context otherwise indicates means citizens of the State of Pennsylvania over (twenty-one) eighteen years of age

Section 2 That section eighteen of said act is hereby amended to read as follows

Section 18 All license fees fines and penalties collected under the provisions of this act and paid into the State Treasury shall be kept separate and apart in a fund known as the "Resident Fish License Fund" and an amount not in excess of four hundred thousand dollars ($400,000) in any one year shall be used solely under the direction of the Department of Fisheries for the purpose of the payment of the salaries of the Commissioners of Fisheries clerks stenographers fish wardens traveling expenses counsel fees court expenses and contingent expenses for the propagation and protection distribution of fish the stocking of the waters and the employment of necessary labor and the purchase of material motor vehicles machinery and implements therefor for necessary repairs and improvements to fish hatcheries for field work stream investigations gathering spawn transferring fish and the employment of necessary labor and the purchase of necessary motor vehicles machinery and implements therefor for the purchase of necessary land and water supplies for State fish hatcheries for the purchase and erection of buildings ponds and other extensions incidental to State fish hatcheries for the maintenance and operation of a boat on Lake Erie and the cruiser Anna at Torresdale on the Delaware River and for dredging the approach to the fish hatchery at Erie

Any moneys in said fund at any time in excess of the amount hereinbefore limited shall be used solely under the direction of the Department of Fisheries with the consent of the Governor for the purchase of lands and waters and for the impounding of waters and to make the same available for use by the citizens of the Commonwealth for fishing hunting and forest purposes and said lands and waters so purchased shall be under the supervision direction and control of the Department of Fisheries

All moneys in such separate fund from time to time are hereby specifically appropriated to the Department of Fisheries and may be expended for the purposes hereinbefore enumerated The Auditor General shall upon requisition from time to time of the Commissioner of Fisheries draw his warrant on the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund at the time of making such requisition

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—116.

Albert,
Alexander,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bluett,
Boback,
Brewster,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Conner,
Craig,
de Young,
Diehm,
Dilsheimer,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gibbon,
Gilchrist,
Goehring,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Heffernan,
Heffran,
Hetrick,
Horne,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kunkle,
Labar,
Lafferty,
Little,
Long,
Ludlow,
Marshall, W. F.,
Mathay,
McCaig,
McClure,
McDaniel,
McDermott,
McGowan,
Miller,
Moffatt,
Moore,
Morrison,
Myers, P. M.,
Nolte,
Patterson,
Peelor,
Pitts,
Posey,
Post,
Price,
Raymond,
Richards,
Sample,
Sautter,
Schwartz,
Sheridan,
Smith, H. J.,
Sowers,
Speiser,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storer,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Weamer,
Wells,
Wettach,
Wheeler,
Whiteman,
Williams, G. W.,
Williams, J. M.
Wood, N.,
Wood, W. P.,
Wright,
Goodnough,
Speaker.

NAYS—19.

Baker,
Brenneman,
Brownmiller,
Gelder,
Haws,
Howell,
Lucas,
McCurdy,
Orr,
Rhodes,
Rinn,
Rippman,
Sarig,
Schleiter,
Schoener,
Shambach,
Stark,
Whitehouse,
Zook,

The majority required by the Constitution having voted in the affirmative, the question was determined tn the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 632, as follows:

An Act to amend an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and ninety-nine) entitled "An Act restricting the appointment of corporate fiduciaries by testators or by any court or register of wills to corporations fully subject to supervision and examination by the Banking Department" by exempting certain corporations from the provisions thereof

Secion 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and ninety-one) entitled "An Act restricting the appointment of corporate fiduciaries by testators or by any court or register of wills to corporations fully subject to supervision and examination by the Banking Department" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of person shall have power by any last will and testament or codicil or other testamentary writing to appoint as executor guardian trustee or other fiduciary any corporation other than a corporation organized and doing business under the laws of the Commonwealth of Pennsylvania and subject to supervision and examination by the Banking Department of this State or a corporation organized and existing under the laws of the United States doing business in this State and by resolution of its board of directors duly adopted a certified copy whereof shall have been placed on file with the Commissioner of Banking of this State agreeing to place itself under and to continue to be subject to supervision and examination by the State Banking Department in the same manner and to the same extent as corporations organized and existing under the laws of this State are or shall be subject and any such appointment in violation of the provisions of this section contained in any last will and testament codicil or other testamentary writing made after the date of the approval of this act shall be null and void Provided however That a corporation organized and doing business under the laws of any State of the United States of America other than Pennsylvania duly authorized by its charter or by law so to act may be appointed by any last Will or Testament or Codicil or other testamentary writing as executor guardian trustee or other fiduciary when and to the extent that the laws of such other State confer like powers upon corporations organized and doing business under the laws of the Commonwealth of Pennsylvania

Section 2 Hereafter neither any court nor register of wills in this Commonwealth shall have power to appoint as administrator trustee guardian receiver committee or other fiduciary any corporation other than a corporation organized and doing business under the laws of the Commonwealth of Pennsylvania and subject to supervision and examination by the Banking Department of this State or a corporation organized and existing under the laws of the United States doing business in this State and by resolution of its board of directors duly adopted a certified copy whereof shall have been placed on file with the Commissioner of Banking of this State agreeing to place itself under and to continue to be subject to supervision and examination by the State Banking Department in the same manner and to the same extent as corporations organized and existing under the laws of this State are or shall be subject and any such appointment made by the court or register of wills in violation of the provisions of this section after the date of the approval of this act shall be null and void Provided however that a corporation organized and doing business under the laws of any State of the United States of America other than Pennsylvania duly authorized by its charter or by law so to act may be appointed as administrator trustee guardian receiver committee or other fiduciary by any court or register of wills of this Commonwealth when and to the extent that the laws of such other State confer like powers upon corporations organized and doing business under the laws of the Commonwealth of Pennsylvania

Section 3 This act shall not apply to charitable religious educational social or other corporations of a similar character nor shall the act be construed to prevent any court or testator from appointing any corporation as a trustee to execute a trust for its own use within the purposes of such corporation

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—143.

Albert,
Allman,
Anderson,
Armstrong,
Asbury,
Aston,
Baker,
Behney,
Bell, W. T.,
Bentley,
Berger,
Betts,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Flinchbaugh,
Flynn,
Fratt,
Frazier,
Gallaher,
Gibbon,
Glasgow,
Goehring,
Goss,
Griffith,
Grimes,
Gundy,
Harter,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kunkle,
Mack,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McCann,
McCaig,
McClure,
McDaniel,
McDermott,
McKim,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Peelor,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Weamer,
Wells,
Wettach,
Wheeler,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Wright,
Zook,

[illegible]
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Labar,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Rinn,
Rippman,
Sample,
Sautter,
Schilling,
Schleiter,
Goodnough,
Speaker.

NAYS—3.

Alexander,
Brenneman,
Gorham,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 46, as follows:

An Act to amend section two hundred and seventy-one of the act aproved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and cosolidating the law relating thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two hundred and seventy-one of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" is hereby amended to read as follows

Section 271 The township treasurer shall receive for his duties as treasurer and tax collector for the township a sum equal to three (five) per centum of all township taxes received or collected by him and in addition thereto a sum equal to one per centum on all other moneys received or collected by him for the township unless a different rate be fixed by ordinance of the township commissioners passed thirty days prior to his election

The compensation herein provided shall not be construed to change or decrease the compensation of any township treasurer in office at the date of the approval of this act

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—120.

Albert,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Bell, W. T.,
Bentley,
Berger,
Bluett,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
de Young,
Dietz,
Donahue
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, J.,
Flinchbaugh,
Fowler, D.,
Frazier,
Gallaher,
Gelder,
Gibbon,
Greeby,
Griffith,
Guerin,
Gundy,
Haas,
Heffran,
Henderson,
Himes,
Hoover,
Horne,
Howell,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kunkle,
Labar,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Mack,
Malie,
Marcus, J.,
Marshall, W. F.,
Mathay,
McCurdy,
McDaniel,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Peelor,
Pitts,
Posey,
Post,
Raymond,
Richards,
Rippman,
Sample,
Sautter,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H.,
Smith, J. W.,
Stark,
Staudenmeier,
Stavitski,
Stevens, A. J.,
Stevens, A. F.,
Spangler,
Speiser,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—14.

Alexander,
Beaver,
Brenneman,
Gorham,
Holcombe,
Hollis,
Lynch,
Marcus, J. C.,
McClure,
McDermott,
Patterson,
Rinn,
Steedle,
Storer,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 921 as follows:

An Act requiring persons and agencies engaged in child caring child placing and child protection work to secure a certificate of approval from the Commissioner of Public Welfare and reglating the placing out and care of children

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purposes of this act the word "agency" shall mean any person institution association corporation and society engaged in the business of receiving securing homes for or otherwise caring for children or engaged in such practice The term "placing out" shall mean the placing of dependent neglected or delinquent children in families other than those of a relative within the second degree for the purpose of providing homes for the children whether such placement be for board wages or free care

Section 2 Every agency engaged in child caring work that is to say (a) taking dependent neglected and delinquent children into guardianship (b) protecting children from cruelty (c) placing out children in family homes (d) consenting to the adoption of children by proceeding in a court of competent jurisdiction and (e) temporary or long continued institutional care of children shall obtain from the Commissioner of Public Welfare of the Commonwealth a certificate of approval authorizing him her it or them to undertake such child caring work Such certificates shall be valid for a period of one year unless revoked by the Commissioner of Public Welfare All such certificates of approval shall be renewed annually at the discretion of the Commissioner of Public Welfare Provided that nothing in this act shall be construed to interfere in any way with the placement of any child or children by any court of record sitting as a Juvenile Court or otherwise

Any agency engaged in child caring work or child placing or the members or agents of the agency responsible therefor who or which shall fail or neglect or refuse to secure a certificate of approval from the Commissioner of Public Welfare as provided in this section shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than fifty dollars and not more than one hundred dollars for each child placed out or made an inmate of an institution during the time no such certificate was possessed

Section 3 Before a certificate of approval shall be granted to any such agency the Commissioner of Public Welfare shall be satisfied that such agency receives children into its care only after careful investigation and where the best interests of the children are being served by separating them from their own people and that any agency which places children in foster homes at all times satisfies itself that such children are eligible for placement that the foster families with whom such children are placed are suitable ones that the moral environments are proper and that the welfare of such children will be well safeguarded

Section 4 Every agency permitted by this act to engage in child caring or child placing work for dependent neglected and delinquent children shall keep a record containing the names and ages of all children received the names present and former residences occupations and character so far as known of the parents the dates of reception placing out and adoption together with the names occupations and residence of the person with whom the child is placed the date and cause of transfers to other homes and of the termination of guardianship and a brief history of each child while under the care of the agency and until he shall have been legally adopted or discharged Such records shall be open at all times to the Department of Public Welfare but no person may disclose information contained therein except to duly accredited persons entitled thereto Such reports concerning the work of the agencies shall be made to the State Department of Public Welfare as that Department may require on forms provided by the Department

Section 5 Every agency shall maintain a careful supervision over all children placed out by it and shall make such reports concerning placed out children to the Department of Public Welfare as the Commissioner may require Except in cases of adoption each placing out agency shall enter into an agreement with each foster family with whom a child is placed giving the agency access at all reasonable times to any child so placed and such agency may at any time require the return of a child so placed whenever in the opinion of the agency the best interests of the child demand it

Section 6 Every person acting for himself or for an agency who violates any of the provisions of this act or intentionally makes false reports to the Department of Public Welfare with reference to matters contained herein or the person or persons responsible for the same shall upon conviction in a summary proceeding be sentenced to pay a fine of not less than fifty dollars or more than one hundred dollars

Section 7 Any certified agency may have its certificates of approval from the Commissioner of Public Welfare revoked if in the judgment of the Commissioner after full investigation and hearing it is found the agency is not safeguarding the best interests of the child or is otherwise violating the laws of the Commonwealth Any agency whose certificate has been revoked a second time shall not be granted such certification again Any agency feeling aggrieved by any decision of the Commissioner may appeal by petition from the decision of the Commissioner of Public Welfare within thirty days after notice of such decision by the said Commissioner to the court of common pleas of Dauphin County which court shall proceed to hear the matter de novo and shall thereafter make such order affirming the decision of the Commissioner or reinstating the certificate of approval as to it shall appear proper The decision of the court shall be final

Section 8 All acts and parts of acts in conflict with this act are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—149.

Albert,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Craig,
de Young,
Dietz,
Eaches,
Edmonds,
Evans, J.,
Fowler, D.,
Frazier,
Gallaher.
Gelder,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Griffith,
Grimes,
Gundy,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Himes,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Labar,
Lauver,
Little,
Long,
Ludlow,
Mack,
Malie,
Marcus, J.,
Marshall, W. F.,
Mathay,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rinn,
Rippman,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Stark,
Staudenmeier,
Stavitski,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,

Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Earley,
Jones, E. P.,
Keene,
Kelly,
Kohler,
Kunkle,
Sample,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Speaker.

NAYS—3.

Alexander,
Heyburn,
Lucas,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1216, as follows:

An Act authorizing certain corporations to create and issue and convert their authorized or outstanding capital stock into shares of any class or kind either with or without nominal or par value and validating the creations and issues of stock heretofore made by corporations in accordance with the provisions hereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any corporation heretofore or hereafter incorporated except those referred to in section two hereof having a capital stock consisting of shares either with or without nominal or par value or both may at any time change or convert any or all of the shares of its authorized or outstanding capital stock into one or more classes and kinds either with or without nominal or par value as to the shares of any given class or kind by a majority vote of the outstanding common capital stock in the same manner as may now or may hereafter be prescribed by law for increasing the capital stock of corporations Provided however that in any case where shares without nominal or par value shall be provided for a stated capital shall be fixed the amount of which shall be set forth in such proceedings which stated capital shall be governed by and be subject to the provisions of the Acts of Assembly relating thereto now in force or which may hereafter be enacted And provided further that any shares of capital stock without nominal or par value created under the provisions of this act shall be subject to all of the provisions contained in the Act of July twelfth one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and fourteen) entitled "An act authorizing stock corporations other than building and loan associations and corporations authorized by law to transact a banking or insurance business to make provision upon formation reorganization merger or consolidation for the issue of either or both preferred or common shares without nominal or par value regulating the same and such corporations and prescribing the method of determining the number of shares and capital of corporations issuing shares in such manner

Section 2 This act shall not apply to the following classes of corporations viz building and loan associations insurance banking and trust companies and such companies as are required by the provisions of this act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An Act to provide for the incorporation and regulation of certain corporations" and supplements thereto to have their charters approved by the courts of common pleas

Section 3 All creations and issues of one or more of any class or kind of stock heretofore made by corporations which would be legal and valid under the provisions of section one of this act are hereby validated with the same force and effect as if this act had been in effect at the time of the issuance of such stock

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—137.

Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baldi,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bluett,
Boback,
Brewster,
Bromley,
Brown,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
de Young,
Diehm,
Dilsheimer,
Driggs,
Dunn,
Eaches,
Earley,
Eshelman,
Evans, B. P.,
Evans, J.,
Fowler, D.,
Frazier,
Gallaher,
Gibbon,
Goehring,
Gorham,
Goss.
Griffith,
Grimes,
Gundy,
Haas,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Mack,
Malie,
Mangan,
Marcus, J.,
Marshall, W. F.,
Mathay,
McClure,
McCurdy,
McDaniel,
McGowan,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Price,
Raymond,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, J. W.,
Spangler,
Speiser,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Stevens, A. J..
Stevens, A. F.,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Wells,
Wettach,
Wheeler,
Williams, G. W.
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—4.

Albert,
Baker,
Brenneman,
Post,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE.

Mr. STOFFLET. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. STOFFLET. Mr. Speaker, I am considerably agitated as I arise to speak on this particular subject. I have no intimation of muddy water, but I do believe that this old ship of state has been sailed out to where the waves are pretty high and it requires some good captain to bring it safely back into the harbor again. One never knows what a burst of eloquence, or an avalanche of syntax may do to one. I have built a few bonfires in my time, but they never amounted to a great deal. The situation before this House to day is so unique, coupled with the visit of Senators Reed and Pepper, that I think honestly it might properly be made the subject for letters patent. Perhaps they did not come here so much to tell us just what to do, because we all admit the administration has told us that we need more money, and we know the tax was inevitable. The thing that staggers me and a great many of the other members is what there is left to tax, and this has come to me in a little poem this morning. So far as I am concerned they have taxed me to the limit.

Our taxes are too small,
And he would slap on more of them
And end our troubles all.

They've taxed my meagre income and
They've taxed my house and lot;
They've taxed my small investments—
Most everything I've got.

And now they'll tax my fiddle,
My goldfish and my cat,
My soap and gum and matches,
My fuzzy winter hat.

They'll tax my fireless cooker,
My nail-file and my clocks,
My tooth brush and my jack-knife,
My shirts and ties and socks.

My Ingersoll, my razor,
My typewriter and my breath,
And they'll keep right on taxing
Till they tax this bird to death.

And, when I lie, all dignified,
With lily placed so neat,
I hope they'll tax my harp and crown,
And make the job complete.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 882, as follows:

An Act to amend section thirteen of the act approved the thirteenth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A Further Supplement to the act regulating elections in this Commonwealth" as amended by authorizing the members of the board for receiving computing and certifying election returns to act when a majority of the members thereof are not qualified

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section thirteen of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A Further Supplement to the act regulating elections in this Commonwealth" which was last amended by section one of the act approved the sixth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred and twenty-five) entitled "An Act to amend section thirteen of an act entitled 'A Further Supplement to the act regulating elections in this Commonwealth' approved the thirtieth day of January Anno Domini one housand eight hundred and seventy-four as amended by the act of April twenty-eight one thousand eight hundred and ninety-nine so as to reduce from three to two the minimum number of judges to be designated in the counties of Philadelphia and Allegheny to receive compute and certify the election returns required by said section to be presented by the prothonotary to the courts of common pleas thus assimilating the practice of said counties to that in the other counties of the Commonwealth" is hereby further amended to read as follows

Section 13 As soon as the polls shall close the officers of electinon shal proceed to count all the votes cast for each candidate voted for and make a full return of the same in triplicate with a return sheet in addition in all of which the votes received by each candidate shall be given after his or her name first in words and again in figures and shall be signed by all of said officers and certified by overseers if any or if not so certified the overseers and any officer refusing to sign or certify or either of them shall write upon each of the returns his or their reasons for not signing or certifying them The vote as soon as counted shall also be publicly and fully declared from the window to the citizens present and a brief statement showing the votes received by each candidate shall be made and signed by the election officers as soon as the vote is counted and the same shall be immediately posted upon the door of the election house for information of the public The triplicate returns shall be enclosed in envelopes and sealed in presence of the officers and one envelope with the unsealed return sheet given to the judge which shall contain one list of voters tally paper and oaths of officers and another of said envelopes shall be given to the minority inspector All judges living within twelve miles of the prothonotary's office or within twenty-four miles if their residence be in a town village or city upon the line of a railroad leading to the county-seat shall before two o'clock post meridian of the day after the election and all other judges shall before twelve o'clock meridian of the second day after the election deliver said return together with return sheet to the prothonotary of the court of common pleas of the county which said return sheet shall be filed and the day and hour of filing marked thereon and shall be preserved by the prothonotary for public inspection At twelve o'clock on the said second day following any election the prothontary of the court of common pleas shall present the said returns to the said court In counties where there is no resident president judge the associate judges shall perform the duties imposed upon the court of common pleas which shall convene for said purpose the returns presented by the prothonotary shall be opened by said court and computed by such of its officers and such sworn assistants as the court shall appoint in the presence of the judge or judges of said court and the returns certified and certificates of election issued under the seal of the court as is now required to be done by return judges and the vote as so computed and certified shall be made a matter of record in said court The sessions of the said court shall be open to the public and in case the returns of any election district shall be missing when the returns are presented or in case of complaint of a qualified elector under oath charging fraud or mistake and particularly specifying the alleged fraud or mistake or where fraud or mistake is apparent on the return the court shall examine the return and if in the judgment of the court it shall be necessary to a just return said court shall isue summary process against the election officers and overseers if any of the election district complained of to bring them forthwith into court with all election papers in their possession and if palpable mistake or fraud shall be discovered it shall upon such hearing as may be deemed necessary to enlighten the court be corrected by the court and so certified but all allegations of palpable fraud or mistake shall be decided by the said court within three days after the day the returns are brought into court for compution and the said inquiring shall be directed only to palable fraud or mistake and shall not be deemed a judicial adjudication to conclude any contest now or hereafter to be provided by law and the other of said triplicate returns shall be placed in the box and sealed up with the ballots Nothing in this act shall require the return of election of township or borough officers to be made to the court as directed in this section but all returns of he election of township and borough officers shall be enclosed in a sealed cover directed to the prothonotary of the court of common pleas of the proper county and shall be some one of them be delivered into his office within three days after such election and filed therein In counties where there are three or more judges of said court learned in the law at least two judges shall sit to compute and certify returns unless unavoidably prevented If any of the said judges shall be a candidate for any office at any election he shall not sit with the court or act in counting the returns of such election and in such cases the other judges if any shall act and if in any county there shall be no judge qualifiel to hold the said court under the provisions of this act present and able to act then and in every such case the register of wills the sheriff and the county commissioners of the preper county shall be and constitute a board who or a majority of whom shall have and exercise all the powers and perform all the duties vested in or required to be performed by the court of common pleas of such county by and under the provisions of this section but none of the said officers shall act as a member of such board when himself a candidate for any officee at the election the returns of which the said board is required to count under the provisions of this section If in any such case a majority of such officers are candidates for office at such election then the officer or officers members of said board who are not candidates shall have and exercise the powers and perform the duties herein delegated to the said board The returns required by this act to be presented by the prothonotary of the courts of common pleas of Philadelphia and Allegheny respectively shall be presented to such two or more of the judges of the several courts of common pleas of said counties respectively as the judges of said courts or a majority of them may designate to perform the duty of receiving computing and certifying said returns When two or more counties or parts of two or more counties are connected for the election of any officer the courts of such counties or parts of counties comprising the district shall each appoint a return judge resident within such district to meet within seven days after the day of election of such officer at such place as is required by law or if no place of meeting is designated by law at such place within such district where the returns of the election of such officer shall by law be directed to be filed to compute and certify the vote of such district and it shall be the duty of the return judges in such cases to transmit to the person elected as such officer's certificate of his election within five days after the day of making up such return All officers provided for by this act shall be compensated as like officers are paid by existing laws Whenever a place has been or shall be provided by the authorities of any city county township or borough for the safe-keeping of ballot boxes the judge and minority inspector shall after the election shall be finished and the ballot box or boxes containing the tickets list of voters and other papers have been securely bound with tape and sealed and the signatures of the judges and inspectors affixed thereto forthwith deliver the same together with the remaining boxes to the mayor and recorder of such city or in counties townships or boroughs to such person or persons as the court of common pleas of the proper county may designate at the place provided as aforesaid who shall then deposit the said boxes and keep the same to answer the call of any court or tribunal authorized to try the merits of such election Whenever the election officers of any election district shall require the election boxes of such district to hold any election which by law they are or shall be required to hold they shall keep the same securely in their possession without opening until the morning of such election and until they shall severally be sworn or affirmed not to disclose how any elector shall have voted and after being so sworn or affirmed they shall open the said boxes and burn and totally destroy all the ballots and other papers which they shall find therein before proceeding to hold such election

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Blair,
Bluett,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Flinchbaugh,
Flynn,
Fowler, D.,
Frazier,
Gallaher,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Harer,
Harter,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Huber,
Irvin,
Johnson,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1269, as follows:

An Act to amend section three of an act approved the tenth day of April one thousand eight hundred and sixty-seven (Pamphlet Laws sixty-two) entitled "An act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth" by requiring the drawing of jury panels from the wheel to take place publicly in the court room and in the presence of one of the judges of the court of common pleas

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Asembly met and it is hereby enacted by the authority of the same That section three of an act approved the tenth day of April one thousand eight hundred and sixty-seven (Pamphlet Laws sixty-two) entitled "An act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth" is hereby amended to read as follows

Section 3 That said jury commissioners and the sheriff of the respective county or any two of them shall draw from the proper jury wheel panels of jurors as grand jurors of the proper county and as petit and traverse jurors for the trial of issues in fact which may be taken in any action in any of the courts civil and criminal of the several counties aforesaid in the manner now practised and allowed but before the said jury commisioners and sheriff shall proceed to select or draw jurors in the manner aforesaid they shall serverally take the oath or affirmation now prescribed by law to be taken by the sheriff and county commissioners before selecting and drawing jurors The drawing from the jury wheel as herein provided shall in every instance take place publicly in the court room

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—119.

Albert,
Allman,
Anderson,
Armstrong,
Asbury,
Behney,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bluett,
Boback,
Brenneman,
Brownmiller,
Burchinal,
Chaplin,
Clutton,
Colville,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Drinkhouse,
Dunn,
Earley,
Edmonds,
Evans, B. P.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fratt,
Frazier,
Gallaher,
Gibbon,
Gilchrist,
Goehring,
Golder,
Greeby,
Grimes,
Gundy,
Harer,
Heffran,
Heyburn,
Himes.
Hontz,
Horne,
Howell,
Huber,
Johnson,
Jones, C. B.,
Keene,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Malie,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McCann,
McCaig,
McDermott,
Metcalf,
Miller,
Minehart,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Peelor,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Speiser,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Wells,
Wettach,
Wheeler,
Williams, G. W.
Williams, J. M.
Woner,
Wood, N.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—26.

Baker,
Beaver,
Bell, F. A.,
Brewster,
Bush,
Gorham,
Goss,
Haas,
Haines,
Henderson,
Hetrick,
Holcombe,
Hollis,
Irvin,
Jones, D. J.,
Kelly,
Kennedy,
McClure,
McCurdy,
McDaniel,
Moffatt,
Parkinson,
Smith, J. W.,
Vickerman,
Weamer,
Wood, W. P.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILLS ON FIRST READING.

The SPEAKER. If there are no objections the Chair will take up the first reading calendar. The Chair hears none.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1238, entitled:

An act authorizing the Department of Forestry to lease for periods of not more than fifty years on terms conditions and stipulations expressed in each lease any portions of the State forests for dams reservoirs canals pipe lines and other water conduits power houses and transmission lines for the development of water power for steam raising and condensation and for the generation and transmission of electric energy

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1226, entitled:

An act to amend section three hundred and three of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting revenue and repealing all laws general special or local or parts thereof that are or may be "inconsistent therewith" as amended

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1236, entitled:

An act providing for a giant power survey creating a Giant Power Survey Board defining the powers and duties thereof requiring officers departments commissions and other agencies of the Commonwealth to give information thereto and making an appropriation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1252, entitled:

An act providing for the licensing of certain stills and other distilling apparatus imposing certain duties upon the Secretary of the Commonwealth providing for the search for and seizure and destruction of unlicensed stills and distilling apparatus and providing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1235, entitled:

An act authorizing the Department of Forestry to grant on terms conditions and stipulations rights to occupy and use any portions of the State Forestry for dams reservoirs canals pipe lines and other water conduits for water supply purposes and providing for forfeiture and other remedies for breach of such terms conditions and stipulations

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1234, entitled:

An act authorizing the creation of a commission to negotiate with the duly constituted agents of the states of New York and New Jersey for the regulation of the flow of the Delaware River the conservation apportionment and utilization of the water resources thereof providing the method for ratification of such compact by this Commonwealth and prescribing the conditions of its being in full force and effect

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1237, entitled:

An Act subjecting to terms conditions and stipulations permits by the Water Supply Commission for the construction of dams and other water obstructions for the supplying of water for certain purposes authorizing the condemnation of lands and waters prescribing the condemnation procedure and providing for revocation and other remedies for breach of such terms conditions and stipulations

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1330, entitled:

An act authorizing the establishment and maintenance of branches by banks savings banks and trust companies either within or outside the State providing penalties and remedies in case of violation and repealing existing laws

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 831, entitled:

An Act providing punishment for the selling and furnishing of intoxicating liquors or liquids represented as intoxicating liquors contrary to law thereby causing the death of persons drinking the same

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 428, entitled:

An Act to amend section one of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred and sixty-eight) entitled "An Act relating to police pension funds in cities of the third class and directing such cities to appropriate certain moneys thereto"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1341, entitled:

An Act to amend section one thousand six hundred and one of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 885, entitled:

An Act limiting the power of State banks banking companies trust companies savings banks and unincorporated banks to become surety on bonds

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1120, entitled:

An Act to amend section one of an act approved the seventeenth day of June Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An Act to provide revenue for State and county purposes and in cities co-extensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 704, entitled:

An Act requiring the filing of plans and specifications for buildings public works highways or improvements undertaken by boroughs townships poor districts or school districts in the office of the clerk of the court of quarter sessions and requiring copies to be furnished by the secretary architect or engineer of the municipality to applicants therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 197, entitled:

An Act to amend section two of an act approved the twenty-third day of March one thousand nine hundred and twenty-one (Pamphlet Laws forty-two) entitled "An Act appropriating to the State Highway Department for the purpose of assisting in the construction maintenance improvement and repair of State highways and State-aid highways all moneys derived from registrations and from license fees for the year one thousand nine hundred and twenty-one and subsequent years under the provisions of the act of Assembly approved June thirtieth one thousand nine hundred and nineteen relating to and regulating motor vehicles and amendments thereto and providing for salaries and other expenses of the department"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 967, entitled:

An Act to amend on act approved the twentieth day of April one thousand nine hundred and five (Pamphlet Laws two hundred thirty-seven) entitled "An Act to provide for the repair and maintenance or improvement by the proper county city or borough of turnpikes hertofore or hereafter appropriated or condemned or any part thereof for public use free tolls" as amended providing for the maintenance and repair of abandoned turnpikes of dissolved companies by the several townships cities and boroughs

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 991, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania by adding thereto section thirty-four

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 230, entitled:

An Act to amend Route Three Hundred and Thirty-eight of the act approved the twenty-second day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred forty-eight) entitled "An Act establishing certain public roads as State highways and providing for their construction and maintenance at the expense of the Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 980, entitled:

An Act to amend section eleven of an act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred seventy) entitled "An Act creating a Division of Township Highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter session and providing penalties" requiring clerks of the court to certify lists of township auditors to the State Highway Commissioner

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1323, entitled:

An act prescribing the manner in which certain persons municipalities partnerships associations or corporations may intervene in appeals to the Superior Court from findings determinations or orders of the Public Service Commission of the Commonwealth of Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1058, entitled:

An act authorizing cities and boroughs to appropriate moneys to organizations of veterans to assist in paying rent

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 705, entitled:

An Act to amend articles one four and five as amended of chapter seven and sections four and six of article six of chapter seven of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1306, entitled:

An act to amend section seven of an act entitled "An act to establish a Department of Mines in Pennsylvania defining its purposes and authority providing for the appointment of a Chief of said Department and assistants and fixing their salaries and expenses" approved the fourteenth day of April Anno Domini one thousand nine hundred and three (Pamphlet Laws one hundred and eighty) increasing fees paid by applicants for certificates of qualification as mine foremen and assistant mine foremen in the anthracite mines providing for the disposition of fees received and providing for copies of lost or destroyed certificates

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1307, entitled:

An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the districts in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1308, entitled:

An Act to amend section two and section six of article three section nine section fourteen and section twenty-two of article four section four of article five article ten rule thirty-eight of section three of article eleven section two of article thirteen rule twenty-five of article twenty-five section two of article twenty-six and article twenty-eight of an act approved June nine one thousand nine hundred and eleven (Pamphlet Laws page seven hundred fifty-six) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" and to further amend section one of article five of the said act section one of article five having previously been amended by an act approved June one one thousand nine hundred and fifteen (Pamphlet Laws page seven hundred sixteen) repealing all acts or parts of acts inconsistent with this act and providing when this act shall go into effect

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1309, entitled:

An Act to amend Rule Thirty-four Article XXV of an Act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred and fifty-six) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by requiring mine operators to pay the Department of Mines for certain report and record books

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1310, entitled:

An Act to amend Article II of an Act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one thousand and seventy-six) entitled "An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as amended by an Act approved the eighth day of June one thousand nine hundred and one (Pamphlet Laws five hundred and thirty-five) by making it the duty of the mine inspector to prosecute for violations of the mining law

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 992, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania by adding thereto section thirty-five

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1015, entitled:

An Act to amend chapter six article seventeen of the act approved the fourtenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1034, entitled:

An Act to promote the health and efficiency of firemen in cities of the first class by providing for a two-platoon system for the certain officers of the uniformed fire force of the Department of Public Safety of such cities

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 955, entitled:

An Act making an appropriation to the legal representative of the estate of Honorable Samuel A. Whitaker deceased elected a Representative in the General Assembly of the Commonwealth from Chester County

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1024, entitled:

An Act to amend section one of an act approved the seventeenth day of July one thousand nine hundred and nineteen (Pamphlet Laws oe thousand twenty-one) entitled "An Act to exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit and instructions of purely charity and repealing prior acts relating thereto" as amended

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 973, entitled:

An Act to amend section three of the act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred and seventy-five) entitled "An act to provide for the appointment of county and city inspectors of weights and measurers providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" as amended providing for the disposition of certain fines and imposing additional penalties

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1399 (Senate Bill No. 500), entitled:

An Act to amend section one of the act approved the twenty-second day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and sixty-seven) entitled "An Act authorizing the Commissioner of Labor and Industry to appoint additional officers and employes in the Department of Labor and Industry fixing their duties and salaries and increasing the salaries of the chief medical inspector chief of the bureau of statistics and information and the chief clerk" by providing for additional supervising inspectors

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1417 (Senate Bill No. 645), entitled:

A Supplement to an act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Appropriation Acts page one hundred and forty-two) entitled "An Act making an appropriation to the State Industrial Home for Women at Muncy" reappropriating certain appropriations heretofore made to the State Industrial Home for Women at Muncy

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1390 (Senate Bill No. 461), entitled:

An Act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

QUESTION OF PERSONAL PRIVILEGE.

Mr. JOHN G. MARSHALL. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. MARSHALL. Mr. Speaker and members of the House, I wish to call the attention of the House to the postponed calendar, and especially to the size of it. The reasons for this, I think, are obvious to all of us, and I wish to speak of it for the reason that it has reached proportions at the present time where it is not only burdensome, but it is an imposition on the members of the House, to have to keep informed on each bill on this postponed calendar any one of which is liable to be called up at any minute. I think there are a great many bills, in fact I know there are several on this postponed calendar at this time, which will not be called up. It is not the intention of the sponsors of those bills to call them up, but the members do not know that fact and in order to be prepared to answer any questions on bills that may be called up, and are not what we think they should be, we must keep informed on about forty bills.

The practice has been during the past few weeks to pass a motion to continue all postponed bills for five days. I think this is a bad practice, for as I said before, several members have bills on the postponed list with the intention of letting them die a natural death. Instead of extending the time by a blanket motion I think every member who desires to have the time extended on a postponed bill should do so by a separate motion. I would also suggest that men who have bills on the postponed list endeavor to dispose of them at as early date as possible, and not expect members to go over and over them every time we get a new calendar.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Edmonds,

The House resumed the consideration on third reading of House Bill No. 709, entitled:

A Supplement to an act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred twenty-one) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" providing additional taxes upon the transfer of certain kinds and classes of personal property upon which county and city taxes have not been paid as required by law

On the question,

Will the House agree to the bill on third reading?

BILL DROPPED FROM CALENDAR

Mr. EDMONDS. Mr. Speaker, may I make a statement with reference to this bill? I am going to move that it be dropped from the calendar. This bill and House Bill No. 145, at the bottom of the page, both of which relate to the personal property tax. The House yesterday passed the major bill on that subject. These bills provide merely an alternative method of making payment by the issuing of adhesive stamps by the Auditor General. It was proposed merely as a convenience for taxables, but I have heard from a great many taxables that they do not like the idea of the convenience. There is a pronounced feeling in this Commonwealth against the stamp method of paying taxes. I, therefore, move that House Bill 709 and the complimentary bill No. 145, be dropped from the calendar.

Mr. FRATT. Mr. Speaker, I second the motion.

Tht motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Edwards,

The House resumed the consideration on third reading of House Bill No. 145, entitled:

A Supplement to the act approved the seventeenth day of June, one thousand nine hundred and thirteen, (P. L. 507), entitled, "An act to provide revenue for State and county purposes, and, in cities co-extensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes;" authorizing the payment of taxes for county and city purposes on certain investments through the use of adhesive stamps prepared by the Auditor General of the State for the use of the several counties and cities.

On the question,

Will the House agree to the bill on third reading?

BILL DROPPED FROM CALENDAR

Mr. EDMONDS. Mr. Speaker, I move that House Bill No. 145, file folio 2765, be dropped from the calendar.

Mr. FRATT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Edmonds,

The House resumed the consideration on third reading of House Bill No. 965, entitled:

An Act to repeal an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and ninety-one) entitled "An act restricting the appointment of corporate fiduciaries by testators or by any court or register of wills to corporations fully subject to supervision and examination by the Banking Department"

On the question,

Will the House agree to the bill on third reading?

BILL DROPPED FROM CALENDAR

Mr. EDMONDS. May I make a statement in regard to this bill? The legislation contemplated in this bill is fully covered by a bill passed this morning, introduced by Mr. Ludlow, and, therefore, this bill becomes unnecessary.

I move, Mr. Speaker, that it be dropped from the calendar.

Mr. FRATT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Edmonds.

The House resumed the consideration on third reading of House bill No. 346, entitled:

An Act to amend section seventeen of the act approved the seventeenth day of June, one thousand nine hundred and thirteen, (Pamphlet Laws five hundred seven), entitled, "An Act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes, imposing taxes upon certain classes of personal property, providing for the assessment and collection of the same, providing for the duties and compensation of prothonotaries and recorders in connection therewith, and modifying existing legislation which provided for raising revenue for State purposes," as amended.

On the question, recurring.

Will the House agree to the bill on third reading?

Mr. EDMONDS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, page 5, line 2, by striking out the words "by it assured" and inserting in lieu thereof "assumed"

Amend section 1, page 8, line 21, by striking out beginning with the word "Provided" and ending on page 10, lint 14, with the word "provided"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objections? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Edmonds.

The House resumed the consideration on third reading of House Bill No. 531, entitled:

An Act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in alleys in cities of the first class, for the establishment of lines and grades for, and the grading, paving or repaving of said alleys, and the grading of private alleys hereafter laid out, and for apportioning the cost and for the filing of liens therefor.

On the question,

Will the House agree to the bill on third reading?

TIME EXTENDED ON BILL.

Mr. EDMONDS. Mr. Speaker, I move that the time on House Bill No. 531 be extended for a period of 5 days.

Mr. FRATT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Edmonds.

The House resumed the consideration on third reading of House Bill No. 668, entitled:

An Act to amend section eight of an act approved the seventh day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred sixty-eight) entitled "An act to restrain and regulate the use of billiard-tables pool-tables and bagatelle-boards or tables kept and maintained for the use of the general public for hire or reward in cities of the first class in this Commonwealth providing for the granting of licenses and providing for punishments for violations of the provisions of this act" by providing for the revocation of the licenses therein provided for when the place licensed shall in the opinion of the Director of the Department of Public Safety be so conducted as to be detrimental to the immediate neighborhood or when the licensee is not a person of good moral character or a fit person to hold such license or when said place is frequented by immoral persons or managed in an improper or disorderly manner

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—157.

Albert,
Alexander,
Allman,
Armstrong,
Asbury,
Aston,
Baker,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, J.,
Fowler, A. I.,
Fratt,
Frazier,
Gallaher,
Gibbon,
Glasgow,
Gelder,
Gorham,
Greeby,
Griffith,
Grimes,
Haines,
Harer,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McCaig,
McClure.
McCurdy,
McDaniel,
McDermott,
McGowan,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Stevens, A. F.,
Stevens, A. J.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells.
Wheeler,
Whitehouse,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Mr. FLYNN asked and obtained unanimous consent to call out of order House Bill No. 1400 (Senate Bill No. 513).

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1400 (Senate Bill No. 513(, entitled:

An Act to amend section three of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and twelve) entitled "An Act to regulate the drilling operating and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act."

On the question,

Will the House agree to the bill on third reading?

Mr. FLYNN. Mr. Speaker, I ask unanimous consent to offer amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend section 1, page 2, line 10, by inserting after the word "Sand" the following: "Ball Town Sand". "Clarendon Sand." "Cherry Grove Sand". "Kane Sand." and "Haskell Sand."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. George W. Williams.

The House resumed the consideration on third reading of House Bill No. 883, entitled:

An Act to amend the fourth paragraph of section fourteen of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown.
Brownmiller,
Burchinal,
Bush.
Chaplin,
Clutton.
Coldsmith,
Colville,
Conner,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Fowler, A. I.,
Frazier,
Gallaher,
Gibbon,
Goss,
Greeby,
Griffith,
Grimes,
Harter,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Lucas,
Ludlow,
Lynch,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,

Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Jones, D. J.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Raymond,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 245, as follows:

A Joint Resolution proposing an amendment to section one article eight of the Constitution of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That section one article eight of the Constitution of Pennsylvania which reads as follows

"Every male citizen twenty-one years of age possessing the following qualifications shall be entitled to vote at all elections subject however to such laws requiring and regulating the registration of electors as the General Assembly may enact

First He shall have been a citizen of the United States at least one month

Second He shall have resided in the State one year (or having previously been a qualified elector or native-born citizen of the State he shall have removed therefrom and returned then six months) immediately preceding the election

Third He shall have resided in the election district where he shall offer to vote at least two months immediately preceding the election

Fourth If twenty-two years of age and upwards he shall have paid within two years a State or county tax which shall have been assessed at least two months and paid at least one month before the election"

is hereby amended to read as follows

Every citizen twenty-one years of age possessing the following qualifications shall be entitled to vote at all elections subject however to such laws requiring and regulating the registration of electors as the General Assembly may enact

First He or she shall have been a citizen of the United States at least one month

Second He or she shall have resided in the state one year (or having previously been a qualified elector or native-born citizen of the State he shall have removed therefrom and returned then six months) immediately preceding the election

Third He or she shall have resided in the election district where he shall offer to vote at least two months immediately preceding the election

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. VICKERMAN. Mr. Speaker, I move that House Bill No. 245, file folio 4291, be recommitted to the committee on Elections for the purpose of amendment.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 246, as follows:

A Joint Resolution proposing an amendment to section eleven of article eight of the Constitution of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eleven of article eight of the Constitution of Pennsylvania which reads as follows

"Townships and wards of cities or boroughs shall form or be divided into election districts of compact and contiguous territory in such manner as the court of quarter sessions of the city or county in which the same are located may direct but districts in cities of over one hundred thousand inhabitants shall be divided by the courts of quarter sessions having jurisdicton therein whenever at the next preceding election more than two hundred and fifty votes shall have been polled therein and other election districts whenever the court of the proper county shall be of opinion that the convenience of the electors and the public interest will be promoted thereby" is hereby amended to read as follows

Township and wards of cities or boroughs shall form or be divided into election districts of compact and contiguous territory in such manner as the court of quarter sessons of the city or county in which the same are located may direct but the courts of quarter sessions having jurisdiction therein shall have power to divide or change the boundaries of election districts whenever the court of the proper county shall be of the opinion that the convenience of the electors and the public interests will be promoted thereby

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JOSEPH MARCUS, Mr. Speaker, and members of the House, it is with some pleasure that I take my place on the floor at this time and find that there is one bill amongst all those election bills which have been introduced in this House, which I can support without any stretch of conscience. I have read all of those bills; I have digested them, analyzed them; I have attended all the hearings, I have listened to all the arguments, and as a result I see only this bill, out of the whole mass, which stands out alone and that has any particular merit in it. Therefore, as I say, it is with pleasure that I speak in favor of the passage of this bill, principally because it does not affect the election procedure that we now have in the State of Pennsylvania. As a general proposition, I am rather opposed to changing our fundamental laws for the purpose of aiding any election matter, but in this case I see that there is somewhat of a necessity, for under the present Constitution the Court has the right to direct that divison voting districts may be divided when the voting strength is 250 or over If that is carried out to its logical conclusion it is easy to see what a great number of voting districts we might have on account of the recent addition of the women voters. There is scarcely any division, so far as I know, in our own city of Philadelphia, which might not be divided upon that ratio. Therefore, I feel that there can be no objection to the passage of this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Edmonds,
Evans, B. P.,
Evans, J.,
Flynn,
Fowler, A. I.,
Gallaher,
Gilchrist,
Glasgow,
Goehring,
Goss,
Greeby,
Grimes,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McVicar,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Stark,
Staudenmeier,
Stavitski,
Steedle,

Bentley,
Berger,
Betts,
Bluett,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Gundy,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
MacKinney,
Mangan,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook.
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from postponed calendar by Mr. Steedle,

The House resumed the consideration on final passage of House Bill No. 700, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania providing for a budget system

On the question recurring,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—161.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Asbury,
Beaver,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Blair,
Bluett,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Dietz,
Donahue,
Driggs,
Drinkhouse,
Gallaher,
Gibbon,
Glasgow,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Gundy,
Harer,
Harter,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Huber,
Irvin,
Jones, C. B.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.
Mathay,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McVicar,
Metcalf,
Miller,
Minehart,
Moffat,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Schoener,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Speiser,
Spangler,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Flynn,
Fowler, A. I.,
Fratt,
Frazier,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution havinv voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Steedle,

The House resumed the consideration on third reading of House Bill No. 1075, entitled

An Act for the prevention and treatment of mental diseases, mental defect, epilepsy and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition and deportation of mental patients; providing for the payment by individuals, counties or the Commonwealth of the cost of the admission, care and discharge of mental patients; and imposing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. STEEDLE, Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend page 9, line 2, after the word "please" insert the words "or other court of record"

Amend page 9, line 4 strike out the word "court" insert in lieu thereof the word "courts"

Amend page 9, line 5, strike out the word "court" insert in lieu thereof the word "courts"

Amend page 12, line 27, after the word "please" insert the words "or other court of record"

Amend page 13, line 12, after the word "please" insert the words "or other court of record"

Amend page 20, line 14, after the word "please" insert the words "or other court of record"

Amend section 309, page 20, line 2, after the word "department" insert the following: "Providea, however, that in any judicial district in which there is a municipal court vested with the exclusive jurisdiction over proceedings concerning children suffering from epilepsy, nervous and mental defects, then admission of mentally defective or epileptic children to any state or municipal institution from said judicial district shall be exclusively vested in said court"

Amend page 22, line 28, after the word "please" insert the words "or other court of record"

Amend page 24, line 7, after the word "please" insert the words "or other court of record"

Amend page 25, line 4, after the word "please" insert the words "or other court of record"

Amend page 36, line 23, after the word "please" insert the words "or other court of record"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Wheeler,

The House resumed the consideration on third reading of House Bill No. 751 (Senate Bill No. 40), entitled

An act fixing the salary of the prothonotary in counties of the eighth class and providing for the payment of all fees and commissions into the county treasury

On the question,

Will the House agree to the bill on third reading?

TIME EXTENDED ON BILL.

Mr. WHEELER. Mr. Speaker, in deference to a colleague who is absent, I move that the time be extended five days on House Bill No. 751 (Senate Bill No. 40).

Mr. SCHAEFFER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Lorenzo D. Thomas.

The House resumed the consideration on third reading of House Bill Uo. 896, entitled

An Act to ascertain and appoint the fees to be received by the clerk of quarter sessions and oyer and terminer of counties of the third class and fourth class

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

Shall the bill pass finally?

On the question,

Mr. HORNE. Mr. Speaker, I regret that this bill was on the calendar because it pute us back to the fee system in counties where we have a salary basis. For that reason, I must be opposed to this bill.

Mr. ALEXANDER. Mr. Speaker, the gentleman from Cambria is very much mistaken in that statement. The counties of the third and fourth class have salaries, are under salaries at the present time. There is also for the third and fourth class counties a fee system to be charged by the different officers in these counties. This is simply the fee system we have at the present time with some few changes in it. None of these fees go to the office, but all are paid into the county treasurer. It is true, and the only place and the only way that the fee in any way relates to the officer is the fact that the law fixing the salary of the officer does not permit that officer to receive more salary than he takes into his office in fees. That is the only way that this fee affects the officer. There is a fee system at the present time and this is the only change in the figures. I have gone over the present fee system in the third and fourth class counties if this proposition should arise so I could tell you the changes. If you will follow the bill, you will find the charge for the venire for and swearing of grand jury; the next item is the same; the next item, where a bill is returned ignoramus, in the old fee bill, it was $2.30, and in the new, $1.50, so you see there is a reduction there; the next item, calling recognizance and entry of forfeiture, in the old bill, it was 25 cents and that is raised here to 50 cents; the next two items are new items; the next item, for continuance, in the old list, it was 10 cents instead of 25 cents; the next item is a new fee; the next item is the same; the next item, swearing jury witnesses, etc., is a new charge; services in cases of surety of the peace, except subpoenas or attachments, in the old bill it was $2.30, and this makes it 75 cents; the next item is the same; copy of rule or order of court in the old bill was 40 cents and this makes it 60 cents; the next five items are the same; constables bond filing in the old bill was $1.00, and in this, is 60 cents; receiving and entering constable returns, in the old bill, 80 cents, in the new bill, 60 cents; the next two items are the same; the next item is a new item; issuing attachment and entering motion, in the old bill, 50 cents in the new bill, 40 cents; the next item is a new charge; certificate and seal, in the old bill, 40 cents, in this bill, 30 cents; the next item is the same; taxing costs other than the clerk of the session, in the old bill 25 cents, in this bill, 50 cents; retaxing parties, etc., in the old bill, 25 cents, in this bill, 50 cents; the next item is the same; the next item is a new charge; issuing supreme or superior court records, the charge is the same; entering appeals from justices and aldermen is a new charge; certificate of pay of jurors, etc., in the old bill, 75 cents, in this bill, $1.00; the next two items are the same; filing any paper not relating to pending suit, in the old bill, 25 cents, in this bill, $1.00; all proceedings in tavern or eating house licenses, in the old bill, $5.00, in this bill, $1.00; the next two items are the same; recording, tabulating and entering special elections, in the old bill, $2.50, in this bill, $3.00; the next item is the same, and also the next two; the next item is a new charge, while the charge in the next two items is the same; commitment to penitentiary, in the old bill, $1.50, in the ne wbill, $2.00; commitment to reformatory, in the old bill, $1.00, in the new bill, $2.00; all services performed in any one execution where a bill is found, etc., in the old bill, $4.00, in the new bill, $8.00; when bill is returned ignoramus, in the old bill, $3.05, in the new bill, $2.50. So, you see, taking it all along the line, there is a very little difference. To a certain extent, it does change it somewhat, but so far as the fees are concerned, all the fees go into the county treasurer's office, and in a great many times, I might say 75% of the time, they are paid by the defendants in the cases, and therefore it is a gain for the county.

The SPEAKER. The Chair is inclined to think that some confusion may exist with regard to this bill, for the reason that the correct file folio is 4015 instead of the folio printed on the calendar.

Mr. HORNE. Mr. Speaker and Members of the House. It was not my purpose to get this information on this bill. I spoke to the sponsor of the bill, and he assured me I was mistaken, and I think perhaps I was. When I looked over this bill I thought that it referred back entirely to the feee system for the payment of officers. I believe I was mistaken.

Mr. SARIG. Mr. Speaker, as a Representative from a fourth-class county, I wish to say that our people feel that this bill is entirely fair. As you know, the law now fixes a stated salary for officials in counties of the fourth class. Now, the quarter sessions' office is the only office where the fees are insufficient to make up the salary as stipulated by law. Every other office in our court House has fees sufficient to take care of the salary as stipulated by law, and since we have recently repealed the Woner Act and have taken away the income tax of this office, I feel it is fair that the clerk of the quarter sessions should be treated the same as all other office holders in fourth-class counties. Not one penny more than his salary is taken out of the fee, and all excess in fees will be turned back into the county treasury, and the object of this bill is simply to provide sufficient revenue so that the salary of this particular official may be taken care of the same as the salaries in other offices are taken care of. I think the bill is entirely fair and should be passed.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—140.

Alexander,
Allman,
Anderson,
Armstrong,
Aston,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dietz,
Donahue
Driggs,
Drinkhouse,
Dunn,
Edmonds,
Evans, B. P.,
Fratt,
Gallaher,
Gibbon,
Goehring,
Gorham,
Goss.
Griffith,
Gundy,
Haas,
Haines,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Lucas,
Ludlow,
Lynch,
Malie,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
Miller,
Minehart,
Moffatt,
Moore,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Staudenmeier,
Stavitski,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

[illegible]

NAYS—1.

Eaches,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

TIME EXTENDED ON BILL.

Mr. MOFFATT. Mr. Speaker, I move that the time on House Bill No. 654, entitled,

An Act providing that in all cases of prosecutions for any crime or misdemeanor where the defendant has been discharged by any justice of the peace alderman burgess mayor or other committing magistrate and in all cases of summary proceedings before said officers the county shall not be liable for the costs unless the same are approved by the county controller in counties having a county controller or by the county solicitor in counties not having a county controller

on page 6 of today's calendar, be extended for a further period of five days.

Mr. WALKER. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL.

Mr. McKIM. Mr. Speaker, I move that the time on House Bill No. 639, entitled:

An Act authorizing the purchase and consolidation of water or waer power companies organized prior to the first day of April one thousand nine hundred and five and providing the manner in which such merger shall be effected

on page 22 of today's calendar, be extended for a further period of five days.

Mr. LITTLE. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL.

Mr. BURNS. Mr. Speaker, I move that the time on House Bill No. 566, entitled:

An Act to amend article one, section one, of the act approved the twenty-sixth day of July, one thousand nine hundred and thirteen, (P. L. 1374), entitled "An Act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining, and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the Commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determination by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains', by amending section nine thereof; repealing the act approved the thirty-first day of May one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals,' and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven and section thirty-four of the act, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act;" extending the provisions of said act to corporations, joint-stock companies or associations, domestic or foreign, their lessees, assignees, trustees and receivers, and to individuals, partnerships and associa-

tions engaged in the production, sale or distribution of coal, and defining and declaring the same to be public service companies.

on page 25 of today's calendar, be extended for a further period of five days.

Mr. DRINKHOUSE. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL.

Mr. STONER. Mr. Speaker, I move that the time on House Bill No. 855, entitled:

An Act authorizing the county commissioners and sheriff of any county of the second class to organize a uniformed and mounted county police

on page 6 of today's calendar, be extended for a further period of five days.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. KUNKLE,

The House resumed the consideration on third reading of House Bill No. 563, entitled:

An Act to amend section one of an act approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 899), entitled "An Act regulating service of process from the courts of common pleas or other courts of record, and extending the territorial jurisdiction thereof in certain cases;" by authorizing the service of writs of summons in any county of the Commonwealth, and to repeal section two of said act.

On the question,

Will the House agree to the bill on third reading?

BILL DROPPED FROM CALENDAR

Mr. KUNKLE. Mr. Speaker, inasmuch as this bill has been supplanted by a later bill, I move that it be dropped from the calendar.

Mr. GEORGE A. SMITH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Kunkle,

The House resumed the consideration on third reading of House Bill No. 1224, entitled

An Act regulating the service of process and authorizing the service of writs of summons and other process in any county of the Commonwealth

On the question,

Will the House agree to the bill on third reading?

Mr. KUNKLE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend the title to the Act by adding after the word "process" in the second line thereof "in actions for damages for breaches of covenants of warranty in any deed or conveyance of real estate"

Second by adding in line 11, section 1 after the word "situate" "and such deed is recorded"

By adding in line 13, section 1, of said Act by striking out the word "to" and adding after the word "procedure" in said line "in such actions may"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 869, as follows:

An Act relating to the proof of whiskey sold offered for sale or furnished and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any apothecary druggist or other person authorized by law to prescribe or furnish any whiskey representing the same to be bonded whiskey unless such whiskey is of proof required for whiskey bottled in bond by the laws of the United States or to sell offer for sale or furnish whiskey not bottled in bond unless the proof of such whiskey is plainly and conspicuously stamped or marked upon the container thereof Any person violating the provisions of this act or selling or offering for sale furnishing whiskey of a proof less than that stamped or marked upon the container thereof shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars or to undergo imprisonment for a term not exceeding ninety days or both at the discretion of the court

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—170.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Burchinal,
Burns,
Bush,
Chaplin,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Edmonds,
Evans, B. P.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fratt,
Frazier,
Gallaher,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Gundy,
Haas,
Himes,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Haines,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Malie,
Mangan,
Marcus, J. C.,
Marshall, W. F.
Mathay,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffat,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Raymond,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Stark,
Staudenmeier,
Stavitski,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse,

Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Howell,
Hoover,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
O'Boyle,
Ogle,
Orr,
Post,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECESS.

The SPEAKER. If there are no objections the Chair will declare a recess until 8:00 o:clock P. M. Are there objections? The Chair hears none.

Whereupon, at 1:50 o'clock P. M. the House took a recess until 8:00 o'clock P. M.

AFTER RECESS.

The House reconvened at 8:00 o'clock P. M.

The SPEAKER (C. J. Goodnough) in the Chair.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

Approval Of House Bills Nos. 26, 57, 186, 332, 423, 425, 452, 523 and 594.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 18, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed the following House Bills:

House Bill No. 26, entitled, "An Act to amend section twenty-four of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred twenty-nine) entitled, 'An act relating to the descent and distribution of the real and personal property of persons dying intestate and to provide for the recording and registering of the decrees of the orphans' court in connection therewith and the fees therefor' providing for the sale of the real and personal property of a decedent without known heirs kindred or surviving spouse and the payment of the net proceeds of such sale into the State Treasury".

House Bill No. 57, entitled, "An Act authorizing boroughs to appropriate moneys or to levy and collect with the assent of electors a special tax for the purpose of purchasing fire engines and fire apparatus and to assist existing fire companies in the purchase of fire engines and fire apparatus".

House Bill No. 186, entitled, "An Act authorizing county commissioners to purchase road machinery and to rent the same to the townships of such county".

House Bill No. 332, entitled, "An Act validating deeds and mortgages of corporations heretofore erroneously executed and acknowledged".

House Bill No. 423, entitled, "An Act authorizing boards of county commissioners to cooperate with the Department of Agriculture and to appropriate money from county funds for the purpose of suppressing and controlling dangerous infectious disease of livestock and poultry and dangerous plant diseases and insect pests".

House Bill No. 425, entitled, "An Act to amend an act approved the ninth day of April one thousand nine hundred and thirteen (Pamphlet Laws forty-six) entitled 'An act fixing the number and salaries of clerks and other employes in the Auditor General's Department".

House Bill No. 452, entitled, "An Act authorizing the courts of common pleas to change the name of perosns prescribing the procedure and the effect of the decree thereon".

House Bill No. 523, entitled, "An Act to further amend section five of the act approved the thirty-first day of March one thousand eight hundred and seventy-six (Pamphlet Laws thirteen) entitled 'An act to carry into effect section five of article fourteenth of the Constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury in counties containing over one hundred and fifty thousand inhabitants' as amended".

House Bill No. 594, entitled, "An Act authorizing the county commissioners to appropriate county moneys to incorporated agricultural and horticultural societies and associations".

GIFFORD PINCHOT

LEAVES OF ABSENCE.

Mr. JOHN C. MARSHALL asked and obtained leave of absence for himself on account of illness in his family.

Mr. FLINCHBAUGH asked and obtained leave of absence for Mr. Brenneman, because of the death of a friend.

REPORTS FROM COMMITTEES.

Mr. GOEHRING, from the Committee on Judiciary General, reported as amended House Bill No. 1264, entitled

An act providing for the depositing of money as a forfeit for the appearance of persons arrested for certain offences for hearing before a mayor or chief burgess; and providing for the forfeiture and payment of the same into the city or borough treasury in case of non-appearance of person arrested.

Mr. PRICE, from the Committee on Ways and Means, reported as amended House Bill No. 859, entitled

An Act to amend section thirty-five of the act approved the thirtieth day of June, one thousand nine hundred and nineteen, (P. L 678), entitled "An Act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof, and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle.

Mr. JOSHUA EVANS, from the Committee on Judiciary General, reported as committed House Bill No. 204, entitled

An Act directing the Governor with the assistance of a budget director and assistants to prepare and transmit to each General Assembly a budget for each of the two fiscal years next succeeding, and to submit therewith a general and other appropriation and revenue bills; providing for the consideration thereof by the General Assembly; requiring spending agencies of the Commonwealth and the fiscal officers thereof to furnish certain information; and providing for uniform systems of accounting and financial reports, for control and supervision over the expenditures of the Commonwealth, and for the lapsing of appropriations.

Mr. WHITEHOUSE, from the Committee on Judiciary General, reported as amended, House Bill No. 314, entitled

An Act to define real estate brokers and real estate salesmen, and providing for the licensing, regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business through a bureau in the Department of the Secretary of the Commonwealth.

Mr. BLUETT, from the Committee on Judiciary General, reported as committed, House Bill No. 1408, (Senate Bill No. 511), entitled

An Act making it a misdemeanor to forge or to make or manufacture any object with intent of representing or of permitting the same to be represented as an archaeological specimen or to sell or exchange or to possess for the purpose of selling or exchanging as such any object so unlawfully forged made or manufactured and providing penalties.

Mr. PEELOR, from the Committee on Judiciary General, reported as committed, House Bill No. 1406, (Senate Bill No. 489), entitled

An Act to amend section two of the Act of April nineteen one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued."

Mr. KOHLER, from the Committee on Judiciary General, reported as committed, House Bill No. 1372, (Senate Bill No. 366), entitled

An Act to permit the service of writs of scire facias in certain cases in any county of the Commonwealth and providing by whom such service shall be made.

Mr. KENNEDY, from the Committee on Judiciary General, reported as committed, House Bill No. 1403, (Senate Bill No. 203), entitled

A Joint Resolution proposing an amendment to Article Three Section six of the Constitution of the Commonwealth of Pennsylvania so that the subject of an amendment or supplement to a law and the subject to which such law is extended or on which it is conferred shall be clearly expressed in its title.

Mr. GELDER, from the Committee on Appropriations, reported as committed House Bill No. 306, entitled

An Act making a deficiency appropriation to the State Hospital for Criminal Insane at Farview, Pennsylvania.

Mr. WONER, from the Committee on Ways and Means, reported as committed House Bill No. 1256, entitled

An Act imposing a State tax on Liquid Fuels "including all liquids ordinarily practically and commercially useable in internal combustion engines for the generation of power and all distillates of said condensates from petroleum, natural gas, coal, coal tar and vegetable ferments" to be paid by distributors as herein defined, providing for the collection of such tax and for the distribution and use of the revenues derived therefrom, providing for the filing of certificates and reports of the sale of such liquid fuels and the collection of such tax and fixing penalties.

Mr. HEFFRAN, from the Committee on Labor and Industry, re-reported as committed House Bill No. 850, entitled

An Act to amend section three of an act approved the twenty-fifth day of July, one thousand nine hundred and thirteen (Pamphlet Laws one thousand twenty-four) entitled "An Act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry, and others, by prescribing penalties for violations thereof, by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof," as amended.

Mr. ORR, from the Committee on Labor and Industry, reported with a negative recommendation House Bill No. 1201, entitled

An Act to protect the health and welfare of women and minors employed in industry by establishing a Minimum Wage Board in the Department of Labor and Industry, and providing for the determination of living wages for women and minors, and providing penalties.

Mr. MATHAY, from the Committee on Judiciary General, reported as committed House Bill No. 797, entitled

An Act increasing the number of courts of common pleas in the county of Philadelphia; establishing therein a distinct and separate court of common pleas, designated court of common pleas number six, and providing for the election and appointment of judges for said court.

Mr. DAVID FOWLER, from the Committee on Labor and Industry, reported as amended House Bill No. 1023, entitled

An Act providing a system of employment and compensation for the inmates of county jails and prisons.

Mr. HAAS, from the Committee on Municipal Corporations, reported as amended House Bill No. 1319, entitled

An Act to amend section one, article four, chapter seven, of the act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled "An act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs," as amended.

Mr. McCLURE from the Committee on Municipal Corporations, reported as committed House Bill No. 235, entitled

An Act to validate certain municipal claims and municipal liens in the several boroughs of the Commonwealth; providing for the filing of claims therefor, and the proceedings for the collection of such claims.

Mr. PRICE, from the Committee on Municipal Corporations, reported as committed House Bill No. 1396, entitled

An Act to repeal the act adopted over the veto of the Governor by the Senate of Pennsylvania the eight day of May, one thousand eight hundred and sixty-one, and by the House of Representatives of Pennsylvania the fifteenth day of May, one thousand eight hundred and sixty-one (Pamphlet Laws, seven hundred fifteen), entitled "An Act to grade, curb and pave Main or Market Street, in the town of Annville, Lebanon County."

Mr. RINN, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1168, entitled:

An Act authorizing the annexation to cities of portions of townships not exceeding one hundred acres in area and totally surrounded by said cities, and providing for the division of the assets and liabilitiies of said townships.

Mr. MATHAY, from the Committee on Judiciary General, reported as committed, House Bill No. 963, entitled:

An Act to amend Sections 32 and 38 of an Act entitled "An Act relating to the sale of goods." approved the nineteenth day of May, Anno Domini one thousand nine hundred and fifteen.

Mr. JOSEPH MARCUS, from the Committee on Judiciary General, reported as committed, House Bill No. 1410, (Senate Bill No. 601), entitled:

An Act authorizing boards of revision of taxes and boards for the assessment and revision of taxes to hear and dispose of appeals away from the county seat.

Mr. BIDELSPACHER, from the Committee on Judiciary General, reported as committed, House Bill No. 1415, (Senate Bill No. 589), entitled:

An Act authorizing sheriffs in counties of the fourth class to appoint a solicitor prescribing the duties of said solicitor and fixing his salary.

Mr. SOWERS, from the Committee on Judiciary General,

reported with a negative recommendation, House Bill No. 1141, (Senate Bill No. 217), entitled:

An Act to amend section one of an act approved the thirteenth day of April one thousand eight hundred and eighty-seven (Pamphlet Laws twenty-one) entitled "An Act for the establishment of a uniform standard of time throughout the Commonwealth" prohibiting the adoption of other standards of time.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1015, entitled:

An Act to validate certain municipal claims and municipal liens in the several cities and boroughs of the Commonwealth providing for the finding of claims therefor and the proceedings for the collection of such claims

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. McDANIEL. Mr. Speaker, I move that House Bill No. 1015, file folio 2781, be placed upon the postponed calendar.

Mr. BUSH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 936, as follows:

An Act for the repression of prostitution and assignation making it unlawful to solicit aid or permit prostitution or to use or permit the use of any place for the purpose of prostitution or assignation making certain evidence admissible in proceedings under this act authorizing the commitment of prostitute to private institutions providing for their parole and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

(a) The word "prostitution" as used in this act shall mean the offering or receiving of the body for sexual intercourse for hire

(b) The word "assignation" as used in this act shall mean the making of an appointment or engagement for prostitution or any act in the furtherance of such appointment or engagement

(c) The word "faith" as used in this act shall mean religious belief or connections according to the following classifications Jewish Roman Catholic Protestant

Section 2 It is unlawful

(a) To keep up maintain or operate any place structure or building for the purpose of prostitution or assignation

(b) To occupy any place structure building or conveyance for the purpose of prostitution or assignation or for any person knowing or having reasonable cause to know that same is to permit any place structure or building owned by him or under his control to be used for the purpose of prostitution or assignation

(c) To commit or offer to commit prostitution or assignation or to aid or abet prostitution or assignation by any means whatsoever

Section 3 Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars and to undergo imprisonment for a period not exceeding one year In the case of prostitutes said imprisonment may at the discretion of the Court be by commitment to a private institution in the Commonwealth adapted to the proper control of women of this class and approved by the State Department of Health and State Department of Public Welfare In no case shall the accused be committed to a religious institution other than of her own faith if any faith is professed All institutions accepting persons for commitment under the provisions of this act shall at all times be open to State inspection

Section 4 In the trial of any person charged with the violation of any of the provisions this act testimony concerning the reputation of any place structure or building and of the person or persons who reside in or frequent the same and of the defendant shall be admissible in evidence in support of the charge

Section 5 Any person committed under the provisions of this act may be released on parole at the discretion of the committing court and shall be placed in charge and under the supervision of a designated probation officer Such parole shall continue until the time for the expiration of the sentence The court shall have the power to recommit for any violation of the parole shown by the probation officer

Section 6 All acts or parts of acts inconsistent herewith are repealed but nothing in this act shall be construed to repeal any of the provisions of an act approved the twelfth day of July one thousand nine hundred and thirteen entitled "An act establishing a court for the County of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" its supplements or the amendments thereto

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. VICKERMAN. Mr. Speaker, I move that House Bill No. 936, file folio 4683, be returned to the Committee on Law and Order for the purpose of amendment.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 36, entitled:

An Act to amend section two of an act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Law two hundred and seventy-nine) entitled "An Act relating to the time and manner of taking exception in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correcion and perfecion of such transcript for the purposes of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case"

On the question,

Will the House agree to the bill on third reading?

It was agreed to,

On the question,

Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. McVicar, permit himself to be interrogated?

Mr. McVICAR. I will, Mr. Speaker.

Mr. ALEXANDER. I desire to ask the gentleman from Allegheny to explain the purpose of this bill.

Mr. McVICAR. Mr. Speaker, this is a bill which relates wholly to practice in courts. Under the existing law, in order to assign an error in the charge of the Court, so that an appeal may be made to the Supreme or Superior Court, it is necessary that the party wishing to except those portions of the charge, which he deems to be in error must do so specifically before the jury retires, and in its presence and hearing, and it is also necessary that a request be made that the stenographic notes of the charge be reduced to writing and filed of record. Now this bill provides that a party may take an exception to the charge generally, before the jury has rendered a verdict, and if he does so he may afterwards assign as error any part of the charge which he deems to be erroneous, except as to mis-statement of fact, and it also dispenses with the necessity of requesting that the charge be reduced to writing and filed. It is believed that this bill will accomplish the following: First, it will not cause the party taking an exception to be prejudiced before the jury, as is now the case; and in the second place, that it will make the judges more careful in ascertaining the law applicable to the facts before charging the jury.

This bill I presented, or sponsored, on behalf of the Allegheny County Bar Association, which unanimously endorsed it, and I understand it was also informally endorsed by the State Bar Association.

Mr. ALEXANDER. Mr. Speaker and members of the House, This bill has already been explained to you, and the gentleman from Allegheny has very carefully explained just what this bill will do. Now, I am opposed to this bill and for this reason: In the first place, every judge sitting on the bench is human. They are likely to make mistakes, very often they slip over something and make an error. Now with a law like this there is nothing at that time to call the attention of the court to the error which they made in the charge. I have seen many many times, not in our own court but in others, where the exception has been made in open court, as is now required, and the court has seen his error and immediately corrected it before the jury went out. Now, you can see the advantage was not only to the court but to the litigants as well. For instance, we hear a case and immediately before the jury goes out, or immediately upon going out, I, being one of the counsel in the case, arise and make my exception. The court hears this exception and immediately agrees with me that he has made the slip. He calls the jury back, or perhaps it is before they have gone out, and he corrects that error. Therefore, the jury goes out with the correct law. Otherwise that jury goes out, and perhaps the slip that he made has nothing to do as far as the decision of that jury is concerned. It might not move the jury in the least, but he is bound by reason of his mistake to grant a new trial and that means that that case goes over for a term, at least, before it is tried again, which causes a delay. Now, there is no reason that I can see for a lawyer who is trying a case and it is much easier, I agree with you, for the attorney to sit at his table and not take any notes and not pay any attention and let the judge go on, and then get up in his seat and say, "I take a general exception." That is what we call a lazy way of practicing law. But for the lawyer who is trying the case and watching every point, it is no trouble for him to sit and note the different points upon which he wants to except at the end of the charge, and then make his exception and give the court the chance to correct any error which he might have made. Surely, if there is anything in the world that litigants or attorneys, even, despise and are trying to get away from, it is unnecessary delay; and I can very readily see how a law like this will cause innumerable unnecessary delays. As I said before, in many courts we have the terms three months apart. For instance, I think the terms in civil cases in Philadelphia and Delaware County are practically the same—the first monday of March, the first Monday of June, the third Monday of September and the first Monday of December. Your case must be at issue and on the trial list for forty days before the beginning of each term. Now, by reason of a slip by the court if that case is in error, and if that case goes over, you have to wait three months before it is tried again; and all that delay, two trials instead of one, and the busy lawyer who has tried the case once has had enough without having it tried again unnecessarily. I say, therefore, that this is not a good law, that there is no reason why the lawyer should not be alert and watch the charges in the court all along, keeping his notes, and being able at the end of that to rise in his seat and expect specifically. It is not only due by him to his client, but it is also the duty of the attorney to call the attention of the court immediately to any error he might have made, so that it might be corrected right away, and I can see no purpose except to make it easy for a lawyer, perhaps, in the trial of his case, and I ask you, therefore, to defeat this bill.

Mr. SOWERS. Mr. Speaker and members of the House, this bill has received very thorough and careful consideration in the committee. We heard numerous lawyers both pro and con, and the bill came out so that the whole House may vote on the matter. It seems as if the State Law Association is favorable to the bill. It seems as if the Law Association of Pittsburgh and Allegheny is favorable to the bill. The Law Association of Philadelphia differ from the rest and is not favorable to the bill, although the bill is not altogether unfavorable to the lawyers. Some lawyers in this House from Philadelphia, think it is a good bill, some think it is not. I wanted to explain that to you so that you would know that our differences of opinion are honest differences of opinion.

My thought and opinion on the matter is this: That the bill is not named properly, that it should be entitled, "An Act to enable a lazy lawyer to get a living in a very easy way." The problem before this House, is whether you are going to help the lazy lawyer, or whether you are going to help the wide awake energetic lawyer. What the bill does is this: You can sit at the table and listen to everything going on, you can wait and hope for the judge to make a mistake, keeping your mouth shut, going back to your office, going over the charge and over the testimony, and over the facts in your case, or over the charge particularly, find an error and go back and get a new trial. Now, is that fair? Is it the best public policy for the Commonwealth of Pennsylvania to adopt? Isn't it the better public policy to leave out the lawyers entirely, leave out the interests of lawyers altogether; isn't it the better public policy to say to the lawyer sitting at that table if you hear that judge make a mistake get up and tell him that he made a mistake, and then if the judge persists in his error, take your exception right then and there and then you are entitled to your new trial. Is it fair to the Commonwealth, is it fair to the judge, is it fair to the hundreds of untried cases that a lawyer should sit there, let the judge make a mistake, keep his mouth shut, and then have a new trial? Isn't the judge entitled to the best that is in the lawyer that sits at the trial table; isn't he entitled to have his opinion corrected right then and there? How many judges are there when they make a mistake and you get up and say," If the courts please, you have erred," that they don't correct the error? The opponents to this bill say that some judges when you get up and say to them, "If the court please, I think your Honor has erred in this respect," that they get arrogant and don't say anything but things against your side of the case, while, if you are a good wide awake lawyer you say somethings back to that judge in behalf of your side of the case. Now, what is the best policy?

Mr. SPANGLER. Mr. Speaker and members of the House, I am heartily in favor of the purpose of this bill. My own opinion of the measure is that it is intended to simplify the practice of law and to protect the client in the event it is discovered that exceptions were not taken to the charge of the court at the time they probably should have been taken, and where, perhaps, a court delivers the charge so fast that proper notes cannot be transcribed by the counsel for either side. Now, I am of the opinion that the distinguished Bar Association of Pittsburgh and the great number of distinguished lawyers,—and the ablest lawyers, you will realize, are working for the simplification of justice, not for technical advantages, but in order that, in the end, justice substantial justice, may be subserved to the parties or the litigants in the suit. And when the bar association, with their experience, present a measure of this character for the purposes that I have mentioned, I personally am willing to subscribe to their opinion. My own experience has been that a measure of this kind would, on different occasions, have been of incalculable value, particularly where a court is indisposed to consider exceptions, unless they were made technically at the time they should have been made, and therefore I think that if this bill is passed, it will subserve justice, it will simplify practice and it will promote the interests of the general public in getting from the courts what they go to the courts to get; namely, a just decision of their cases.

Mr. PRICE. Mr. Speaker and members of the House, I just want to point out that the law, as it would be laid down by this act, if it passed, was in effect for more than one hundred years prior to the Act of 1911, and every one got along very well with the law as it then existed. Now, in 1911, the Legislature passed the Act of 1911, and the purpose of the men back of that act was to make it clear that when the lawyers went, at the time of the charge, and asked for a general exception, that the court would not have the right to refuse the exception. The wording of the act was rather unfortunate, and while five or six years after the Act of 1911 was passed, our present chief justice discovered the wording of the act and handed down one of the first opinions, laying down the rule that the lawyers, in taking exception to the charge of the court, would have to make the point of their exception specific. Now, then, the members of the bar in Allegheny County and the State Bar Association as well, do not think that that ruling of the Supreme Court has resulted in substantial or anything like substantial justice in a great many cases and there is now on the books a record of a great many cases where the Supreme court has refused to consider reversable, the matters of error, because specific exception was not made and was not taken by the lawyer at the trial of the case. Now, let us consider the question for a minute in regard to the specific exceptions, if they really mean anything or not. It is perfectly proper for a lawyer, at the close of the charge of the court, to say, "I except to that part of the court's charge which relates to the measure of damages," or to couch his exceptions in some such general term as that, which really means that in the practical application of the rule that he doesn't specify the error that he alleges any more than when he takes a general exception to the charge. Now, then, it is not asking too much of our judges to say that they must, during the trial of the case, prepare themselves on the law, so that when the time comes for them to deliver their charge, they can do so with clearness, and have all the points of law clearly in their minds and make them clear to the jury. During the trial of the case, the question of the admission of testimony coming up, the judge hears the attorney's report, he hears the arguments pro and con, he has these matters firmly fixed in his mind. You come along to the time, just before he delivers the charge of the court. He has the right to ask the attorneys to present their points, that is, ask them, in their points, to specify the principles of law which they think apply to the particular case, and he has a right to rule on these points. He has the right, at any time during the proceedings, to ask the attorneys to present briefs on any particular matter or any disputed question of law in the case, and he has a right to ask them for oral arguments so that it is not asking too much of the judge, when the time comes for the closing of the case, after they consider the matter, after he has had all the matters of the counsel brought out, and the different points, to get the principles of law clearly defined and applicable to the case in correct practice.

Now, then, this is not a lawyer's bill, it is not designed to make the practice of law any easier for the lawyers, but if the judge makes a mistake in the principles of law applicable to the case, is it right and is it just to deny the client of the lawyer the right of appeal because the attorney has not made a specific exception to the mistake involved in the case? It is not the lawyer's interests, it is not the judge's interests that we are considering, it is the interest of the client, and if the court cannot state the principles of law correctly, then I say a new trial ought to be granted and an appeal granted if it goes to an appeal. It is not the judge we are considering, it is not the lawyer we are considering; it is the interests of the client and the application of substantial justice to the case as you go before the court. I think this bill is designed to make judges more careful in administering their charge, and I think that the judges have become more lax under the rules now applicable to the specific exceptions, and I think that the bill should be passed and I ask your support.

Mr. LUDLOW. Mr. Speaker and members of the House, while I represent the first legislative district of Montgomery County and have lived there for a number of years, I occupy the hybrid position of living and having my political existence in one county, but since 1904, I have practiced at the bar in Philadelphia. Before 1911, when that act was passed, I was familiar with the practice which the Act of 1911 established. I am very strongly in favor of the bill which is now presented to this House. After all, let us forget that it is not for lawyers, as they said in a certain recent speech that they forget before they started. Lets forget that some of us are lawyers and lets look at this, if we can, from the standpoint of the individual citizen, man or women, sent here from the home district to try to work out substantial justice. Now, technicalities aside, what do we care whether it is the judge's fault or the counsel's fault? The important thing is, has a mistake been made, if a mistake has been made, which can be corrected in order to bring about exact justice? Then, why not disregard the technical arguments and get down to exact justice and permit by the passage of this act such corrections as may not, in the heat of action, but may in calm reflection, afterwards, allow us to correct mistakes. With all due deference and with sincerity for my friend from Delaware, Mr. Alexander, and my friend from Philadelphia, Mr. Sowers, I want to say that many litigants are not fortunate enough to be represented by counsel who are such good court lawyers as they. I mean that absolutely, sincerely; and some lawyers who do not have that large court practice are not acquainted with these points. The judge, you must not forget, sits on the bench day after day. This doesn't apply to matters of fact. If there are questions of fact, under the bill, counsel must call if you will notice in file folio 4145, counsel must call the court's attention to the mistakes of fact.

There is no change under the act of 1911 there. Before when we had the act and got a general exception, the thing we now want back, if mistakes were made the court always asked counsel please to indicate errors made by the trial judge so that he might correct them, and those counsel who were square to the court were mighty glad to tell the court what the mistakes were so there would not be necessity for a new trial, but this protects the client back of the man who in the heat of action has missed a point that the judge has made when he is giving his charge. It seems to me that the action of the Allegheny Bar Association is a proper one, not for the lawyer, not for the judge but more important than that, for you and me who as litigants may come before that court and seek real justice. I hope the bill passes.

Mr. GOEHRING. Mr. Speaker and members of the House, as I presume we are not all lawyers, I want to repeat one or two little facts to you, as Mr. Ludlow said to you on questions of fact, you can't take advantage on any question of fact itself, only on the law. Now, as far as it being a lazy lawyer's job, it is not any more a lazy lawyer's job than it is a lazy judge's job, and there are two lawyers, one on each side of the table, so it doesn't apply to one side of the table and not to the other. It applies to both sides of the table. Now, you would not want to be represented by a lawyer who happened to let the law slide by, and after the jury has gone out and brought in a verdict against, you don't want to be in a position that you can't take advantage of any mistake of law made by the judge. The judge is not one hundred per cent perfect. Show me a man that is in any capacity, I don't care who he is. It is merely to allow either side of the table to take advantage of any law that may be misconstrued on the part of the judge, who is not one hundred per cent. Is there anything wrong in that? Absolutely not. It is a fair bill, and our bar and our judges drafted this bill and sent it down to us, and we ask you men to pass it.

Mr. BREWSTER. Mr. Speaker, one phase of this act that I desire to call the attention of the members of the House to, and concurring in everything that has been said. In regard to a civil action, those who have spoken in support of this measure, I concur with them in every respect, but I desire to call the attention of the members of this House to this fact, that it not only refers to civil trials but it refers to criminal action, and surely a man who is on trial for his life or his liberty should have the advantage of having a mistake corrected by the court, even a week after the trial if necessary, rather than send a man to the electric chair, perhaps, or to the penitentiary for a long term of years, because some judge has made a mistake and because of the technicality of the law that mistake cannot be corrected, and only at the trial of the case, as has been suggested by the speaker who just left the floor, and by Mr. Ludlow, and in the heat of a trial and especially perhaps, a criminal trial, the lawyer may overlook something or may not catch some remark that the judge makes in his charge, would it be fair to a poor criminal to be charged with some serious crime, that he should not have the advantage of an exception which might be taken by his counsel? In behalf of this kind of people I ask you to support this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—139.

Albert,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brewster,
Brown,
Brownmiller,
Burns,
Clutton,
Coldsmith,
Colville,
Conner,
de Young,
Diehm,
Dietz,
Donahue,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gibbon,
Gilchrist,
Goehring,
Gorham,
Goss,
Griffith,
Grimes,
Gundy,
Haas,
Harter,
Haslett,
Haws,
Heffran,
Henderson,
Hetrick,
Himes,
Holcombe,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Lauver,
Long,
Ludlow,
Mack,
Marshall, W. F.,
McCaig,
McCann,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Peelor,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Spangler,
Stark,
Stevens, A. J.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Whitehouse,
Whiteman,
Williams, G. W.
Woner,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—8.

Alexander,
Craig,
Hall,
Heyburn,
Lucas,
Marcus, J.,
Mathay,
Sowers.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 454, as follows:

An Act providing for the examination of the Locust Mountain Memorial Hospital of Shenandoah Pennsylvania providing for the transfer thereof to the Commonwealth and for its management thereafter and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor is hereby authorized and directed to appoint five citizens to serve without compensation who shall investigate and examine the Locust Mountain Memorial Hospital of Shenandoah Pennsylvania and the grounds and equipment and the affairs and accounts thereof if the said persons shall ascertain that said hospital has no outstanding indebtedness and that there are no liens of record against said hospital and that there are no persons firms or corporations which have any claims against said hospital and that said hospital is in good repair then such citizens are hereby authorized to accept said hospital including all buildings equipment and grounds in the name of the Commonwealth

Section 2 After any such acceptance the trustees of said hospital are authorized to make a deed for said hospital to the Commonwealth which shall be deposited with the Secretary of Internal Affairs Thenceforth said hospital shall be known as the Locust Mountain State Hospital at Shenandoah

Section 3 The Governor shall immediately appoint a Board of Trustees of seven citizens to manage the affairs of said hospital Said trustees shall be appointed for the following terms one for one year two for two years two for four years and two for six years Thereafter as the respective terms expire trustees shall be appointed for six year terms or until their successors are duly appointed Vacancies shall be filled by the Governor for the unexpired term

Section 4 Said Board of Trustees shall have full charge and supervision of the said hospital and its affairs and shall appoint a superintendent and such physicians nurses clerks and employes as may be necessary and fix their compensation The board subject to the approval of the Commissioner of Public Welfare shall adopt and amend such rules and regulations for the government of the hospital and the admission of patients as it may deem necessary The board shall make a biennial report to the Governor

Section 5 The sum of two hundred dollars or so much thereof as may be necessary is hereby appropriated to pay the expenses of the persons appointed to accept said hospital pursuant to this act

And said bill having been read at length the third time,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows ,viz:

YEAS—160.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Beaver,
Bentley,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Bluett,
Boback,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Clutton,
Coldsmith,
Colville,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gibbon,
Goehring,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Hall,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, D. J.,
Jones, E. P.,
Keene,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Little,
Long,
Lucas,
Mack,
Mangan,
Marcus, J.,
Marshall, W. F.,
Mathay,
McCann,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Whitehouse,
Whiteman,
Williams, G. W.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 18, entitled:

An Act to provide for the welfare of all persons confined (whether such persons be tried or untried prisoners) in any Penitentiary or County Prison in this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—127.

Alexander,
Allman,
Anderson,
Dunn,
Eaches,
Earley,
Keene,
Kennedy,
Kohler,
Sheridan,
Smith, G. A.,
Smith, H.,

Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Blair,
Bluett,
Boback,
Brewster,
Brownmiller,
Dietz,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Drinkhouse,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gibbon,
Greeby,
Griffith,
Grimes,
Gundy,
Haines,
Harer,
Harter,
Haslett,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Jones, D. J.,
Jones, E. P.,
Lauver,
Little,
Ludlow,
Marshall, W. F.
McCaig,
McCann,
McClure,
McCurdy,
McDaniel,
McDermott,
Miller,
Moore,
Morrison,
Myers, G. C.,
Nolte,
Peelor,
Pitts,
Posey,
Post,
Price,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shamback,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Stavitski,
Stevens, A. J.,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—12.

Albert,
Brown,
Goehring,
Goss,
Irvin,
Lucas,
Minehart,
Orr,
Patterson,
Raymond,
Rhodes,
Woner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 16, entitled:

An Act to provide for the welfare of all persons confined (whether such persons be tried or untried prisoners) in any penitentiary or county prison in this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—104.

Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Behney.
Bell, F. A.,
Bell, W. T.,
Bluett,
Brewster,
Bromley,
Brownmiller,
Burns,
Clutton,
Colville,
Conner,
de Young,
Diehm,
Dilsheimer,
Evans, J.,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Grimes,
Guerin,
Haines,
Harer,
Haws,
Heffernan,
Hetrick,
Himes,
Horne,
Howell,
Huber,
Jones, C. B.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Lafferty,
Ludlow,
Malie,
Mangan,
Marshall, W. F.
Mathay,
McCann,
McCaig,
McDermott,
McGowan,
McKim,
Metcalf,
Miller,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Ogle,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Raymond,
Richards,
Sample,
Sarig,
Schaeffer,
Schilling,
Schoener,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Stevens, A. F.,
Storb,
Thomas, L. D.,
Thompson,
Van Alen,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Woner,
Wood, W. P.,
Zook,
Goodnough,
Speaker.

NAYS—19.

Albert,
Beaver,
Bentley,
Brown,
Craig,
Edmonds,
Evans, B. P.,
Fratt,
Goehring,
Goss,
Heyburn,
Hontz,
Johnson,
Lucas,
Rhodes,
Rinn,
Schwartz,
Stevens, A. J.,
Williams, G. W.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 19, entitled:

An Act to provide for the physical welfare of all persons confined (whether such persons be tried or untried Prisoners) in any Penitentiary or County Prison in this Commonwealth

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mrs. PITTS. Mr. Speaker, I move that House Bill No. 19, file folio 4369 be placed on the postponed calendar.

Mrs. de YOUNG. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1007, entitled:

An Act to amend an act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred and sixty-one) entitled 'An Act relating to the maintenance of insane feeble-minded and other persons confined in the various institutions of the Commonwealth fixing liability for their support providing for the collection of moneys due the Commonwealth therefor and for proceedings relating thereto"

On the question,

Will the House agree to the bill on third reading?

Mr. SPANGLER. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Clarion, Mr. William F. Marshall, permit himself to be interrogated?

Mr. WILLIAM F. MARSHALL. Mr. Speaker, I will.

Mr. SPANGLER. Mr. Speaker, I would like to ask the sponsor of this bill whether under the provisions of this bill the Commonwealth is not placed at a decided disadvantage in the collection of claims due from lunatic's estates?

Mr. WILLIAM F. MARSHALL. I would say, no, in answer to that question.

Mr. SPANGLER. Mr. Speaker, this bill provides that "the State shall not be permitted to object to the claim of the county or the poor district on the ground that the same or any part is barred by the statute of limitations." In other words, as I see it, the state is prevented from setting up a defense that an ordinary suitor would be permitted to set up in any court of justice. It seems to me that the Commonwealth should not place itself in this position. The counties have their county solicitors who are supposed to be vigilant in collecting the claims of the county and if the counties slip up on their rights I see no reason why the state should be prevented from exercising a right that any ordinary suitor would exercise against a claim that would be presented against him. In other words we are taking away from the Commonwealth of Pennsylvania the right to intercept the bar of the statute of limitations against a claim that the State might have. I feel that for this reason this bill should not pass.

Mr. ALEXANDER. Mr. Speaker, I would like to interrogate the gentleman from York, Mr. Spangler.

The SPEAKER. Will the gentleman from York, Mr. Spangler, permit himself to be interrogated?

Mr. SPANGLER. Yes sir, Mr. Speaker.

Mr. ALEXANDER. The fact is the statute of limitations does not run against the Commonwealth?

Mr. SPANGLER. That is true.

Mr. ALEXANDER. Do you think it is fair therefore if the statute does not run against the Commonwealth? It should be just the same for one side as for the other.

Mr. SPANGLER. But the statute of limitations does run against the county and does run against an ordinary suitor, and I don't see why we should place the county in a position that it does not have now as against the rest of the Commonwealth.

Mr. ALEXANDER. In a case of this kind, where just as has been stated, the statute of limitations does not run against the Commonwealth, I cannot see any reason why it is not just as fair to have the statue of limitations not run against the county. There are many times, and especially in cases of this kind, the same reasons practically exists, and why should it not run against the Commonwealth. The county of course is not brought into contact perhaps with the circumstances until some time has elapsed, therefore, as can be argued by the one side or the other, why should one party have any more advantage than the other. I cannot see any reason why the county should be prejudiced by the statute of limitations any more than the Commonwealth.

Mr. RHODES. This bill in my opinion merely equalizes the position of the county or poor district and that of the State. In fact it takes care of the decision rendered by the Superior Court where it was held that the county had the statute of limitations to contend with the Commonwealth did not. In fact I have personally had a case just like this, where a man was committed to Farview, and it was discovered subsequently that he had some estate. The Commonwealth came in with a large claim of about $3,000 for maintenance, and the county had a claim of two or three thousand dollars for maintenance. The Commonwealth of Pennsylvania took practically all of that fund due to the fact that the county could only claim for a period of six years. In my opinion, the county being a subdivision of the Commonwealth, or the poor district, being a subdivision of the Commonwealth should not have the statute of limitations run against it any more than the Commonwealth of Pennsylvania when they are both going after the same fund. Therefore, I believe that this bill should be passed because it merely puts the county or the poor district that has contributed toward the maintenance of some indigent person on the same basis as the Commonwealth which has also contributed toward the maintenance of that particular individual. There is no reason why the county should have something, and there is no reason, in my opinion why the Commonwealth should have it all. The county should have its pro rata share, and there should be no distinction insofar as the statute of limitation is concerned in matters of this kind.

On the question recurring,

Will the House agree to the bill on third reading?

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—130.

Albert,
Alexander,
Anderson,
Armstrong,
Arthur,
Asbury,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bluett,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dietz,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Goehring,
Gorham,
Greeby,
Griffith,
Grimes,
Gundy,
Haas,
Harter,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Jones, D. J.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Long,
Lucas,
Ludlow,
MacKinney,
Marcus, J.,
Marshall, W. F.,
McCann,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Peelor,
Pitts,
Posey,
Post,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Stevens, A. J.,
Stevens, A. F.,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Wells,
Wettach,
Wheeler,
Whitehouse,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—1.

Spangler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE.

Mr. HEYBURN. Mr. Speaker, I move that the vote by which House Bill No. 16, file folio 4367, entitled:

An Act to provide for the welfare of all persons confined (whether such persons be tried or untried prisoners) in any penitentiary or county prison in this Commonwealth

was defeated on final passage, be reconsidered.

Mr. CRAIG. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED.

Mr. HEYBURN. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. CRAIG. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1197, entitled:

An Act to amend section one of an act approved the twenty-eighth day of April, one thousand eight hundred and eighty-seven (Pamphlet Laws, sixty-three), entitled "An act in relation to the imprisonment, government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon," by changing the name of said institution.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. McKIM. Mr. Speaker, at the request of the sponsor of this bill, I move that it be recommitted to the Committee on Law and Order for amendment.

Mr. BEAVER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 837, entitled:

An Act to assure to persons within the jurisdiction of every county the equal protection of the laws by providing for their removal from the county and their trial in certain criminal cases by the Superior Court imposing penalties upon the counties and officers thereof for failure to provide proper protection and upon individuals for interfering with or obstructing the carrying out of the provisions of this act giving the Superior Court jurisdiction in all prosecutions arising out of this act

And said bill having been read at length the third time, considered and agreed to.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—143.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baldi,
Beaver,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair.
Bluett,
Boback,
Bromley,
Brownmiller,
Burns,
Coldsmith,
Colville,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gelder,
Gibbon,
Glasgow,
Goehring,
Golder,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Hall,
Harer.
Harter,
Haslett.
Heffernan,
Henderson,
Hetrick,
Heyburn,
Hontz,
Hoover,
Horne.
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Labar,
Lafferty,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McCann,
McClure,
McCurdy,
McDermott,
McGowan,
McVicar,
Metcalf,
Millar,
Minehart,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Rhodes,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schilling,
Schleiter,
Schoener,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Stevens, A. F.,
Stevens, A. J.,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Walker,
Wells,
Wettach,
Wheeler,
Whiteman,
Williams, G. W.
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—1.

Brewster,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1079, as follows:

An Act relating to the satisfaction of mortgages the determination of the amount due and unpaid on the same and to whom payable in certain cases Including all cases where a mortgage is given to secure a bond or bonds and the mortgage is claimed by one claimant and the bond or bonds by another all cases where a mortgage is made to a trustee without naming or designating the cestui que trust or imposing any duties on the trustee to be performed on behalf of the bond holder or bond holders and the bond or the judgments confessed on the same are assigned to a claimant or claimants other than the trustee and all cases where there is a dispute as to what bond or bonds are secured by such mortgage providing procedure for determining the issues involved in such cases and the satisfaction of such mortgages the payment of costs in such cases with the right of appeal without affecting the validity of the bonds as personal obligations or as liens on land other than as they claim priority as the bonds secured by such mortgage and providing for scire facias execution and sale on such mortgage

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall apply

A To every case where the record of a mortgage now or hereafter shows the same to belong to some person or persons firm or corporation and the bond or bonds secured by such mortgage or the judgment or judgments confessed on the same are claimed by some other person or persons firm or corporation

B To every case where the record of a mortgage now or hereafter shows the same to belong to a trustee without naming or otherwise designating the cestui que trust or imposing any duties upon the trustee to be performed on behalf of the bond holder or bond holders and the bond or bonds accompanying such mortgage or the judgment or judgments confessed thereon are have been or shall be assigned to some person or persons firm or corporation other than the trustee

C To every case where a mortgage has been given to secure the payment of a bond or bonds and there is a dispute as to what particular bond or bonds are secured thereby

Section 2 In every case mentioned in the first section of this act it shall be lawful for the owner of the land covered by said mortgage the mortgagor the holder of one or more of said bonds or the trustee if any to present a petition to the Court of Common Pleas of the county wherein the said mortgage is recorded setting forth the facts and praying for appropriate relief or satisfaction of said mortgage Whereupon the court shall direct that notice of said petition be given to the owners of the land covered by said mortgage the mortgagor all the holders of bonds that claim that said mortgage was given to secure the bond or bonds which they hold and the trustee if any or to the personal representatives of the same if any of them are dead requiring them to answer said petition on a day certain to be fixed by the court which shall not be less than fifteen days after the day that the petition is presented to the court and the court may for cause shown enlarge the time On motion of any of the parties interested the court shall fix a time for hearing on said petition and the answers thereto and shall determine what if any amount of money remains due and unpaid on account of said mortgage and to whom the same is payable and what bond or bonds said mortgage was given to secure and if the court finds that said mortgage has been paid in full or if the money is paid into court in accordance with the decree of the court fixing the amount thereof and the decree so made is not appealed from and the appeal made as supersedeas within three weeks from the entry the said court after three weeks from the entry of said decree or any time after the decree is affirmed if affirmed by the appellate court shall issue an order and decree to the Recorder of Deeds in and for the county where the mortgage is recorded to enter satisfaction upon the record of the same and the Recorder of Deeds shall record said decree and mark the mortgage satisfied and if said mortgage is recorded in more than one county said order shall issue to the Recorder of Deeds in and for each county in which said mortgage is recorded and each Recorder of Deeds shall record the same and mark the mortgage satisfied and the petition herein provided for may be presented in the Court of Common Pleas of any county wherein any of the land lies which is covered by said mortgage and the said Court of Common Pleas wherein said petition is first presented shall have exclusive jurisdiction to hear and determine the same Provided nevertheless That if any issues of fact are raised in the petition and answers and any of the parties to the proceeding shall demand in said petition or answers that it be done the Court shall frame an issue to be submitted to a jury to determine said issues of fact and the pleadings in said issues shall be said petition and the answers thereto and after the verdict of the jury on said issue the Court shall issue its decree to the Recorder of Deeds for the satisfaction of said mortgage as hereinbefore provided on compliance with the decree of Court and the verdict of the jury The entry of satisfaction on the record of a mortgage under the terms of this act shall bar any other recovery on the same and upon the bond or bonds which said mortgage was given to secure as determined by the decree of the Court by authority of this act

Section 3 In all cases where the money is paid into Court under the provisions of section one or section two of this act the same shall be paid out in accordance with the decree of the Court directing to whom it shall be paid

Section 4 In all cases where personal service cannot be had upon the persons required to have notice under the provisions of this act notice may be served upon made by publication in one newspaper And in the legal periodical if any published in the county in which said proceedings are brought and designated by Rules of Court for the publication of legal notices in the county where the proceeding is had once a week for three successive weeks the last publication of which shall be published at least five days before the day on which the answer is to be filed but persons who have not filed an answer to the said petition shall not be entitled to notice of the time fixed for hearing on the same or to notice of any other proceeding in the case The Court shall have authority to prescribe the form of the notice and shall make same as brief as the nature of the case will permit and said notice may contain the date of the hearing on said petition and answers

Section 5 Any petitioner or respondent or the legal representatives of any of them shall have the right of appeal from any final decree of the Court of Common Pleas provided for in this act to the Supreme or the Superior Court of Pennsylvania as in other cases and for the purposes of said appeal a decree fixing the amount due on the mortgage and the person to whom the same is payable either with or without a verdict of jury shall be a final decree and may be appealed from without awaiting any further action by the Court of Common Pleas and if an appeal from a decree fixing the amount due on a mortgage and to whom the same is payable is made a supersedeas by any of the methods now provided by law no further action shall be taken by the Court of Common Pleas in the matter until the appellate court disposes of said appeal

Section 6 The determination by the Court as to what bond or bonds are secured by a mortgage under the provisions of this act or the direction that the money found to be due on said mortgage shall be paid to any of the claimants shall not affect the validity of the bond or bonds held by any claimant or claimants under said proceeding in so far as said bonds are the personal obligations of the makers thereof or in so far as they may be liens upon lands except that the determination of these matters by the Court of Common Pleas under the provisions of this act shall determine whether or not said bonds are entitled to the priority of lien which they would be entitled to as the bonds secured by said mortgage

Section 7 In all cases where the Court has decreed the amount due and unpaid on any such mortgage and the person or persons to whom the same is payable either with or without the verdict of a jury and said decree has become final and said money has not been paid into court the person or persons to whom said money is decreed to be payable after ten days from the date on which such decree became final may proceed by scire facias execution and sale on said mortgage in the name of the mortgagee or his executors or administrators if the mortgage is dead to his her or their use and upon collection of the debt secured by said mortgage the use plaintiff or plaintiffs in said scire facias may direct the satisfaction of said mortgage with like force and effect as though the said mortgage had originally been made payable to said use plaintiff or plaintiffs But in the trial of said scire facias the amount decreed by the Court to be due and unpaid on said mortgage and the person or persons to whom the same is payable under the second section of this act shall be conclusive as to the same as of the date when said decree was made

Section 8 The petitioner shall be liable primarily for the costs in the Court of Common Pleas except the fees and mileage of the witnesses and the persons calling a witness shall be liable primarily for the fees and mileage of the witness but the court of common pleas may make such order as to the payment of the costs as said court may decree just The costs of an appeal shall be paid as the appellate court shall direct

Section 9 In fixing the amount due on a mortgage under the terms of this act the court shall include whatever attorneys fees or commissions are provided for in the mortgage or the bond or bonds secured by the same

On the question,

Will the House agree to the bill on third reading?

Mr. MOFFATT. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend Section 7, page 7, line 11, by striking out the word "mortgage" and inserting in lieu thereof the word "mortgagee".

Amend Section 4, page 5, line 13, by striking out the word "made" and inserting in lieu thereof the word "them"

Amend Section 2, page 3, line 29, by striking out the word "as" and inserting in lieu thereof the word "a."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objections? The Chair hears none. and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1025, entitled:

An Act to provide a method of relieving real estate of the charge of a life interest imposed thereon by any order judgment or decree of any court in this Commonwealth in any partition proceedings

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—149.

Albert,
Alexander,
Allman,
Armstrong,
Arthur,
Aston,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Bergen,
Betts,
Bidelspacher,
Bluett,
Boback,
Brewster,
Bromley,
Brown,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Gelder,
Goehring,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haines,
Hall,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Hontz,
Hoover,
Horne,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lauver,
Little,
Lucas,
Ludlow,
Lynch,
Marshall, W. F.,
Mathay,
McCann,
McCaig,
McClure.
McCurdy,
McDaniel,
McDermott,
McKim,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Staudenmeier,
Steedle,
Stevens, A. F.
Stevens, A. J.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 715, entitled:

An Act to amend section eighteen of an act approved the seventh day of June Anno Domini one thousand nine hundred and fifteen entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificatees of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practioners of medicines and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provide in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" by requiring that parents be notified of the registration of birth certificates

On the question,

Will the House agree to the bill on third reading?

Mrs. De YOUNG. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title page 1, line 3, by inserting after the word "fifteen" the following: "(P. L. 900)".

Amend Sec. 1, page 4, line 9, by removing the quotation marks preceding the word "He"

Amend Sec. 1, page 4, line 21, by removing the quotation marks after the word "Health"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objections? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1230, as follows:

An Act to amend section one of the act approved the twenty-seventh day of March one thousand eight hundred and seventy-three (Pamphlet Laws fifty-four) entitled "An Act to organize the State Hospital for the insane at Danville and provided for the government and management of the same" as amended by changing the corporate name of the said hospital

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-seventh day of March one thousand eight hundred and seventy-three (Pamphlet Laws fifty-four) entitled "An Act to organize the State Hospital for the insane at Danville and provided for the government and management of the same as amended by the act approved the seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws four hundred and sixty) entitled "An Act to amend an act entitled 'An Act to organize the State Hospital for the Insane at Danville and provide for the government and management of the same' approved the twenty-seventh day of March Anno Domini one thousand eight hundred and seventy-three so as to change the term of the superintendent of said hospital and extend the powers of the trustees of said institution" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the Governor shall nominate and by and with the consent of the Senate appoint nine persons to be trustees of the said institution who shall be a body politic or corporate by the name and style of the Trustees of the Danville State Hospital (for the Insane). (at Danville Pennsylvania) and shall manage and direct the concerns of the institution and make all necessary by-laws and regulations not inconsitent with the constitution and laws of the Commonwealth and shall have power to receive hold dispose of any convey any real and personal property conveyed to them by gift devise or otherwise for the use of said institution and shall serve without compensation of those first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacancies shall be filled by the appointment for three years and snould any vacancie occur by death or resignation of any trustee such vacancy shall be filled by appointment for the unexpired term of such trustee the said trustee shall have entire charge of the management government and control of the institution they shall appoint the superintendent who shall be a skillful physician familiar with the treatment of the insane subject to removal or re-election no oftener than in periods of three years except for infidelity to the trust reposed in him or for incompetency said physician shall reside in the hospital and if he be a married man his family may reside with him at the expense of the hospital the trustees shall also appoint a treasurer who shall give bonds to the Commonwealth for the faithful discharge of his duties they shall determine his compensation for services also the salaries of other officers and assistants who may be necessary for the just and economical administration of the affairs of said hospital

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159.

Albert,
Alexander,
Anderson,
Armstrong,
Arthur,
Asbury,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Blair,
Bluett,
Boback,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gallaher,
Gibbon,
Gilchrist,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Guerin,
Gundy,
Haines,
Harer,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Mack,
Mangan,
Marshall, W. F.,
Mathay,
McCaig,
McCann,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Stavitski,
Sterling,
Stevens, A. F.,
Stevens, A. J.,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Weamer,
Wettach,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 229, entitled:

An Act to amend section twelve of Article five of the act approved the twenty-sixth day of July, one thousand nine hundred and thirteen (P. L. 1374), entitled, "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining, and limiting their power, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,'" approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An Act to provide for the incorporation and regulation of certain corporations', approved the twenty-ninth day of April, one thousand eight hundred and seventy four, and all other legislation inconsistent with or supplied by this act," as amended.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SPANGLER. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Lehigh, Mr. Rinn, permit himself to be interrogated?

Mr. RINN. I will, Mr. Speaker.

Mr. SPANGLER. Mr. Speaker, I wish the sponsor of this bill would explain its purpose.

Mr. RINN. Mr. Speaker, I have been asked to explain this bill. I think the old members thoroughly understand it. However, for the information of the new members, I would say that this bill authorizes the Public Service Commission to eliminate 2% of the grade crossings in this State annually on all main lines. Another feature that has been added to the bill is that no new grade crossings can be built on grade and that is all there is to this bill.

Mr. ARMSTRONG. Mr. Speaker, I desire to interrogate the gentleman from Lehigh.

The SPEAKER. Will the gentleman from Lehigh Mr. Rinn, permit himself to be further interrogated?

Mr. RINN. Mr. Speaker, I will.

Mr. ARMSTRONG. Mr. Speaker, I would like to ask the gentleman from Lehigh if he has consulted the Welfare Department on this bill.

Mr. RINN. I have not.

Mr. SOWERS. Mr. Speaker, I desire to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Lehigh, Mr. Rinn, permit himself to be further interrogated?

Mr. RINN. I will, Mr. Speaker.

Mr. SOWERS. I would like to know if this bill applies to narrow gauge railroads.

Mr. RINN. It does not, it only goes on main lines.

Mr. SOWERS. What is the difference between this bill and the bill introduced in other sessions?

Mr. RINN. I will explain that to you. In the last session the bill that I introduced was passed unanimously, both in the House and Senate. Governor Sproul thought he could sign the bill, and he was a very good fellow with me, but objections came from the Public Service Commission that it interfered with their plans, otherwise this bill would be on the statute books.

Mr. SOWERS. Will you explain to the House what plans the Public Service Commission had with reference to your bill?

Mr. RINN. None, nobody knows that; God knows it, probably.

Mr. SOWERS. I have but one more interrogatory to address to my friend. Can you explain to the House why so little of the bill is underscored?

Mr. RINN. We only underscore the important features. You, as a lawyer, ought to know that much.

Mr. SOWERS. One interrogatory always brings forth another, but this will be the last. The main feature seems so small that I do not seem to understand it. Will you explain?

Mr. RINN. I do not want to say anything out of the road, but if you do not understand the English language, I cannot explain it.

Mr. SOWERS. That is just the trouble. I thought I was on the right road, but it seems from the remarks of my friend that I am getting on the narrow gauge.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I do not care to interrogate the gentleman from Lehigh, I am coming to his support on this very meritorious measure. Since a similar bill was introduced in this House some four years ago, the sponsor informs me that something like 900 grade crossings have been eliminated. I hope he will let the good-work go on, and if it fails to pass now. I hope he will be here two years from now with this same bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—135.

Albert,
Alexander,
Allman,
Armstrong,
Arthur,
Asbury,
Aston,
Beaver,
Behney,
Bell, F. A.,
Bentley,
Betts,
Bidelspacher,
Bluett,
Boback,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Goehring,
Golder,
Gorham,
Goss,
Griffith,
Grimes,
Haas.
Haines,
Harter,
Heffran,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hontz,
Hoover,
Howell,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Long,
Lucas,
Mack,
Marcus, J.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McClure,
McCurdy.
McDaniel,
McDermott,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Nolte,
Orr,
Parkinson,
Pitts,
Posey,
Post,
Rhodes,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Stark,
Stevens, A. J.,
Stevens, A. F.,
Thomas, L. D.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Woner,
Wood. W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—11.

Anderson,
Bell, W. T.,
Harer,
Ludlow,
Myers, P. M.,
Peelor,
Price,
Sample,
Smith, G. A.,
Storb,
Thomas, M. G.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 187, entitled:

An Act relating to pistols and revolvers; regulating the sale, possession and use thereof; defining "pistol or revolver;" imposing additional penalties for crimes committed while unlawfully armed; prohibiting the ownership or possession of a pistol or revolver by any unnaturalized foreign-born person and by persons convicted of certain felonies;

providing for licenses to carry and licenses to sell pistols and revolvers; prohibiting the disposing thereof to minors or to persons not entitled to own or possess the same; and prescribing penalties.

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. LUCAS. In the absence of the sponsor of House Bill No. 187, file folio 4259, I move that the bill be placed on the postponed calendar.

Mr. ALEXANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 922, entitled:

An Act providing for the regulation and supervision and for the approval by the Department of Public Welfare of certain maternity homes and maternity hospitals and providing penalties

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—127.

Albert,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baldi,
Beaver,
Bell, F. A.,
Bell, W. T.,
Bentley,
Bidelspacher,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Dunn,
Eaches,
Edmonds,
Evans, B. P.,
Evans, J.,
Flynn,
Fowler, A. I.,
Fratt,
Frazier,
Gelder,
Gibbon,
Goehring,
Gorham,
Goss,
Griffith,
Gundy,
Haas,
Haws,
Heffran,
Henderson,
Himes,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kohler,
Kunkle,
Lafferty,
Little,
Long,
Ludlow,
Mack,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McCaig,
McCann,
McClure,
McCurdy,
McDaniel,
McGowan,
McKim,
McVicar,
Millar,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Parkinson,
Peelor,
Pitts,
Posey,
Price,
Raymond,
Richards,
Rinn,
Sample,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Sowers,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Stevens, A. J.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wheeler,
Whiteman,
Williams, G. W.,
Woner,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—13.

Alexander,
Craig,
Diehm,
Hetrick,
Heyburn,
Lucas,
Metcalf,
Miller,
Patterson,
Sautter,
Sheridan,
Smith, J. W.,
Stevens, A. F.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1395 (Senate Bill No. 297), entitled:

An Act to quiet the title to real estate; and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has formerly been held or conveyed by, to, or for corporations not authorized by law to hold the same.

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WALKER. Mr. Speaker, this bill according to the title, reads exactly like a bill that I introduced and which passed through the House and Senate and was signed by the Governor at least six weeks ago. This seems to be a very important bill, as I had this same bill postponed here last week. I ask Mr. Golder whether this was a hocus pocus bill and he said, it was. I move, Mr. Speaker, that this bill be again placed on the postponed calendar.

Mr. HEFFERNAN. Mr. Speaker, I second the motion.

On the question,
Will the House agree to the motion?

Mr. KOHLER. Mr. Speaker, I would like to hear the remarks of the gentleman from Washington, with reference to this bill.

The SPEAKER. The gentleman from Lackawanna desires to interrogate the gentleman from Washington. Will the gentleman from Washington permit himself to be interrogated?

Mr. WALKER. Yes, Mr. Speaker.

Mr. KOHLER. Did I understand you to say that a similar bill is in the hands of the Governor, or is about to go to the Governor?

Mr. WALKER. It has been signed by the Governor, I understand.

Mr. KOHLER. Would you inform me what bill it was.

Mr. WALKER. I take it from the title, this is exactly like the bill which I introduced here early in the session, and I have word from the Governor that he signed it at least six weeks ago.

Mr. KOHLER. Mr. Speaker, I have followed my calendar very closely and I do not remember of a similar bill being introduced in this session. This bill simply provides that where a corporation has acquired title to real estate, where it is not now entitled to hold title, that the conveyance made by that corporation is valid, and I cannot see why you can have any objection to this bill. I, therefore, believe that we ought to vote on it tonight.

Mr. EDMONDS. Mr. Speaker, House Bill No. 233, white folio 161, was introduced by Mr. Walker on February 7th, an Act to quiet the title to real estate, and was approved by the Governor on March 20th. I think that is the bill the gentleman has in mind.

Mr. WALKER. That is the one to which I refer, and I think it is the same bill. I have no objection to passing this bill, but I do not think it is necessary.

On the question recurring,
Will the House agree to the motion?
It was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1394, (Senate Bill No. 296), entitled:

An Act to amend section two of the act approved the twentieth day of May, one thousand nine hundred and twenty-one, (P. L. 944), entitled "An Act authorizing the establishment by counties of hospitals, for the treatment of persons afflicted with tuberculosis: providing for the management and maintenance thereof; and authorizing the incurring of indebtedness and the levy of taxes therefor," by empowering the county commissioners and county controller, where such office exists, to take by eminent domain proceedings land necessary for the establishment of such hospitals; giving the board of trustees powers concurrent with the county commissioners and county controller in reference to the planning and construction of such hospitals.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HORNE. Mr. Speaker, I should like to ask someone who is familiar with the bill about a point in it.

The SPEAKER. The gentleman from Cambria desires to inquire if anyone in the House is familiar with the bill.

Mr. GOLDER. I am, Mr. Speaker.

Mr. HORNE. As I read this bill I take it that the trustees of the institution with the controller and the commissioners would have power to specify and build this institution. Is that correct?

Mr. GOLDER. Mr. Speaker, as Senator Joyce explained this bill to me, the act of 1921 permitted the health departments of various localities, and of counties particularly, to purchase sites for the construction of hospitals for tubercular patients. I am advised that in one county particularly, and I believe that it is Luzerne, an attempt has been made by the local authorities to purchase what they considered the most favorable site for the purpose, and have offered to the people who have the ground, and who have only owned it for a period of 18 months, a 100% increase on the amount which they themselves paid for the ground, and these people have declined to sell and ask a most exorbitant increase. The real purpose of this bill is to authorize the local authorities to take by eminent domain, the same as they would for school purposes, ground on which to build these institutions, and it gives the trustees a voice in the selection of the ground to be taken. I think this is the only change made in the original act of 1921.

Mr. HORNE. Mr. Speaker, this is departing from the custom as it now is, giving authority to the comptroller and the county commissioners to transact this business. The question in my mind is whether it is right to hold the commissioners responsible for the purchase and maintenance of an institution and then allow another board to be placed on an equal basis in voting power, and in that case the trustees and the comptroller would have a majority vote. That is my reason for rising to object to this bill. My attention was called to it by the commissioners of my county coming down on the train. They said that perhaps that board of trustees and the comptroller would overrule them and yet they would be compelled to spend the money provided for the construction, and they felt the bill was unfair to the commissioners in that respect.

Mr. GOLDER. As I read the act, Mr. Speaker, the county commissioners and the county controllers still retain the right to select the site, except that it gives them the right to join with the Board of Trustees. As I read the act particularly, on page 2 of the Act, which is file folio Senate 915, it states: "If a majority of the voters having voted upon such question at such election shall be in favor of the establishment of the hospital the county commissioners the county controller where such office exists, and the board of trustees shall select the site," so it does not take the right away from the county commissioners, and in the last analysis, as in the original bill, the site selected must be confirmed by the Commissioner of Health of the Commonwealth of Pennsylvania. I understand from the statistician of the State Health Department, that they have had great difficulty in securing proper sites for these county hospitals.

Mr. HORNE. The statement made by the gentleman from Philadelphia is perfectly true, but the other statement is also true that the voting power would be taken out of the hands of the county commissioners and give the Board of Trustees and the Controller the majority vote to decide the matter, but then the commissioners would be compelled to make the expenditure. That is my point.

Mr. ALEXANDER. Mr. Speaker and members of the House, There is a point in this bill to which I want to call your attention. The act, if you remember it, sometime ago provided that counties might vote on the question of tuberculosis hospitals. In some counties of the state the vote was taken and the measure carried. I think it was carried at the time without very much thought about what was going on. I am now referring to the county of Delaware, in which I live. There was no opposition and very little discussion. Now, finally, the commissioners start out to locate a site for the hospital in the county of Delaware, a thickly populated county, especially the eastern part where a great majority of people live in boroughs and well built up districts. Nobody wanted the tuberculosis hospital, not even the people who voted for it, under their nose. They have attempted to take sites that absolutely would be a detriment and an eye-sore to the owners of the properties they tried to purchase. But they could not buy them, not that they wanted too much money for them, but because they do not want them located in their neighborhood. Now this bill gives permission for the county commissioners to condemn a piece of ground and build the hospital. In other words, a man has a farm or a country residence and they can take it. Now, if there is anything in the world that is detrimental to the cure of a tubercular patient, it is to put them in a climate such as we have along a river front or close to the Delaware river, as in Delaware county. No person would think of keeping their friends or their relatives in a tuberculosis hospital in Delaware county; they send them to the mountains, to the high air, to the cold, where they get the air they need. That is the place for tubercular patients, yet this provides, that if this bill pass, they can go anywhere that the county commissioners and the county comptrollers see fit. On the other hand, if it goes to the extreme, there is a possibility of their using a little politics in it to get square with somebody, and condemn a man's land. They can do the same thing in Philadelphia as they do in Delaware county, and condemn a man's land for the purpose of building a hospital right near another man's residence. Of course, they don't pay the damages, the condemnation award is paid by the county. I know in the county of Delaware the county commissioners have been endeavoring to build this hospital on the best land in the county today, and I think taking the purpose it is for, and there can be only one purpose in building these hospitals, that is for the care of tubercular patients, and that object is a good object, but I am told by men who treat tubercular patients, by men high up in the profession, that to treat a tubercular patient properly they should be away from their friends, away where they get good air and not right in the homes where people can visit them, and visit them so often. There is no reason for this bill, nor is there any necessity for it, therefore I say, it only works a hardship.

We have condemnation of property now, and I admit that to take it for a railroad and other things of great public interest, a man no matter how valuable his property is, or whether it may be a homestead, there is no reason for him to stand in the way of public progress, and that is the reason for the right of eminent domain, but there is no reason for a bill of this kind, for tis is not a project like the building of a railroad which starts at a given point and ends at another and must take over the properties that stand in its line. This is for the public benefit and it is not proper that a man sitting in the line of that railroad should stop the progress of that railroad, As I said before, this is not a case of that kind. They can build tuberculosis hospitals on the high hills and mountains and they don't have to condemn properties in the counties. I think, therefore, that this is not a good bill.

On the question recurring,
Shall the bill pass finally?

BILL POSTPONED.

Mr. GIBBONS: Mr. Speaker, I move that this bill be placed on the postponed calendar.

Mr. SOWERS, Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 320, as follows:

An Act to prevent fraud at elections providing a system of authenticating and marking ballots and of locking ballot boxes providing for the installation by counties of certain mechanical equipment and for the use and custody thereof providing for the appointment by the Governor of a commission to select and approve such equipment and fixing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there shall be provided for each polling place in this Commonwealth to be used at every general municipal primary and special election a time controlled recording Seal Press a series of time controlled Seal Presses and a time controlled Key-less Lock The time controlled recording Seal Press shall be used to impress an official seal of the particular voting precinct upon the head of each ballot before it is given to the voter thereby authenticating and indentifying it as a legally voted ballot The series of time controlled Seal Presses shall be used by the voters in the booths for impressing the ballots with a special seal of the particular voting precinct opposite the name of any particular candidate voted for The time controlled Key-less Lock shall be used to lock the ballot box in addition to fastenings now used during legal hours for voting All ballots cast at any election shall be so stamped by said Seal Presses and no ballot not so stamped shall be so counted or be regarded as a vote legally cast

Section 2 Such time controlled recording Seal Presses shall comply with the following requirements

There shall be placed upon said time controlled recording Seal Press a die which shall emboss upon the head of each ballot to be voted or cast an embossed impression one inch in diameter and circular in shape which embossed impression shall contain the name of this State the name of the county city borough town or township the number of the ward and the number of precinct or election district Such Seal Press shall be adapted to be actuated by hand and shall be encased and adapted to be locked in said casing in a manner hereinafter described There shall be a counting device connected with said Seal Press Such counting device shall be of the set back type counting up to nine hundred ninety-nine The counting device shall be enclosed within said casing There shall be a sure acting positive and unfailing connection means between the Seal Press and the Counting Device whereby each complete actuation of the Seal Press shall be registered on the counting device The counting device shall be protected by the lock of said casing The dial of said counting device shall be visible at all times through a suitable window and shall be placed in such a position as will be most conspicuous to the voters while waiting to have the official seal placed upon their ballots

The Seal Press shall be provided with mechanism in cooperation therewith whereby but a single ballot may be embossed at any one actuation of the Seal Press The Seal Press shall be provided with mechanism inside said casing so that the Seal Press cannot be operated at any time until and unless a ballot is inserted The Seal Press shall also be provided with means in connection with said counting device whereby each actuation of the press must be completed before the said Seal Press can return for another operation or the ballot being operated upon released or before said operation shall have effected registration on the counting device

There shall also be enclosed in the said casing which houses the Seal Press and counting device an approved make of time clock which time clock shall be adapted to restrict the use or operation of said Seal Press to the legal hours set aside for voting or casting of ballots Said time clock shall have a dial visible at all times through said casings Upon said dial shall be a time scale in effect the same as an ordinary watch or clock dial but in addition thereto two smaller inner dials or indicators one of which shall be adapted to indicate the time at which the time clock will permit the operation of the Seal Press and the other of which shall indicate the time that the time clock will stop operation of the Seal Press Such time shall be the time of the opening and closing of the polling places On the inner dial or indicator showing the opening time of the polling places or the time that the Seal Presses will first be operable shall be the word "open" and on the inner dial or indicator showing the time of the closing of the polling places or the time at which the operation of the Seal Presses will stop shall be the word "close" These indicators shall be variable so that they may be changed to correspond with any newly established time of the opening and closing of the polls Such variations however shall be possible only when the case is unlocked The construction and arrangements of the said Time Clock in conjunction with the said Seal Press and the Indicators on said dial of said Time Clock shall be such that the Seal Presses will be operable at all times during the legal hours for voting or casting ballots but shall not be operable at any time or period other than said legal voting period Said time clock shall have suitable winding and setting keys and the construction of said time clock shall be such that it must be wound completely up before it can run and before it can permit operation of the said Seal Press The construction and arrangement shall also be such that the process of winding said clock will automatically lock the casing by a time lock within said casing so that said casing which houses the Seal Press the Counter and the time clock cannot be opened or access gained thereto in any way whatsoever without destroying same until a period of seven to ten days after the time of the closing of the polls has passed The construction of said casing and the position and arrangement of the Seal Press Counting Device and Time Clock and locks shall be such that it will be impossible to remove any one of them from said casing or to remove any part of said casing during the seven to ten day period after the said time controlled recording Seal press is wound up by the winding key without breaking or destroying said device or part thereof

The construction shall also be such that no parts can be disassembled until after the lid is unlocked by the key hereinafter described which shall be kept in care of the county Commissioners at all times

The arrangements in connection with the time clock and the casing shall be such that before the Seal Press can be operated regardless of the time shown by said time clock all keys must be withdrawn and openings for same automatically locked so that they cannot be unlocked until said casing is opened

The said casing shall have a lid and said lid shall be adapted to be locked by a key The lock operated by said key shall be inside of said casing when locked Said key shall at all times be kept in possession of the county commissioners city election board or other authorities of jurisdiction over the supplies of election

Section 3 The series of Seal Presses in the booths shall be adapted to operate upon any paper ballot of reasonable dimensions and shall punch a small hole through the ballot and around this hole they shall emboss the same words letters or figures as the case may be as is embossed upon the head of the ballot by the time controlled recording Seal Press belonging to the same voting precinct Said impression shall be circular in shape and not greater than nine-sixteenths of an inch in diameter Said Seal Presses for the booths shall be time controlled to the exact effect as the time controlled recording seal press heretofore provided for but shall not have any counting device connected therewith

Section 4 All seal presses mentioned in this Act shall be adapted to be operated by hand

Section 5 The time controlled key-less lock shall be adapted to lock the ballot box in addition to the regular fastenings during the legal hours for casting ballots but shall automatically unlock at the legal time for the closing of the polls for casting ballots

Section 6 In the interest of economy the time controlled recording seal press the time controlled seal presses in the booths and the time controlled key-less lock for locking the ballot box may be connected together in an approved manner so that one time clock in the time controlled recording seal press which would thereby become the master device can control the entire equipment of a voting precinct In such cases the construction shall be such that no parts can be disassembled until the lid is unlocked by the casing key after the expiration of the seven or ten day period after the closing of the polls

Section 7 Immediately upon the passage of this act the Governor shall appoint a commission of three men of good reputation one of whom shall be a lawyer one a business man and one a mechanic of proven ability It shall be the duty of said commission to investigate and inspect any equipment being manufactured which will meet requirements of this act They shall select and approve such make of equipment as in their good judgment is properly constructeted most economical and best suited for the purposes of this act And they shall have the right to refuse to approve any equipment for installation under this Act but in case of such refusal they shall make a report in writing to the committees on election in the General Assembly of one thousand nine hundred and twenty-five setting forth their reasons for such refusal They shall not however examine or inspect any equipment unless the manufacturers thereof own or control the United States patent covering same As soon as they have approved a make of equipment that will comply with this act they shall report the fact immediately to the Secretary of the Commonwealth

The members of this commission shall serve without compensation and may be appointed from the salaried officers and employees of the Commonwealth

Section 8 Within sixty days from the passage of this act the county commissioners of the various counties of this State shall furnish to the Secretary of the Commonwealth a complete list of the voting precincts in respective counties with the number of booths in each precinct and the proper lettering of the dies in accordance with this act The county commissioners of the various counties of the State shall procure the equipment provided for in this act and approved by the commission appointed by the Governor as soon as they are notified by the Secretary of the Commonwealth where and how they can procure same Such orders shall be a duplicate of the list of voting precincts and booths above mentioned to be furnished to the Secretary of the Commonwealth

Section 9 It shall be the duty of the Secretary of the Commonwealth to notify the county commissioners of the various counties of the selection and approval of said equipment by said commission appointment by the Governor for that purpose and he shall see that the type of equipment designated by said commission is procured throughout the several counties of this State

He shall also take such action as is necessary to insure proper inspection of all equipment before delivered

The tenth section was read as follows:

Section 10 Each county shall also provide at least three complete extra sets (or more if necessary) of such equipment The dies on such extra equipment shall be lettered to read and emboss the name of the State the name of the county or city and "Special No. 1" "Special No. 2" et cetera In case any one of the regular sets of equipment is out of order or in case a new voting precinct has been established and the regular equipment for such newly established voting precinct has not been obtained then the county commissioner shall asign one of the extra sets of equipment to such precinct until such time as the regular set is secured or repaired as the case may be In such cases the extra equipment so assigned shall be the official equipment of such voting precinct until such time as the regular set of esuipment is supplied or repaired

Section 11 There shall be printed at the head of every ballot used at any election a circle one and one-eights inches in diameter with the words "Official Seal" printed under such circle The position of such circle on the ballot shall be such a distance from the top margin of the ballot as will be best suited for seal pressts provided under this act and not less than three inches from the left hand margin of the ballot and in no case to the right of the center of the ballot

Section 12 Each set of equipment shall be provided with a name plate in some conspicuous place inscribed with letterings identifying the precinct to which the respective equipment belongs

Section 13 It shall be the duty of the county commissioner to keep all equipment provided for in this act in repair and working order to provide a place of safe-keeping for the same under lock and key and away from dampness and dust and to keep the case key in a place of security under lock to set the indicators on the dials to properly indicate and regulate the time of the opening and closing of the voting places and to see that they are so set and the casing lid locked with the case key before permitting them to be taken away from their offices to the polling places to deliver said equipment to the various boards of election with other supplies of elections to receive them back with other returnable supplies of elections to examine and report to the proper authorities any discrepancies in the usage of the said equipment to take note of the number of ballots registered on the counting device as being stamped and to check with the number of ballots cast and to safety keep said equipment until such time as it is required for another election at which time the county commissioner shall unlock the casing lid with the case key turn the counter back to zero see that the indicators are properly set as to the opening and closing of the polling places and that they are in order

Section 14 The various Boards of Election shall not tamper with or allow others to tamper with said equipment until such time as it is desired to open the polling places for voting at which time they shall wind the clock set it at the proper time of the day and withdraw the keys It shall be the duty of the judge of elections at each polling place to operate the time controlled recording seal press and to place its impression upon the head of each and every ballot in the space provided for such impression before giving it to the voter and to keep the equipment constantly under surveillance until the closing of the polling places

No such impression shall be placed upon any ballot until a qualified elector is ready to receive it

Section 15 The Judge of elections or any other member of the board of election or any person whatsoever shall not place an impression upon any ballot for which there is no legal voter or upon another paper or substance The boards of election shall care for and return to the county commissioners all equipment entrusted to their care together with each and every ballot impressed with said equipment whether marked or placed in the ballot box by a qualified voter whether spoiled or whether for any other reason or cause whatsoever the ballot is not placed in the ballot box It shall also be the duty of the boards of election to guard and keep intact the said equipment and ballots until so returned

Section 16 Any person wilfully or neglectfully failing to carry out any of the provisions of this act or any person violating any of the provisions of this act or any person having in his possession without authority any seal press part of a seal press or any die or image exactly or nearly duplicating the impression of any seal press provided for in this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not less than one thousand dollars nor more than five thousand dollars or to undergo an imprisonment for a term not less than one year nor more than ten years or both

Section 17 All acts and parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. MORRISON. Mr. Speaker, in the absence of the sponsor of House Bill No. 320, file folio 4703, I move that the bill be placed on the postponed calendar.

Mr. RAYMOND. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Mr. VICKERMAN asked and obtained permission to call up out of order House Bill 117, file folio 4761,

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 117, as follows:

An Act to amend section twenty-three as amended and section twenty-six of the act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred and nineteen) entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" relating to paid watchers at elections by abolishing the office of watchers at elections and changing the method of furnishing assistance to voters providing a penalty for violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-three of the act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred and nineteen) entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and puishing certain offenses in regard to such elections" which as amended by the act approved the sixteenth day of April one thousand nine hundred and three (Pamphlet Laws two hundred and thirteen) entitled "An act amending section twenty-three of the act of June tenth one thousand eight hundred and ninety-three (Pamphlet Laws four hundred and thirty) relating to watchers at elections and providing that they must be residents of the districts or division within which they act" is hereby further amended to read as follows

"Section 23 No voter not an election officer shall be allowed to occupy a voting shelf or compartment already occupied by another (except when giving the help allowed by section twenty-six of this act) nor to remain within said compartment more than three minutes in case all of such compartments are in use and other voters are waiting to occupy the same No voter not an election officer shall be allowed to re-enter the enclosed space after he has once left it (except to give help as hereinafter described) Each voter's name shall be checked on the voting check-list by the officer having charge thereof as soon as he has cast his vote in the manner provided by law It shall be the duty of the judge of election to secure the observance of the provision of this section to keep order in the room in which the voting is held and to see that no more persons are admitted within the enclosed space than are allowed by this act (Each party which has by its primary meeting caucus convention or board sent to the proper office a certificate of nomination and each group of citizens which has sent to the proper office a nomination paper as provided in sections two and three of this act shall be allowed to appoint three qualified electors who must be three electors residents of the division in which they are authorized to act as watchers in each voting place without expense to the county one of whom shall be allowed to remain in the room outside of the enclosed space Each watcher shall be provided with a certificate from the county commissioners stating his name the names of the persons who have appointed him and the party or policy he represents and no party or policy shall be represented by more than one watcher in the same voting room at any one time Watchers shall be required to show their certificates when required to do so) Until the polls ars closed no person shall be allowed in the room outside of the said enclosed space except (the watchers) voters not exceeding ten at any one time who are awaiting their turn to prepare their ballots and peace officers when necessary for the preservation of the peace No person when within the voting room shall electioneer or solicit votes for any party or candidate nor shall any written or printed matter be posted up within the said room except as required by law When the hour for closing the polls shall arrive all persons within the enclosed space who have received ballots but have not yet deposited them shall be required to mark and deposit their ballots forthwith but no other person shall be allowed to vote"

Section 2 That section twenty-six of said act is hereby amended to read as follows

Section 26 (If any voter declares to the judge of election that by reason of any disability he desires assistance in the preparation of his ballot) No voter shall be permitted to have assistance in the marking of his ballot unless he shall make affidavit upon a form to be provided by the county commissioners that by reason of physical disability which he shall specify in the affidavit he is physically unable to mark his ballot If any such person shall make such affidavit he shall be permitted by the judge of election to select a (qualified voter of the election district) member of the election board to aid him in the preparation of his ballot such preparation being made in the voting compartment Such affidavit shall be preserved with the ballots and other records of the election in the manner provided by law Any person making a false affidavit under the provisions of this section shall be guilty of perjury and subject to the penalties in such case made and provided

Section 3 The office of paid watcher is hereby abolished

Section 4 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. VICKERMAN. Mr. Speaker, I move that this bill be recommitted to the committee on Elections for the purpose of amendment.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Mr. VICKERMAN asked and obtained permission to call up out of order House Bill No. 120, file folio 4519.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 120, entitled:

An Act providing that at the close of each general municipal primary and special election in the several counties within this State excepting counties of the first class the contents of the ballot box in each district shall be deposited as a court record with the prothonotary of the county and providing for its preservation and inspection and repealing acts inconsistent herewith

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. VICKERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections, for the purpose of amendment.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE.

Mr. VICKERMAN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. VICKERMAN. Because of an understanding I had with some members of the House who are absent tonight, and by an agreement with some of the members who will not be here tomorrow, I have been asked to place on the postponed calendar some of the election bills which are now under consideration. Therefore, I ask the indulgence of the House, because I want to protect the folks to whom I have given my promise.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the Journal.

TIME EXTENDED ON BILLS.

Mr. VICKERMAN. Mr. Speaker, I move that House Bill No. 243, entitled:

A Joint Resolution proposing an amendment to section sixteen of article eight of the Constitution of Pennsylvania

House Bill No. 116, entitled:

An Act providing for the appointment by the court of supervisors in election districts in general municipal primary and special elections upon petition of candidates regulating the method of appointment and prescribing the duties and powers of such supervisors providing for their compensation providing penalties for violation and repealing acts inconsistent herewith

House Bill No. 118, entitled:

An Act providing for the assessment of occupation or poll tax in cases where the assessor has failed to make such assessment and the collection of the same so that such taxes may be assessed by and paid to the county treasurer or the registration officers for the registration of voters providing a penalty for violation thereof and repealing acts inconsistent herewith

House Bill No. 671, entitled:

An act to amend sections one and three of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of board of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties requiring counties coming under the provisions of the act to appropriate the money and providing penalties."

House Bill No. 167, entitled:

An Act to amend section thirteen of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A Further Supplement to the act regulating elections in this Commonwealth" as amended by providing that qualified electors charging fraud or mistake in any election district need not be residents of the said territory affected by the election

House Bill No. 919, entitled:

An Act to repeal section twenty-three of the act approved the first day of May one thousand eight hundred and sixty-one (Pamphlet Laws four hundred and fifty) entitled "An act relating to Allegheny County"

House Bill No. 576, entitled:

An Act to amend section eleven, and fifteen as amended, and repealing section twenty-one of the act approved the twelfth day of July, one thousand nine hundred and thirteen, (P. L. 719), entitled "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make and to alter amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation;" by limiting the right of assistance to voters, extending the power of the court to open ballot boxes, and abolishing the office of watchers at primary elections.

House Bill No. 469, entitled:

An Act to amend section three of an act, approved the twelfth day of July, one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to national party conventions, and of certain officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," as amended.

on the third reading postponed calendar, be given an extension of five days time.

Mr. McVICAR. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. DILSHEIMER. Mr. Speaker and members of the House, while I have no objection whatever to make upon these postponements, I do think that agreements of that kind are altogether out of order. We are here to serve the Commonwealth, to do our duty, and I think it is only right that those members who absent themselves with leaves should be here to attend to their duties, as well as we are. Our postponed calendar is getting into such condition that we are clogged up with business for the future. We are here to do our duty and to transact business the way it should be transacted, and I want to serve notice that from now on, I will object to any such motions. It is out of order and shows disrespect to those members who are giving their time to their Commonwealth and attending to their duties, and it is no more than fair to us who are here that those who have absented themselves without leaves should be here as well as we are.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILL PLACED ON THE CALENDAR.

Mr HAINES. Mr. Speaker, I move that Senate Bill No. 217, file folio 163, entitled:

An Act to amend section one of an act approved the thirteenth day of April one thousand eight hundred and eighty-seven (Pamphlet Laws twenty-one) entitled "An Act for the establishment of a uniform standard of time throughout the Commonwealth" prohibiting the adoption of other standard time

be placed upon the calendar, notwithstanding the negative recommendation of the committee.

Mr. HEYBURN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. HEYBURN. Mr. Speaker and members of the House, I feel that this a bill that should have careful consideration. It is a bill that a great many of our people are interested in, and I feel it should be placed upon the calendar and let us go to the bat on it, debate the issue and decide on its merits. I recognize the fact that a great many people are not familiar with what this means, and I think it is only fair that we should place the bill on the calendar in order that we may discuss it and vote intelligently on it. Therefore, I am going to ask the members of this House to vote to put this bill on the calendar.

Mr. GOLDER. Mr. Speaker, personally, I shall vote against the Derrick Daylight Saving Bill. It was the thought of tne committee today that discussed the bill, that while many of those who are opposed to the bill desire the bill to be placed on the calendar and the issues be met fairly and squarely, yet we did not wish the impression to get out that the committee as a whole approved the bill. The actual vote taken by the committee after careful consideration showed that the committee as a committee, was opposed to the bill and they wanted to be fair to themselves as a committee and fair to the House and to submit a report upon their own vote, that is, that they are opposed to the bill. As one of those who is opposed to the bill, and who voted to report it with a negative recommendation, and I think I speak for some of my colleagues who are also opposed to the bill, I feel that the bill is of such importance and such state-wide interest that the bill should be placed on the calendar. I speak only for myself and as one opposed to the bill and in favor of daylight saving, I think, with my colleague, Mr. Heyburn, that the bill is of such importance that it should be placed on the calendar.

On the question recurring,
Will the House agree to the motion?
It was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1312, as follows:

An Act to amend sections one two three and four of an act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An Act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An Act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the following words and phrases as used in this act shall unless a different meaning is plainly required by the context have the following meanings

1 "Consolidation of schools" is the act of uniting two or more public elementary schools which prior to such union were maintained in separate buildings and which after such union are housed in one school plant and taught by two or more teachers

2 A "consolidated school" is a public elementary school formed by uniting two or more public elementary schools which prior to such union were maintained in seperate buildings and which after said union is housed in one school plant and taught by two or more teachers

3 "A joint consolidated school" is a consolidated school maintained by the joint action of two or more school districts

4 When pupils of a public school are transported from one school to another for the purpose of better gradation or classification or other reasons and the reason for such transportation together with the provisions therefor are approved by the State Council of Education for reimbursement prior to the opening of the school term the State shall be liable for such cost of transportation to the same extent as is now or may hereafter be provided for in the case of consolidated schools

Section 2 That section two of said act is hereby amended to read as follows

Section 2 The State Council of Education is hereby authorized and directed to investigate and to aid in the establishment and joint consolidated schools and to inspect and approve such schools as hereafter provided The State Council of Education shall make a report annually to the Governor and Legislature describing the conditions and progress of consolidation of schools throughout the Commonwealth and making such recommendations as the Council may deem advisable

Section 3 That section three of said act is hereby amended to read as follows

Section 3 Any school district may through its board of directors establish equip furnish and maintain consolidated schools and may transport pupils to and from such schools as already provided for by law

Two or more districts may as provided in article eighteen sections one thousand eight hundred and one to one thousand eight hundred and eight inclusive of the act aproved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenues to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" through a joint school committee establish equip furnish and maintain joint consolidated schools

Section 4 That section four of said act is hereby amended to read as follows

Section 4 Consolidated or joint consolidated schools shall so long as they are approved by the State Council of Education as to organization control equipment coures of study qualifications of teachers methods of instruction condition of admission expenditures of money methods and means of transportation and the contracts providing thereof constitute approved local or joint consolidated schools School districts maintaing or transporting pupils to and from such approved local or joint consolidated school shall receive reimbursement as hereinafter provided

The Commonwealth in order to aid in the establishment and maintenance of approved local or joint consolidated schools shall as provided in this act pay annually from the treasury to school districts and unions of school districts maintaining or transporting pupils to and from such schools an amount equal to one-half the sum expended during the previous school year by such a school district or districts for transporting pupils of said schools to and from said schools Provided That said sum shall not include amounts paid for the purchase and repair of the vehicle or vehicles used for transporting those pupils And provided further that no one school district shall receive more than three thousand dollars ($3,000) in any one school year from the funds provided in this act

On or before the third Wednesday of January of any year in which the regular session of the Legislature is held the State Council of Education shall present to the Legislature an estimate of the amount of money necessary meet the expenditures to be incurred in the administration of this act for the two school years beginning with the first day of the ensuing July and of the amount necessary to meet the claims of school districts and unions of school districts maintaining or transporting pupils to and from approved local or joint consolidated schools under the provisions of this act for the two school years beginning with the first day of the ensuing July On the basis of such statement the Legislature shall make an appropiration of such amounts as may be necessary to meet the expense of carrying this act into effect and of reimbursing such school districts and unions of school districts for such school years as herein provided

On or before the tenth day of July of each year the school board of each district maintaining (a) or transporting pupils to and from a local or joint consolidated school shall present to the State Superintendent of Public Instruction a sworn statement of the amount expended during the school year previous to such first day of July for transporting pupils to and from said schools as herein provided On the basis of such a statement the State Superintendent of Public Instruction shall by requisition upon the State Treasury pay such school district or districts and unions of school districts such reimbursements for the previous school year as is provided for in this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—152.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gelder,
Gibbon,
Gilchrist,
Goehring,
Golder,
Guerin,
Haas,
Haines,
Harer,
Harter,
Haslett,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
Mack,
Mangan,
Marcus, J.,
Marshall, W. F.,
Mathay,
McCaig,
McCann,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. F.,
Stevens, A. J.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—1.

Lauver,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 448, as follows:

An Act requiring the display of the United States flag at all polling places providing for its purchase by the county commissioners and its care between elections

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of commissioners of each county shall when they are not otherwise provided purchase a United States flag flag staff and the necessary appliances therefore for each election district within the county which flag shall be displayed by the election officers upon or near the polling place in each district on every general municipal primary and special election day during the hours the said polls are open

Section 2 After the closing of the polls at each election the said flag shall be delivered by the judge of elections with the ballot box to the place provided by law for the keejing of the said ballot box and shall be there safely kept until the next election when it shall be delivered by the person charged with the delivery of said ballot box to the proper polling place

Section 3 All act or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas, and nays were taken and were as follows, viz:

YEAS—126.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Blair,
Bluett,
Boback,
Brewster,
Brown,
Brownmiller,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
de Young,
Diehm,
Dietz,
Donahue
Driggs,
Eaches,
Earley,
Fowler, A. I.,
Fratt,
Gibbon,
Gilchrist,
Goehring,
Gorham,
Goss,
Griffith,
Gundy,
Haas,
Harter,
Haslett,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Horne,
Howell,
Irvin,
Jones, D. J.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kennedy,
Kohler,
Kunkle,
Lauver,
Lucas,
Ludlow,
Mack,
Marshall, W. F.
Mathay,
McCaig,
McCann,
McClure,
McCurdy,
McDaniel,
McDermott,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Stark,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Woner,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—4.

Bromley,
Coyne,
Edmonds,
Evans, B. P.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1208, entitled:

An Act making an appropriation to the Pennsylvania State College to reimburse the said college for loss of interest on a bond of the Commonwealth for the benefit of said college which bond has matured

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas, and nays were taken and were as follows, viz:

YEAS—156.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi.
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig.
de Young,
Diehm,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Eshelman,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gelder,
Gilchrist,
Glasgow,
Golder,
Goss.
Grimes,
Guerin,
Haas,
Haines,
Harer,
Harter,
Haslett,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kennedy,
Kohler,
Kunkle,
Rinn,
Labar,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McCaig,
McClure,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Minehart,
Moffatt,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Ogle,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Rhodes,
Richards,
Rippman,
Sautter,
Schaeffer,
Schilling,
Schwartz.
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Stark,
Stavitski,
Steedle,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Weamer,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1223, as follows:

An Act to amend section eight of the act approved the eleventh day of May one thousand nine hundred and five (Pamphlet Laws four hundred) entitled "An Act to provide for the selection of a site and the erection of a State Hospital for the treatment and care of the criminal insane to be called the State Hospital for the Criminal Insane and making an appropriation therefor" as amended changing the name of said hospital

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight of the act approved the eleventh day of May one thousand nine hundred and five (Pamphlet Laws four hundred) entitled "An act to provide for the selection of a site and the erection of a State Hospital for the treatment and care of the criminal insane to be called the State Hospital for the Criminal Insane and making an appropriation therefor" which was amended by section two of the act approved the thirteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred and seven) entitled "A supplement to an act entitled 'An act to provide for the selection of a site and the erection of a State hospital for the treatment and care of the criminal insane to be called the State Hospital for the Criminal Insane and making an appropriation therefor' approved the eleventh day of May Anno Domini one thousand nine hundred and five directing the commissioners for the erection of said State Hospital for the Criminal Insane to surrender their trust to a board of trustees to be appointed by the Governor authorizing the said board of trustees to continue the erection and completion of the buildings of said State Hospital for the Criminal Insane and authorizing said board of trustees to receive at any time such numbers of criminal insane patients as can be accommodated in the buildings before the completion of the entire institution and further defining the powers and duties of said board of trustees" is hereby further amended to read as follows

Section 8 The said commissioner shall surrender their trust including all buildings constructed on the site of the State Hospital for the Criminal Insane or in course of erection and all property rights claims contracts books papers and whatsoever pertains to said trust on the first day of June one thousand nine hundred and twelve to a board of trustees to consist of nine members who shall serve without compensation and shall be appointed by the Governor by and with the advice and consent of the Senate the terms of office of said trustees to begin June first one thousand nine hundred and twelve The said board of trustees shall assume the management direction and charge of said State Hospital for the Criminal Insane and is authorized to complete all unfinished buildings and to erect all buildings remaining unconstructed as provided by the plans and specifications adopted by the Board of Public Charities carrying out any contracts that may be unfinished at the time of said transfer with full power to draw upon any unused appropriation therefor said unused appropriation being hereby appropriated to the said board of trustees The said trustees shall have power to employ an architect a superintendent of construction a secretary and a stenographer and fix and pay their salaries and fix and pay the salaries of such other persons as they may think necessary to employ in order to secure the proper and economical completion of the buildings under construction and the erection of all other buildings authorized in accordance with the plans and specifications approved by the Board of Public Charities or in accordance with such plans and specifications as may hereafter be approved by said Board of Public Charities and are also hereby authorized and empowered to receive at any time such numbers of criminal insane patients as can be accommodated in the buildings before the completion of the entire institution Said trustees shall be a body corporate by the name and style of the (State Hospital for the Criminal Insane) Farview State Hospital They shall manage and direct the concerns of the institution and make all necessary by-laws and regulations not inconsistent with the Constitution and laws of the Commonwealth Of the trustees first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacancies shall be filled by the Governor by appointment for three years as hereinbefore provided and should any vacancy occur by death or resignation or otherwise of any trustee such vacancy shall be filled by appointment as aforesaid for the unexpired term of such trustee

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—132.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Bluett,
Flinchbaugh,
Fowler, A. I.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Griffith,
Gundy,
Haas,
Haines,
Lafferty,
Long,
Lucas,
Ludlow,
Lynch,
Marshall, W. F.,
McCaig,
McCann,
McClure,
McCurdy,
McDaniel,
McDermott,
Metcalf,
Miller,
Minehart,
Moffatt,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Spangler,
Stark,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. F.,
Stevens, A. J.,

Boback,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Hall,
Harer,
Haslett,
Heffernan,
Heffran,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Schaeffer,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1297, entitled:

An Act to amend section three hundred and three of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Earley,
Edmonds,
Evans, B. P.,
Flinchbaugh,
Flynn,
Fowler, D.,
Frazier,
Gallaher,
Gibbon,
Glasgow,
Goehring,
Gorham,
Greeby,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Heffran,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hontz,
Hoover,
Horne,
Huber,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCaig,
McCann,
McClure,
McCurdy,
McDermott,
McGowan,
McKim,
Metcalf,
Miller,
Minehart,
Moffatt,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Sample,
Sarig,
Schaeffer,
Schilling,
Schleiter,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Wells,
Wettach,
Whitehouse,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Orr,
Parkinson,
Patterson,
Perry,
Pitts,
Price,
Raymond,
Rhodes,
Richards,
Rippman,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 377, as follows:

An Act to amend sections one and three and section six as amended and sections nine and ten on an act approved the seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and sixty-seven) entitled "An act to provide for the better protection of life and health by diminishing the danger from infectious and contagious diseases through the creation of a State Board of Undertakers in the cities of the first second and third classes with systematic examinations registration and licenses for all entering the business of burying the dead and penalties for violation of the provisions thereof" by prescribing the qualifications and compensation of members of the State Board of Undertakers providing for employes of the board requiring applicants for undertakers' license to have a common school education providing for the auditing of its books and the disposition of funds remaining in its treasury

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and seixty-seven) entitled "An act to provide for the better protection of life and health by diminishing the danger from infectious and contagious diseases through the creation of a State Board of Undertakers in the cities of the first second and third classes with systematic examinations registrations and licenses for all entering the business of burying the dead and penalties for violation of the provisions thereof" is hereby amended to read as follows

"Section 1 Be it enacted et cetera That the Governor by and with the advice and consent of the Senate shall as soon as practicable after the passage of this act appoint five persons (who shall be practicing undertakers) from a list of names submitted by the Funeral Director's Association of the State of Pennsylvania the said names submitted must be members of the association in good standing and must be actively engaged in the practice of undertaking and embalming with continuous experience of at least ten years and such appointees shall constitute a State Board of Undertakers one of the persons so appointed shall hold office for one year one for two years one for three years et cetera unless sooner removed appointments to fill vacancies caused by death resignation or removal before the expiration of terms shall be made for the residue of such terms by the Governor subject to the consent of the Senate and all appointments to fill vacancies caused by the expiration of terms shall be made in the same manner and shall be for a period of three years each"

Section 2 That section three of said act is hereby amended to read as follows:

Section 3 The members of the (said) board shall receive (no salary as such except the secretary who shall receive a salary of five hundred dollars per annum which together with the actual traveling and necessary expenses of the board and its members shall be paid out of the receipts as hereinafter directed) for their services two hundred dollars ($200) per year in addition to their railway fares and hotel expenses while attending meetings of the board

The secretary shall receive a salary of one thousand dollars ($1,000) per year in addition to his salary as a member of the Board

The Board shall have power to appoint a clerk who shall be a notary public at a salary of one thousand dollars ($1,000) per year and also to appoint a stenographer at a salary of five hundred dollars per year The clerk shall take the affidavits of applicants to their applications free of charge

Section 3 That section six of said act which as amended by section two of the act approved the twenty-fourth day of April one thousand nine hundred and five (Pamphlet Laws two hundred and thirty-nine) entitled "An act to amend section five and six of an act entitled 'An act to provide for the better protection of life and health by diminishing the danger from infectious and contagious diseases through the creation of a State Board of Undertakers in cities of the first second and third classes with the systematic examinations registration and licenses for all entering the business of burying the dead and penalties for violation of the provisions thereof' approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five by extending the provisions of the said act throughout this Commonwealth and providing for the payment of expenses thereof"

Section 6 Before any person persons or corporation shall hereafter engage in the business of undertaking or the care preparation disposition and the burial of the bodies of deceased persons in their own name and on their own account in this Commonwealth and before any person persons or corporations now so engaged in said business (who shall have failed to register with said board in accordance with section five of this act shall continue in said business) such (person or) persons or person comprising or representing such corporations shall apply to said board for a license to practice the same and shall accompany such application with a fee of ten dollars whereupon the applicant as aforesaid shall present himself or herself before said board at a time and place to be fixed by said board if the board shall find upon due examination that the applicant or applicants are of good moral character shall have a good common school education possessed of skill and knowledge of the said business of undertaking and have a reasonable knowledge of sanitation preservation of the dead disinfecting body of deceased persons the apartment clothing and bedding in cases of death from infection or contagious diseases and have had practical experience in the business of undertaking for two years continuously with an undertaker or undertakers the board shall issue to said applicant or applicants upon payment of a fee of twenty-five dollars a license to practice said business of undertaking and shall register such applicants or applicant as duly licensed undertakers

All undertakers who are regular assistants must be registered with the board and pay a fee of one dollar per year The secretary of the board shall keep a separate register for assistants giving name age residence and where they attended school When any assistant leaves his employer the employer shall report such fact to the board Every licensed undertaker and embalmer shall report to the board whenever he employs a new assistant and shall attend to having him registered Any licensed undertaker and embalmer who fails to comply with the requirement may be summoned before the board and if found guilty he may be fined and his license may be revoked at the option of the Board

Said board shall have full power at any time to revoke any licenses theretofore granted on proper cause and after full hearings of all the parties in interest

Such license shall be signed by a majority of the board and attested by its seal All persons receiving such license who shall register before said board as provided in section five of this act shall also register the fact at the office of the board of health at the city or at the office of the board of health nearest to the place in which it is proposed to carry on said business and any person persons or corporation obtaining a license under this section shall register that fact at the office of the board of health of the city or at the office of the board of health of the city or at the office of the board of health nearest to the place in which it is proposed to carry on said business and shall display said license in a conspicuous place in the office of the place of such licensee

Section 4 That section nine of said act is hereby amended to read as follows

Section 9 (All fees collected and all fines paid under the provisions of this act shall go to and be used for the purpose of the said Board of Undertakers to defray its necessary expenses) The expenses of the Board of Undertakers shall be paid out of the receipts of the Board

Section 5 That section ten of said act is hereby amended to read as follows

Section 10 It shall be the duty of said board on or before the first Monday of January of each and every year to make a report in writing to the Governor of this State containing a detailed statement of the nature of the receipts and the manner of expenditures (and any balance of money remaining at the end of the year after the payment of the necessary expenses including the salary of the secretary and the traveling and other necessary expenses of the members of the board incurred in the discharge of their duties as such shall be reserved by the treasurer of said board to meet the necessary expenses of the ensuing years) The board shall have its books audited before the first Monday of December in every year by the Auditor General of the State and whatever funds are remaining in its treasury after defraying all the necessary expenses shall be turned over to the State Treasurer

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—132.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bentley,
Brewster,
Bromley,
Brown,
Brownmiller,
Bush,
Clutton,
Coldsmith,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Drinkhouse,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fowler, A. I.,
Frazier,
Gelder,
Gilchrist,
Glasgow,
Goehring,
Gorham,
Goss
Greeby,
Guerin,
Gundy,
Haines,
Harer,
Harter,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Mangan,
Marshall, W. F.
Mathay,
McClure,
McCurdy,
McDaniel,
McDermott,
Metcalf,
Millar,
Miller,
Moffat,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Rippman,
Sample,
Sarig,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Stark,
Stavitski,
Steedle,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Weamer,
Wells,
Wheeler,
Whitehouse,
Williams, G. W.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—3.

Minehart,
Moore,
Stevens, A. J.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1047, entitled:

An Act authorizing the commissioners of the various counties to appropriate money to volunteer fire companies within their respective counties

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—142.

Albert,
Anderson,
Armstrong,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Blair,
Bluett,
Boback,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fowler, A. I.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Gundy,
Haas,
Haines,
Harer,
Haslett,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Malie,
Mangan,
Marshall, W. F.,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers. P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Stevens, A. J.,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Walker,
Weamer,
Wells,
Wheeler,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 598, entitled:

An act declaring the construction to be given deeds wills and other instruments in writing which real and personal property is donated granted devised or bequeathed either directly or in trust for the benefit of one or more persons for years or for life or upon condition with remainder over to the heirs or next of kin or to the persons thereunto entitled under the intestate laws or other similar or equivalent phrase

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—124.

Albert,
Anderson,
Armstrong,
Arthur,
Asbury,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Goss,
Gundy,
Haas,
Haws,
Marshall, W. F.,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
Metcalf,
Miller,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Stavitski,

Blair,
Bluett,
Boback,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Clutton,
Coldsmith,
Colville,
Conner,
Diehm,
Dietz,
Dilsheimer,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Fowler, A. I.,
Frazier,
Gelder,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Horne,
Huber,
Irvin,
Jones, D. J.,
Jones, E. P.,
Keene.
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Long,
Lucas,
Ludlow,
Mack,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson.
Patterson,
Peelor,
Perry,
Pitts,
Richards,
Rinn,
Rippman,
Sample,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Sterling,
Stevens, A. F.,
Stevens, A. J.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Wells,
Wettach,
Wheeler,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—1.

Gorham,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 135, entitled:

An Act regulating the hours of labor of policemen in cities of the third class

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WHITEHOUSE. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. EACHES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 898, entitled:

An Act to amend route number sixty-three of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioners and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commisioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WHEELER. Mr. Speaker, I believe that a word of explanation is due the members of the House. This bill, like the next bill and the bill on page 19, are highway bills, which come under the general description of mileage reducers, recently reported from the Committee on Public Roads. This bill, like the other bill, provides that after if and when a State highway already established is improved and a new route is chosen, the cost of construction will be greatly lessened and a far better line for through traffic will be provided. These bills, as I understand it, have the approval of the Highway Department.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—148.

Albert,
Alexander,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brewster,
Brown,
Brownmiller,
Burchinal,
Burns,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Goss,
Greeby,
Gundy,
Haas,
Haines,
Harer,
Harter,
Haws,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Labar,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Mangan,
Marcus, J.,
Marshall, W. F.,
Mathay,
McCann,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Richards,
Rinn,
Rippman,
Sample,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Spangler,
Stark,
Stavitski,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wettach,
Wheeler,
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1217, as follows:

An Act to amend Route Number Ninety-three of section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improe or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted bv the authority of the same That Route Number Ninety-three of section six of the act approved the thirty-first day of May one housand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percenage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" is hereby amended to read as follows

Route Ninety-three From Tionesta to Warren—Commencing in Tionesta and running by way of Hickory to a point on the dividing line between Forest and Warren counties thence along the Allegheny River into Warren Warren County

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—151.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Blair,
Bluett,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
'linchbaugh,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Goehring,
Golder,
Gorham,
Goss,
Griffith,
Guerin,
Gundy,
Haines,
Harer,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Lucas,
Ludlow,
Lynch,
Mack,
Mangan,
Marcus, J.,
Marshall, W. F.,
Mathay,
McCaig,
McCann,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Schaeffer,
Schilling,
Schleiter,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Stavitski,
Stevens, A. J.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Wettach,
Wheeler,
Williams, G. W.,
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1103, as follows:

An Act to amend an Act approved June twentieth one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporations or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved June twentieth one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" which was amended by an Act approved May fourth one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and forty-one) entitled "An Act to amend section two of an act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" is hereby further amended to read as follows

Section 2 All taxes imposed by this act shall be at the rate of two per centum upon the clear value of the property subject to such tax passing to or for the use of father mother husband wife children lineal descendants born in lawful wedlock legally adopted children children of a former husband or wife or the wife or widow of the son of a person dying seized or possessed thereof and also on the clear value of such property passing from the mother of an illegitimate child or from any person of whom the mother is a lineal descendant to such child his wife or widow and passing from an illegitimate child to his mother and at the rate of ten per centum upon the clear value of the property subject to such tax passing to or for the use of any other person or persons bodies corporate or politic to be paid for the use of the Commonwealth In ascertaining the clear value of such estates the only deductions to be allowed from the gross values of such estates shall be the debts of the decedents reasonable and customary funeral expenses bequests or devises in trust the entire interest or income from which is to be perpetually applied to the care and preservation of the family burial lot or lots reasonable expenses for the erection of monuments or grave stones grave and lot markers and the expenses of the administration of such estates and no deduction whatsoever shall be allowed for or on account of any taxes paid on such estates to the Government of the United States or to any other State or Territory

Section 2 That section fourteen of said Act approved June twentieth one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) is hereby amended to read as follows

Section 14 The register of wills shall enter in a book to be provided at the expense of the Commonwealth which shall be a public record the returns made by all appraisers appointed by him under the provisions of this act opening an account in favor of the Commonwealth against each decedent's estate The register may give certificates of payment of such tax from such record The register shall transmit to the Auditor General on the first day of each month a statement of all returns made by appraisers during the preceding month upon which the taxes have been paid or remain unpaid which statement shall be entered by the Auditor General in a book to be kept for that purpose

Section 3 That section fifteen of said act approved June twentieth one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) is hereby amended to read as follows

Section 15 Every executor administrator legatee devisee trustee grantee or other person or corporation in possession or enjoyment of any property subject to the tax whether real or personal of a resident decedent shall file under oath or affirmation an inventory or schedule of such property giving its location in the office of the register of wills of the proper county within three months after the death of such resident decedent or within three months after acquiring such interest in any property subject to the tax herein provided for and in the case of executors and administrators such inventory or schedule shall include all real estate belonging to such decedent of which such executors or administrator have knowledge

Whenever said inventory or schedule is not filed in the register of wills office of the proper county within three months after the death of such resident decedent the register of wills shall apply to the orphans' court of the respective county by bill or petition citing the executors administrators legatees devisees trustees grantees or other persons or corporations in possession or enjoyment of said property to file said inventory or schedule whereupon the court having caused notice to be given to such executors administrators legatees devisees trustees grantees or other persons or corporations in possession or enjoyment of said property shall proceed according to equity to make such decrees or orders in the premises as the facts warrant

If any tax shall remain due and unpaid for one year after decedent's death the register of wills shall apply to the orphans' court by bill or petition to enforce payment of the same whereupon in the case of personal property the orphans' court may cite the executors or administrators of the decedent whose estate is subject to the tax or any other person in possession of personal property belonging to such decedent's estate or derived from such estate and which is subject to the tax to file an account or to appear on a certain day and show cause why the tax should not be paid and where real estate is charged with the tax the court having first caused notice to be given to the trustee devisee grantee or other person or corporation acquiring or possessing such real estate and to such other persons as may be interested shall proceed according to equity to make such decrees or orders for the payment of the tax out of such real estate as shall be just and proper

When personal service cannot be had notice shall be given for four weeks once a week in at least one newspaper published in the County and in the legal periodical designated by the rules of the court of the County for the publication of legal notices

If the tax shall be found to be due the delinquent shall pay the tax and costs

For the purpose of securing any needed information in the appraisement of property belonging to a resident decedent or in the collection of any tax due the register of wills of his deputy upon the application of the appraiser or parties in interest is hereby given the power to issue subpoenas to compel the production of books papers or documents by any person possessing the same as well as to compel the attendance of witnesses before the appraiser not earlier than three days from the service of such subpoena at a convenient place to be selected by the appraiser and for the purpose of such hearing the register of wills or his deputy is given the power to administer oaths or affirmations If any person being subpoenaed as aforesaid shall refuse or neglect to appear as commanded the register shall have the power to issue an attachment against said witness to compel his or her appearance according to the practice of the courts directed to the Sheriff or any Constable of the proper county for execution Witnesses appearing before the appraiser in obedience to subpoena aforesaid shall be entitled to the same fees and mileage as are allowed by law to witnesses in the orphans' court

In the event the register of wills fails within the time herein mentioned to take the necessary proceedings as above outlined to secure the filing of the inventory or schedule of the property of a resident decedent or to collect the tax due then the Auditor General SHALL have all the powers herein vested in the Register of Wills and at his option may institute such proceedings and shall charge to said register of wills and deduct from any commissioners or fees othewise due him all costs expenses and attorney's fees incurred by the Auditor General in connection with such proceedings

The Auditor General in the settlement of accounts of any register may allow him costs of advertising and other reasonable fees and expenses incurred in the collection of the tax

Section 4 That section sixteen of said Act approved June twentieth one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) is hereby amended to read as follows

Section 16 The executor or administrator or other trustees paying any legacy or share in the distribution of any estate of a resident decedent subject to the said tax shall deduct therefrom at the rate of two per centum upon the whole legacy or sum paid to or for the use of father mother husband wife children lineal descendants born in lawful wedlock legally adopted children of a former husband or wife or the wife or widow of the son of a person dying seized or possessed thereof and upon the whole legacy from the mother of an illegitimate child or from any person of whom the mother is a lineal descendant to such illegitimate child his wife or widow or from an illegitimate child to his mother and at the rate of ten per centum upon the whole legacy or sum to be paid to or for the use of any other person or persons or bodies corporate or politic or if not money he shall demand payment of a sum to be computed at the same rate upon the appraised value thereof No executor or administrator shall be compelled to pay or deliver any specific legacy or article to be distributed subject to tax except on the payment into his hands of a sum computed on its value as aforesaid In case of neglect or refusal on the part of such legatee to pay the same such specific legacy or article or so much thereof as shall be necessary shall be sold by such executor or administrator at public sale after notice to such legatee and the balance that may be left in the hands of the executor or administrator shall be distributed as is or may be directed by law Every sum of money retained by any executor or adminstrator or paid into his hands on account of any legacy or distributive share for the use of the Commonwealth shall be paid by him without delay

Section 5 That section thirty-two of said Act approved June twentieth one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) is hereby amended to read as follows

Section 32 On the transfer of property in this Commonwealth of a non-resident decedent if all or any part of the estate of such decedent wherever situated shall pass to persons or corporations who would have been taxable under this act if such decedent had been a resident of this Commonwealth such property located within this Commonwealth shall be subject to a tax which said tax shall bear the same ratio to the entire tax which the said estate of such decedent would have been subjected to under this act if such non-resident decedent had been a resident of this Commonwealth and all his property real and personal had been located within this Commonwealth as such property located in this Commonwealth bears to the entire estate of such non-resident decedent wherever situated Provided That nothing in this clause contained shall apply to any specific bequest or devise of property in this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—147.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Brewster,
Brownmiller,
Burns,
Chaplin,
Clutton,
Coldsmith,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Fowler, A. I.,
Gallaher,
Gibbon,
Gilchrist,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Guerin,
Haas,
Haines,
Harer,
Harter,
Haslett,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hontz,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Lucas,
Ludlow,
Lynch,
Mack,
Mangan,
Marshall, W. F.,
Mathay,
McCaig,
McCann,
McClure,
McCurdy,
McDaniel,
McDermott,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Rhodes,
Richards,
Rippman,
Sample,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Stark,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wettach,
Whitehouse,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 696, entitled:

An Act providing for the maintenance by the Commonwealth of State-aid roads and highways in townships of the second class

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—147

Albert,
Anderson,
Armstrong,
Arthur,
Aston,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Blair,
Bluett,
Brewster,
Bromley,
Brown,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Conner,
Coyne,
Craig,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Guerin,
Haas,
Hall,
Harer,
Harter,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Mangan,
Marcus, J.,
Marshall, W. F.,
McCaig,
McCann,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Stavitski,
Sterling,
Stevens, A. J.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wheeler,
Whitehouse,
Williams, G. W.,
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1203, as follows:

An Act providing a method through which the Commonwealth may co-operate with indiviuals in building fences to protect farm crops and fruit orchards against damage from wild deer and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in sections of the Commonwealth where wild deer are present in excessive numbers and are injuring or destroying farm crops or fruit orchards in a material way he owners or lessees of the farms or fruit orchards where such damage is occuring may petition the Board of Game Commissioners for assistance in the erection of a deer-proof woven wire fence whereupon said Board or its representatives shall investigate the conditions prevailing on the property of the petitioners and adjacent territory after investigation the Board may enter into an agreement with the petitioners and such others in the vicinity similarly affected as in the opinion of the Board may be deemed advisable for the erection of a deer-proof woven wire fence of such height design and materials as the Board may specify to cost not to exceed twelve hundred ($1,200.00) per mile under the conditions hereinafter set forth The provisions of this act shall not be construed to apply to gardens or truck patches

Section 2 Before the Board may enter into an agreement for the erection of a fence as hereinbefore provided the Board shall decide the amount of continuous fence that may be necessary to prevent deer from committing serious damage on the lands of the petitioners or adjacent landowners at that time or subsequently and shall agree with the petitioners or said land owners as to the location of said fence After such agreement has been reached the petitioners and adjacent landowners decided upon by the Board shall give to the Board a surety bond or an individual bond endorsed by two property owners in double the amount of the pro rata share of the entire estimated cost of such fence or shall deposit the estimated cost in cash on the basis of fifty per centum of the costs if such fence to be paid by the petitioners or adjacent landowners and fifty percentum to be paid by the

Board of Game Commissioners from funds hereinafter provided The fifty per centum to be paid by petitioners or adjacent landowners shall be prorated in proportion to the amount of fence required to protect each property against deer If any landowner or lessee shall refuse to participate in the cost of such fence but is willing to have the fence erected in the location agreed upon his share may be assumed by any other landowner individually or by a number of other interested persons jointly The cost of any special gates desired shall be borne by the person desiring same All such fences after erection shall be maintained by the individuals interested and the Board of Game Commissioners shall bear no part of such future maintenance Replacement of fences when worn out shall be on the same basis as the erection of the original fence the Board to decide when such shall be necessary

Section 3 In case the Board of Game Commissioners and the petitioners or adjacent landowners are unable to agree upon the necessity for a fence or the amount of continuous fence necessary or the location thereof the Board may select a board of viewers from the county in which the fence is to be erected to consist of three reputable citizens one of which shall be a farmer or a horticulturist one a sportsman regularly hunting for deer and the third a businessman from any walk of life who together shall make an examination and decide upon and report under oath to the Board the result of their deliberation concerning the various questions involved If either the petitioners and adjacent landowners or the Board of Game Commissioners shall be dissatisfied with the finding of the Board of viewers so appointed a petition shall be presented to the Court of Quarter Sessions of the County wherein said relief is desired which Court shall select a similar board of viewers Such second board of viewers shall disregard all findings or reports made by the first board and shall carefully examine into the questions involved and make a sworn report to said court with a copy to the Board of Game Commissioners and a copy to the representative of the petitioners The findings of the second board of viewers shall be binding upon all parties concerned unless reversed upon trial in a court of record

Section 4 Viewers appointed under the provisions of this act and all witnesses examined by them shall be sworn by a person authorized to administer oaths or by the Secretary of the Board of Game Commissioners who is hereby empowered to administer oaths to both viewers and witnesses Such oath shall in all ways be binding and of like effect as oaths administered in any court of this Commonwealth The viewers appointed shall make an impartial investigation and sworn report and viewers and witnesses examined by them shall be paid for services and expenses at the same rate as jurors and witnesses in the Courts of Quarter Sesions are now compensated such payment to be made from the funds hereinafter provided

Section 5 The Board of Game Commissioners may also enter into an agreement with any of the petitioners or adjacent landowners for the erection of special traps or enclosures in any part of any fence erected under the provisions of this act for the purpose of trapping and removing surplus deer at such rate of pay per deer trapped as the Board may decide

Section 6 For the purpose of carrying into effect the provisions of this act the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby appropriated for the biennium beginning June first one thousand nine hundred and twenty-three to be paid upon requisition of the Secretary of the Board of Game Commissioners from funds in the State Treasury collected from hunters' licenses and held separate and apart for the use of said Board

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—144.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Bluett,
Boback,
Brewster,
Bromley,
Brownmiller,
Burchinal,
Burns,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Fratt,
Frazier,
Gallaher,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Grimes,
Gundy,
Haines,
Harter,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hontz,
Hoover,
Horne,
Huber,
Irvin,
Johnson,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lauver,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Mangan,
Marshall, W. F.,
McBride,
McCaig,
McClure,
McCurdy,
McDermott,
McGowan,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Stavitski,
Sterling,
Stevens, A. J.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wheeler,
Whitehouse,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 939, entitled:

An Act providing for the payment of certain claims for damages done to livestock poultry or bees by bear providing a method for the ascertainment of such damage and making an appropriation

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—125.

Alexander,
Anderson,
Armstrong,
Arthur,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Brewster,
Brown,
Burchinal,
Burns,
Clutton,
Coldsmith,
Conner,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Greeby,
Gundy,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Lucas,
McKim,
Metcalf,
Miller,
Minehart,
Moffat,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Peelor,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Stavitski,
Sterling,
Stevens, A. J.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.

Edmonds,
Evans, B. P.,
Frazier,
Gallaher,
Gelder,
Gilchrist,
Goehring,
Gorham,
Goss,
Ludlow,
Lynch,
Mangan,
Marshall, W. F.,
Mathay,
McClure,
McCurdy,
McDaniel,
McDermott,
Sample,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—2.

Albert,
Haws,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

ADJOURNMENT.

Mr. JOSEPH MARCUS. Mr. Speaker, I move that this House do now adourn until 10:00 o'clock tomorrow morning.

The motion was agreed to, and (at 11:20 P. M.) the House adjourned until tomorrow morning at 10:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

Session 1923 125th of the General Assembly

Vol. 7. HARRISBURG, PA., THURSDAY, APRIL 19, 1923. No. 43.

HOUSE OF REPRESENTATIVES

THURSDAY, APRIL 19, 1923.

The House met at 10:00 o'clock A. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Infinite and eternal God, in whom we live and move and have our being, author and giver of every good and perfect gift, as well as the author and finisher of our fate, we humbly acknowledge our limitations in Thy sight and beseech Thy divine pardon. We would invoke Thy divine blessing to rest upon us this day as we take up the duties that are encumbered upon us. May we enjoy the fellowship of Thy spirit and the direction of Thy wisdom and the strength of Thy grace. May Thy blessing rest upon the Governor of this Commonwealth and upon the Speaker of this House in all things. We ask it in the name of the Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Miss Martha G. Thomas, the further reading was dispensed with and the Journal approved

REPORTS FROM COMMITTEES.

Mr. SOWERS, from the Committee on Judiciary General, reported as amended, House Bill No. 1253, entitled:

An Act permitting service in divorce actions, to be made by registered letter upon respondents residing outside of the Commonwealth.

Miss MARTHA G. THOMAS, from the Committee on Education, reported as committed, House Bill No. 1404, (Senate Bill No. 439), entitled:

An Act to amend section one thousand one hundred five, and one thousand one hundred thirty-four of an act, approved the eighteenth day of May, one thousand nine hundred and eleven, (Pamphlet Laws, three hundred nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Mr. JOSEPH MARCUS, from the Committee on Judiciary General, reported as amended, House Bill No. 1416, (Senate Bill No. 634), entitled:

An Act to amend section one of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and three) entitled "An Act regulating the fees of notaries public."

Mr. McCURDY, from the Committee on Education, reported as committed, House Bill No. 1145, (Senate Bill No. 324), entitled:

An Act to amend section two thousand one hundred five of an act, approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith." authorizing other forms of teacher training in lieu of teachers' institutes in districts of the first, second and third classes.

Mr. HIMES, from the Committee on Education, reported with a negative recommendation, House Bill No. 804, entitled:

An Act to amend section one thousand four hundred and twenty-three of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general or local, or any parts thereof, that are or may be inconsistent therewith."

Miss GALLAHER, from the Committee on Education, reported with a negative recommendation, House Bill No. 1282, entitled:

An Act to amend sections five hundred and thirty-seven five hundred and forty-two and five hundred and forty-three, of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

PETITION

PROTESTING AGAINST PASSAGE OF HOUSE BILL No. 850.

The SPEAKER presented a petition from the Philadelphia Board of Trade protesting against the passage of House Bill No. 850, limiting the hours of labor of females.

Referred to the Committee on Law and Order.

LEAVES OF ABSENCE.

Mr. CLUTTON asked and obtained leave of absence for Mr. Ogle, on account of illness.

Mr. MORRISON asked and obtained leave of absence for Mr. Blair.

Mr. DIEHM asked and obtained leave of absence for Mr. Aston.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1251, as follows:

An Act to prohibit the obstruction of the view of the interior of soft drink places pool rooms and billiard parlors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any soft drink place or room where any liquid or liquor that contains alcohol is sold for beverage purposes or any pool room or billiard parlor shall be so constructed and maintained that a clear and open view of the interior of said place may be had from the street on which said place of business fronts and shall be free from screens partitions fixtures obstructions or painted or frosted windows which may in any manner interfere with such view from the abutting street Provided however That such place of busines which is not located on the ground floor or which room does not directly front on or abut on any street shall be so constructed and maintained that such view of the interior as above described may be had from any entrance to said room

Section 2 This act shall not apply to a bona fide drug store

Section 3 Any person who shall conduct any soft drink place or room pool room or billiard parlor contrary to the provisions of this act or shall otherwise violate any of the provisions of this act shall upon conviction be fined not less than fifty dollars ($50) nor more than five hundred dollars ($500) for each offense and each day's violation of any of the terms of this act shall be a separate offense

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 534, as follows:

An Act to amend Route Number ninety-one of section six of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to maks maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Route Number ninety-one of the act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid Highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" which was amended by the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and twenty) is hereby further amended to read as follows

Route Ninety-one From Franklin to Tionesta Commencing a point on the boundary line of the city of Franklin and nning by way of Oil City Coal Hill McCrea School Ange's rner Venue to Fryburg and intersecting with highway ute number ninety-two thence over highway route numrs ninety-two and ninety-eight to Tionesta Borough

And said bill having been read at length the second time d agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,

The House proceeded to the second reading and consideran of House Bill No. 1238, as follows:

n Act authorizing the Department of Forestry to lease for periods of not more than fifty years on terms conditions and stipulations expressed in each lease any portions of the State Forests for dams reservoirs canals pipe lines and other water conduits power houses and transmission lines for the development of water power for steam raising and condensation and for the generation and transmission of electric energy

Section 1 Be it enacted by the Senate and House of Reesentatives of the Commonwealth of Pennsylvania in Genal Assembly met and it is hereby enacted by the authority the same That the Department of Forestry is hereby thorized in its discretion to lease for periods of not more an fifty years any portions of the State Forests for use sites for dams and other water obstructions reservoirs nals pipe lines and or other water conduits for the purse of the development of water power and or for the ain purpose of storage conveyance and or cooling of water r steam raising and or steam condensation in the genation of electric energy for public service and or for use sites for power houses and or transmission lines for e generation and transmission of electric energy Every ch lease shall be on such terms conditions and stiputions expressed in each lease as the Department shall em necessary for the protection of the present and future terests of the Commonwealth and its people and suitable r affording a reasonable opportunity for a fair return on e actual investment prudently made on the faith of such ase which may include provisions not repugnant to the ghts of the United States its permittees licensees or transrees existing at the time of the making of such lease serving an option in the Commonwealth to renew or exnd for not more than fifty (50) years such lease or to ke over the project works by and for itself or by and for nother prospective lessee upon payment by the Commonealth or by such other prospective lessee of the actual t investment in the project works

And said bill having been read at length the second time d agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee f the Whole being in this case dispensed with,

The House proceeded to the second reading and consideraon of House Bill No. 1236, as follows:

n Act providing for a giant power survey creating a Giant Power Survey Board defining the power and duties thereof requiring officers Departments Commissions and other agencies of the Commonwealth to give information thereto and making an appropriation

Section 1 Be it enacted by the Senate and House of Reresentatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority f the same That the Governor the Attorney General the ommissioner of Forestry the Secretary of the Water upply Commission the Chairman of The Public Service ommission the Secretary of Agriculture the Commissioner f Labor and Industry the State Geologist a Deputy Attorey General to be designated from time to time by the Governor and a competent engineer to be designated from time to time by the Governor are hereby created a Giant Power Survey Board hereinafter called the Board The Governor shall be Chairman of the Board

Section 2 It shall be the duty of the Board to undertake an outline survey of the water and fuel resources available for Pennsylvania and of the most practicable means for their full utilization for power development and other related uses also to recommend in outline such policy with respect to the generation and distribution of electric energy as will in the opinion of the Board best secure for the industries railroads farms and homes of this Commonwealth an abundant and cheap supply of electric current for industrial transportation agricultural and domestic use The Board shall investigate the practicability of and make recommendations concerning the establishment of giant power plants for the generation of electricity by fuel power near coal mines the transmission and distribution of the electric energy so and otherwise generated throughout the Commonwealth the saving and utilization of the by-products of coal to be consumed in such giant power and other plants the electrification of railroads the generation of electrical energy by water power and the co-ordination of water power and fuel power development with the regulation of rivers by storage and otherwise for water supply transportation public health and recreation and other beneficial uses

Section 3 In making its investigations and reports the Board shall make use of all available information heretofore collected by the Commonwealth and all other published or otherwise readily obtainable information within the scope of its inquiry Every officer Department Commission and other agency of the Commonwealth possessing such information shall furnish the same to the Board when and as the Governor may from time to time direct

Section 4 It shall be the duty of the Board in its investigations and report both as to water supply and river regulations and as to the generation and distribution of electric energy to keep in view the mutual interests of this Commonwealth and other States and to outline plans for the interchange of electrical energy with all other States within the practicable transmission distance

Section 5 The engineer designated as a member of said Board shall be paid such compensation as shall be fixed by the Governor of the Commonwealth The other members of the Board shall serve without additional compensation

Section 6 The report of the Board shall be submitted to the General Assembly at the opening of the regular session in January one thousand nine hundred and twenty-five

Section 7 The sum of thirty-five thousand dollars ($35.000.00) is hereby specifically appropriated for the payment of the compensation of the engineer from time to time designated as a member of the Board the compensation of necessary technical clerical and other assistance the purchase of necessary supplies the rent of necessary quarters in Harrisburg and elsewhere necessary travel of the members of the Board and its employees their necessary subsistence when absent from their regular places of employment necessary printing and all other necessary expenses incurred in the performance of the duties imposed under this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1235, as follows:

An Act authorizing the Department of Forestry to grant on terms conditions and stipulations rights to occupy and use any portions of the State Forests for dams reservoirs canals pipe lines and other water conduits for water supply purposes and providing for forfeiture and other remedies for breach of such terms conditions and stipulations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Forstry is hereby authorized in its discretion to grant the right to occupy and use any portions of the State Forests for use as sites for dams other water obstructions reservoirs canals pipe lines and other water conduits for supplying water otherwise than for steam condensation Every such grant shall be on such terms conditions and stipulations as the Department shall deem necessary for the protection of the present and future interests of the Commonwealth and its people and suitable for affording a reasonable opportunity for a fair return on the actual investment prudently made on the faith of such grant

Section 2 That the Attorney General may on the request of the Water Supply Commission institute proceedings in any court now or hereafter clothed with jurisdiction in cases in which the Commonwealth is a party for the purpose of revoking for violation of its terms any permit issued hereunder or for the purpose of remedying or correcting by injunction mandamus or other process any action of commission or omission in violation of the provisions of this act or any lawful regulation or order promulgated hereunder The said courts shall have jurisdiction over all the above-mentioned proceedings and shall have power to issue and execute all necessary process and to make and enforce all rights orders and decrees to compel compliance with the law orders and regulations of the Commissioner of Forestry in respect of any so permitted dam water obstruction or appurtenant works and to compel the performance of any condition imposed under the provisions of this act In the event a decree revoking a permit entered the court is empowered to sell the whole or any part of the dam or other water obstruction together with any or all appurtenant works lands and water rights to wind up the business of such permittee conducted in connection with such dam or water obstruction to distribute the proceeds to the parties entitled to the same and to make and enforce such further orders and decrees as equity and justice may require At such sale or sales the vendee shall take the rights and privileges belonging to the permittee and shall perform the duties of such permittee and assume all outstanding obligations and liabilities of the permittee which the court may deem equitable in the premises

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1234, as follows:

An Act authorizing the creation of a commission to negotiate with the duly constituted agents of the states of New York and New Jersey for the regularization of the flow of the Delaware River the conservation apportionment and utilization of the water resources thereof providing the method of ratification of such compact by this Commonwealth and prescribing the conditions of its being in full force and effect

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it hereby enacted by the authority of the same That the Governor of the Commonwealth is hereby authorized to designate three officers of the Commonwealth as commissioners with power to negotiate with the duly authorized agents of the states of New York and New Jersey a compact in accordance with the Constitution of the United States for the regularization of the flow of the Delaware River the conservation of the water resources of the Delaware River the conservation of the water resources of the Delaware Basin the apportionment thereof among the said states for domestic and municipal supply and the utilization thereof for power and other beneficial uses

Section 2 The compact negotiated by the said commissioners shall be submitted by the Governor to the General Assembly and the Congress of the United States having consented thereto shall be in full force and effect upon its ratification by a duly enacted law of this Commonwealth and by the states of New York and New Jersey as their laws may respectively prescribe

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1237, as follows:

An Act subjecting to terms conditions and stipulations permits by the Water Supply Commission for the construction of dams and other water obstructions for the supplying of water for certain purposes authorizing the condemnation of lands and waters describing the condemnation procedure and providing for revocation and other remedies for breach of such terms conditions and stipulations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all permits hereafter granted by the Water Supply Commission for the construction of dams and other water obstructions for the supplying of water otherwise than for the main purpose of steam condensation in generating electric energy for use in public service the said Commission shall embody such terms conditions and stipulations as the Commission shall deem necessary for the protection of the present and future interests of the Commonwealth and its people and suitable for securing a reasonable opportunity for a fair return on the actual investments prudently made on the faith of the permit

Section 2 Such permits may in the discretion of the Water Supply Commission by appropriate words authorize the permitees respectively to condemn in the name of the Commonwealth lands and waters therein specified as to which the said Commission after due notice and public hearing shall have found that the present and future interests of the Commonwealth and its people require the appropriation of the same for occupancy and use for dams other water obstructions canals pipe lines and or other water conduits as parts of the projects respectively in behalf of which such permits are issued Condemnation proceedings under this section shall be governed by section one of the act approved on the fifth day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws one hundred and twelve) entitled "An act to amend section forty-one of an act approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four entitled 'An act to provide for the incorporation and regulation of certain corporations' by fixing the number of viewers at three"

Section 3 That the Attorney General may on the request of the Water Supply Commission institute proceedings in any court now or hereafter by law clothed with jurisdiction in cases in which the Commonwealth is a party for the purpose of revoking for violation of its terms any permit issued hereunder or for the purpose of remedying or correcting by injunction mandamus or other process any action of commission or omission in violation of the provisions of this act or in violation of any lawful regulation or order promulgated hereunder The said Courts shall have jurisdiction over all the above-mentioned proceedings and shall have power to issue and execute all necessary process and to make and enforce all rights orders and decrees to compel compliance with the lawful orders and regulations of the commission in respect of any so permitted dam water obstruction or appurtenant works and to compel the performance of any condition imposed under the provisions of this act In the event a decree revoking a permit is entered the Court is empowered to sell the whole or any part of the dam or other water obstruction together with any or all appurtenant works lands and water rights to wind up the business of such permittee conducted in connection with such dam or water obstruction to distribute the proceeds to the parties entitled to the same and to make and enforce such orders and decrees as equity and justice may require At such sale or sales the vendee shall take the rights and privileges belonging to the permittee and shall perform the duties of such permittee and assume all outstanding obligations and liabilities of the permittee which the court may deem equitable in the premises

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of ıe Whole being in this case dispensed with,

The House proceeded to the second reading and consideraon of House Bill No. 1330, as follows:

n Act authorizing the establishment and maintenance of branches by banks savings banks and trust companies either within or outside the State providing penalties and remedies in case of violation and repealing existing laws

Section 1 Be it enacted by the Senate and House of Reresentatives of the Commonwealth of Pennsylvania in Genral Assembly met and it is hereby enacted by the authority f the same That with the approval of the Commissioner of anking whose decision in the matter shall be final any ank savings bank or trust company may establish and naintain in the county in which its principal place of busiess is located one or more branches at which all or any of he kinds of business which may be transacted by such bank avings bank or trust company at its principal place of usiness may be carried on but no bank savings bank or rust company having capital stock shall be permitted to stablish any such branch or branches unless its capital hall at least equal the total minimum capitals that would e required under the acts of Assembly now in force or ereafter to be enacted if it and its branch or branches were ncorporated as separate banks provided however That any ank savings bank or trust company with the minimum apital requirements prescribed herein may continue to perate as a branch or branches any sub-office or sub-ageny or sub-offices or sub-agencies which it may be maintainng and operating at the time of the passage of this act y filing with the Commissioner of Banking of the Commonvealth of Pennsylvania within ninety days after the passage hereof a certificate declaring its intention so to do in the orm of a resolution duly and legally adopted by its Board f Directors authenticated by its corporate seal and certified y its president vice-president secretary cashier or treasurer

Section 2 With the approval of the Commissioner of Bankng whose decision in the matter shall be final any bank savings bank or trust company having a combined capital and surplus of one million dollars or more may establish and maintain a branch office or branch offices in one or more places located outside of the state of Pennsylvania either in the United States of America any territory possession or dependency theerof or in any foreign country

Section 3 Any bank savings bank or trust company which shall establish or maintain a branch either within or without the state of Pennsylvania without the approval of the Commissioner of Banking or in violation of the provisions of this act shall be subject to a penalty of one hundred dollars for each day during which any such branch shall be open or occupied Said penalty shall be payable to the Commissioner of Banking and in case of failure or refusal of such bank savings bank or trust company to pay the same the Commissioner of Banking may maintain an action at law for the recovery thereof

Section 4 In addition to the remedy provided by section three of this act a court of competent jurisdiction may on bill filed by the Commissioner of Banking issue an injunction restraining any bank savings bank or trust company from opening operating or maintaining a branch without the approval of the Commissioner of Banking and may make such other order or decree as equity and justice may require

Section 5 The act approved July twenty-eight one thousand nine hundred and seventeen (Pamphlet Laws twelve hundred thirty-five) entitled "A supplement to an act approved the thirteenth day of May eighteen hundred and seventy-six entitled 'An act for the incorporation and regulation of banks of discount and deposit' and authorizing the creation and maintenance of sub-offices or sub-agencies" and all other acts or parts of acts inconsistent with the provisions hereof except any act or acts under which a special charter is granted to any bank savings bank or trust company are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 831, as follows:

An Act providing punishment for the selling and furnishing of intoxicating liquors or liquids represented as intoxicating liquors contrary to law thereby causing the death of persons drinking the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any person shall unlawfully and wilfully sell or furnish to another any malt brewed vinous or spirituous liquors contrary to the laws of this Commonwealth or any Act of Congress of the United States or of the Constitution of the United States or shall unlawfully and wilfully sell or furnish to another any intoxicating liquors or any liquid representing the same to be intoxicating liquors and the person to whom the same is sold or furnished or any other person shall drink the same and by reason thereof shall die the person making such sale or furnishing the same shall be guilty of voluntary manslaughter

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1341, as follows:

An Act to amend section one thousand six hundred and one of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand six hundred and one of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which as amended by an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and eighty-three) entitled "An Act to amend section one thousand six hundred and one of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' " reads as follows

"Section 1601 All the public elementary and high schools in the school districts of the first second and third class in this Commonwealth shall be kept open each year as follows For the school year beginning the first Monday of July one thousand nine hundred and twenty-one and each school year thereafter one hundred eigthy (180) days All the public elementary and high schools of school districts of the fourth class in this Commonwealth shall be kept open each year as follows For the school year begining the first Monday of July one thousand nine hundred and twenty-one not less than one hundred fifty (150) days for the school year begining the first Monday of July one thousand nine hundred and twenty-two and each school year thereafter not less than one hundred and sixty (160) days Unless otherwise provided by this act the board of school directors in any district may keep such other school or departments as it may establish open during such time as it may direct" is hereby further amended to read as follows

Section 1601 All the public elementary and high schools in the school districts of the first second and third class in this Commonwealth shall be kept open each year as follows For the school year beginning the first Monday of July one thousand nine hundred and twenty-one and each school year thereafter one hundred eighty (180) days All the public elementary and high schools of school districts of the fourth class in this Commonwealth shall be kept open each year one hundred and forty (140) days Unless otherwise provided by this act the board of school directors in any district may keep such other schools or departments as it may establish open during such time as it may direct

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 885, as follows:

An Act limiting the power of State banks banking companies trust companies saving banks and unincorporated banks to become surety on bonds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "bank" as used in this act means any State bank incorporated banking company trust company savings bank or unincorporated bank heretofore or hereafter organized

Section 2 No bank shall become surety on any bonds except that any bank which has quaified itself under the laws of this Commonwealth to engage in a fiduciary business may become sole surety in any case where by law one or more sureties are or may be required for the faithful performance of the duties of any assignee receiver guardian committee executor administrator trustee or other fiduciary and may also become sole surety on any writ of error or appeal or in any proceeding instituted in any court of this Commonwealth in which security is or may be required Provided That nothing in this act shall be construed to dispense with the approval of any court or officer now or hereafter required by law to approve such security

Section 3 Any bonds executed and delivered in violation of the provisions of this act shall be null and void

Section 4 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1120, as follows:

An Act to amend section one of an act approved the seventeenth day of June Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An Act to provide revenue for State and county purposes and in cities co-extensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the seventeenth day of June Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An Act to provide revenue for State and county purposes and in cities co-extensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all personal property of the classes hereinafter enumerated owned held or possessed by any person persons co-partnership or unincorporated association or company resident located or liable to taxation within this Commonwealth or by any joint-stock company or association limited partnership bank or corporation whatsoever formed erected or incorporated by under or in pursuance of any law of this Commonwealth or of the United States or of any other State or government and liable to taxation within this Commonwealth whether such personal property be owned held or possessed by such person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation in his her their or its own right or as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation is hereby made taxable annually for county purposes and in cities coextensive with counties for city and county purposes at the rate of four mills on each dollar of the value thereof and no failure to assess or return the same shall discharge such owner or holder thereof from liability thereof that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes by section seventeen hereof all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section seventeen hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government except shares of stock in any bank corporation or limited partnership that may be liable to tax on its shares or its capital stock for State purposes under the laws of this Commonwealth or relieved from the payment of tax on its shares or capital stock for State purposes by the laws of this Commonwealth all moneys loaned or invested in other States territories District of Columbia or foreign countries all other moneyed capital in the hands of individual citizens of the State all stages omnibuses hacks cabs and other vehicles used in transporting passengers for hire except steam and street passenger railway cars owned used or possessed within this Commonwealth by any person or persons or by any corporate body or bodies all annuities yielding annually over two hundred dollars Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company And provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock but nothing herein contained shall be construed to relieve or exempt individual depositors in savings institutions having no capital stock from any taxation to which such depositors may be subject and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock and Provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions and Provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for county purposes and in cities coextensive with counties for city and county purposes shall be taxed or taxable for any other local purpose or for State purposes under the laws of this Commonwealth" be and the same is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all personal property of the classes hereinafter enumerate owned held or possessed by any person persons co-partnership or unincorporated association or company resident located or liable to taxation within this Commonwealth or by any joint-stock company or association limited partnership bank or corporation whatsoever formed erected or incorporated by under or in pursuance of any law of this Commonwealth or of the United States or of any other State or government and liable to taxation within this Commonwealth whether such personal property be owned held or possessed by such person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation in his her their or its own right or as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person persons copartnerships unincorporated association company joint-stock company or association limited partnership bank or corporation is hereby made taxable annually for county purposes and in cities coextensive with counties for city and county purposes at the rate of four mills on each dollar of the value thereof and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes by section seventeen hereof all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government including car-trust securities and loans secured by bonds or any other form of certificates or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section seventeen hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government except shares of stock in any bank corporation association company or limited partnership that shall be liable to a tax on all of its shares or all its capital stock for State purposes under the laws of this Commonwealth or relieved from the payment of a tax on all of its shares or all its capital stock for State purposes by the laws of this Commonwealth and further where and in the event any bank corporation association company or limited partnership shall be liable to a tax on part of its capital stock for State purposes under the laws of this Commonwealth or relieved from the payment of a tax on part of its capital stock for State purposes by the laws of this Commonwealth except the portion of the value of its shares so liable to a tax for State purposes or relieved from the payment of a tax for State purposes all moneys loaned or invested in other States Territories the District of Columbia or foreign countries all other moneyed capital in the hands of individual citizens of the State all stages omnibuses hacks cabs and other vehicles used in transporting passengers or freight for hire except steam and street passenger railway cars owned used or possessed within this Commonwealth by any person or persons or by any corporate body or bodies all annuities yielding annually over two hundred dollars Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company And provided That the provisions of this act shall not apply to building and loan association or to savings institutions having no capital stock but nothing herein contained shall be construed to relieve or exempt individual depositors in savings institutions having no capital stock from any taxation to which such depositors may be subject and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for county purposes and in cities coextensive with counties for city and county purposes shall be taxed or taxable for any other local purpose or for State purposes under the laws of this Commonwealth

It is the intent of this act that the tax imposed herein upon the value of the classes of property hereinbefore enumerated shall be construed to be a tax on the value of the property or the investment represented thereby and the proportion rule given under the exemption provisions herein is for the purpose of avoiding double taxation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 704, as follows:

An Act requiring the filing of plans and specifications for buildings public works highways or improvements undertaken by boroughs townships poor districts or school districts in the office of the clerk of the court of quarter sessions and requiring copies to be furnished by the secretary architect or engineer of the municipality to applicants therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the directors council commissioners and supervisors respectively of every school district poor district borough and township (all of which are hereinafter included in the term "municipality") in this Commonwealth shall file in the office of the clerk of the court of quarter sessions of the proper county fifteen days previous to the awarding of any contract for any building public work highway or improvement involving an expenditure of ten thousand dollars ($10,000) or more a copy of the plans and specifications thereof as finally adopted

Section 2 Such plans and specifications shall be attested by the secretary of the municipality filing the same and in case of any dispute between the municipality and the person copartnership association or corporation carrying on the work or in any other legal proceeding in connection therewith the said plans and specifications shall be conclusive evidence of the material to be used and amount and character of work to be performed

Section 3 The clerk if the court of quarter sessions shall receive as a fee for filing said plans and specifications the sum of three dollars ($3.00) to be paid by the municipality filing the same

Section 4 The secretary of the municipality or the architect or engineer who has prepared the plans and specifications for the work if the notice to bidders shall designate him shall furnish copies thereof and the proper proposal blanks to any person requesting them within three days after such request provided that such persons shall tender a certified check payable to the order of the municipality in the sum of twenty-five dollars ($25.00) as security for the return of the same within ten days after the successful bidder shall have furnished the required bond In event of such return the check shall be re-endorsed and delivered by the treasurer of the municipality to the maker thereof and otherwise shall enure to the benefit of the municipality No contract awarded prior to compliance with or in violation of the provisions of this act shall be valid

An said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 197, as follows:

An Act to amend section two of an act approved the twenty-third day of March one thousand nine hundred and twenty-one (Pamphlet Laws forty-two) entitled "An Act appropriating to the State Highway Department for the purpose of assisting in the construction maintenance improvement and repair of State highways and State-aid highways all moneys derived from registrations and from license fees for the year one thousand nine hundred and twenty-one and subsequent years under the provisions of the act of Assembly approved June thirtieth one thousand nine hundred and nineteen relating to and regulating motor vehicles and amendments thereto and providing for salaries and other expenses of the department"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pensylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the twenty-third day of March one thousand nine hundred and twenty-one (Pamphlet Laws forty-two) entitled "An Act appropriating to the State Highway Department for the purpose of assisting in the construction maintenance improvement and repair of State highways and State-aid highways all moneys derived from registrations and from license fees for the year one thousand nine hundred and twenty-one and subsequent years under the provisions of the act of Assembly approved June thirtieth one thousand nine hundred and nineteen relating to and regulating motor vehicles and amendments thereto and providing for salaries and other expenses of the department" which reads as follows

"Section 2 That the motor vehicle fees hereby dedicated to the State Highway Department shall include the payment of any and all expenses necessary to carry out the purpose of the several acts of Assembly pertaining to the operation of the State Highway Department and the construction and maintenance of State highways and State-aid highways and for the payment of salaries and traveling expenses of any employes necessary in the judgment of the State Highway Commissioner to effectually carry on the work of the State Highway Department"

is hereby amended to read as follows

Section 2 That the motor vehicle fees hereby dedicated to the State Highway Department shall include the payment of any and all expenses necessary to carry out the purpose of the several acts of Assembly pertaining to the operation of the State Highway Department and the construction and maintenance of State highways and State-aid highways the payment of state rewards for the construction and improvement of township roads and the erection and construction of township bridges in townships of the second class and for the payment of salaries and traveling expenses of any employes necessary in the judgment of the State Highway Commissioner to effectually carry on the work of the State Highway Department

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 230, as follows:

An Act to amend Route Three Hundred and Thirty-eight of the act approved the twenty-second day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and forty-eight) entitled "An Act establishing certain public roads as State highways and providing for their construction and maintenance at the expense of the Commonwealth"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Route Three Hundred and Thirty-eight of the act approved the twenty-second day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and forty-eight) entitled "An Act establishing certain public roads as State highways and providing for their construction and maintenance at the expense of the Commonwealth" be amended to read as follows

Route Three Hundred and Thirty-eight A certain public road beginning at Big Run borough a point on State highway route number one hundred and eighty-nine in Jefferson county thence by way of Sykesville to a point on the line dividing the counties of Jefferson and Clearfield thence by way of Stanley and West Liberty to McCreight's Cabin to the intersection of State highway routes fifty-nine and sixty near Du-Bois.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 980, as follows:

An Act to amend section eleven of an act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred and seventy) entitled "An Act creating a Division of Township Highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter session and providing penalties" requiring clerks of the court to certify lists of township auditors to the State Highway Commissioner

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eleven of an act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred and seventy) entitled "An act creating a Division of Township Highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter sessions and providing penalties" is hereby amended to read as follows

Section 11 The clerk of the court of quarter sessions in each county shall not later than the twentieth day of November following every municipal election certify to the State Highway Department the names and post-office addresses of all supervisors commissioners and auditors of the townships in said couty The failure or neglect of any clerk of courts to furnish such list shall be deemed a misdemeanor Upon conviction any such clerk shall be punished by fine of not more than fifty dollars

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1323, as follows:

An Act prescribing the manner in which certain persons municipalities partnerships associations or corporations may intervene in appeals to the Superior Court from findings determinations or order of The Public Service Commission of the Commonwealth of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person municipality partnership association or corporation being a party of record to any case before the Public Service Commission of the Commonwealth of Pennsylvania the findings determinations or orders wherein has been the subject of appeal to the Superior Court may intervene in said proceeding and be added as a party plaintiff or defendant therein by the filing of a petition with the said court Notice of filing of said petition of the intervener accompanied by a copy of the petition shall be immediately sent to the Public Service Commission at its office in the city of Harrisburg All acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 705, as follows:

An Act to amend articles one four and five as amended of chapter seven and sections four and six of article six of chapter seven of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

Section 1 Be it enacted by the Sente and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That article one of chapter seven of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" which was amended by an act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and four) entitled "An Act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled 'An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs' and repealing certain acts relating to boroughs" is hereby further amended by adding thereto the following sections

Section 19 The council and burgess shall each year within sixty days after the organization of the council by ordinance estimate the several amounts of money which will be required for the several specific purposes of borough government and expenses during the current fiscal year and appropriate out of the revenues available for the said year the specific sums so estimated to be required The tax levied by the borough authorities shall be fixed at such figure within the limit fixed by law as will with all other sources of revenue meet said estimate and appropriation and at no greater figure The total appropriation shall not exceed the revenues available for the fiscal year Provided That in case of unforseen catastrophe such as flood or fire causing damage to the borough's public works or highways the cost of repair of which would exceed the funds appropriated as aforesaid or in case of an epidemic of sickness where the cost of measures undertaken to control the same at the instance of the Board of Health under the powers conferred upon it by law would exceed the funds appropriated for health purposes money may be specially borrowed subject to compliance with provisions of the law relating to the creation of indebtedness for the purpose of meeting such cost of repair or control of epidemic sickness

Section 20 No construction or improvement of highways buildings sewers or other public works shall be undertaken by the borough authorities during any fiscal year unless it shall have been determined upon and appropriation for the borough's share of the expenses thereof shall have been made by ordinance at the time provided by law for the annual estimate and appropriation for borough government and expenses as provided in the preceding section nor unless provisions shall at the time last mentioned have been made by ordinance for obtaining the fund necessary for such improvements by borrowing money through the issue of securities described specifically and in detail if the same is not to be provided out of the ordinary current revenues appropriated for that purpose and nothing in this act shall be construed to permit any increase in the amount of tax levy over the limitations imposed by any other law of this Commonwealth

Section 21 No money shall be transferred from one appropriated fund to another during any fiscal year except by ordinance nor unless at the time of such transfer for the amount of moneys theretofore appropriated to and paid into the fund from which such transfer shall be made shall be in excess of the requirements of the purpose for which such fund was appropriated for the current fiscal year and such transfer shall be made only of such excess

Section 22 The council shall not issue any order or warrant where the amount of such order or warrant together with the charges already standing against such fund shall be in excess of such fund or at a time when there shall not be sufficient money in the treasury belonging to such fund to pay such warrant or order

Section 23 No securities issued or contracts hirings or purchases made or orders or warrants issued on behalf of any borough in violation of the provisions of this act shall be valid or have any binding effect upon the borough nor shall any action be taken by any borough council or borough officer to pay any sum oi money to any person or corporation whose claim would not be collectible in an adverse action at law

Section 2 That article four of chapter seven of said act which was amended by said amending act is hereby further amended by adding thereto the following section

Section 22 The accounts of his secretary shall be annually audited and report thereof filed by the borough auditors in the same manner as the accounts of other officers are audited and filed and subject to all rights of appeal conferred by law in the case of reports of auditors upon the accounts of such officers The secretary and his sureties shall be liable in the amount of any loss to or any illegal payment by the borough consequent upon any neglect or violation of his duties

Section 3 That article five of chapter seven of said act which was amended by an act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and fifty-six) entitled "An act to amend section two article five chapter seven of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred twelve) entitled 'An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs'" is hereby further amended by adding thereto the following section

Section 19 The controller shall keep books of account of all appropriations and charges whether by ordinance resolution contracts warrants or orders against the same and shall not sign attest or countersign any warrant or order nor direct the issue of any warrant or order upon any fund where the amount of such order or warrant together with the charges already standing against such fund shall be in excess of such fund or at a time when there shall not be sufficient money in the treasury belonging to such fund to pay such warrant or order

Section 4 That section four of article six of chapter seven of said act is hereby amended to read as follows

Section 4 The borough treasurer shall before entering upon the duties of his office give bond in not less than the probable amount of money which shall come into his hands with sufficient surety conditioned for the faithful performance of the duties of his office He shall perform the duties of the township treasurer within the borough shall keep a just account of all receipts and disbursements and shall annually submit his account to the borough auditors and publish the same in a manner directed by the borough he shall pay over all moneys remaining in his hands and deliver all books papers accounts and other things belonging to the borough to his successor All moneys received by any officer for the use of the borough shall be forthwith paid to the borough treasurer The treasurer may be required to justify his bond both as to amount and as to the financial responsibility of the sureties before the court of common pleas by any taxpayer upon rule upon him to that effect

The treasurer shall pay out the moneys coming into his hands for the fiscal year only upon warrants or orders numbered in the order of their issue signed by the president and attested by the secretary of the borough and countersigned by the controller where such office exists and designating the appropriated fund out of which said orders shall be paid No treasurer shall pay any order from any fund other than the one designated for such purposes nor may he pay out moneys in his hands in excess of any appropriation nor contrary to any provision prescribed by law for the regulations of such funds

Section 5 That section six of article six of chapter seven of said act is hereby amended to read as follows

Section 6 The secretary shall attend all meetings of the borough council and shall keep full minutes of their proceedings he shall transcribe the by-laws rules regulations and ordinances adopted into a book kept for that purpose and when signed by the presiding officer shall attest the same he shall preserve the records and documents of the borough and shall have custody of the corporate seal He shall certify copies of any book paper record by-law rule regulation ordinance or proceeding of the borough under the seal thereof which copies so certified shall be admitted in evidence in any court of the Commonwealth He shall attest the execution of all instruments record the publication of all enactments and attest the same by his signature He shall file or record the proof of service of all notices required by law and the certificate thereof shall be good evidence of such notice He shall deliver to his successor the seal and all books papers and other things belonging to the borough

The secretary of the council shall in every borough not having a controller keep books of account of all appropriations and charges whether by ordinance resolution contracts warrants or orders against the same and shall not sign attest or countersign any warrant or order nor direct the issue of any warrant or order upon any fund where the amount of such order or warrant together with the charges already standing or estimated against such fund shall be in excess of such funds or at a time when there shall not be sufficient money in the treasury belonging to such fund to pay such warrant or order

No secretary of any borough council shall proceed with the duties of his office until he shall have given bond to the borough to be held by the burgess with sufficient surety or sureties in double the amount of his annual salary or compensation conditioned for the turning over to his successor at the end of his term of any books papers and property belonging to or relating to borough affairs and for the faithful performance of the duties of his office The secretary may be compelled to justify his bond both as to the amount and responsibility of the sureties thereof before the court of common pleas by any taxpayer upon rule upon him to that effect

The minute book and all other records papers and documents of every borough and officer thereof shall be open to the inspection of any taxpayer thereof his her or its agent upon demand therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1034, as follows:

An Act to promote the health and efficiency of firemen in cities of the first class by providing for a two-platoon system for the certain officers of the uniformed fire force of the Department of Public Safety of such cities

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the head of the Department of Public Safety in each city of the first class shall from and after the first day of July one thousand nine hundred and twenty-three divide the Chief Engineer the Deputy Chief Engineers and Battalion Chiefs of the uniformed fire force in the employ of such city into two bodies or platoons and every such body or platoon shall perform service alternately every twenty-four hours commencing at eight o'clock in the morning and ending at eight o'clock the following morning and in no case shall any such officer of such fire force be required to serve continuously for more than twenty-four hours except in cases of riot serious conflagration or other emergency when service shall be required as now provided by law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 955, as follows:

An Act making an apropriation to the legal representative of the estate of Honorable Samuel A. Whitaker deceased elected a Representative in the General Assembly of the Commonwealth from Chester county

Whereas Honorable Samuel A. Whitaker of Chester county deceased was duly elected a Representative in the General Assembly of the Commonwealth for the session of one thousand nine hundred and twenty-three but died at Harrisburg on the day of the convening of said session before being qualified as a member of the House of Representatives therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-five hundred dollars is hereby specifically appropriated to the legal representative of the estate of Honorable Samuel A. Whitaker for the payment of the salary of the said Honorable Samuel A. Whitaker a duly elected Representative in the General Assembly of the Commonwealth from Chester county deceased for the session one thousand nine hundred twenty-three

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1024, as follows:

An Act to amend section one of an act approved the seventeenth day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand and twenty-one) entitled "An act to exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit and institutions of purely public charity and repealing prior acts relating thereto" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the seventeenth day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand and twenty-one) entitled "An act to exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit and institutions of purely charity and repealing prior acts relating thereto" which was amended by section one of an act approved the ninth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and nineteen) entitled "An act to amend the act of the seventeenth day of July Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws ten hundred twenty-one) entitled 'An act to exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit and institutions of purely public charity and repealing prior acts relating thereto" is hereby further amended to read as follows

Section 1 Be it enacted and et cetera That all churches meeting-houses or other regular places of stated worship with the ground thereto annexed necessary for the occupancy and enjoyment of the same all burial ground not used or held for private or corporate profit all hospitals universities colleges seminaries academies associations and institutions of learning benevolence or charity with the grounds thereto annexed and necessary for the occupancy and enjoyment of the same founded endowed and maintained by the public or private charity Provided That the entire revenue derived by the same be applied to the support of and to increase the efficiency and facilities thereof the repair and the necessary increase of grounds and buildings thereof and for no other purpose and all school houses belonging to any county borough or school district all courthouses jails poorhouses public parks when owned and held by the public and used for amusement recreation sports and other public purposes without profit and all other public property used for public purposes with the ground thereto annexed and necessary for the occupancy and enjoyment of the same be and the same are hereby exempted from all and every county city borough township bounty road school and poor tax Provided That all property real or personal other than that which is in actual use and occupation for the purpose aforesaid and from which any income or revenue is derived shall be subject to taxation except where exempted by law for State purposes and nothing herein contained shall exempt same therefrom and Provided That all property real and personal in actual use and occupation for the purposes aforesaid shall be subject to taxation unless the person or persons association or corporation so using and occupying the same shall be seized of the legal or equitable title in the realty and possessor of the personal property absolutely

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 973, as follows:

An Act to amend section three of the act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred and seventy-five) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" as amended providing for the disposition of certain fines and imposing additional penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred and seventy-five) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" which as amended by the act approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred and sixty-five) entitled "An act to further amend section three of an act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred and seventy-five) entitled 'An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insfficient weights and fixing the penalties for the violation of the provisions hereof' as amended reads as follows

"Section 3 Each person who shall directly or indirectly or by his servant or agent or as the servant or agent of another violate any of the provisions of this act or give or offer to give any false or insfficient weight or measure or use any weighing device after it shall have been condemned and before it shall have been adjusted and sealed or obstruct or attempt to obstruct any inspector in the performance of his duty shall upon conviction thereof in a summary proceeding before any alderman magistrate or justice of the peace of the proper city or county for the first offense be sentenced to pay a fine not to exceed twenty-five dollars for the second offense shall be sentenced to pay a fine not to exceed fifty dollars and for each subsequent offense shall be sentenced to pay a fine of not more than one hundred dollars or to undergo an imprisonment in the proper county jail for not more than thirty days or both in the discretion of the court In default of the payment of any fine as aforesaid the person convicted shall be sentenced to serve one day in jail of the proper county for each dollar of the fine and costs

It shall be unlawful for any inspector to use any tests or standards or to attempt to use the same in ascertaining the correctness or accuracy of weights and measures until such comparisons are made and their accuracy established and so stamped or marked and any inspector violating the provisions of this act shall be guilty of a misdemeanor and upon conviction therefor shall be fined not exceeding one thousand ($1,000) dollars or undergo imprisonment for a period not exceeding one year or both or either at the discretion of the court" is hereby further amended to read as follows

Section 3 Each person who shall directly or indirectly or by his servant or agent or as the servant or agent of another violate any of the provision of this act or give or offer to give any false or insufficient weight or measure or use any weighing device after it shall have been condemned and before it shall have been adjusted and sealed or obstruct or attempt to obstruct any inspector in the performance of his duty shall upon conviction thereof in a summary proceeding before any alderman magistrate or justice of the peace of the proper city or county for the first offense be sentenced to pay a fine not to exceed twenty-five dollars for the second offense shall be sentenced to pay a fine not exceeding fifty dollars and for each subsequent offense shall be sentenced to pay a fine of not more than one hundred dollars or to undergo an imprisonment in the proper county jail for not more than thirty days or both in the discretion of the court In default of the payment of any fine as aforesaid the person convicted shall be sentenced to serve one day in jail of the proper county for each dollar of the fine and costs.... ....All such fines shall be paid to the treasurer of the respective city or county in which the offense was committed

It shall be unlawful for any inspector to use any tests or standards or to attempt to use the same in ascertaining the correctness or accuracy of weights and measures until such comparisons are made and their accuracy established and so stamped or marked It shall be unlawful for any inspector to manufacture sell or offer to sell any weighing or measuring device used in the sale of commodities or to repair or offer to repair any weighing or measuring device other than such adjustments as he may find necessary in the performance of his official duties for which no fees shall be collected Any inspector violating the provisions of this act shall be guilty of a misdemeanor and upon conviction therefor shall be fined not exceeding one thousand ($1,000) dollars or undergo imprisonment for a period not exceeding one year or both or either at the discretion of the court

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1399 (Senate Bill No. 500), entitled

An Act to amend section one of the act approved the twenty-second day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and sixty-seven) entitled "An act authorizing the Commissioner of Labor and Industry to appoint additional officers and employes in the Department of Labor and Industry fixing their duties and salaries and increasing the salaries of the chief medical inspector chief of the bureau of statistics and information and the chief clerk" by providing for additional supervising inspectors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1417 (Senate Bill No. 645), entitled

A Supplement to an act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Appropriation Acts page one hundred and forty-two) entitled "An act making an appropriation to the State Industrial Home for Women at Muncy" reappropriating certain appropriations heretofore made to the State Industrial Home for Women at Muncy

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1390 (Senate Bill No. 461), as follows:

An Act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof

Section 1 Be it enacted by the Senate and house of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person co-partnership association or corporation shall erect construct maintain or operate any dry cleaning or dyeing establishment or business except in accordance with the provisions of this act

For the purposes of this act dry cleaning and dyeing shall be construed to mean the business of cleaning sponging or dyeing cloth feathers any kind of fabrics or textiles by the use of any inflammable volatile liquid or product

Section 2 No person co-partnership association or corporation shall erect maintain construct or operate any dry cleaning or dyeing establishment or business without first obtaining approval from the Bureau of Fire Protection Department of State Police Application for such purpose shall be made upon form prescribed by said Department and shall be accompanied by plans and specifications showing compliance with the requirements of this act as it relates to the construction maintenance and equipment and operation of the dry cleaning and dyeing establishment or business to be erected constructed maintained or operated

No building used for dry cleaning purposes shall be located within ten feet of any other building unless separated therefrom by an unpierced fire wall all rooms or structures used or to be used for the purpose of dry cleaning or dyeing as above defined shall be non-combustible material and construction shall not exceed one story in height shall be without basement cellar or open space below the ground floor No dry cleaning building shall be used for any purpose or occupancy other than dry cleaning dyeing and reclaiming gasoline

Section 3 All walls of such dry cleaning and dyeing rooms or structures shall be of brick laid in cement-mortar or of reinforced concrete not less than twelve inches in thickness or of stone laid in cement-mortar not less than sixteen inches in thickness or of other noncombustible material constructed of a thickness of not less than twelve inches The roof of such building shall be of fire-resistive construction No combustible material shall be permitted in the construction of dry rooms or racks

All windows doors or other openings in dry rooms or dry cleaning buildings shall be protected by wire glass in metal frames or fireproof shutters doors or covers Intercommunicating openings shall be provided with standard self-closing fire doors and there shall be no direct openings between dry cleaning rooms and dry rooms

Venting apertures shall be provided in wash rooms and dry rooms kept clear of obstruction covered by suitable galvanized wire web and in such numbers so as to provide free circulation of air

Sparkless exhaust fan of sufficient size to properly vent room and flue of non-combustible material shall be built into the wall or securely fastened thereto so as to change volume of air every five minutes

All discharge outlets of vent apertures shall be provided with suitable wire screen or equivalent and located without hazard to surrounding property

There shall be no direct sewer connections with dry cleaning or dry rooms or structures and floor of such rooms shall be of concrete construction not lower than surface of earth surrounding wall

Section 4 No steam boiler furnace or steam generator or heating device exposed fire or other spark emitting device shall be permitted in any washing drying or distilling room or in line with vapor travel therefrom

Heating of such buildings or rooms shall be by steam or hot water system or equivalent in safety

Electrical wiring and equipment including motors shall conform to National Electrical Code All artificial lighting shall be by incandescent electric lights of approved type

Transfer of all liquids shall be through continuous piping pipe connections or threaded joints shall be made up litharged and glycerined and all outlets or drain lines shall be drained by gravity to setting or storage tanks No dry cleaning liquid shall be settled in any open or unprotected vessels or tanks provided that nothing in this section shall prohibit scrubbing and brushing in dry cleaning rooms but not more than three gallons of volatile fluid shall be used in any one container and shall be so used in metallic pan or container and such volatile liquid or substance shall be returned to settling or storage tanks as soon as operation is completed

Storage tanks for volatile inflammable liquids shall conform to the standards of the Bureau of Fire Protection Department of State Police and no such tanks shall be installed without approval from said Bureau

Section 5 Fire extinguishers of approved type shall be provided for each two hundred square feet of floor space or when seperate rooms are maintained one extinguisher for each room

As a means of fire extinguishment in any such room or structures the same shall be equipped with steam pipes separate and other than pipes used for heating or power located near the ceiling In these pipes there shall be not less than two openings all of which shall point toward the ceiling The steam supply for such pipes shall be continually available for service while the plant is in operation and shall be sufficient to completely fill the room space in less than one minute An outside screw and yoke valve shall be placed in the steam service line or lines outside of the buildings and shall be accessible for operation in case of fire Where feasible such fire protection system shall be extended and connected to extractors washers and tumblers so that the fire extinguishing agent may be admitted to the interior of such machines An approved system using a fire deterrent chemical or gas may be installed in lieu of a steam extinguishing system

Section 6 Nothing in this act shall be construed so as to restrict or limit the location of any building actually being used for dry cleaning purposes prior to passage of this act except where the fire hazard is in the opinion of the Bureau of Fire Protection of such character as would menance or endanger surrounding property

Nor shall the provisions of this act be held to apply to any building business or establishments now in use so as to cause the same to be rebuilt but should any dry cleaning room or part thereof be reconstructed rebuilt or repaired the same shall as to new work be so reconstructed rebuilt or repaired in conformity with the provisions of this act

Section 7 Any building inspector fire chief or fireman of any community inspector of the Commonweatlh of Pennsylvania or Department of State Police shall be permitted to enter any building or buildings at any reasonable hour for purpose of inspection

Section 8 Any violation of this act shall be deemed a misdemeanor and any person or any member or officer of any co-partnership association or corporation found responsible therefor shall upon conviction be sentenced for the first offense to pay a fine of not less than ten dollars nor more than fifty dollars and for any subsequent offense to pay a fine of not less than one hundred dollars nor more than five hundred dollars or to imprisonment in the county prison for a period not exceeding sixty days or both at the discretion of the court

Section 9 This act shall not be construed to repeal an act of General Assembly approved the eighteenth day of April one thousand eight hundred and sixty-four (Pamphlet Laws four hundred and sixty-five) entitled "An act to provide for the appointment of a Fire Marshal for Allegheny County" nor to repeal an act of General Assembly approved the eighth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred and five) entitled "An act creating the office of Fire Marshal to be attached to the Department of Public Safety in cities of the first class prescribing his duties and powers and providing penalties for violation of the provisions of the act and providing for the method of appointment compensation and for the maintenance of his office"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 850, as follows:

An Act to amend section three of an act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand twenty-four) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of an act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand twenty-four) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain saniary regulations in the establishments in which tthey work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" as amended by the act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and nine entitled "An act to amend section three of an act entitled 'An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by dening the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof' approved the twenty-fifth day of July Anno Domini one thousand nine hundred and thirteen by providing that the Indusrial Board of the Department of Labor and Industry may subdivide the one day of rest in seven into two half days" is hereby further amanded to read as follows

Section 3 (a) No female shall be employed or be permitted to work in or in connection with any establishment for more than six days in any one week or more than forty-eight nours in any one week or more than eight hours in any one day Provided That during weeks in which a legal holiday occurs and is observed by an establishment any female may be employed by such establishment during three days of such week for a longer period of time than is allowed by this act but no female shall be permitted to work more than two hours overtime during any one of such three days nor more tnan the maximum hours per week specified in this act Provided That for the sole purpose of making a shorter work day on one day in the week any female may be employed by such establishment on each of the other five days of the week for a period of time not exceeding eight and three-quarters hours

The employment of such persons at any other time than as stated herein shall be deemed a violation of the provisions of this section unless it appears that such employment was to make up time lost in the same week in consequence of the alternation repairs or accidents to machinery or plant upon which she was employed and dependent for employment but no stopping of machinery for less than thirty consecutive minutes shall justify such overtime employment nor shall such overtime employment be legal unless a written report of the same is sent to the Commissioner of Labor and Industry but no female shall be permitted to work more than two hours overtime during any one day nor more than the mamimum number of hours per week specified in this act Provided That aforesaid restrictions as to hours shall not apply to females engaged in the canning of fruit and vegetable products And provided further That the one day of holiday in seven may be subdivided into two days of twelve hours each for women employes in hotels boarding-houses and in charitable educational and religious institutions at the discretion of the Industrial Board of the Department of Labor and Industry Provided That if it should be hereafter held by the courts of this Commonwealth that the power herein sought to be granted to the said board is for any reason invalid such holding shall not be taken in any case to affect or impair the remaining provisions of this section

(b) Whenever any female shall be employed or permitted to work in or in connection with more than one establishment in any one week or in any one day the aggregate number of hours during which she shall be employed or permitted to work in or in connection with such establishments shall not exceed the numbers of hours prescribed in this section for such females in auy one week or any one day

(c) The provisions of this section shall not apply to the work of nurses in hospitals

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

The SPEAKER. If there are no objections the Chair will take up the first reading calendar. The Chair hears none.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1287, entitled

An act to amend section second of an act approved the ninth day of July one thousand nine hundred and one (Pamphlet Laws six hundred fourteen) entitled "An act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" as amended

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1164, entitled

An act amending an act entitled "An act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth" approved the 10th day of April Anno Domini one thousand eight hundred and sixty-seven (Pamphlet Laws sixty-two)

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 200, entitled

An act providing for the assistance of voters at general municipal or special elections regulating the manner and return thereof providing penalties for the violations of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1105, entitled

An act to amend section fourteen of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1219, entitled

An act making it a misdemeanor in office for any magistrate alderman or justice of the peace to refuse to admit to bail a person charged with a bailable offense

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 353, entitled

An act to amend section eight of the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred fifty-nine) entitled "An act for the better protection of fish requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth or in the waters bounding or adjacent thereto and regulating the issuance of such license providing penalties for the violation of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties recovered and licenses fees received" by making county treasurers agents of the Commonwealth in collecting license fees and issuing licenses

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 825, entitled

An act for the protection of owners of electric storage batteries upon which the word "rental" or any other word mark or character is printed painted stamped or attached to identify the same and providing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1264, entitled

An act providing for the depositing of money as a forfeit for the appearance of persons arrested for certain offenses for hearing before a mayor or chief burgess and providing for the forfeiture and payment of the same into the city or borough treasury in case of non-appearance of person arrested

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 859, entitled

An Act to amend section thirty-five of the act approved the thirtieth day of June, one thousand nine hundred and nineteen, (P. L. 678), entitled, "An Act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles, limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof, and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 204, entitled

An Act directing the Governor with the assistance of a budget director and assistants to prepare and transmit to each General Assembly a budget for each of the two fiscal years next succeeding, and to submit therewith a general and other appropriation and revenue bills; providing for the consideration thereof by the General Assembly; requiring spending agencies of the Commonwealth and the fiscal officers thereof to furnish certain information; and providing for uniform systems of accounting and financial reports, for control and supervision over the expenditures of the Commonwealth, and for the lapsing of appropriations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 314, entitled

An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business through a bureau in the Department of the Secretary of the Commonwealth

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 797, entitled

An act increasing the number of courts of common pleas in the county of Philadelphia establishing therein a distinct and separate courts of common pleas designated court of common pleas number six and providing for the election and appointment of judges for said court

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1023, entitled

An act providing a system of employment and compensation for the inmates of county jails and prisons

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1319, entitled

An act to amend section one article four chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" as amended

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 235, entitled

An act to validate certain municipal claims and municipal liens in the several boroughs of the Commonwealth providing for the filing of claims therefor and the proceedings for the collection of such claims

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1396, entitled

An act to repeal the act adopted over the veto of the Governor by the Senate of Pennsylvania the eighth day of May one thousand eight hundred and sixty-one and by the House of Representatives of Pennsylvania the fifteenth day of May one thousand eight hundred and sixty-one (Pamphlet Laws seven hundred fifteen) entitled "An act to grade curb and pave Main or Market Street in the town of Annville Lebanon County"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1168, entitled

An act authorizing the annexation to cities of portions of townships not exceeding one hundred acres in area and totally surrounded by said cities and providing for the division of the assets and liabilities of said townships

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 963, entitled

An act to amend sections thirty-two and thirty-eight of an act entitled "An act relating to the sale of goods" approved the nineteenth day of May Anno Domini one thousand nine hundred and fifteen

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 480, (Senate Bill No. 47), entitled

An act to amend section eleven of the act approved the thirteenth day of June one thousand eight hundred and forty (Pamphlet Laws six hundred and eighty-three) entitled "A supplement to an act entitled 'An act relating to the elections of this Commonwealth' passed the second day of July Anno Domini one thousand eight hundred and thirty-nine and for other purposes" allowing constables mileage for advertising elections and compensation for advertising elections where there is more than one polling place in a district said mileage and compensation to be paid by counties

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1101, (Senate Bill No. 198), entitled

An act to amend section seventy-four of an act approved the second day of July one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen) entitled "An act relating to the Elections of this Commonwealth" as amended

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 810, (Senate Bill No. 233), entitled

An act to further amend section one of an act approved the fifth day of March Anno Domini one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide for the violation of its provisions"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1408, (Senate Bill No. 511), entitled

An act making it a misdemeanor to forge or to make or manufacture any object with intent of representating or of permitting the same to be represented as an archaeological specimen or to sell or exchange or to possess for the purpose of selling or exchanging as such any object so unlawfully forged made or manufactured and providing penalties

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1406, (Senate Bill No. 489), entitled

An act to amend section two of the act of April nineteen one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1372, (Senate Bill No. 366), entitled

An act to permit the service of writs of scire facias in certain cases in any county of the Commonwealth and providing by whom such service shall be made

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1403, (Senate Bill No. 203), entitled

A Joint Resolution proposing an amendment to article three section six of the Constitution of the Commonwealth of Pennsylvania so that the subject of an amendment or supplement to a law and the subject to which such law is extended or on which it is conferred shall be clearly expressed in its title

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1410 (Senate Bill No. 601), entitled

An act authorizing boards of revision of taxes and boards for the assessment and revision of taxes to hear and dispose of appeals away from the county seat

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1415 (Senate Bill No. 589), entitled

An act authorizing sheriffs in counties of the fourth class to appoint a solicitor prescribing the duties of said solicitor and fixing his salary

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1141 (Senate Bill No. 217), entitled

An act to amend section one of an act approved the thirteenth day of April one thousand eight hundred and eighty seven (Pamphlet Laws twenty-one) entitled "An act for the establishment of a uniform standard of time throughout the Commonwealth" prohibiting the adoption of other standards of time

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON FINAL PASSAGE.

Agreeably to order,
The House proceeded to the consideration on final passage of House Bill No. 1079, as follows:

An Act relating to the satisfaction of mortgages the determination of the amount due and unpaid on the same and to whom payable in certain cases Including all cases where a mortgage is given to secure a bond or bonds and the mortgage is claimed by one claimant and the bond or bonds by another all cases where a mortgage is made to a trustee without naming or designating the cestui que trust or imposing any duties on the trustee to be performed on behalf of the bond holder or bond holders and the bond or the judgments confessed on the same are assigned to a claimant or claimants other than the trustee and all cases where there is a dispute as to what bond or bonds are secured by such mortgage providing procedure for determining the issues involved in such cases and the satisfaction of such mortgages the payment of costs in such cases with the right of appeal without affecting the validity of the bonds as personal obligations or as liens on land other than as they claim priority as the bonds secured by such mortgage and providing for scire facias execution and sale on such mortgage

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall apply

A To every case where the record of a mortgage now or hereafter shows the same to belong to some person or persons firm or corporation and the bond or bonds secured by such mortgage or the judgment or judgments confessed on the same are claimed by some other person or persons firm or corporation

B To every case where the record of a mortgage now or hereafter shows the same to belong to a trustee without naming or otherwise designating the cestui que trust or imposing any duties upon the trustee to be performed on behalf of the bond holder or bond holders and the bond or bonds accompanying such mortgage or the judgment or judgments confessed thereon are have been or shall be assigned to some person or persons firm or corporation other than the trustee

C To every case where a mortgage has been given to secure the payment of a bond or bonds and there is a dispute as to what particular bond or bonds are secured thereby

Section 2 In every case mentioned in the first section of this act it shall be lawful for the owner of the land covered by said mortgage the mortgagor the holder of one or more of said bonds or the trustee if any to present a petition to the Court of Common Pleas of the county wherein the said mortgage is recorded setting forth the facts and praying for appropriate relief or satisfaction of said mortgage Whereupon the court shall direct that notice of said petition be given to the owners of the land covered by said mortgage the mortgagor all the holders of bonds that claim that said mortgage was given to secure the bond or bonds which they hold and the trustee if any or to the personal representatives of the same if any of them are dead requiring them to answer said petition on a day certain to be fixed by the court which shall not be less than fifteen days after the day that the petition is presented to the court and the court may for cause shown enlarge the time On motion of any of the parties in interest the court shall fix a time for hearing on said petition and the answers thereto and shall determine what if any amount of money remains due and unpaid on account of said mortgage and to whom the same is payable and what bond or bonds said mortgage was given to secure and if the court finds that said mortgage has been paid in full or if the money is paid into court in accordance with the decree of the court fixing the amount thereof and the decree so made is not appealed from and the appeal made a supersedeas within three weeks from the entry the said court after three weeks from the entry of said decree or any time after the decree is affirmed if affirmed by the appellate court shall issue an order and decree to the Recorder of Deeds in and for the county where the mortgage is recorded to enter satisfaction upon the record of the same and the Recorder of Deeds shall record said decree and mark the mortgage satisfied and if said mortgage is recorded in more than one county said order shall issue to the Recorder of Deeds in and for each county in which said mortgage is recorded and each Recorder of Deeds shall record the same and mark the mortgage satisfied and the petition herein provided for may be presented in the Court of Common pleas of any county wherein any of the land lies which is covered by said mortgage and the said Court of Common Pleas wherein said petition is first presented shall have exclusive jurisdiction to hear and determine the same Provided nevertheless That if any issues of fact are raised in the petition and answers and any of the parties to the proceeding shall demand in said petition or answers that it be done the Court shall frame an issue to be submitted to a jury to determine said issues of fact and the pleadings in said issues shall be said petition and the answers thereto and after the verdict of the jury on said issue the Court shall issue its decree to the Recorder of Deeds for the satisfaction of said mortgage as hereinbefore provided on compliance with the decree of Court and the verdict of the jury The entry of satisfaction on the record of a mortgage under the terms of this act shall bar any other recovery on the same and upon the bond or bonds which said mortgage was given to secure as determined by the decree of the Court by authority of this act

Section 3 In all cases where the money is paid into Court under the provisions of section one or section two of this act the same shall be paid out in accordance with the decree of the Court directing to whom it shall be paid

Section 4 In all cases where personal service cannot be had upon the persons required to have notice under the provisions of this act notice may be served upon them by publication in one newspaper And in the legal periodical if any published in the county in which said proceedings are brought and designated by Rules of Court for the publication of legal notices in the county where the proceeding is had once a week for three successive weeks the last publication of which shall be published at least five days before the day on which the answer is to be filed but persons who have not filed an answer to the said petition shall not be entitled to notice of the time fixed for hearing on the same or to notice of any other proceeding in the case The Court shall have authority to prescribe the form of the notice and shall make same as brief as the nature of the case will permit and said notice may contain the date of the hearing on said petition and answers

Section 5 Any petitioner or respondent or the legal representatives of any of them shall have the right of appeal from any final decree of the Court of Common Pleas provided for in this act to the Supreme or the Superior Court of Pennsylvania as in other cases and for the purposes of said appeal a decree fixing the amount due on the mortgage and the person to whom the same is payable either with or without a verdict of jury shall be a final decree and may be appealed from without awaiting any further action by the Court of Common Pleas and if an appeal from a decree fixing the amount due on a mortgage and to whom the same is payable is made a supersedeas by any of the methods now provided by law no further action shall be taken by the Court of Common Pleas in the matter until the appellate court disposes of said appeal

Section 6 The determination by the Court as to what bond or bonds are secured by a mortgage under the provisions of this act or the direction that the money found to be due on said mortgage shall be paid to any of the claimants shall not affect the validity of the bond or bonds held by any claimant or claimants under said proceeding in so far as said bonds are the personal obligations of the makers thereof or in so far as they may be liens upon lands except that the determination of these matters by the Court of Common Pleas under the provisions of this act shall determine whether or not said bonds are entitled to the priority of lien which they would be entitled to as the bonds secured by said mortgage

Section 7 In all cases where the Court has decreed the amount due and unpaid on any such mortgage and the person or persons to whom the same is payable either with or without the verdict of a jury and said decree has become final and said money has not been paid into court the person or persons to whom said money is decreed to be payable after ten days from the date on which such decree became final may proceed by scire facias execution and sale on said mortgage in the name of the mortgagee or his executors or administrators if the mortgagee is dead to his her or their use and upon collection of the debt secured by said mortgage the use plaintiff or plaintiffs in said scire facias may direct the satisfaction of said mortgage with like force and effect as though the said mortgage had originally been made payable to said use plaintiff or plaintiffs But in the trial of said scire facias the amount decreed by the Court to be due and unpaid on said mortgage and the person or persons to whom the same is payable under the second section of this act shall be conclusive as to the same as of the date when said decree was made

Section 8 The petitioner shall be liable primarily for the costs in the Court of Common Pleas except the fees and mileage of the witnesses and the persons calling a witness shall be liable primarily for the fees and mileage of the witness but the court of common pleas may make such order as to the payment of the costs as said court may decree just The costs of an appeal shall be paid as the appellate court shall direct

Section 9 In fixing the amount due on a mortgage under the terms of this act the court shall include whatever attorneys fees or commissions are provided for in the mortgage or the bond or bonds secured by the same

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—133.

Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Bidelspacher,
Bluett,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Gibbon,
Glasgow,
Goss,
Griffith,
Gundy,
Haas,
Harter,
Haws,
Heffran,
Henderson,
Hetrick,
Heyburn,
Hollis,
Hontz,
Hoover,
Howell,
Irvin,
Jones, C. B.,
Jones, E. P.,
Keene,
Kelly,
Kohler,
Kunkle,
Lauver,
Little,
Lucas,
Ludlow,
Lynch,
Marshall, W. F.,
Mathay,
McCaig,
McCann,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sautter,
Schaeffer,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Stark,
Sterling,
Stevens, A. F.,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Walker,
Weamer,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—1.

Kennedy,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 715, as follows:

An Act to amend section eighteen of an act approved the seventh day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws nine hundred) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" by requiring that parents be notified of the registration of birth certificates

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eighteen of an act approved the seventh day of June Anno Domini one thousand nine hundred and fifteen entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates or births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" is hereby amended to read as follows

"Section 18 That the State Registrar shall prepare print and supply to all registrars all blanks and forms used in registering recording and preserving the returns or in otherwise carrying out the purposes of this act and shall prepare and issue such detailed instructions as may be required to secure the uniform observance of its provisions and the maintenance of a perfect system of registration And no other blanks shall be used than those supplied by the State Registrar He shall carefully examine the certificates received monthly from the local registrars and if any such are incomplete or unsatisfactory he shall require such further information to be furnished as may be necessary to make the record complete and satisfactory and all physicians midwives informants or undertakers connected with any case and all other persons having knowledge of the facts are hereby required to furnish such information as they may possess regarding any birth or death upon demand of the State Registrar in person by mail or through the local registrar He shall further arrange bind and permanently preserve the certificates in a systematic manner and shall prepare and maintain a comprehensive and continuous index of all births and deaths registered the cards to show the name of child or deceased place and date of birth or death number of certificate and the volume in which it is contained" Within ten days after receipt of a certificate of the birth of a living child he shall send to the parent of such child a notice of the registry of the child's birth Such notice shall state the following facts as contained in the birth certificate

1 Name of child
2 Place and date of birth
3 Given name of father
4 Given name of mother
5 Permanent file number of certificate

This notice may be accepted by school authorities as evidence of child's age for all purposes connected with employment or school attendance and may contain such other matter as the State Registrar deems desirable He shall inform all registrars what diseases are to be considered as infectious contagious or communicable and dangerous to the public health as provided by law and by the regulations of the State Department of Health in order that when deaths occur from such diseases proper precautions may be taken to prevent the spreading of dangerous diseases It shall also be the duty of the State Registrar to collect preserve and tabulate records of all marriages performed within the State and to tabulate and compile statistics of morbidity reports received by the Department of Health after such necessary methods and forms as shall be from time to time directed by the Commissioner of Health

Section 2 This act shall take effect on the first day of July Anno Domini one thousand nine hundred and twenty-three

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—127.

Albert,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Bidelspacher,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Gallaher,
Gelder,
Glasgow,
Gorham,
Goss,
Griffith,
Gundy,
Haines,
Harter,
Haslett,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hoover,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lauver,
Long,
Lucas,
Ludlow,
Lynch,
Marshall, W. F.
Mathay,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, J. W.,
Sowers,
Stark,
Stavitski,
Sterling,
Stevens, A. J.,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1400, (Senate Bill No. 513) as follows:

An Act to amend section three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and twelve) entitled "An Act to regulate the drilling operating and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and twelve) entitled "An Act to regulate the drilling operating and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act" is hereby amended to read as follows

Section 3 The owner or operator of any well or wells which produce oil or gas from the strata known as the "Bradford Sand" "Ball Town Sand" "Clarendon Sand" "Cherry Grove Sand" "Kane Sand" and "Haskell Sand" shall be permitted to allow such wells to remain open for the purpose of introducing air gas water or other liquid pressure upon said "Bradford Sand" "Ball Town Sand" "Clarendon Sand" "Cherry Grove Sand" "Kane Sand" and "Haskell Sand" for the purpose of recovering the oil and gas contained therein provided that the introduction of such pressure of air gas water or other liquid into said "Bradford Sand" "Balltown Sand" "Clarendon Sand" "Cherry Grove Sand" "Kane Sand" and "Haskell Sand" shall be through casing or tubing which shall be so anchored and packed that no other oil or gas bearing sand above or below said "Bradford Sand" "Ball Town Sand" "Clarendon Sand" "Cherry Grove Sand" "Kane Sand" and "Haskell Sand" shall be affected by the introduction of such pressure

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—123.

Albert,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bentley,
Bidelspacher,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, J.,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Gallaher,
Gibbon,
Glasgow,
Goss,
Greeby,
Griffith,
Gundy,
Harer,
Haslett,
Haws,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Hontz,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lauver,
Long,
Lucas,
Lynch,
Mangan,
Marshall, W. F.
Mathay,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Richards,
Rinn,
Rippman,
Sample,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Sheridan,
Smith, H.,
Smith, J. W.,
Spangler,
Stark,
Stavitski,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1075, as follows:

An Act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties

ARTICLE I

Short Title Interpretation and Definition

Section 101 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be called and cited as the mental Health Act of one thousand nine hundred and twenty-three

Section 102 Whenever in this act the singular is used the plural shall be included where the masculine gender is used the feminine and neuter shall be included

Section 103 As used in this act

"Department" shall mean the Department of Public Welfare or any other Department to which the powers and duties of the same Department may at any time be transferred by law

"Mental illness" "mental disease" "mental disorder" shall mean an illness which so lessens the capacity of the person to use his customary self-control judgment and discretion in the conduct of his affairs and social relations as to make it necessary or advisable for him to be under treatment care supervision guidance or control The terms shall be construed to include "lunacy" "unsoundness of mind" and "insanity"

"Mental defective" shall mean a person who is not mentally ill but whose mental development is so retarded that he has not acquired enough self-control judgment and discretion to manage himself and his affairs and for whose own welfare or that of others supervision guidance care or control are necessary or advisable The term shall be construed to include "feebleminded" "idiot" "imbecile"

"Inebriate" shall mean a person habitually so addicted to to the use of alcoholic or other intoxicating or narcotic substances as to be unable without help or unwilling to stop the excessive use of such substances The term shall be held to include "dipsomaniac" "habitual drunkard" "person addicted to the use of alcoholic drink or intoxicating drugs" "person so habitually addicted to the use of alcoholic drink absinthe opium morphine chloral or other intoxicating liquor or drug as to be a proper subject for restraint care and treatment in a hospital or asylum" "person habitually so addicted to the use of alcohol or narcotic drugs as to be a proper subject for restraint care and treatment" But for the purposes of this act the term shall mean only those inebriates who except for their inebriaty are of good character and reputation

"Mental patient" shall mean any person who is or is thought to be mentally ill mentally defective epileptic or inebriate or who is or has been an inmate of any hospital school or place for such persons or for whom admission thereto is being sought

"Mental hospital" shall mean any State semi-state or licensed hospital institution school or place public or private for the care of mental patients

"Hospital for mental diseases" shall mean any State semi-state or licensed hospital house or place for the treatment and care of persons mentally ill

"School" shall mean any hospital institution training school school or place public or private for the care education and training of mental defectives or epileptics

"Village" shall be considered and equivalent term with "School"

"Institution" shall mean any incorporated institution public or private established for the care of mental patients

"Place" shall mean any non-incorporated private house or place in which more than one mental patient receives care for compensation

"Trustees" shall mean the person or group of persons organized to manage and be responsible for an institution or place for the care of mental patients and shall include board of trustees managers board of managers directors or board of directors of such institution or place

"Care" shall include reception detention custody care treatment maintenance support segregation education culture training discipline improvement occupation employment "medical and surgical treatment and nursing" food and clothing

"Qualified physician" shall mean a physician who has been resident in this State for at least three years has been licensed to practice medicine in this State and has been in the actual practice of medicine for at least three years or has had at least one year's experience as physician in a hospital for mental patients

"Prison" shall mean any prison jail gaol lock-up penitentiary reformatory or other institution for correction punishment or detention

"Insane criminal" shall mean any person mentally ill who has been convicted on a criminal charge and the period of whose sentence has not expired or who has a criminal tendency

"Criminal tendency" shall mean a tendency to repeat offenses against the law or to perpetrate new offenses as shown by repeated convictions for such offenses a tendency to habitual delinquency

"Transfer" of a mental patient shall mean his removal from one mental hospital to another mental hospital for the same kind of patients without other procedure for admission than those prescribed by the Department

ARTICLE II.

Institutions and Places for Mental Patients

Section 201 Mental patients in the Commonwealth should be cared for

(a) In the following existing State Hospitals Allentown State Homeopathic Hospital State Hospital Farview State

Hospital Harrisburg State Hospital Norristown Hospital Warren State Hospital Torrance State Hospital and Wernersville State Hospital

The Laurelton State Village Pennhurst State School and Polk State School

(b) In the Semi-State institution known as Dixmont Hospital

(c) Such Semi-State county municipal incorporated District or private institution or places shall have procured from the Department licenses as provided for in this act provided that the authorities of general hospitals set apart or establish beds wards or departments for the temporary care of mental patients under such conditions as may be approved by the Department but no mental patient shall be admitted for care to any almshouse poorhouse prison or other place except a general hospital unless such almshouse poorhouse prison or other place shall have a license for such purpose from the Department

(2) It shall be unlawful for the persons in charge of any institution or place within the jurisdiction of the Department whether incorporated or non-incorporated except State institutions to care for any mental patients without having obtained from the Department on or before the first day of January one thousand nine hundred and twenty-four an annually thereafter a license authorizing such institutions or place to care for mental patients provided however that any incorporated institution in existence when this act takes effect shall have the right by petition to appeal to the court of Common Pleas of the County in which the institution is situated from the order of the Department refusing to grant licenses to such corporation and thereupon said courts shall determine whether the order of the Department is reasonable and shall either dismiss the petition or make such order governing the act of the Department in the premises as it shall deem wise

ARTICLE III.

Admission and Commitment of Mental Patients

Section 301 Any person thought to be mentally ill may make application in writing to the superintendent of any hospital for mental diseases for admission as a patient to such hospital such application shall be signed by the applicant in the presence of at least one witness

If the said superintendent shall be satisfied after examining the applicant that he is in need of hospital treatment and will be benefited and that the mental condition of the applicant is such as to render him competent to make such application said superintendent may receive and care for the applicant in the hospital

Such patient shall not be detained for more than ten days after he shall have given notice in writing to the superintendent of his desire to leave said hospital but if in the opinion of the superintendent it is inadvisable to discharge such patient the said superintendent shall notify the friends or relatives of the patient or other persons liable for his support

Section 302 Whenever it shall appear that any person is mentally ill or in such condition as to be benefited by or need such care as is required by persons mentally ill the superintendent of any hospital for mental diseases may receive and detain such person on the written application of any relative or friend or the legal guardian of such person or any other responsible citizen and on the certificate of two qualified physicians that said person is mentally ill and is in need of treatment and care in a hospital for mental diseases

The application aforesaid shall be in form prescribed by the Department and shall state the name sex and residence of the patient the opinion that said patient is mentally ill and that care in such a hospital is necessary for his benefit and the facts on which the said opinions are based and such other facts or information as may be required by the Department If the facts called for or any of them are unknown to the applicant or applicants is shall be so stated in the application

In the certificate aforesaid the physicans shall each state his residence that he has resided in this State for at least three years that he has been licensed to practice medicine in this State that he has been in the actual practice of medicine for at least three years or has had at least one year's experience as physician in a hospital for mental patients that he is not related by blood or marriage to the patient or to the applicant or any of the applicants that he is not connected in any way as medical attendant or otherwise with the hospital to which application has been made for the admission of the patient that he has examined the patient with care and diligence within one week and that in his opinion the patient is mentally ill and in need of hospital care He shall further state in said certificate the information relative to the patient given him by others and the facts as to the physical and mental condition and the behavior of the patient which he has himself observed on which he bases his opinion

The aforesaid application and certificate shall be sworn to or affirmed before a judge or magistrate and said judge or magistrate shall certify to the genuineness of the signatures and to the standing and good repute of the signers of the certificate The certificate shall not authorize the admission of the patient unless the patient shall be admitted within two weeks of the date thereof

Section 303 Any person who is mentally ill may be placed and detained in a hospital for mental diseases by order of the court of common pleas or other court of record of the county in which the said person resides or is or of any law judge of said courts upon a sworn or affidavit application by any responsible person addressed to said courts or judge which application shall be accompanied by a sworn or affirmed certificate of two qualified physicans Said application and certificate shall conform in all respects to the forms prescribed by the Department and be executed not more than two weeks before the same are presented to the court or judge Such procedure may be held at any place in the discretion of the court or judge who may or may not in his discretion require the presence before him of the said mental patient

A certified copy of the order of the court or judge and copies of the application and of the certificate shall accompany the patient and be given to the superintendent in charge of the hospital in which the patient is ordered to be placed The said application certificate and order shall be kept on file in a special docket in the court

Such order shall not authorize the admission of the patient unless he shall be admitted to the hospital within two weeks from the date thereof The superintendent of said hospital shall receive the said patient and may detain him therein until said patient shall have recovered or shall be removed according to law

Section 304 Whenever an application shall be made to a court of common pleas or judge thereof for an order for the admission of any person thought to be mentally ill to a hospital for mental diseases the court or judge thereof may in its or his discretion immediately appoint a commission to inquire into and report upon the facts in the case Such commission shall be composed of three persons two of whom shall be qualified physicians and the other a lawyer They shall in their inquisition hear such evidence as may be offered or as they may require relating to the mental condition of the person whose admission to a hospital for mental diseases is sought as well as the statements of such person or his counsel and shall make a report in writing to the court or judge thereof setting forth whether or not they find that the person in question is in fact mentally ill and a proper subject for admission to a hospital for mental diseases and setting forth the facts on which their conclusion is based

If such commission finds that the person in question is mentally ill and is a proper subject for admission to a hospital for mental diseases and the court or judge thereof shall approve the report of the said commission said court or judge shall thereupon order the person to be admitted to and detained in the hospital named in the application The court or judge may or may not in its or his discretion require the presence in court of the person thought to be mentally ill and the procedure may be held in any place in the discretion of the court or judge

If the person thought to be mentally ill shall refuse to submit himself to an examination by the aforesaid commission the court or judge thereof may issue a warrant for the bringing of said person before said commission for examination

Section 305 The superintendent of any hospital for mental diseases may receive in the hospital of which he has charge and detain for temporary care as a patient for a period not to exceed ten days any person who is or is thought to be suffering from mental illness on the written application to said superintendent by the legal guardian or relative or friend of such person which application shall be accompanied by a certificate of at least one licensed physician that immediate temporary care in a hospital for mental diseases is necessary for such person by reason of mental illness

Said application and certificate shall be given to the superintendent or other officer of the hospital at the time of the admission of the patient

If after the admission of such patient the superintendent shall be of the opinion that the patient does not require such temporary care the superintendent shall discharge said patient or shall notify the said guardian relative or friend on whose application the patient was admitted to forthwith remove the patient from the hospital whereupon it shall be the duty of said guardian relative or friend to remove him and said guardian relative or friend shall be liable to the hospital for the expenses incurred including those for care maintenance and removal

If the said superintendent shall be of the opinion that the patient requires further care the said guardian relative or friend shall before the expiration of said period of ten days cause the patient to be duly committed according to law unless said patient shall have signed a request to remain as a voluntary patient or shall have been removed from said hospital

When such patient is so further committed the cost of such commitment shall be considered to include the expenses incident to his admission for temporary care

Section 306 The Superintendent of any hospital for mental diseases may receive and detain as a patient for a period not exceeding ten days any person whose case is certified to be one of violent or dangerous mental illness or of other emergency by two qualified physicians in a certificate similar to the certificate required in section three hundred and two of this act except as to being sworn or affirmed to Upon the request of one of the aforesaid physicians or any relative or friend or of the guardian or committee of said patient a sheriff or constable or police officer shall cause the delivery of said patient to the superintendent of said hospital

The person requesting such admisison shall within ten days after the date of admission apply to the judge of the court of common pleas or other court of record of the county in which the patient is or resides or was apprehended for the commitment of said patient as mentally ill in accordance with the provisions of section three hundred and three of this act The certificate aforesaid may be used as the certificate of mental illness required in said section If within the said ten days no commitment be made or if the patient does not sign a request to remain in the hospiatl as a voluntary patient or if the patient be not removed the applicant aforesaid shall be liable to the hospital for the expenses incurred which may be recovered by the hospital by suit in assumpsit

Section 307 The guardian committee or any relative or friend of a person thought to be mentally ill may make application to the court of common pleas, or other court of record of the coutny wherein such person resides or is or to any judge thereof for an order for the commitment of such person to a hospital for mental diseases for observation diagnosis and treatment Such application shall be accompanied by the sworn certificate of two qualified physicians setting forth upon a form prescribed by the Department that such person is in such a condition as to require observation in a hospital for mental diseases and giving the information called for by said form Thereupon or in his own discretion without such application the court or judge if satisfied that the condition of such person is such as to make his commitment desirable for his best interests shall commit him for such period and under such limitations as the court or judge may direct to the institution indicated in the application or to such other like institution as the court or judge may designate

The superintendent or other person in charge of the institution to which the said person is committed shall before the expiration of the period of commitment of the patient make written report of said patient's mental condition to the court or judge making the commitment Thereupon the court or judge if satisfied that the patient is not mentally ill shall order his discharge and that the cost of his transportation commitment care and treatment be paid by the person so committed by the applicant for his commitment or by the poor authorities of the county or poor district in which such person is resident as the court or judge shall deem just and proper otherwise the court or judge shall make such order for the further disposition of the patient as may to him seem proper

Section 308 When any person detained in any prison whether waiting trial or undergoing sentence or detained for any other reason (e g as a witness) shall in the opinion of the superintendent jail physician warden or other chief executive officer of the institution or other responsible person be insane or in such condition as to make it necessary that he be cared for in a hospital for mental diseases the said superintendent jail physician warden or other chief responsible officer of the institution or otner person shall immediately make application upon a form prescribed by the Department to a law judge of the court having jurisdiction of the charge against said person or under whose order he is detained for commitment of said person to a proper hospital for mental diseases The said judge shall forthwith order an inquiry by two qualified physicians or by a commission as provided in section three hundred and four of this act who shall immediately examine the said person and make written report of their findings to the said judge If in their opinion the person so detained is insane the physicians shall so state in a certificate conforming to the requirements of section three hundred and two or the commission in a report conforming to the requirements of section three hundred and four of this act They shall also report whether in their opinion such person is of criminal tendency The said judge may in his discretion summon other witnesses and secure further evidence If he is then satisfied that the person thought or alleged to be insane is in fact insane he shall order the removal of such person to a hospital for mental diseases If the prisoner is a convict serving sentence or if he is of criminal tendency he shall be removed to a State hospital for insane criminals In any other case the judge shall commit him to some other hospital for mental diseases

If the person found to be insane and removed to a hospital is awaiting indictment or trail or has been arraigned or is being tried proceedngs against him shall be stayed until his recovery Upon his recovery he shall be returned to the prison from which he was removed for the disposition of the charges against him upon proper order of the court If he is a convict serving sentence the time during which he is in the hospital shall be computed as part of the term for which he was sentenced

The expense of examination including the fees of physicians or commissioners and all costs incident to such removal and of maintenance in the hospital previous to the expiration of sentence shall be paid by the county liable for the maintenance of the patient in the prison from which he was removed without resource against any poor district

If the sentence of a person committed to a hopital for mental diseases under the provisions of this section shall expire before his recovery he may be transferred by the authority of the Department to any other hospital for care until his recovery when he shall be discharged as in the case of any non-criminal patient If the person found to be insane and removed to a hospital is a convict and recovers before the expiration of his sentence or is found after observation for a sufficient time not to be insane the superintendent or chief officer of the hospital to which said person has been committed shall properly certify such fact to the court which has committed him and he shall be returned upon order of the said court to the prison from which he was removed The expense of removal shall be paid by the county liable for his maintenance in the prison from which he was removed without resource against any poor district

When on the production or appearance of any person charged with criminal offense or on the production or appearance before the court of such person under any other circumstances it shall appear to the court that such person is insane or in such condition as to make it necessary that he be observed or cared for in a hospital for mental diseases proceedings for the commitment of such person to such a hospital shall be had such as are provided for in section three hundred seven or section three hundred three of this act upon application of some person to be designated by the court

When any person charged with any crime or misdemeanor whatever shall be acquitted on the ground of insanity or having been insane at the time the offense was committed the jury shall set out this fact in their verdict and the court or judge before whom such person is tried may thereupon order such person to be committed to a hospital for mental diseases in the manner provided in section three hundred three three hundred four or three hundred seven of this act

Section 309 The superintendent of any State or licensed school for mental defectives may receive and detain any mentally defective person resident of this State under twenty years of age and incapable of being properly educated and trained in the public schools whose condition of mental defect and whose need of and fitness for care in a school for mental defectives shall have been certified to by a qualified physician and whose admission shall be applied for by a parent guardian or relative of such person or by any other responsible person having custody of such mentally defective person or being liable for his support

The said application shall be made on form prescribed by the Department and shall state the name sex age and residence of said mentally defective person and such other facts as may be required by the Department If the facts or any of them are unknown to the applicant it shall be so stated in the application

If the said application is for the admission of a person to a school owned and controlled by the Commonwealth it shall be endorsed by the poor authorities of the county in which the said person resides if there be such authorities in said county otherwise by the directors or overseers of the poor district in which said person resides

But before any person shall be admitted to any school for mental defectives under the provisions of this section the consent of the managers or superintendent thereof to such admission shall have been obtained

The poor authorities of any county or the overseers of the poor district therein in endorsing an application for the admission of a person to said school shall state whether or not such person has an estate of sufficient value or a parent or parents of sufficient financial ability to defray expenses in whole or in part of supporting such person in said school and if there be such means of support in part only then the amount per month which the parents or parent or legal guardian of such person may be able to pay and the person or persons who make the application for such admission shall therein make statement under oath to such means of support Said managers or superintendents in accepting an application for the admission of any person shall fix the amount if any which shall be paid for such support according to the ability of such parents or parent of the person or according to the value of such person's estate if any and shall require payment for such support so far as there may be ability to pay as a condition to the admission or retention of said person Said amount may at any time be changed by said managers or superintendent upon receiving further information concerning such means of support When neither the said person nor his parent or parents are of sufficient financial ability to defray the expenses in whole or in part of his support in said school the ascertainment of the facts shall be as hereinbefore stated and the poor authorities or directors or overseers of the poor endorsing the application shall agree to pay the school for clothing as may be required for the comfort and advantage of said person at an annual rate to be established by the trustees or managers of the school after submission of the same to and approval by the Department All other support at the school shall be provided for by annual appropriations at such per capita rates as shall be appropriated by the General Assembly on the application of the trustees or managers after submission of the same to and approval by the Department Provided however that in any judicial district in which there is a municipal court vested with the exclusive jurisdiction over proceedings concerning children suffering from epilepsy nervous and mental defects then admission of mentally defective or epileptic children to any State or municipal institution from said judicial district shall be exclusively vested in said court

Section 310 The superintendent of any State or licensed school for mental defectives may receive and detain any mentally defective person twenty years of age or who is of such inoffensive habits as to make him a proper subject for classification and discipline in a school for mental defectives the procedure for admitting any such person shall be the same as for the admission of mentally defective persons under the age of twenty years

Section 311 Any person mentally defective may be placed and detained in a proper State or licensed school for mental defectives by order of the court of common pleas or other court of record or the juvenile court of the county in which such person is or resides upon the sworn or affirmed petition of any parent guardian or other responsible person addressed to the said court praying that the said person may be placed therein the said petition must be accompanied by a sworn or affirmed certificate of a qualified physician that it is his opinion that the said person is mentally defective and a proper subject for commitment to a school for mental defectives in the said certificate the physician shall further state the facts of his own observation and any other information upon which his said opinion is based it shall be in other respects in form similar to that prescribed by the Department for the admission of persons mentally ill to a hospital for mental diseases

The said petition shall be in form prescribed by the Department and shall state the name sex age and residence of the person alleged to be mentally defective the opinion of the petitioner that said person is mentally defective and such other facts as may be required by the Department if the facts or any of them are unknown to the petitioner it shall be so stated in the petition

Thereupon the said court or a judge thereof may in his discretion appoint a day for a hearing of the said petition and if he shall appoint a day for a hearing he shall cause notice thereof to be given to the proper parties in interest and in his discretion he may or may not require the presence of the alleged mentally defective person at said hearing if it shall be made to appear to the said court or judge that the said person is mentally defective and a proper subject for commitment to a school for mental defectives and that the best interests of the said person or the safety and welfare of the public require such commentally defective person to the school named in the petition and direct his removal thereto by a proper officer or person but before any person shall be admitted under the provisions of this section to any school for mental defectives the consent of the managers trustees or superintendent thereof to such admission shall have been obtained

At the said hearing the said court or judge shall inquire as to the estate of such mentally defective person and if the same be sufficient for the purpose shall make an order directing the payment therefrom of the cost of clothing and other support of such mentally defective person in said school otherwise that such payment be made by the husband or parent of such mentally defective person if it appear that the circumstances of such husband or parent are such as to make such an order proper and advisable Where the estate of said mentally defectives person is insufficient and the circumstances of said husband or parent are not such as to warrant such an order for the payment of clothing and other support or either of them the expenses of clothing of said mentally defective person shall be paid for by the said county in which such mentally defective person resides and all other support shall be provided for by the Commonwealth at such per capita rates as shall be appropriated by the Legislature on the application of the trustees or managers of the said school after submission of the same to and approval by the Department

When any mentally defective person shall have been committed to any school under the provisions of this section by a juvenile court the managers or superintendent of said school have authority to detain such person after he shall have reached the age of twenty-one years and thereafter in the discretion of said managers or superintendent such person may be discharged or allowed a leave of absence upon order of the court of common pleas or other court of record or a judge thereof of the county in which the said commitment was made

Section 312 Any person under twenty-one years of age suffering from epilepsy may be admitted to and detained in any institution or place for the care of epileptics upon the written application to the superintendent of such institution or place by the parent guardian or other person liable for the support of such epileptic person and any epileptic person twenty-one years of age or over may be admitted upon his own written application signed in the presence of at least one witness if his mental condition is such as to render him in the opinion of the superintendent or attending physician of such institution or place competent to make such application

No epileptic person admitted upon such written application of parent guardian or other person shall be detained more than ten days after said parent guardian or other person shall have given notice to the said superintendent of his desire or intention to remove such epileptic person and no epileptic person admitted upon his own written request shall be detained more than ten days after he shall have given written notice to the said superintendent of his desire or intention to leave

Section 313 Persons suffering from epilepsy may be admitted to and detained in any institution or place for epileptics or which receives epileptics for care by any of the procedure provided for the admission of mental defectives to schools for mental defectives except that in such cases the application of petition and certificate therein required shall state that the person desired to be admitted is an epileptic and is a fit subject for care in a hospital or institution for epileptics

Section 314 Any person who by reason of epilepsy is dangerous to himself or others may be committed to a hospital for mental diseases or to a State institution for epileptics by the order of the court of common pleas of the county in which such person is or resides or by any or other court of record of the county in which such person is or resides or by any law judge thereof in accordance with the procedure provided for the commitment by court or judge of a person mentally ill to a hospital for mental deseases as provided in section three hundred and three of this act except that the application and certificate of physician therein required shall state that the person for whose commitment application is made is an epileptic and by reason of epilepsy is dangerous to himself or others

Section 315 Any inebriate who except for his inebriety is of good character and reputation may be admitted to and detained in any State or licensed hospital for mental diseases or to the psychopatic department or ward of any general hospital maintaining such department or ward by the same procedure as in the case of the voluntary admission of a person thought to be mentally ill as provided in section three hundred and one of this act

He shall not be detained therein for more than ten days after he shall have given written notice to the superintendent thereof of his desire or intention to leave

Section 316 Any inebriate who except for his inebriety is of good character and reputation and who is a proper subject for care in a State or licensed hospital or institution for inebriates or for mental diseases may be placed and detained in such institution by order of the court of common pleas or other court of record of the county in which such person is or resides upon petition under oath or affirmation of at least two citizens who shall be either the wife husband parent child committee of the estate of an inebriate or next friends of such person praying for the commitment of such person to a proper hospital or institution for detention care and treatment

Said petition shall state the opinion of the petitioners that the said person is an inebriate within the scope of this act and is a fit subject for detention care and treatment in such hospital or institution and shall set forth the facts on which said opinion is based Said petition shall be accompanied by the sworn or affirmed certificate of two qualified physicians based on careful examination by them of the alleged inebriate setting forth the condition of such person their opinion that said person is an inebriate and a fit subject for the detention care and treatment and stating the facts of their own observation and the information given them by others on which said opinion is based

Upon such petition and certificate the said court shall issue its warrant requiring the said inebriate on a day fixed to be brought in court for a hearing If after such hearing the court is satisfied that the alleged inebriate is a proper subject for detention care and treatment the court shall commit said inebriate to the hospital or institution in the petition or other appropriate hospital or institution But before such commitment shall be made the consent of the superintendent thereof to such admission shall have been obtained When so committed the said inebriate shall remain in such hospital or institution until the board of managers or trustees or the superintendent thereof shall certify to the said court that detention care and treatment are no longer benefical or necessary to the inebriate or that he is cured whereupon the court shall order the inebriate to be discharged under such supervision and restriction as the court may impose But no person shall be detained under the provisions of this act for a period of more than one year

Section 317 All commitments under this act shall be revisable under writ of habeas corpus which may be sued out at any time by any person restrained hereby or by any one acting for or on behalf of such person Provided That superintendents and other officers of institutions are not to be held personally liable for the detention of patients when such patients received placed and detained in such institution in compliance with the provisions of this act

ARTICLE IV

Transfer Discharge Leave of Absence Escape Interstate Rendition and Deportation of Mental Patients

Section 401 The Department is hereby authorized and empowered in its discretion and for any reason which to it may seem sufficient to transfer or cause to be transferred any patient from any mental hospital to which such patient has been admitted under any of the provisions of this act to any other hospital within this Commonwealth but no such transfer shall be made to or from a private hospital except upon the joint application of the superintendent or manager thereof and of the legal or natural guardian or person liable for the support of the patient and no patient under sentence by any court or committed by any court after having been charged with any crime and acquitted on the ground of insanity may be transferred without an order of such court authorizing such transfer Provided That any voluntary patient may be transferred only if such patient or the person who made the application for such patient's admission has consented in writing to such transfer

Whenever any patient not a convict who has been committed by order of a court is transferred the order of commitment shall be held to apply to the hospital to which such patient is transferred as though said hospital had been the one to which the said order of commitment had originally been made

Section 402 Whenever any patient shall be transferred under the provisions of this article certified copies of the application of the certificate of physicians or report of commission and of the order of court or such of them as there may be and the order of the Department authorizing the transfer shall accompany the patient to the hospital to which he is transferred together with a copy of all clinical records or a full abstract thereof containing all essential particulars including results of mental and physical examinations and laboratory tests relating to such patient

Section 403 Whenever the superintendent of anymental hospital shall find that any patient therein needs care in a mental hospital for patients of a different kind such superintendent shall report the facts relative to such patient to the Department Thereupon the said Department may order that application be made for the admission of such patient to any proper mental hospital by any of the procedures prescribed by law for admission of patients to such hospital

Section 404 The Board of Trustees of any mental hospital and the superintendent thereof when given general or special authority therefor by such Board of Trustees or the person in charge if there be no Board of trustees shall have the power and authority to discharge any patient from such hospital if in their or his opinion no harm will arise from such action but no insane criminal under sentence and no person charged with any crime and acquitted on the ground of insanity shall be discharged from such hospital without an order of the court in which he was sentenced or acquitted authorizing such discharge No patient who is known to be homicidal or otherwise dangerous to be at large shall be discharged without examination by and the written consent of the Department nor without a sufficient guarantee by the person for said patient's support and care that the safety of the public or any individual shall be safe-guarded No patient whose parent guardian or friend liable for his support shall oppose his discharge shall be discharged without notification to such parent guardian or friend and apportunity given him to state his reasons for wishing the said patient's further detention and no mentally defective person or inebriate who has been committed by an order of court except in the case of a person discharged by lapse of time from leave of absence or escaped and except in case such inebriate has been under hospital care for one year shall be discharged without the recommendation of the chief medical officer in charge and an order from the court

Section 405 The Department shall have power and authority in its discretion to order and compel the discharge from any mental hospital of any mental patient except an insane criminal under sentence or a person charged with any crime or misdemeanor and acquitted on the ground of insanity but before issuing such order the Department shall give due notice to the trustees or superintendent of the hospital wherein such patient is under care and to the person at whose instance the said patient is detained and shall give reasonable opportunity to such trustees or superintendent and person to justify a further detention of the said patient

Section 406 Any proper court shall have the power and authority to order and compel the discharge of any mental patient committed by such court to any mental hospital if upon hearing it shall be made to appear that such discharge is for the best interests of the patient and not incompatible with the public welfare and safety In making any such order if it is not in accordance with the expressed opinion of the physician in charge of the hospital the court shall set forth the reasons for its decision which reasons shall be part of said order and the said order and reasons and the opinion of the physician in charge of the said hospital shall be entered in the clinical record of the patient

Section 407 The superintendent of any mental hospital may in his discretion allow a leave of absence for such period not exceeding twelve months and upon such conditions as he may prescribe but not inconsistent with the provisions for discharge of patients as provided in section four hundred four to any patient whose condition is such as to warrant such action

Such leave of absence may be terminated by such superintendent who may if necessary authorize the apprehension and return of the patient to the hospital by any sheriff constable or police officer who shall thereupon cause such apprehension and return In such case the expenses necessarily incurred by such sheriff or other officer in such return of a patient shall be paid by the person in whose charge the patient was allowed to leave if he is financially able to pay Otherwise such expenses shall be paid by the person or poor authorities liable for the maintenance of such patient in such hospital

Section 408 Any mental patient who excapes from any mental hospital may be apprehended and returned thereto by any sheriff or constable or police officer or by any officer or employe of such hospital at the expense of such hospital

Section 409 The Governor may upon demand deliver to the executive of any other state or territory any person who has escaped from any mental hospital to which he has been admitted under the laws of such state or territory and who may be dangerous to the safety of the public or may upon application appoint an agent to demand of the executive authority of any other state or territory any such person who has escaped from such a hospital in this Commonwealth Such demand or application shall be accompanied by an attested copy of the commitment and sworn evidence of the superintendent of the hospital stating that the person demanded has escaped from such hospital within six months next preceding the date of the application or demand and by such further evidence as the Governor may require

Section 410 If the Governor is satisfied that the demand conforms to law and ought to be complied with he shall issue his warrant under the seal of the Commonwealth to an officer authorized to serve warrants in criminal cases directing him at the expense of the agent who makes the demand at the time designated in the warrant to take and transport such person to the boundary line of this Commonwealth and there deliver him to such agent and for this purpose such officer may require aid as in criminal cases Provided That any person who is arrested upon such warrant shall not be delivered to such agent of a state or territory until he has been notified of the demand for his surrender and has had an opportunity to apply for a writ of habeas corpus if he claims such right of the officer who makes the arrest If such writ is applied for notice thereof and the time and place of hearing shall be given to the Attorney General or District Attorney for the district in which the arrest is made

Any officer who delivers such person in his custody upon such warrant to such agent for extradition without having complied with the provisions of this section shall forfeit not more than one thousand dollars Pending the determination of the court upon the application for such writ the person shall be detained in custody in a suitable mental hospital

Section 411 If the application for the arrest of a patient escaped from any mental hospital in this Commonwealth to another state or territory is granted and an agent is appointed for the purpose of returning such patient to such mental hospital the account of such agent shall be paid by the hospital from which the patient escaped but the Governor may direct the whole or any part of such account to be paid by the Commonwealth

Section 412 Any mental patient except such as has been charged with any crime and acquitted on the ground of insanity or arraigned or convicted who has been absent with or without leave for a period of twelve months continuously from the hospital in which he was under care shall be deemed to be discharged from the said hospital and cannot be readmitted except as provided by law in Article III of this act

Section 413 If upon investigation the Department or any of its agents shall find that any patient supported wholly or in part at the expense of the Commonwealth it not a legal resident of this Commonwealth but has a legal residence in some other state or country it may by a proper order addressed to the trustees or the superintendent of the hospital to which such patient has been admitted cause him to be returned to that state or country in which he has a legal residence or where he belongs

Any patient returned to another state or country under the provisions of this section shall be suitably clothed and unless he is fully competent to travel alone he shall be attended by a person of his own sex who shall exercise due care over him until he has reached the destination agreed upon by the proper authorities of this State and the state or country to which he is returned If competent to travel alone unable to pay the costs of travel he shall be furnished with funds sufficient for sustenance and travel to the destination agreed upon

The actual necessary expense of returning such patient shall be paid from the State Treasury by warrant drawn by the Auditor General on the State Treasurer on an acounty settled by the Auditor General

Section 414 The Department is hereby authorized and empowered to enter into the agreements with the authorities of other states which shall adopt legislation consistent with this act for the arbitration of disputed questions between such states and this Commonwealth respecting the residence of mental patients and for the return of such persons to their proper residence

ARTICLE V

Cost of Admission Care and Discharge of Mental Patients

Section 501 Whenever any patient who is mentally ill mentally defective epileptic or inebriate is admitted to any mental hospital whether by order of a court or judge or in any other manner authorized by the provisions of this act the cost of such admission or commitment shall be deemed to include the expenses of removing such patient to the hospital the fees of physicians or commissioners and all other expenses however incurred Such costs shall be chargeable to the estate of such patient or to the person liable for his support Provided That if such estate or person is unable to pay the same the county or poor district liable for the support of such patient shall be liable for such costs

If the patient is committed by order of court the court or judge shall determine at the time of commitment the liability for such costs and shall assess the same as shall seem to him just and proper

Section 502 The expenses of commitment and removal to or from a hospital for mental disease of any person charged with a criminal offense but who is not in custody or who is arraigned or brought before the court under any other circumstances or of any prisoner who before or during trial is found or thought to be insane or in such condition as to make it necessary that he be cared for in a hospital for mental diseases shall be paid by the county in which such person or prisoner is committed

The County may recover such expenses from the estate of the person or prisoner or from the person liable for his support but not from any poor district

Whenever any person convicted of any crime or charged with any crime and acquitted on the ground of insanity is committed to any hospital for mental diseases the expenses of commitment and of removal to or from the hosptal shall be paid by the county in which the crime was committed The county may recover such expenses from the estate of such person or from the person liable for his support but not from any poor district

Section 503 Whenever any mental patient is admitted whether by order of a court or judge or in any other manner authorized by the provisions of this act to any mental hospital maintained wholly or in part by the Commonwealth the cost of care and maintenance including clothing of such patient in such hospital shall be defrayed from the real or personal property of such patient and this liability may be enforced by writ of fieri facias venditioni exponas or attachment execution if he have any such property If he have no such property or is not possessed of sufficient property to defray such expenses then so much of said expenses as shall be in excess of any amount collected from his said property and paid on account of said expenses shall be paid by such person as is liable under existing laws for his support and if there be no such person or if he is financially unable to pay such expenses or any proportion thereof then such expenses or the proportion thereof which cannot be collected from the patient or the person liable for his support shall be paid by the county or poor district or municipality which is liable for his support and by the Commonwealth in the proportion which is now or shall hereafter be fixed by law

Section 504 Whenever any person is maintained as a patient in any mental hospital wholly or in part at the expense of the Commonwealth the Attorney General through any agents authorized by him may investigate the financial ability of such patient or of the person liable for the support of such patient to defray the expenses in whole or in part of his care and maintenance in such hospital

Section 505 The court of common pleas or other court of record of the county in which any mental patient resided prior to his admission to any mental hospital maintained in whole or in part by the Commonwealth shall have power upon the application of the Attorney General to make an order conformable to the provisions of this article for the payment of maintenance to the Commonwealth upon the trustee committee guardian or other person who has charge of the estate of such patient or against the husband father wife mother or child of any patient so maintained in such amounts respectively as the court in its discretion may deem proper taking into consideration the ability of the patient or the person liable for his support to pay for such maintenance and the court may also upon like application direct any trustees committee guardian or other person having charge of any such estate to file with the Attorney General the statement required by the second section of the act approved the first day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws six hundred and sixty-one) entitled "An Act relating to the maintenance of insane feeble-minded and other persons confined in the various institutions of the Commonwealth fixing liability for their support providing for the collection of the moneys due the Commonwealth therefor and for proceedings relating thereto"

Section 506 Whenever any patient shall be transferred under the provisions of section five hundred and one of this act the cost of such transfer or removal shall be paid by the patient or by the person liable for his support if able financially to pay and if the transfer was made at the request of such person otherwise said costs shall be paid out of the appropriations for the care treatment and removal of indigent insane made to the Department After such transfer the municipality poor district or person liable for his support and maintenance to the institution to which said patient has been admitted shall be liable to the institution to which such transfer has been made for support and maintenance

Section 507 The expenses of the care and maintenance including clothing of insane prisoners shall be paid in the same manner as the costs of commitment of such prisoner as provided in section five hundred and two of this act Provided That if the term of sentence of any prisoner shall expire while he is still a patient in any hospital such expenses shall thereupon become chargeable as provided in section five hundred and three of this act

Section 508 The expenses incident to the discharge or removal of any memtal patient from any mental hospital including necessary clothing and travel expenses or his funeral expenses in case of his death shall be chargeable in the same manner as the cost of maintenance of such patient as provided in section five hundred and three of this act

If such patient is in a State hospital and there is no estate of such patient or person liable for his support who is able to pay therefor and the patient is ordered by the Department to be discharged the authorities of such hospital shall pay the traveling expenses of such patient to his home the amount of which payment shall be refunded and paid to such hospital from the appropiations for the indigent insane or mentally ill then current

If such patient is a convict or other prisoner such expenses shall be paid by the county in which the crime was committed or from which the prisoner was committed as the case may be in the same manner as the costs of maintenance as provided in section five hundred and seven of this act

If such patient has no residence in this Commonwealth and is returned to some other state or country the actual necessary expenses of returning such patient shall be paid from the State Treasury by warrant drawn by the Auditor General on the State Treasurer on an account settled by the Auditor General

ARTICLE VI.

Rights of Patients

Section 601 Every mental patient in any institution or place for mental patients within the jurisdiction of the Department shall have the right

(a) To communicate with his counsel and with the Commissioner and to be alone at any interview with his counsel or Commissioner or representative of the Department

(b) To religious freedom and to be visited by any minister of any religious denomination Provided That the religious services rendered by such minister shall be personal to the mental patient desiring the same and shall not interfere with the established order of religious services in such institution or place

(c) To be employed at a useful occupation insofar as the condition of such patient may permit and the institution or place is able to furnish useful employment to the patient

(d) To sell articles the product of his individual skill and labor and the produce of any small individual plot of ground which may be assigned to and cultivated by him and to keep or expend the proceeds thereof or send the same to his family

(e) To be furnished with writing materials and reasonable opportunity in the discretion of the physician in charge for communicating under seal with any person or persons outside of such institution or place and such communications shall be stamped and mailed

(f) To a writ of habeas corpus to determine whether or not he is properly detained as a mental patient and the respondent in any such writ shall be required to pay the costs and charges of the proceedings unless the judge shall certify that in his opinion there was sufficient grounds for detaining the patient and putting him to his writ

(g) To be discharged as soon as in the opinion of the medical attendant of such institution or place he shall be restored to reason and competent to manage his own affairs

(h) To be visited and examined at all reasonable hours by any medical practitioner designated by him or by any member of his family or "near friend" with the sanction of a judge of a court of record of the county in which such mental patient resided prior to his commitment to such institution or place and with the consent of the patient and of the physician in charge of such institution or place such medical practitioner may attend such patient for all maladies other than mental illness in the same manner as if the patient were in his own home

Section 602 Whenever any female mental patient is to be removed to or from her home or any institution or place or any almshouse jail or penitentiary and whenever any such patient is transferred she shall be accompanied by a female attendant unless such patient is accompanied by a member of her family

It shall be the duty of the court committing such patient or if such patient has not been committed by the court of the person persons or authorities liable by law for her support to provide a female attendant for such patient The expenses of such attendance shall be paid in accordance with the provision of Article V of this act

ARTICLE VII

Penalties Exemption and Repealer

Section 701 Any person who shall violate any provision of Article II of this act shall be guilty of a misdemeanor and upon conviction in the proper court be subject to a fine of not more than one hundred dollars

Section 702 If any person shall aid or assist any patient lawfully admitted to any mental hospital to make or attempt to make his escape therefrom or shall connive in any way at such escape or attempt at escape although no escape has actually been made or if any person shall deliver or cause to be delivered or in any way connive at the delivery of any alcoholic or other intoxicating or narcotic substance to any patient in any mental hospital or psychopathic department or ward of a general hospital without the knowledge and consent of the physician in charge thereof such person shall be deemed guilty of a misdemeanor and upon conviction in the proper court be subject to a fine of not more than fifty dollars or imprisonment for not more than three months or both at the discretion of the court

Section 703 No verdict or judgment shall be entered in any action nor shall judgment be entered on any indictment for detention without compliance with the provisions of this act of any person as mentally ill in any institution or place for mental patients as against anv person or persons subject to the provisions of this act who shall have complied with its requirments unless the judge after trial and verdict shall certify that there was proof to his satisfaction that the party charged acted with gross negligence or corruptly or that he acted without reasonable or probable cause or was actuated by motives other than the good of the person restrained

Section 704 The following acts and parts of acts and all other acts and parts of acts inconsistent herewith are hereby repealed

Section forty-two of the act approved the fourth day of May Anno Domini one thousand eight hundred fifty-two (Pamphlet Laws five hundred forty-two) entitled "An Act to provide for the ordinary expenses of government the repair of the public canals and railroads and other general and special appropriations"

The act approved the seventeenth day of February Anno Domini one thousand eight hundred and fifty-four (Pamphlet Laws eighty-five) entitled "A further supplement to the act relative to the Pennsylvania State Lunatic Hospital passed the fourteenth day of April one thousand eight hundred and forty-five"

The act approved the twenty-fourth day of March Anno Domini one thousand eight hundred and fifty-eight (Pamphlet Laws one hundred fifty-one) entitled "A further supplement to the act relative to the Western State Penitentiary"

Section one two three four and six of the act approved the eighth day of April Anno Domini one thousand eight hundred and sixty-one (Pamphlet Laws two hundred forty-eight) entitled "A supplement to the several acts of Assembly relative to the Pennsylvania State Lunatic Hospital"

Section one to twelve inclusive and section fifteen of the act approved the twenty-second day of April Anno Domini one thousand eight hundred and sixty-three (Pamphlet Laws five hundred thirty-nine) entitled "An act supplementary to an act incorporating the Western Pennsylvania Hospital"

Secion two of the act approved the eighteenth day of April Anno Domini one thousand eight hundred and sixty-four (Pamphlet Laws four hundred fifty-one) entitled "An act supplementary to the act of twenty-second April eighteen hundred and sixty-three relative to the Western Pennsylvania Hospital"

Section one of the act approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-eight (Pamphlet Laws ninety) entitled "An act to establish an additional State hospital for the insane"

Sections one two four six eight and nine of the act approved the twentieth day of April Anno Domini one thousand eight hundred and sixty-nine (Pamphlet Laws seventy-eight) entitled "An Act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge therefrom"

Section two of the act approved the ninth day of April Anno Domini one thousand eight hundred and seventy (Pamphlet Laws one thousand one hundred and twenty-one) entitled "A supplement to an act entitled 'An act for the regulation and government of the Lehigh County prison' approved the sixth day of April one thousand eight hundred and sixty-nine"

Section five of the act approved the twenty-seventh day of March Anno Domini one thousand eight hundred and seventy-three (Pamphlet Laws fifty-four) entitled "An act to organize the State Hospital for the Insane at Danville and provide for the government and management of the same"

Section two of the act approved the seventh day of May Anno Domini one thousand eight hundred and seventy-four (Pamphlet Laws one hundred nineteen) entitled "A supplement to the act to create a board of public charities approved the twenty-fourth day of April Anno Domini one thousand eight hundred and sixty-nine authorizing and empowering said board to appoint visitors and to transfer certain insane persons from county institutions to State hospitals"

The act approved the fourteenth day of May Anno Domini one thousand eight hundred and seventy-four (Pamphlet Laws one hundred sixty) entitled "An act to provide for the custody of insane persons charged with and acquitted or convicted of crime"

Sections one and ten of the act approved the fifth day of May Anno Domini one thousand eight hundred and seventy-six (Pamphlet Laws one hundred twenty-one) entitled "An act to proved for the selection of a site and the erection of a State hospital for the insane for the city and county of Philadelphia and the counties of Bucks Montgomery Delaware Chester Northampton and Lehigh to be called the State Hospital for the Insane for the Southeastern District of Pennsylvania and for the management of the same"

The act approved the fourth day of June Anno Domini one thousand eight hundred and seventy-nine (Pamphlet Laws ninety-eight) entitled "An act for the better regulation and treatment of the female insane in the asylums and hospitals of the Commonwealth of Pennsylvania"

Section eight of the act approved the eighth day of June Anno Domini one thousand eight hundred and eighty-one (Pamphlet Laws eighty-three) entitled "An act to organize the State hospitals for the insane at Warren Pennsylvania"

The act approved the eighth day of May Anno Domini one thousand eight hundred and eighty-three (Pamphlet Laws twenty-one) entitled "An act relative to the supervision and control of hospitals or houses in which the insane are placed for treatment or detention"

The act approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three (Pamphlet Laws ninety-two) entitled "An act to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth and State hospitals for the insane"

The act approved the seventh day of May Anno Domini one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred sixteen) entitled "A supplement to an act relative to the supervision and control of hospitals and houses in which the insane are placed for treatment or detention approved the eighth day of May Anno Domini one thousand eight hundred and eighty-three' (Pamphlet Laws one hundred twenty-seven)

The act approved the eighth day of May Anno Domini one thousand eight hundred and eighty-nine entitled "A supplement to the act of April twentieth one thousand eight hundred and sixty-nine entitled 'An act to provide for the admission of certain classes of the insane into hospital for the insane in this Commonwealth and their discharge therefrom fixing the amount of compensation to be paid to the commisioners appointed under section six of said act and declaring who shall be liable therefor and the costs of proceedings under said section"

The act approved the twenty-third day of May Anno Domini one thousand eight hundred and ninety-one (Pamphlet Laws one hundred thirteen) entitled "An act to amend an act entitled 'An act supplementary to an act incorporating the Western Pennsylvania Hospital' so as to include the county of Potter"

Sections eleven and twelve of the act approved the twenty-second day of June Anno Domini one thousand eight hundred and ninety-one (Pamphlet Laws three hundred seventy-nine) entitled "An act to provide for the selection of a site and the erection of a State asylum for the chronic insane to be called the State tsylum for the chronic insane of Pennsylvania and making an appropriation therefor"

The act approved the fourteenth day of April Anno Domini one thousand eight hundred and ninety-three (Pamphlet Laws twenty) entitled "An act to provide for the better protection of female insane patients in transit"

The act approved the tenth day of May Anno Domini one thousand eight hundred and ninety-three (Pamphlet Laws thirty-nine) entitled "A supplement to an act relative to the supervision and control of hospitals and houses in which the insane are placed for treatment or detention approved the eighth day of May Anno Domini one thousand eight hundred and eighty-three"

Sections eleven to sixteen inclusive of the act approved the third day of June Anno Domini one thousand eight hundred and ninety-three (Pamphlet Laws two hundred eighty-nine) entitled "An Act to provide for the selection of a site and the erection of a State institution for the feeble-minded to be called the Western Pennsylvania State Institution for the Feeble-minded and making an appropriation therefor"

The act approved the twenty-seventh day of May Anno Domini one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred ten) entitled "An Act to amend an act approved the fourteenth day of April Anno Domini one thousand eight hundred and ninety-three entitled 'An act to provide for the better protecion of female insane patients in transit' fixing a penalty for the violation of the said act and providing the manner such penalty shall be recovered"

The act approved the twenty-second day of June Anno Domini one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for the return of paupers and indigent insane persons not having a legal settlement within this Commonwealth to any other state or countfy to which they may belong"

Section 11 of the act approved the eighteenth day of July Anno Domini one thousand nine hundred and one (Pamphlet Laws seven hundred thirty-seven) entitled "An Act to provide for the selection of a site and the erection of a State hospital for the treatment of the insane under homeopathic management to be called the Homeopathic Hospital for the Insane and making an appropriation therefor"

The act approved the nineteenth day of March Anno Domini one thousand nine hundred and three (Pamphlet Laws twenty-nine) entitled "An act to amend the fifth section of an act entitled 'An Act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge threrfrom' approved the twentieth day of April Anno Domini one thousand eight hundred and sixty-nine providing how the prisoners shall be discharged in case of homicide or attempted homicide"

The act approved the first day of May Anno Domini one thousand nine hundred and seven (Pamphlet Laws one hundred forty) entitled "An Act authorizing and empowering the Committee on Lunacy to transfer lunatics from one State hospital for the insane to another State hospital for the insane"

The act approved the twenty-eighth day of May Anno Domini one thousand nine hundred and seven (Pamphlet Laws two hundred eighty-eight) entitled "An Act to amend an act entitled 'An Act to authorize and provide for the commitment of persons habitually addicted to the use of alcoholic drink or intoxicating drugs to a proper hospital or asylum for the restraint care and treatment' approved April sixteenth Anno Domini one thousand nine hundred and three providing for the commitment of persons habitually addicted to the use of alcoholic drink or intoxicating drugs to a proper hospital or asylum for restraint care and treatment by the court of Quarter Sessions"

Section one of the act approved the tenth day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws two hundred five) entitled "An Act to amend sections one four five and seven of an act entitled 'An Act to provide for the selection of a site and the erection of a State hospital for the treatment of the insane under homeopathic management to be called the Homeopathic State Hospital for the Insane and making an appropriation therefor' approved the eighteenth day of July Anno Domini one thousand nine hundred and one by vesting the appointment of the entire commission in the Governor and by requiring the approval of the superintendent of public grounds and buildings to plans and specifications and to expenditures incurred by the commission and by authorizing the commission to turn over to a board of trustees buildings when completed"

Section one and two of the act approved the ninth day of June Anno Domini one thousand nine hundred and eleven (Pamphlet Laws eight hundred fifty-five) entitled "An Act authorizing the establishment and maintenance of psychopathic wards in certain hospitals providing for the regulation thereof the commitment of persons suffering with mental disorders to such wards and for the payment of the expenses of maintaing and treating persons committed thereto"

The act approved the twelfth day of June Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws four hundred ninety-three) entitled "An Act to amend an act entitled 'An act to provide for the better protection of female insane patients in transit' approved the fourteenth day of April Anno Domini one thousand eight hundred and ninety-three as amended so far as to extend the provisions thereof to feeble-minded and epileptic persons"

Section three of the act approved the twelfth day of June Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws four hundred ninety-four) entitled "An Act supplementing an amending an act entitled 'An Act to provide for the selection of a site and the erection of a State Institution for the feeble-minded and epileptics to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor' approved the fifteenth day of May Anno Domini one thousand nine hundred and three prescribing the purposes of said institution amending the ninth and thirteenth sections of said act so as to extend the powers of the trustees of said institutions and provide for the method of admission to said institution and the discharge therefrom providing that the court may make orders for the payment for the care and maintenance of certain inmates providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth and the payment of the costs of all committals thereto by the several counties authorizing transfers of idiotic feeble-minded and epileptic persons to and from said institution and repealing the eleventh twelfth fourteenth and fifteenth sections of said act and repealing section two of an act entitled 'An Act supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled "An Act to provide for the selection of a site and the erection of a State institution for the feeble-minded and epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" by abolishing the commission therein established providing for the completion of said institution regulating the powers of the board of trustees and repealing the tenth and seventeenth sections thereof" approved the twentieth day of June Anno Domini one thousand nine hundred and eleven"

Section nine and ten of the act approved the twenty-fifth day of July Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred nineteen) entitled "An Act to establish a State village for feeble-minded women providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve and to erect and furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purposes aforesaid also for the expenses of maintenance until June one one thousand nine hundred and fifteen"

Sections one to six inclusive of the act approved the fourteenth day of April Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws one hundred twenty) entitled "An Act relating to persons habitually addicted to the use of alcohol or drugs and providing for the care and treatment of such persons at the expense of the county and State if indigent"

The act approved the sixth day of May Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws two hundred fifty-nine) entitled "An Act to authorize the payment from the general appropriation for the care of the indigent insane of the cost of transferring or removing patients from one insane hospital or asylum or institution to another or elsewhere upon the order of the Board of Public Charities or the Committee on Lunacy"

The act approved the eighth day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws nine hundred fourteen) entitled "An Act providing for the removal to and return from hospitals for the insane of persons committed to county jails or prisons and awaiting trial charged with criminal offenses not amounting to felony which persons are found to be insane and further providing for the payment of the expense of such removal and return and for the cost of the maintenance and care of such persons in such hospitals"

Section thirteen of the act approved the eighteenth day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws one thousand fifty-five) entitled "An Act to provide for the selection of a site and the erection of buildings for a State hospital for the insane to be erected west of the Allegheny Mountains and to be known as the Western State Hospital for the Insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital"

The act approved the twenty-sixth day of April Anno Domini one thousand nine hundred and seventeen entitled "An Act amending section nineteen of an act entitled 'An Act relative to the supervision and control of hospitals or houses in which the insane are placed for treatment or detention' approved the eighth day of May one thousand eight hundred and eighty-three so as to permit certificates of physicians as to the insanity of patients to be sworn to or affirmed before a judge or magistrate of any county in the Commonwealth"

The act approved the eighteenth day of May Anno Domini one thousand nine hundred seventeen (Pamphlet Laws two hundred thirty-nine) entitled "An Act providing for the payment by State hospitals for the Insane of the traveling expenses from said hospitals to their homes respectively of indigent inmates of said hospitals discharged by order of the Committee on Lunacy of the Board of Public Charities and for the reimbursement to such hospitals of the amounts so paid"

The act approved the eighteenth day of May Anno Domini one thousand nine hundred seventeen (Pamphlet Laws two hundred forty) entitled "An Act authorizing the Committee one Lunacy of the Board of Public Charities to transfer patients or inmates of hospitals for the insane to such hospitals and providing for maintenance of patients after transfer"

The act approved the fifth day of July Anno Domini one thousand nine hundred seventeen (Pamphlet Laws six hundred seventy-eight) entitled "An Act imposing the cost of commitment and maintenance of criminal insane in institutions on the county where the crime was committed and authorizing the recovery of such costs from the estate of the criminal insane"

The act approved the sixth day of July Anno Domini one thousand nine hundred and seventeen (Pamphlet Laws seven hundred thirty-three) entitled "An Act to amend section one of an act approved the eighth day of June one thousand nine hundred fifteen entitled 'An Act providing for the removal to and return from hospitals for the insane of persons committed to county jails or prisons and awaiting trial charged with criminal offenses not amounting to felony which persons are found to be insane and further providing for the payment of the expense of such removal and return and for the cost of the maintenance and care of such persons in such hospitals' by imposing all costs and expenses on the county"

Section two of the act approved the sixth day of July Anno Domini one thousand nine hundred seventeen (Pamphlet Laws seven hundred forty-nine) entitled "An Act to amend an act entitled 'An Act to provide for the selection of a site and the erection of buildings for a State Hospital for the Insane to be erected west of the Allegheny Mountains and to be known as the Western State Hospital for the insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital approved the eighteenth day of June one thousand nine hundred fifteen (Pamphlet Laws page ten hundred fifty-five) so as to provide for the admission of patients to the Western State Hospital for the Insane"

Section four of the act approved the sixteenth day of July Anno Domini one thousand nine hundred nineteen (Pamphlet Laws nine hundred eighty-two) entitled "An Act to amend sections one three six and ten of an act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and nineteen) entitled 'An Act to establish a state village for feeble-minded women providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve and to erect and furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purpose aforesaid also for the expenses of maintenance until June one one thousand nine hundred and fifteen' as amended by an act approved the fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws six hundred and ninety-eight) by relieving the Governor of the obligation to approve building plans providing for personal inspection of work by a majority of the building committee jurisdiction in the court of quarter sessions payments of costs of proceedings by the county and maintenance by the State"

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—124.

Albert,
Alexander,
Anderson,
Armstrong,
Arthur,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bentley,
Bluett,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Clutton,
Coldsmith,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, J.,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gallaher,
Gibbon,
Glasgow,
Goehring,
Gorham,
Goss,
Greeby,
Gundy,
Haines,
Harter,
Haslett,
Haws,
Heffran,
Henderson,
Hetrick,
Heyburn,
Hoover,
Horne,
Howell,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Long,
Lucas,
Ludlow,
Lynch,
Mangan,
Marshall, W. F.
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
Metcalf,
Millar,
Miller,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Rhodes,
Richards,
Rinn,
Sample,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H.,
Smith, J. W.,
Spangler,
Stark,
Stavitski,
Stevens, A. J.,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Vickerman,
Walker,
Weamer,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Zook,
Goodnough,
Speaker.

NAYS—3.

Brewster,
Hollis,
Wright,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1224, as follows:

An Act regulating service of process and authorizing the service of writs of summons and other process in any county of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases now pending in the several courts of common pleas of this Commonwealth or hereafter to be brought therein for the recovery of damages for breaches of covenants of warranty in any deed or conveyance of real estate and where the defendant or defendants in said action resides beyond the limits of the jurisdiction of the court of the county wherein such real estate is situate and such deed is recorded but within the Commonwealth all writs of summons and all rules notices and orders necessary in the course of procedure in such actions may be served upon the party or parties residing beyond such jurisdiction but within the Commonwealth shall be directed to the sheriff of the county wherein suit has been brought who shall deputize the sheriff of the county wherein the defendant or defendants shall reside who shall make service thereof in the same manner and with the same force and effect as if the person so served had been served within the county wherein the process originated

The sheriff of the county making such service shall make a return thereof to the sheriff of the county in which the suit has been brought who shall return the same to the said court in the manner and with the same force and effect as provided by law for returns of service within the county

Section 2 All the acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—127.

Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Bluett,
Brewster,
Bromley,
Brown,
Burchinal,
Burns,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gallaher,
Gilchrist,
Goss,
Greeby,
Gundy,
Haas,
Hall,
Haslett,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kennedy,
Kohler,
Kunkle,
Little,
Long,
Lucas,
Mangan,
Marshall, W. F.
McCaig,
McClure,
McCurdy,
McDaniel,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Richards,
Rhodes,
Rinn,
Rippman,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Spangler,
Stark,
Stavitski,
Stevens, A. J.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wettach,
Whitehouse,
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

TIME EXTENDED ON BILL

Mr. ARTHUR. Mr. Speaker, I move that the time on House Bill No. 61 file folio 21 entitled

An Act to amend sections one and two of the act approved the eighth day of June, one thousand eight hundred and ninety-three, (P. L. 344), entitled "An Act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will; and enabling them to sue and to testify against each other in certain cases" authorizing a married woman to mortgage her real property without the joinder of her husband,

on page 18 of today's calendar, bills on third reading postponed be extended five days.

Mr. SOWERS. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL

Mr. W. P. WOOD. Mr. Speaker, I move that the time on House Bill No. 1066 file folio 3357 entitled

An Act to amend section one of the act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred sixty-eight) entitled "An act to enable the county commissioners of the several counties to sell any real estate which they may acquire and make deeds therefor" excepting from the provisions of said act real estate acquired at tax sales

on page 22 of today's calendar, bills on third reading postponed be extended five days.

Mr. ZOOK. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL.

Mr. HALL. Mr. Speaker, I move that the time on House Bill No. 808, file folio 2879, entitled

An act to prohibit corporations from interposing the defense of usury in any action

on page 19 of today's calendar, bills on third reading postponed be extended five days.

Mr. EARLEY. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL.

Mr. STORER. Mr. Speaker, I move that the time on House Bill No. 1082, file folio 2097, entitled:

An Act making it unlawful to interfere or attempt to interfere with persons about to procure marriage licenses or to influence or attempt to influence such persons to go to certain officers for such purpose

on page 19 of today's calendar, bills on third reading postponed be extended five days.

Miss GRIMES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No 346, as follows:

An Act to amend section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An Act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An Act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" which was amended by the act approved the fifteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and fifty-five) entitled "An Act amending section seventeen of an act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled 'An Act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes'" is hereby further amended to read as follows

Section 17 That all scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other State or of the United States and doing business in this Commonwealth and all scrip bonds certificates and evidences of indebtedness issued and all scrip bonds certificates and evidences of indebtedness assumed or on which interest shall be paid by any county city borough township school district or incorporated district of this Commonwealth are hereby made taxable in the year one thousand nine hundred and nineteen and annually thereafter for State purpose at the rate of four mills on each dollar of the nominal value thereof Provided That whenever under the provisions of this section any private corporation shall become liable for such taxes upon evidences of indebtedness by it assumed or on which t shall pay interest it shall be the duty of such corporation not later than ten days thereafter to give notice in writing to any person who may at such time be liable for the payment of any taxes upon such evidences of indebtedness under the provisions of the first section of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) to which this a further amendment that the corporation has assumed such indebtedness or the payment of the interest thereon and will deduct and pay the taxes imposed thereon by this section Such notice shall also be given before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon prior to the first day of October in any year and shall give notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the taxes imposed by this section for the balance of such year but shall deduct and pay said taxes for the ensuing year and the person to whom such notice shall be given shall for such ensuing year be relieved from the payment of tax under the provisions of section one of said act of June seventeen one thousand nine hundred and thirteen upon such evidences of indebtedness so assumed or on which the corporation shall pay interest Where any private corporation shall assume such evidences of indebtedness or the payment of interest thereon on or subsequent to the first day of October in any year and shall give the notice as hereinbefore provided such corporation shall be relieved from the duty of deducting and paying the tax upon such evidences of indebtedness by it assumed or on which it shall pay interest for the balance of such year and for the ensuing year and the person to whom notice is so given shall pay the tax for the period for which the corporation is relieved upon such evidences of indebtedness so assumed or on which the corporation shall pay interest as provided for in section one of the act of June seventeen one thousand nine hundred and thirteen Neglect or failure on the part of any corporation upon assuming any evidences of indebtedness or becoming liable for the payment of interest thereon to give the notice as herein provided and within the time prescribed shall make such corporation liable for the payment of taxes from the time when such evidences of indebtedness are assumed or for the entire period for which interest shall be paid Neglect or failure to give such notice before the first day of October of each and every subsequent year during which such corporation is liable for the payment of such interest shall make the corporation liable for such taxes for the year following without any deduction from interest due as hereinbefore provided

Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company and Provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock but nothing herein contained shall be construed to relieve or exempt individual depositors in savings institutions having no capital stock from any taxation to which such depositors may be subject and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said saving institution having no capital stock and Provided further That the provisions of this act shall not apply to fire-companies fireman's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions and Provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall be liable for the tax imposed by this section upon all securities so held by them as in the case of individuals and Provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for county school or other local purposes

It is the intent of this act that all scrip bonds certificates and evidence of indebtedness made taxable under this section are not taxable under section one (1) of the act to which this is an amendment and that only such scrip bonds certificates and evidences of indebtedness which cannot be made taxable under this section are to be taxed under section one (1) of said act

On the question,

Shall the bill pass finally?

Mr. EDMONDS. Mr. Speaker, I have been asked by some members of the House to say a word in explanation of this bill. In as much as it is a technical measure it is meant to meet this situation. If a man owns real estate and gives a mortgage to the mortgagee, the mortgagee then accounts for that mortgage in his return on personal property and the locality then taxes upon it. If then the owner of the property proceeds to sell it to a corporaion, then the individual mortgagee no longer pays taxes to the locality, but the corporation returns the tax to the state, deducting four mills from the interest that is due on the mortgage. Now, unfortunately the individual makes out his return on personal property in the fall, in November or December, and the corporation makes out its return in the spring, and the consequence is that it has happened in many cases that there has been duplication of taxes, that first the individual has paid his tax to the locality and then secondly it is again taxed, subject to his interest, by the corporation, and the result has been a serious problem due to duplicate taxation which has been exceedingly hard to meet. This provides that where a corporation buys property upon which there is outstanding a mortgage it must notify the mortgagee at once that it has assumed the tax that is due on that mortgage, and then the individual no longer needs to return it on his return of personal property. I might say that this bill was on the calendar about a month ago and at the request of the Auditor General it was referred to his Department so that the language might be technically correct, and it comes now with the approval of the Auditor General, to stop this very onerous business of duplicating taxes upon security.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—131.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Evans, J.,
Flynn,
Fowler, A. I.,
Fratt,
Frazier,
Gallaher,
Gilchrist,
Goehring,
Gorham,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Marshall, W. F.,
McCaig,
McCurdy,
Rinn,
Rippman,
Sarig,
Schaeffer,
Schleiter,
Schwartz.
Shambach,
Sheridan,
Smith, G. A.

Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Bidelspacher,
Bluett,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Dilsheimer,
Donahue,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Goss,
Greeby,
Gundy,
Haas,
Haines,
Hall,
Haws,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hoover,
Horne,
Huber,
Irvin,
Johnson,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
McDaniel,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rhodes,
Richards,
Smith, H.
Smith, J. W.,
Spangler,
Stark,
Stavitski,
Stevens, A. J.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Walker,
Weamer,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1125, as follows:

An Act to amend sections seven twenty-six twenty-nine and thirty-two of an act approved the twenty-third day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and forty-two) entitled "An act to amend revise and consolidate the law relating to the State Library and Museum including the Law relating to the Free Library Commission and Division of Public Records abolishing the Board of Trustees of the State Library the Advisory Commission of Public Records and the Free Library Commission and repealing existing laws in relation thereto" fixing fees for certain services and making an appropriation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven of an act approved the twenty-third day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and forty-two) entitled "An act to amend revise and consolidate the law relating to the State Library and Museum including the law relating to the Free Library Commission and the Division of Public Records abolishing the Board of Trustees of the State Library the Advisory Commission of Public Records and the Free Library Commission and repealing existing laws in relation thereto" is hereby amended to read as follows

Section 7 The State Librarian and Director of the Museum shall receive and disburse all moneys that are or may hereafter be appropriated for the State Library and Museum or for any division thereof and shall keep regular and accurate accounts thereof which shall at all times be open to the inspection of the fiscal officers of the Commonwealth All such accounts shall be settled annually by the accounting officers of the Commonwealth in the same manner that accounts of other public officers are settled

He shall maintain a system of exchanges foreign and domestic of all publications which may be subject to his disposal for such purposes He shall annually in the month of December make a report to the Governor submitting such information as it may be proper to present together with a report of the number of volumes in the library and the number of publications and volumes received through exchange by donation purchase or otherwise He shall append to his report a statement of his accounts

All fees and other moneys which the State Librarian shall collect under the provisions of this act shall be paid into the State Treasury and shall be set aside into a separate fund to known as "The Library Fund" All moneys in the library fund from time to time are hereby specifically appropriated to the State Librarian and Director of the Museum to be used for the payment of the salaries and expenses of the officers and employes of the State Library and Museum and the several divisions thereof and for contingent purposes

Section 2 That section twenty-six of the said act is hereby amended to read as follows

Section 26 The custodian of Public records in the State Library is hereby authorized to make the following charge for certificates and copies furnished to persons other than members of the General Assembly and officials of the State Government

For each certificate of a record the sum of two dollars

For each typewritten copy of a record the sum of one dollar ($1.00) up to five hundred words and beyond that number of words twenty-five cents ($.25) for each two hundred and fifty words or portion thereof

All moneys received by the custodian under the provisions of this act shall be by him turned over to the State Librarian and Director of the Museum and by him be paid into the State Treasury as hereinbefore provided

Section 3 That section twenty-nine of the said act is hereby amended to read as follows

Section 29 The Library Extension Division shall give advice and counsel to all free libraries in the State and to all communities which may propose to establish free libraries in the selection of books cataloguing and other details of library management and as to the best means of establishing and administering such libraries The Library Extension Division shall have general powers of supervision and the inspection over free libraries and the right of requirng reports in such manner as it may deem proper The division shall also establish and maintain a system of traveling libraries as far as possible throughout the Commonwealth

The chief of the Library Extension Division shall charge and collect one dollar ($1.00) for each shipment of books made in connection with the system of traveling libraries and all moneys so received and collected shall be by him turned over to the State Librarian and Director of the Museum and by him be paid into the State Treasury as hereinbefore provided

Section 4 That section thirty-two of the said act is hereby amended to read as follows

Section 32 It shall be the duty of the Museum Division to preserve objects illustrating the flora and fauna of the State and its mineralogy geology archaeology arts history and education and whenever deemed necessary to illustrate the same with lantern slides or films which may be circulated throughout the Commonwealth under such rules and regulations as the State Librarian and Director of the Museum may adopt

The Curator of the Museum Division shall charge and collect the following fees

For each shipment of lantern slides one dollar ($1.00)

For photostat copies fourteen by eighteen inches seventy-five cents ($.75) each for the first four copies if more than four copies then sixty-five cents ($.65) each for any number less than ten fifty-five cents ($.55) each for any number less than twenty fifty cents ($.50) each for any number less than thirty and forty-seven cents ($.47) each for thirty or more copies

For photographic copies five by seven inches one dollar and fifty cents ($1.50) each six and one-half by eight and one-half inches two dollars and fifty cents ($2.50) each and eight by ten inches three dollars ($3.00) each

All moneys received by the Curator shall be by him turned over to the State Librarian and Director of the Museum and by him be paid into the State Treasury as hereinbefore provided

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Brewster,
Bromley,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Dietz,
Dilsheimer,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gallaher,
Gibbon,
Glasgow,
Goehring,
Gorham,
Greeby,
Gundy,
Haines,
Hall,
Harer,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hoover,
Horne,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Lucas,
Ludlow,
Lynch,
Mack,
Mangan,
Marshall, W. F.,
Mathay,
McCaig,
McCurdy,
McClure,
McDaniel,
McDermott,
McGowan,
McKim,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Schaeffer,
Schleiter,
Schoener,
Schwartz.
Smith, G. A.
Smith, H. J.
Smith, H.
Smith, J. W.,
Sowers,
Spangler,
Stark,
Stavitski,
Stevens, A. F.,
Stevens, A. J.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Walker,
Weamer,
Wettach,
Whitehouse,
Williams, G. W.,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1345, as follows:

An Act to enable an incorporated hospital association to acquire by lease or purchase any State owned hospital specially devoted to the reception care and treatment of injured persons or of any State owned general medical and surgical hospital and to provide for the regulation and management thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of trustees of any State owned hospital specifically devoted to the reception care and treatment of injured persons or of any State owned general medical and surgical hospital is hereby authorized to enter into negotiations with an incorporated hospital association representing the people of the community in which any such hospital is situate looking to the transfer by lease or sale of the property of any such hospital to such incorporated hospital association

Section 2 Whenever such negotiations have been concluded on conditions approved by the Department of Public Welfare and the Governor the board of trustees of any such State hospital shall enter into an agreement in writing embodying the terms and conditions upon which the transfer of the property of such State hospital to the incorporated hospital association is effected Said agreement shall be submitted to the Department of Public Welfare and if approved in writing by the Commissioner of Public Welfare and the Governor of the Commonwealth said agreement shall thereupon become binding and effective

Section 3 Immediately upon the transfer of the property of any State hospital as hereinbefore provided there shall be appointed to manage such hospital a board of nine trustees three to be appointed by the Governor and six by the incorporated hospital association Of the trustees first appointed by the Governor one shall serve for one year one for two years one for three years and upon the expiration of the respective periods and thereafter the vacancy shall be filled by the Governor for a term of three years Of the trustees appointed by the incorporated hospital association two shall serve for one year two for two years three for three years and upon the expiration of the respective periods vacancies shall be filled by the incorporated hospital association for a term of three years Should any vacancy occur by the death resignation or incapacity of any trustees such vacancy shall be filled by appointment for the unexpired term of such trustee The board of trustees shall manage and direct the affairs of such hospital and make all necessary by-laws and regulations not inconsistent with the Constitution and laws of the Comonwealth

Section 4 Whenever a State hospital is transferred to an incorporated hospital association as hereinbefore provided facilities of such hospital shall be extended to include all classes of medical and surgical work (except contagious disease) both for private and public charges provided that no patient in need of medical or surgical treatment shall be refused admission to such hospital solely by reason of such patient's inability to pay for it

Section 5 The Board of Trustees of any such hospital as may be transferred to an incorporated hospital association under the provisions of this act is hereby authorized to collect funds for and extend the facilities of such hospital either by alternation of an existing hospital building and equipment or by the erection and equipment of new buildings suitable to the needs of the community and subject to the apporval of the Department of Public Welfare as now provided by law

Section 6 The Board of Trustees of any such medical and surgical hospital transferred to an incorporated hospital association under the provisions of this act shall receive compensation from the State for services rendered to such and indigent patients upon the same terms as it now or shall hereafter compensate medical and surgical hospitals not under the exclusive control of the Comonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—138.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Bluett,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Clutton,
Coldsmith,
Conner,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gallaher,
Gibbon,
Glasgow,
Goehring,
Gorham,
Greeby,
Gundy,
Haas,
Hall,
Harter,
Haws,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lauver,
Little,
Lucas,
Lynch,
Mangan,
Marshall, W. F.
Mathay,
McCaig,
McCann,
McClure,
McCurdy,
McDaniel,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Peelor,
Pitts,
Posey,
Post,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz.
Shambach,
Smith, G. A.
Smith, H. J.
Smith, H.
Smith, J. W.,
Sowers,
Spangler,
Stark,
Stavitski,
Steedle,
Stevens, A. J.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Walker,
Weamer,
Wettach,
Wheeler,
Whitehouse,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 974, as follows:

An Act to amend section two of the act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and eighty-nine) entitled "An act to regulate and control the manufacture sale offering for sale giving away and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania providing for the approval and disapproval of such weights measures and devices by the Bureau of Standards and prescribing penalties" authorizing the Bureau of Standards to pass upon types of ice cream and oyster containers and fixing standards thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and eighty-nine) entitled "An act to regulate and control the manufacture and sale offering for sale giving away and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania providing for the approval and disapproval of such weights measures and devices by the Bureau of Standards and prescribing penalties" is hereby amended to read as follows

Section 2 The Bureau of Standards of the Department of Internal Affairs is authorized to pass upon each type of weight and measure and weighing and measuring device including paper or fiber containers used for the distribution and sale of ice cream and oysters manufactured offered or exposed for sale or sold or given away for the use in trade or commerce or used in trade or commerce in the Commonwealth of Pennsylvania and to approve or disapprove of said type The Bureau shall not approve any types of containers unless the same shall be so constructed as to contain one gill one-half pint one pint one quart or any multiple of the quart United States Liquid Measure and the types approved shall be legal measure only for ice cream and oysters as are designated by the Bureau The said bureau shall approve each type of weight and measure and weighing and measuring device submitted to it for approval by any person if such type is so designed and constructed that it conforms to or gives correct results in terms of standard weights or measures or in terms of values derived therefrom and is reasonably permanent in its indication and adjustment and does not facilitate the perpetration of fraud otherwise the bureau shall disapprove the same

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—142.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Bidelspacher,
Bluett,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gallaher,
Gibbon,
Gilchrist,
Goehring,
Gorham,
Goss,
Grimes,
Gundy,
Haas,
Haines,
Hall,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hoover,
Horne,
Huber,
Irvin,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lauver,
Lucas,
Ludlow,
Lynch,
Mangan,
Marshall, W. F.,
Mathay,
McCaig,
McCann,
McClure,
McCurdy,
McDaniel,
McGowan,
McKim,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Shambach,
Smith, H. J.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Stark,
Stavitski,
Stevens, A. J.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Walker,
Weamer,
Wells,
Wheeler,
Williams, G. W.,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McDaniel,

The House resumed the consideration on third reading of House Bill No. 557, entitled:

An Act relating to the assignment of rights to receive or recover a debt or money

On the question,

Will the House agree to the bill on third reading?

It was agreed to,

On the question,

Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Fayette, Mr. McDaniel, permit himself to be interrogated?

Mr. McDANIEL. Yes, Mr. Speaker.

Mr. ALEXANDER. I would like to ask the gentleman from Fayette what the purpose of this bill is.

Mr. McDANIEL. Mr. Speaker and members of the House, this is the third time I explained the purpose of this bill, and I think the members of the House are thoroughly familiar with the provisions of it. The bill as I explained before is for the purpose of making more simple the procedure as it now is in the bringing of suits, in that it does away, or it is intended to do away with the burdensome method of using the name of every person who may have become the owner of a chose in action. By this method instead of the attorney bringing the suit in the name of all the parties, and using the useless method of quoting, "for the use of," which is a phrase which they use, the parties will bring the action directly in the name of the real party in interest, that is the owner who owns the chose in action, and the statement of claim which he files with the praecipe in the case will state the trend, or the chain of his title naming the parties from whom he received the chose in action, and the manner in which he received it. This will give complete notice to the party who is defendant in the case. It simply is simplifying, or doing away with a burdensome method now used in bringing actions.

Mr. ALEXANDER. From what the gentleman says the only simplification that will be in it is that instead of four or five or six names in the title of your suit there will be only one?

Mr. McDANIEL. That is the idea.

Mr. ALEXANDER. So far as the real typewriting or work is concerned on your statement of claim you will have to set out your claimants just the same.

Mr. McDANIEL. You usually do anyway.

Mr. ALEXANDER. You usually do now, but I mean under this bill.

Mr. McDANIEL. Yes.

Mr. ALEXANDER. Practically the only thing it will do, it will save your typewriter perhaps one to five minutes time in writing the caption.

Mr. McDANIEL. That is not correct. It will also save the indexing under the different names on the part of the prothonotary, the writing of all the names by the prothonotary on the copies of the writ, and the indexing by the clerk of all the plaintiffs in a case when he comes to serve the writ.

Mr. ALEXANDER. Mr. Speaker and members of the House, so that some of the members, who are not members of the bar, may know just exactly the procedure, let me say that A gives B a judgment, A assigns that judgment to C and it is then marked to the use of C. C perhaps assigns it or sells it to D, and the judgment then is marked on the record to the use of D. And that might go on indefinitely, as the gentleman has stated, through a number of hands. You have the record there in the prothonotary's office showing A to the use of C, to the use of B, against B. Then when you bring suit, of course, naturally you bring suit according to the caption, and according to the title of the suit on your judgment docket, and that is the proper thing to do. In other words, everything that is in your title on your judgment docket you put in your suit just the same as if it was a trespass case of Thomas Bluett against the Philadelphia Rapid Transit Company; you would put the title in there. This looks to me like a practice to save typewriting and a little time, but it surely is not a good practice to abbreviate a caption or to cut out anything in the title of a suit, and especially when the statement of the claim is filed. You still have to show your title and who was the last claimant, that is where all the work is in your statement of claim afterward, so I can see no reason why our statute books should be encumbered with a bill of this kind, when it serves no purpose.

Mr. SOWERS. Mr. Speaker I want first to address myself to those of you who are not members of the bar, and incidentally to those who used to be members of the bar. Let us assume that you have an obligation, let us assume that that obligation, you, Smith, owned it. You transfer it over to Jones. Now, Jones, goes and sues on the obligation, starts his suit, Smith to the use of Jones, and the prothonotary's records reads, Smith to the use of Jones. Now I had this happened to me: One time I happened to represent Jones and another lawyer represented Smith, and when I was representing him, in came the attorney that represented Smith and discontinued the suit on me. Now, that is not fair. Let Jones who is the real plaintiff and the real man in the case, let him stand out as the plaintiff, and let him fight his case to the end, and prevent Smith from coming in and discontinuing the suit and satisfying the judgment. This bill would not accomplish real justice.

Mr. BLUETT. Mr. Speaker and members of the House, there is one more thing that I want to point out in regard to this bill, and I will try to do it in untechnical language so that you can all understand it. At first, I was rather in favor of this because I thought it was simplifying the beginning of suits, but upon looking into it I came to the conclusion that it is not a good bill. We lawyers know that many times suits are started by a simple issue of a writ of summons, and then the plaintiff has a year within which to file a statement of claim. Under this bill the result will be that summons might be filed and served on you by a plaintiff that you have never heard of before, you don't know who he is, you never had any dealings with him and consequently you are unable to determine just how you are going to defend the suit. You will have to wait for one whole year before you will be advised as to who the real plaintiff in the case is, so that you will know how to prepare your defense. I say, therefore, in the interest of justice, that you who may be sued should know who the plaintiff is suing you at the time the writ is issued. This bill should be defeated.

Mr. EDMONDS. Mr. Speaker I am in full accordance with the gentleman from Delaware, Mr. Alexander, and I simply want to say that the gentleman from Philadelphia, Mr. Bluett, has made the argument which I was about to make to the House. I think the defendants have some rights, and when a man is brought into court as a defendant he really should have some knowledge as to why it is he is being brought into court. Now, if this bill is passed he does not know anything about what the nature of the claim is and it embarasses him until the statement of claim is filed. If you put a man to the trouble of going into court to defend an action the least you can do is to give him some notification of what the nature of the claim is, and that can only be done by preserving the chain of title which is the thing that this bill aims to destroy. My thought is that that would not be helped at all by the passage of the bill, but rather an injustice would be done.

On the question recurring

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—32.

Armstrong,
Arthur,
Bell, W. T.,
Bentley,
Burchinal,
Chaplin,
de Young,
Fowler, A. I.,
Frazier,
Gibbon,
Golder,
Grimes,
Henderson,
Himes,
Jones, C. B.,
Keene,
Kelly,
Marcus, J.,
McDaniel,
McKim,
Miller,
Morrison,
Myers, P. M.,
Parkinson,
Posey,
Raymond,
Sautter,
Schaeffer,
Sowers,
Stavitski,
Wheeler,
Goodnough,
Speaker.

NAYS—94.

Albert,
Alexander,
Anderson,
Aston,
Baker,
Behney,
Bell, F. A.,
Betts,
Bidelspacher,
Bluett,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Colville,
Diehm,
Dietz,
Dilsheimer,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, J.,
Flinchbaugh,
Flynn,
Frazier,
Gallaher,
Gelder,
Gilchrist,
Goss,
Griffith,
Haas,
Haines,
Hall,
Harer,
Harter,
Heffran,
Hetrick,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Irvin,
Jones, D. J.,
Kennedy,
Kunkle,
Lauver,
Long,
Lucas,
Ludlow,
Mack,
Marshall, W. F.,
McClure,
McCurdy,
McDermott,
McVicar,
Minehart,
Moffatt,
Myers, G. C.,
Nolte,
Orr,
Patterson,
Peelor,
Price,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Schleiter,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, J. W.,
Spangler,
Stark,
Stevens, A. J.,
Thomas, L. D.,
Thomas, M. G.,
Walker,
Weamer,
Whitehouse,
Williams, G. W.,
Woner,
Wood, W. P.,
Wright,
Zook,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Hollis.

The House resumed the consideration on third reading of House Bill No. 350, entitled

An Act to repeal an act approved the twenty-sixth day of July, one thousand nine hundred and thirteen, (P. L. 1374), entitled "An Act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining, and limiting their powers and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction, alteration, relocation or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned and giving persons whose property is thereby taken, injured or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers counsel, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determination by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court, prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and section one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars,' and fixing the free time that shall be allowed for unloading cars' approved the twenty-fourth day of May, Anno Domini, one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An Act to provide for the incorporation and regulation of certain corporations', approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act", and its amendments.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. EDMONDS. Mr. Speaker and members of the House this is a bill which proposes to repeal the Act of 1913, creating the Public Service Commission. It substitutes nothing in its place. I cannot imagine any legislature more unfortunate that the one that would repeal the only regulatory measure for public utilities on the statute books, and not substitute anything in its place. There may be defects in the present public service commission law, which should be corrected, it may be there is legitimate ground for that, to abolish all regulations and leave the great mass of public utilities companies in this State, I do not know the exact number but I think there are something like 5000 companies, without any regulation whatever, I think would be most unfortunate, and I simply rise to express my opinion and to hope that the bill will not pass.

Mr. LUDLOW. Mr. Speaker and members of the House, if this bill were to be passed this morning, and concurred in by the Senate, and approved by the Governor, the burden of all the public service regulation would necessarily go back to the county courts. A call would came at once for extra judges and extra compensation, which burden in turn comes back to the state. The same amount of work cannot be done by the county courts, at the expense of the state, for anything like the amount we are paying now to have it done. I agree heartily with what my colleague from Philadelphia, Mr. Edmonds, has said, that if there are defects in the public service commission law, and I personally believe there are some, we can find a way to amend the law, but this is not the way to do it and I do think this bill should be passed.

Mr. JOSEPH MARCUS. Mr. Speaker and members of the House it may be that this bill is placed upon the calendar today with the sincerest motive behind it, but to suddenly brush aside every safeguard that we now have surrounding the regulation of corporations seems to me to be the heighth of foolishness. It may be, I do not know, but it seems there must be some animus behind this legislation which is not of the best kind. If it is for the purpose of securing revenge, perhaps, for some adverse decision, I do not think they should bring it before this House and ask us to take up such a proposition as that. If it is not for such a purpose as that, it is difficult to see the motive behind it, and I ask this House, in all sincerity, not to pass this bill.

Mr. SCHLEITER. Mr. Speaker, there was a clamor for many years for some kind of a tribunal where the people could go for redress. In response to that demand, the Public Service Commission was created, but unfortunately, the people did not get any relief It is necessary today to come here to Harrisburg on some trival little thing a municipality may have at issue with a Public service corporation. We had a case in Beaver County, and the same thing applies to Allegheny County, the case of the Beaver Valley Water Company against their patrons, and it took seven years to decide that case. The Public Service Commission has absolutely no final authority. Now, I am not a lawyer, but I believe the lawyers here will bear me out on that. I was for seven years at the head of the litigation of the citizens vs. the Beaver Valley Water Company, and we were sent Peter to Paul.

The first hearing was held in Pittsburgh, the next three or four in Harrisburg, and the Public Service Commission ruled that the engineers that the State had put on the case the engineers that the people had employed, that their ruling was correct, and ordered the Beaver Valley Water Company to put into effect a rate that would provide for a certain amount of revenue based upon the valuation that State engineers and the engineers for the people placed upon the value of that property. The water company of course, appealed. It went to the superior court and from the superior court to the supreme court, and the supreme court sent it back to the Public Service Commission, and then the Public Service Commission put another rate into effect, or asked the companies to put another rate into effect, and they declined and then went to the supreme court again and the company was sustained, and a bill of thousands of dollars for costs was placed upon the complainants of whom I was one. We found there were about thirty-five citizens who were complainants in this case, and their property was tied up because the water company put on record in the prothonotary's office these costs against each individual complaint.

Now my friends, what have the people really gained by this Public Service Commission? It was intended to offer help, but instead, in some way, because their decisions are not final, because you can appeal, because every side can appeal to the higher courts, those who are complainants and those who are suffering under what they consider wrong have to spend a fortune in order to get their cases where they are finally decided on, and that is in the supreme court. Now my friend, although the old way was not satisfactory, we could have our troubles heard in our county courts. We did not have to travel to Philadelphia or Harrisburg or other places. We did not have to spend $28,000, as we had to do in the water company case. It is to the utter chargin and the utter disappointment and to what most everyone considered a great wrong, when the Public Service Commission in the case of contracts that were made by these public service corporations, by the street car companies the water companies and gas companies, and in most other contracts, which were solemnly made with these companies providing certain things, among some being, in the case of the telephone companies where so many free telephones were granted, in the gas and water companies, free flusher service, and in the case of the electric companies, where the council chamber was to be lighted free of charge, and in the case of the street railways company, they had certain contracts to perform in the way of keeping up the streets or the right of way, all these contracts which were solemnly entered into and which today must be kept up by the municipalities, but not kept up by the public service corporations, have been thrown into the discard by the Public Service Commission ruling that there shall be no more free service. Their powers are limited and then they can only regulate or advise, because the supreme court is the final seat or place of judgment.

Mr. MILLER. Mr. Speaker and members of this House, I would like to know how many persons here, outside of those representing corporate interests, ever had any dealings with the Public Service Commission. If you had had the same dealings with this Commission as I have had, you would probably go on record, as I intend to do, as voting for the abolishment of this Commission.

The corporate interests of this state in the first instance were responsible for its conception; they put the first judges on the bench, they put the last ones on, and they will put on the ones to come unless there is something like this passed for the relief of the municipalities.

I think every city and municipality should be the best judge of the cases that come up in their business.

Mr. SPANGLER. Mr. Speaker and members of the House, I concur with what Mr. Edmonds has said that we cannot at this time afford to abolish the Public Service Commission. I believe there are certain defects that stand out in the public service commission law, and I had the pleasure of introducing a bill which passed this House a short time ago that would have, to a great degree, relieved the condition as has been suggested by the gentleman from Beaver, Mr. Schleiter.

One of the greatest handicaps, as I see it, to the Public Service Commission is the delay that is caused in the fixing of rates. In the city of York, we have a situation similar to the situation that the gentleman has just stated occurred in Beaver county, and I have a bill that provides that where there are objections made to the raising of a rate of a water company, or any public utility company, that within 90 days of the time of the protest the protestant can file a petition asking the commission to either suspend or modify those rates, and that in that event the Commission shall immediately institute a preliminary investigation to determine whether that can be done, and to act immediately. Now there is one handicap that the Public Service Commission has been under, and would more or less be under if this bill passed, and that is that we have not in this Legislature given the Public Service Commission as much of a personnel for investigation as the Public Service Commission needs. In other words, in order to properly determine the question of rates it is necessary for the Commission itself, a semi-judicial body, to send engineers into the district for investigation, and if we curtail the Public Service Commission in their appropriaton so that they are unable to employ a sufficient number of engineers and assistants to assist them in arriving at a correct and proper rate, we curtail the effectiveness of the Commission, and we impair their judgment in connection with that particular cause. For that reason I think this Legislature should try out the Commission under conditions where they are enabled to perform the service the law contemplates they shall perform, and to afford them the necessary assistants for the ascertainment of facts.

This piece of legislation of mine I might say, has not received a very hearty reception in the Senate. It has been sent to the pickling committee, and I have been trying for the last few weeks to pick it out of the brine.

Mr. RHODES. Mr. Speaker and members of the House, I just want to express my opinion briefly upon this subject. I do not think that we want to kill the patient, but I do think we ought to give it some remedial remedies. I think the proposition, as stated by the gentleman from York, Mr. Spangler, is correct. One of the greatest faults of the Public Service Commission, in so far as the public is concerned, has been the ability of the public utilities companies in this state to raise their rates without first having a hearing or having it adjudicated by the Public Service Commission. It seems to me that the Public Service Commission is an absolute necessity under the complexity of ordinary every day life and to eliminate the Public Service Commission at this time with so many thousand public utilities corporations in the state would merely disorganize our economic life.

The Public Service Commission law is not correct in many respects, and I think there are pending certain laws at this time to correct some of these defects. I think that what we want to do is correct the law, correct the public utility law in the place where it is weak, and not eliminate the commission itself so that will nothing but disorganization and demoralization.

I think we should apply the proper remedies and not kill the patient.

Mr. LORENZO D. THOMAS. Mr. Speaker, this question of the Public Service Commission is one that is going to loom large in the affairs of this Commonwealth in the next two years, and I am satisfied that you will find that we will all find that there must be a change take place very soon. I was called into conference no later than last Friday night, sir, in which the recent ruling of the Public Service Commission was handled and deliberated upon by the agents of several municipalities in our district, and when they were agents there from other parts of the State, and I am willing to tell you at this time, gentlemen of the House, that while I have the greatest regard and the fondest respect for the personnel of this Commission, because I did make it one of my, the basis of my campaign in two preceding campaigns, that the Public Service Commission must be retained, and that the personnel of the commission as it is now formed seems to be to our highest conception of what true manhood and disinterestedness means, as we take the biography that is given of the present personnel, personally, there is not one of them but what we would be glad to regard him as a dear friend, but there are other agencies and interests at work, and those interests have shown their hand and the hour has struck for the present under the operation of the Public Service Commission of this Commonwealth. We are confronted with a condition in our locality now that puts us at the very top of the list of high rates for services rendered by the corporations there, particularly the American Gas Utilities Company. I will tell you men, if you had lived for a little while among those people who have been subjected to the indignities, even the atrocities to which they have been subjected you would not deal with this question with gloved hands, and I am making a promise at this time that I think I am reasonably sure, everything considered in a reasonable way, I am making the promise that the affairs or the actions and deliberations of the Public Service Commission will have a large part in the doings of the Legislature when it convenes two years hence.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—32.

Armstrong,
Brewster,
Brownmiller,
Dietz,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Gibbon,
Harer,
Haws,
Himes,
Hollis,
Hontz,
Hoover,
Horne,
Huber,
Kelly,
Kunkle,
McDermott,
Miller,
Myers, G. C.,
Rinn,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Sheridan,
Thomas, L. D.,
Wheeler,
Wood, W. P.,
Zook,

NAYS—97.

Albert,
Alexander,
Anderson,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Bluett,
Bromley,
Brown,
Burchinal,
Burns,
Clutton,
Coldsmith,
Colville,
Craig,
de Young,
Diehm,
Dilsheimer,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fratt,
Gelder,
Gilchrist,
Golder,
Goss,
Greeby,
Griffith,
Haas,
Hall,
Harter,
Heffran,
Henderson,
Hetrick,
Holcombe,
Irvin,
Jones, C. B.,
Jones, D. J.,
Keene,
Kennedy,
Long,
Lucas,
Ludlow,
Mack,
Marcus, J.,
Marshall, W. F.,
McCaig,
McClure,
McCurdy,
McDaniel,
McVicar,
Metcalf,
Minehart,
Moffat,
Moore,
Morrison,
Myers, P. M.,
Nolte,
Parkinson,
Patterson,
Peelor,
Posey,
Price,
Raymond,
Rhodes,
Richards,
Sample,
Sarig,
Sautter,
Smith, G. A.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Stevens, A. J.,
Storb,
Storer,
Thomas, M. G.,
Thompson,
Walker,
Whiteman,
Williams, G. W.,
Woner,
Wright,
Goodnough, Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

REQUEST FOR INFORMATION BY COMMITTEE ON RULES

Mr. McVICAR. Mr. Speaker, I would like to make a statement to the House at this time.

The SPEAKER. The gentleman will proceed.

Mr. McVICAR. Mr. Speaker and members of the House, on April 3rd, the Committee on Rules made a report to you that it was unable to report or recommend a date for final adjournment by reason of the fact that they did not know the number of bills pending in Committees and the time that would be required by the committees in making a report to the House, and they recommended the adoption of the resolution that the chairman of the various committees would make report to the Committee on Rules, not later than April 16th, which was Monday of this week. A letter was sent to the chairman of each committee and a form of report was sent therewith. The Committee on Rules has received nineteen reports from the forty-one committees, and as its charirman, I would request those committees which have not made a report that they do so as early as they can. I appreciate the difficulty in making those reports by some of those committees, but the Committee on Rules cannot intelligently act upon this matter until it has the necessary data from the committees.

TIME EXTENDED ON BILL.

Mr. DAVID FOWLER. Mr. Speaker, I move that the time on House Bill No. 1001, file folio 2851, entitled

An Act to quiet the title to real estate; and to enable citizens of the United States, and corporations authorized to hold real estate within this Commonwealth, to hold and convey title to real estate which has been formerly held by or for corporations not authorized by law to hold the same.

on page 21 of today's calendar, bills on third reading postponed be extended five days.

Mr. NOLTE. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL.

Mr. SCHLEITER. Mr. Speaker, I move that the time on House Bill No. 398, file folio 819, entitled

An Act to amend clause four, section six, article one of chapter seven of an act approved the fourteenth day of May, one thousand nine hundred and fifteen (Pamphlet Laws three hundred twelve) entitled "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

on page 19 of today's calendar, bills on third reading postponed be extended five days.

Mr. RIPPMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL.

Mr. DAVID J. JONES. Mr. Speaker, I move that the time on House Bill No. 686, file folio 3341, entitled

An Act authorizing probation officers of the various counties to attend the annual State Association or Conference of Probation and Parole and providing for the payment of their expenses and membership dues by counties

on page 22 of today's calendar, bills on third reading postponed be extended five days.

Mr. RINN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 818, entitled

An Act to amend an act approved the twentieth day of July, one thousand nine hundred and seventeen, (P. L. 1143) entitled, "An Act relating to free, public, non-sectarian libraries and branch libraries within this Commonwealth; providing for their establishment, maintenance, and regulation of such free, public, nonsectarian libraries as may have been already established by the several counties, cities, boroughs, towns, and townships; and providing that all library property, and all gifts, devises, grants, or endowments for library purposes, shall be exempt from taxation; and providing that the several counties, cities, boroughs, towns, and townships may levy taxes, condemn private property, and borrow money for library purposes; and imposing penalties for injuring library property and for violations of library regulations; and repealing existing laws in relation to the above subjects."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were s follows, viz:

YEAS—139.

Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Bluett,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Coldsmith,
Colville.
Conner,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Flynn,
Fratt,
Frazier,
Gibbon,
Gilchrist,
Golder,
Goss,
Greeby,
Grimes,
Gundy,
Haines,
Hall,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Long,
Lucas,
Ludlow,
Mack,
Mangan,
Marcus, J.,
Marshall, W. F.,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
McKim,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Raymond,
Rhodes,
Richards,
Rinn,
Sample,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Stavitski,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Walker,
Wells,
Wheeler,
Whitehouse,
Williams, G. W.,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 378, as follows:

An Act to amend route number one hundred eleven as amended and route one hundred twelve of section six of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth relieving the several townships or counties from any further obligations and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner denies the work be done by the State providing aid by the State counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by the State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injury or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Route One Hundred and Eleven of section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioners and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid Highways and kind of materials to be used in the improvemtnt providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" which was amended by the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and twenty) is hereby further amended to read as follows

Route One Hundred and Eleven From Waynesburg to the West Virginia State Line Commencing in Waynesburg and running by way of Rogersville Holbrook Woodruff Nettlehill and New Freeport to the West Virgina State line by way of Garrison and from New Freeport by spur by way of Deep Valley to the West Virginia State line

Section 2 That Route One Hundred and Twelve of section six of said act is hereby amended to read as follows

Route One Hundred and Twelve From Waynesburg to Uniontown Commencing in Waynesburg and running by way of Jefferson to Dry Tavern and from thence to Carmichaels to a point on the dividing line between Greene and Fayette counties thence by way of East Riverside and New Salem into Uniontown Fayette county

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—133.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, W. T.,
Bentley,
Betts,
Bluett,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, J.,
Flynn,
Fratt,
Frazier,
Gallaher,
Gelder,
Gilchrist,
Golder,
Goss,
Greeby,
Grimes,
Gundy,
Haines,
Hall,
Harter,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hoover,
Horne,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Little,
Long,
Lucas,
Schleiter,
Mack,
Mangan,
Marcus, J.,
Marshall, W. F.,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
Metcalf.
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Ludlow,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Stavitski,
Sterling,
Stevens, A. J.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Walker,
Wells,
Wheeler,
Whiteman,
Williams, G. W.,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 941, entitled

An Act providing for the payment by counties of expenses incurred by the district attorney and making such expenses a part of the costs of the case where the defendant is convicted

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—128.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Bell, F. A.,
Bentley,
Betts,
Bidelspacher,
Bluett,
Brewster,
Brown,
Brownmiller,
Burns,
Bush,
Chaplin,
Coldsmith,
Conner,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Eaches,
Edmonds,
Evans, B. P.,
Evans, J.,
Flynn,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Gelder,
Gibbon,
Glasgow,
Golder,
Greeby,
Griffith,
Grimes,
Gundy,
Haas,
Haines,
Hall,
Harer,
Haws.
Heffernan,
Heffran,
Henderson,
Heyburn,
Himes,
Holcombe,
Hollis,
Horne,
Huber,
Johnson,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kohler,
Labar,
Lauver,
Long,
Ludlow,
Malie,
Marcus, J. C.,
McCaig,
McCurdy,
McDaniel,
McGowan,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Nolte,
Patterson,
Peelor,
Perry,
Posey,
Post,
Price,
Raymond,
Richards,
Rinn,
Rippman,
Sample,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. F.,
Sterer.
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Walker,
Wells,
Wheeler,
Whiteman,
Williams, J. M.,
Wood, N.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—1.

Mack,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1358, entitled

An Act to amend the twelfth clause of section three hundred and eighty-one, chapter seven, of an act, approved the fourtenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred and forty), entitled "An Act concerning townships; and revising, amending and consolidating the law relating thereto."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—131.

Albert,
Alexander,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, W. T.,
Bentley,
Bidelspacher,
Bluett,
Brewster,
Bromley,
Flynn,
Fratt,
Frazier
Gallaher,
Gelder,
Gilchrist,
Goehring,
Goss,
Greeby,
Grimes,
Gundy,
Harer,
Harter,
Haws,
Heffernan,
Little,
Long,
Lucas,
Ludlow,
Mack,
Mangan,
Marcus, J.,
Marshall, W. F.,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,

Brown,
Brownmiller,
Burchinal,
Burns,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, J.,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hontz,
Horne,
Howell,
Huber,
Irvin.
Jones, C. B.,
Jones, D. J.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
McVicar,
Metcalf,
Miller,
Minehart,
Moffat,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Raymond,
Rhodes,
Stark,
Stavitski,
Sterling,
Stevens, A. J.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Walker,
Wells,
Whiteman,
Williams, G. W.,
Woner,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 933, entitled:

An Act authorizing county commissioners to appropriate money from the funds of the county to aid in the planting of trees and the establishment of tree nurseries in aid of the reforestration of the wood lots of farms or any other lands denuded of timber trees which it is desired to reforest

On the question,

Will the House agree to the bill on third reading?

On the question,

It was agreed to.

Shall the bill pass finally?

Mr. SCHLEITER. Mr. Speaker and members of the House, if I interpret this act correctly, it means that the counties may go into the nursery business. I think it is entirely unnecessary, because if it were applied to every borough, it would be the cause of a great outlay of money. If I understand correctly, trees can be gotten from the State, and even if the trees, the young trees, would cost the nursery prices, or the cost, whatever you are obliged to pay to the tree nurseries, it seems to me this would be a great saving, and I believe this bill is entirely unnecessary and I hope it will be voted down.

Mr. GIBBONS. Mr. Speaker, this bill makes it optional with the counties whether they shall appropriate money for reforestration. This bill was given to me by a citizen of Wilkesbarre, and before is was presented, it was shown to the Governor and it entirely meets with the Governor's approval.

Mr. SCHLEITER. Mr. Speaker, the bill is so indefinite there isn't anything to it, you can construe it any way you see fit.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—118.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Baldi,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flynn,
Fratt,
Gelder,
Gibbon,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kohler,
Kunkle,
Lafferty,
Ludlow,
Mack,
Raymond,
Rhodes,
Rinn,
Sample,
Sautter,
Schaeffer,
Schoener,
Schwartz,
Shambach,

Beaver,
Behney,
Bell, W. T.,
Bentley,
Bidelspacher,
Bluett,
Brewster,
Bromley,
Brown,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Dunn,
Gilchrist,
Goehring,
Golder,
Goss,
Greeby,
Grimes,
Guerin,
Gundy,
Harter,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hoover,
Horne,
Huber,
Irvin,
Marcus, J.,
Marshall, W. F.,
McCaig,
McCurdy,
McDermott,
McKim,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Parkinson,
Pitts,
Posey,
Price,
Sheridan,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Stark,
Stavitski,
Sterling,
Thomas, L. D.,
Thomas, M. G.,
Walker,
Weamer,
Wheeler,
Whiteman,
Williams, G. W.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—4.

Kennedy,
Peelor,
Schleiter,
Smith, G. A.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1334, as follows:

An Act to amend section one of an act approved this seventeenth day of March one thousand nine hundred twenty-one (Pamphlet Laws thirty-two) entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by the board of control at the expense of the county" is hereby amended to read as follows

"Section 1 Be it enacted et cetera That in any county of the Commonwealth where the petition of at least fifty citizens thereof to the county commissioners of any county for the erection or completion and maintenance of a memorial or monument in honor of the soldiers sailors or marines for such county who served in the Army and Navy of the United States in the War of the Rebellion the Spanish-American War the Philippine Insurrection the War with Germany and Austria and all other wars in which the United States has been or may hereafter be engaged has been or may be laid before two successive grand juries and approved by them it shall be the duty of the county commissioners to submit the question of the erection of a memorial hall to the electors of the county at the next general or municipal election and if a majority of the (persons voting at such election shall vote) votes cast on the question of the erection of a memorial hall shall be in favor of the same it shall be the duty of the county commissioners to erect at the county-seat a memorial hall as such memorial or monument and for such purpose to acquire by purchase donation or by condemnation under the right of eminent domain the necessary site and to erect and maintain thereon a suitable and proper memorial hall or buildings in memory of the soldiers sailors and marines of such wars All proceedings for the condemnation of any property under the provisions of this act shall be in the same manner as now provided by law for the condemnation of property for other county purposes

If the site so secured has a hall or building already erected thereon which can be altered and improved so as to be made suitable for such memorial hall it shall be lawful for such county commissioners to acquire such site in manner aforesaid for the purpose of a memorial hall

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—122.

Albert,
Alexander,
Armstrong,
Aston,
Baker,
Beaver,
Behney,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Bluett,
Brenneman,
Brewster,
Brown,
Brownmiller,
Burns,
Bush,
Clutton,
Coldsmith,
Conner,
Craig,
Diehm,
Dilsheimer,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, J.,
Flynn,
Fratt,
Gelder,
Gilchrist,
Golder,
Goss,
Greeby,
Grimes,
Gundy,
Haines,
Hall,
Harter,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hontz,
Hoover,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Mack,
Marcus, J.,
Marshall, W. F.,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
Metcalf,
Miller,
Minehart,
Moffat,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Stavitski,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Walker,
Wettach,
Wheeler,
Whiteman,
Williams, G. W.,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1389, (Senate Bill No. 457), entitled:

An Act to amend section twenty-two of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" authorizing the Governor to confer brevet rank upon certain officers

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—117.

Albert,
Alexander,
Allman,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, W. T.,
Bentley,
Betts,
Bluett,
Brewster,
Burns,
Clutton,
Coldsmith,
Conner,
Craig,
Diehm,
Dilsheimer,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, J.,
Flynn,
Fowler, A. I.,
Fratt,
Frazier,
Gelder,
Gibbon,
Golder,
Gorham,
Greeby,
Grimes,
Gundy,
Haines,
Hall,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hoover,
Howell,
Irvin,
Johnson,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Long,
Lucas,
Ludlow,
Mack,
Mangan,
Marcus, J.,
Marshall, W. F.,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Sample,
Sautter,
Schaeffer,
Schleiter,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Stavitski,
Sterling,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Walker,
Wells,
Whiteman,
Williams, G. W.
Woner,
Wood. W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1398, (Senate Bill No. 432), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section eighteen

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—132.

Albert,
Alexander,
Armstrong,
Asbury,
Aston,
Baker,
Beaver,
Behney,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Bluett,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dilsheimer,
Driggs,
Dunn,
Eaches,
Earley,
Fratt,
Frazier,
Gelder,
Gilchrist,
Golder,
Goss,
Greeby,
Grimes,
Gundy,
Haines,
Hall,
Harer,
Harter,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kennedy,
Little,
Long,
Lucas,
Ludlow,
Mack,
Mangan,
Marcus, J.,
Marshall, W. F.
McCann,
McCaig,
McClure,
McCurdy,
McDermott,
McKim,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Sample,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Stavitski,
Sterling,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Walker,
Wells,
Wheeler,
Whiteman,
Williams, G. W.,
Woner,
Wood, W. P.,
Wright,
Zook,

Edmonds,
Evans, J.,
Flynn,
Fowler, A. I.,
Kohler,
Kunkle,
Lafferty,
Raymond,
Rhodes,
Rinn,
Rippman,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendments.

ADJOURNMENT.

Mr. ALEXANDER. Mr. Speaker, I move that this House do now adjourn until Monday evening, April 23, 1923, at 9:00 o'clock.

The motion was agreed to, and (at 12:55 P. M.) the House adjourned until Monday evening, April 23, 1923, at 9:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1923 125th of the General Assembly

Vol. 7. HARRISBURG, PA., MONDAY, APRIL 23, 1923. No. 44.

SENATE

MONDAY, APRIL 23, 1923.

The Senate met at 9 o'clock P. M.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Our Father in Heaven: We come to Thee because we are needy, and Thou hast promised to supply our every need. We are weak and Thou art mighty; we are poor and Thou are rich; we are foolish and ignorant but Thou art wise; we are sinful but Thou art holy. We have friends on earth who are ready to aid us, but there is no friend like Thee. Help us to realize our dependence upon Thee. May we get close to Thee and place our lives in Thy care and keeping. Bless the members of the Senate. Day by day may they look to Thee for guidance, and grant them the leadership they seek. Be with them this evening and throughout the session. For Jesus' sake. Amen.

JOURNAL APPROVED.

The PRESIDENT. A qurorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

PROTESTING AGAINST HOUSE BILLS 850, 1277 AND SENATE BILL 359.

Mr. PATTON presented petitions of the Philadelphia Board of Trade, protesting against the passage of House Bills 850, 1277 and Senate Bill 359.

Which were referred to the Committee on Judiciary General.

PROTESTING AGAINST HOUSE BILL 514.

Mr. VARE presented petition of the Philadelphia Board of Trade protesting against the passage of House Bill 514.

Which was referred to the Committee on Appropriationes.

PROTESTING AGAINST HOUSE BILL 1201.

He also presented petition of the Philadelphia Board of Trade protesting against the passage of House Bill 1201.

Which was referred to the Committee on Health and Sanitation.

HOUSE MESSAGES.

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives, as follows:

House Bill No. 18, (Senate Bill No. 909), entitled:

An act to provide for the welfare of all persons confined (Whether such persons be tried or untried prisoners) in any penitentiary or county prison in this Commonwealth

Which was committed to the Committee on Judiciary Special.

House Bill No. 46, (Senate Bill No. 910), entitled:

An Act to amend section two hundred and seventy-one of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 112, (Senate Bill No. 911), entitled:

An Act to amend section five of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities co-extensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorder in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" providing for the assessment of property and the collection of taxes interest and penalties in cases of the refusal or failure of taxables to make return and in the case of false or incomplete returns

Which was committed to the Committee on Finance.

House Bill No. 139, (Senate Bill No. 912), entitled:

An Act to amend section ten of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468) entitled, "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendent of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith, and providing that existing contracts are not affected by provisions of this act," as amended.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 229, (Senate Bill No. 913), entitled:

An Act to amend section twelve of Article five of the act approved the twenty-sixth day of July, one thousand nine hundred and thirteen (P. L. 1374), entitled, "An act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining, and limiting their power, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway corporations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation, or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission, and upon appeal and judicial review of its orders and determinations by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines, and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes on railroads, by compelling common carriers by railroad to properly man their trains,' by amending section nine thereof; repealing the act approved the thirty-first day of May, one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals;' and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' " approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven of section thirty-four of the act, entitled 'An Act to provide for the incorporation and regulation of certain corporations', approved the twenty-ninth day of April, one thousand eight hundred and seventy four, and all other legislation inconsistent with or supplied by this act," as amended.

Which was committed to the Committee on Railroads.

House Bill No. 246, (Senate Bill No. 914), entitled:

A Joint Resolution proposing an amendment to section eleven of article eight of the Constitution of Pennsylvania

Which was committed to the Committee on Elections.

House Bill No. 346, (Senate Bill No. 915), entitled:

An Act to amend section seventeen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An Act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensattion of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended

Which was committed to the Committee on Finance.

House Bill No. 358, (Senate Bill No. 916), entitled:

An Act to amend sections one and eighteen of the act approved the sixteenth day of May, one thousand nine hundred and twenty-one, (Pamphlet Laws five hundred and fifty-nine), entitled "An Act for the better protection of fish; requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth, or in the waters bounding or adjacent thereto, and regulating the issuance of such license; providing penalties for the violation of this act, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the penalties recovered and license fees received;" changing the age limit of persons required to procure licenses; and providing for the purchase with surplus moneys of lands and waters, and the impounding of waters.

Which was committed to the Committee on Game and Fisheries.

House Bill No. 366, (Senate Bill No. 917), entitled:

An Act to amend section two of an act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred and seventy-nine) entitled "An act relating to the time and manner of taking exception in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such tarnscript for the purpose of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case"

Which was committed to the Committee on Judiciary General.

House Bill No. 377, (Senate Bill No. 918), entitled:

An Act to amend sections one and three and section six as amended and sections nine and ten of an act approved the seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred sixty-seven) entitled "An act to provide for the better protection of life and health by diminishing the danger from infectious and contagious diseases through the creation of a State Board of Undertakers in the cities of the first second and third classes with systematic examinations registration and licenses for all entering the business of burying the dead and penalties for violation of the provisions thereof" by prescribing the qualifications and compensation of members of the State Board of Undertakers providing for employes of the board requiring applicants for undertakers' license to have a common school education providing for the auditing of its books and the disposition of funds remaining in its treasury

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 378, (Senate Bill No. 919), entitled:

An Act to amend route number one hundred eleven, as amended, and route one hundred twelve of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State-aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with the Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts and parts of acts inconsistent herewith, and providing that existing contracts are not affected by provisions of this act."

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 448, (Senate Bill No. 920), entitled:

An act requiring the display of the United States flag at all polling places providing for its purchase by the county commissioners and its care between elections

Which was committed to the Committee on Elections.

House Bill No. 454, (Senate Bill No. 921), entitled:

An act providing for an examination of the Locust Mountain Memorial Hospital of Shenandoah Pennsylvania Providing for the transfer thereof to the Commonwealth and for its management thereafter and making an appropriation

Which was committed to the Committee on Appropriations.

House Bill No. 460, (Senate Bill No. 922) entitled:

A Supplement to the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and sixty-two) entitled "An Act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by subscribers to be misdemeanors and providing penalties for the violation thereof" providing for the auditing of the State Workmen's Insurance Fund and the payment of the costs thereof

Which was committed to the Committee on Appropriations.

House Bill No. 598, (Senate Bill No. 923), entitled:

An Act declaring the construction to be given deeds, wills and other instruments in writing in which real and personal property is donated, granted, devised or bequeathed, either directly or in trust for the benefit of one or more persons for years or for life or upon condition, with remainder over to the heirs or next of kin or to the persons thereunto entitled under the interstate laws or other similar or equivalent phrase.

Which was committed to the Committee on Judiciary General.

HOUSE BILL No. 632, (Senate Bill No. 924), entitled:

An Act to amend an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and ninety-one) entitled "An Act restricting the appointment of corporate fiduciaries by testators or by any court or register of wills to corporations fully subject to supervision and examination by the Banking Department" by exempting certain corporations from the provisions thereof

Which was committed to the Committee on Banks and Buildings and Loan Associations.

House Bill No. 663, (Senate Bill No. 925), entitled:

An Act to amend section five and six of an act appoved the sixteenth day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred ninety-three) entitled "An act to provide for the licensing and regulation of public dance halls and ball rooms and for the regulation supervision of public dances and balls in cities of the first second and third classes" by making it the duty of the Mayor to investigate the character of applicants for dance hall and ball room licenses and providing that no such license shall issue to any person of immoral character or who is an unfit person to hold such license or who has been convicted of any crime

Which was committed to the Committee on Municipal Affairs.

House Bill No. 668, (Senate Bill No. 926), entitled:

An Act to amend section eight of an act approved the seventh day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred sixty-eight) entitled "An Act to restrain and regulate the use of billiard-tables pool-tables and bagatelle-boards or tables kept and maintained for the use of the general public for hire or reward in cities of the first class in this Commonwealth providing for the granting of license and providing for punishments for the violations of the provisions of this act" by providing for the revocation of the licenses therein provided for when the place licensed shall in the opinion of the Director of the Department of Public Safety be so conducted as to be detrimental to the immediate neighborhood or when the licensee is not a person of good moral character or a fit person to hold such license or when said place is frequented by immoral persons or managed in an improper or disorderly manner

Which was committed to the Committee on Municipal Affairs.

House Bill No. 696 (Senate Bill No. 927) entitled:

An Act providing for the maintenance by the Commonwealth of State-aid roads and highways in townships of the second class

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 700, (Senate Bill No. 928), entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania providing for a budget system

Which was committed to the Committee on Appropriations.

House Bill No. 715, (Senate Bill No. 929), entitled;

An Act to amend section eighteen of an act approved the seventh day of June Anno Domini one thousand nine hundred and fifteen entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificatees of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practioners of medicines and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provide in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" by requiring that parents be notified of the registration of birth certificates

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 818, (Senate Bill No. 930), entitled:

An Act to amend an act approved the twentieth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred forty-three) entitled "An Act relating to free public non-sectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public non-sectarian libraries as may have been already established by the several counties cities boroughs towns townships and providing that all property and all gifts devices grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relating to the above subjects"

Which was committed to the Committee on Municipal Affairs.

House Bill No. 837, (Senate Bill No. 931), entitled:

An Act to assure to persons within the jurisdiction of every county the equal protection of the laws by providing for their removal from the county and their trial in certain criminal cases by the Superior Court imposing penalties upon the counties and officers thereof for failure to provide proper protection and upon individuals for interfering with or obstructing the carrying out of the provisions of this act giving the Superior Court jurisdiction in all prosecutions arising out of this act

Which was committed to the Committee on Judiciary General.

House Bill No. 869, (Senate Bill No. 932), entitled:

An Act relating to the proof of intoxicating liquors sold offered for sale or furnished and providing penalties

Which was committed to the Committee on Law and Order.

House Bill No. 882, (Senate Bill No. 933), entitled:

An Act to amend section thirteen of the act approved the thirtieth day of January, one thousand eight hundred and seventy-four (P. L. 31) entitled, "A Further Supplement to the act regulating elections in this Commonwealth," as amended; by authorizing the members of the board of receiving, computing and certifying election returns, to act when a majority of the members thereof are not qualified.

Which was committed to the Committee on Elections.

House Bill No. 883, (Senate Bill No. 934), entitled:

An Act to amend the fourth paragraph of section fourteen of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

Which was committed to the Committee on Elections.

House Bill No. 896, (Senate Bill No. 935), entitled:

An Act to ascertain and appoint the fees to be received by the clerk of quarter sessions and oyer and terminer of counties of the third and fourth classes

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 898, (Senate Bill No. 936), entitled:

An Act to amend route number sixty-three of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioners and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commisioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 916, (Senate Bill No. 937), entitled:

An Act to amend sections eighteen, twenty-six, thirty-two, thirty-four, thirty-eight, fifty-four, fifty-five, fifty-six, fifty-seven, fifty-nine, and sixty-one of an act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, eight hundred sixty-nine), entitled "An Act providing for the organization, government, discipline, maintenance, and regulation of the armed land forces of this Commonwealth."

Which was committed to the Committee on Military Affairs.

House Bill No. 921, (Senate Bill No. 938), entitled:

An Act requiring persons and agencies engaged in child caring child placing and child protection work to secure a certificate of approval from the Commissioner of Public Welfare and regulating the placing out and care of children

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 922, (Senate Bill No. 939), entitled:

An Act providing for the regulation and supervision and for the approval by the Department of Public Welfare of certain maternity homes and maternity hospitals and providing penalties

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 933, (Senate Bill No. 940), entitled:

An Act authorizing county commissioners to appropriate money from the funds of the county to aid in the planting of trees and the establishment of tree nurseries in aid of the reforestration of wood lots of farms or any other lands denuded of timber trees which it is desired to reforest

Which was committed to the Committee on Forestry.

House Bill No. 939, (Senate Bill No. 941), entitled:

An Act providing for the payment of certain claims for damages done to livestock poultry or bees by bear providing a method for the ascertainment of such damage and making an appropriation

Which was committed to the Committee on Appropriations.

House Bill No. 941, (Senate Bill No. 942), entitled:

An Act providing for the payment by counties of expenses incurred by district attorneys

Which was committed to the Committee on Judiciary General.

House Bill No. 974, (Senate Bill No. 943), entitled:

An Act to amend section two of the act approved the fifth day of May, one thousand nine hundred and twenty-one, (P. L. 389), entitled "An Act to regulate and control the manufacture, sale, offering for sale, giving away, and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania; providing for the approval and disapproval of such weights, measures, and devices by the Bureau of Standards; and prescribing penalties," authorizing the Bureau of Standards to pass upon types of bottles, cans, jars, or cartons; and fixing standards thereof.

Which was committed to the Committee on Judiciary General.

House Bill No. 978, (Senate Bill No. 944), entitled:

An act to amend section one hundred and ninety-six as amended, section one hundred and ninety-seven as amended, section one hundred and ninety-eight, section four hundred and twenty-seven, section four hundred and thirty-four as amended, and section one thousand and forty of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840) entitled, "An act concerning townships; and revising, amending and consolidating the law relating thereto."

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 979, (Senate Bill No. 945) entitled:

An Act to amend section two of an act approved the fifth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, three hundred ninety-seven), entitled, "An Act authorizing a State association of township supervisors and township commissioners, and providing for the payment of the expenses thereof by the respective counties."

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 1007, (Senate Bill No. 946), entitled:

An Act to amend an act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred and sixty-one) entitled 'An Act relating to the maintenance of insane feeble-minded and other persons confined in the various institutions of the Commonwealth fixing liability for their support providing for the collection of moneys due the Commonwealth therefor and for proceedings relating thereto"

Which was committed to the Committee on Appropriations.

House Bill No. 1025, (Senate Bill No. 947), entitled:

An Act to provide a method of relieving real estate of the charge of a life interest imposed thereon by any order judgment or decree of any court in this Commonwealth in any partition proceedings

Which was committed to the Committee on Judiciary General.

House Bill No. 1047, (Senate Bill No. 948), entitled:

An Act authorizing the commissioners of the various counties to appropriate money to volunteer fire companies within their respective counties

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 1075 (Senate Bill No. 949), entitled:

An Act for the prevention and treatment of mental diseases, mental defect, epilepsy and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition and deportation of mental patients; providing for the payment by individuals, counties or the Commonwealth of the cost of the admission, care and discharge of mental patients; and imposing penalties.

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 1079, (Senate Bill No. 950), entitled:

An Act relating to the satisfaction of mortgages the determination of the amount due and unpaid on the same and to whom payable in certain cases Including all cases where a mortgage is given to secure a bond or bonds and the mortgage is claimed by one claimant and the bond or bonds by another all cases where a mortgage is made to a trustee without naming or designating the cestui que trust or imposing any duties on the trustee to be performed on behalf of the bond holder or bond holders and the bonds or the judgments confessed on the same are assigned to a claimant or claimants other than the trustee and all cases where there is a dispute as to what bond or bonds are secured by such mortgage providing procedure for determining the issues involved in such cases and the satisfaction of such mortgages the payment of costs in such cases with the right of appeal without affecting the validity of the bonds as personal obligations or as liens on land other than as they claim priority as the bonds secured by such mortgage and providing for scire facias execution and sale on such mortgage

Which was committed to the Committee on Judiciary General.

House Bill No. 1080, (Senate Bill No. 951), entitled:

An Act to make reinstatements in the civil service of persons honorably released from the active military or naval service of the United State after service in any of the wars in which the United States has been engaged

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1095, (Senate Bill No. 952), entitled:

An Act relating to debts of municipalities

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1103, (Senate Bill No. 953), entitled:

An act to amend an Act approved June 20, 1919, (P. L. 521) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal" as amended.

Which was committed to the Committee on Finance.

House Bill No. 1125, (Senate Bill No. 954), entitled:

An Act to amend sections seven; twenty-six, twenty-nine and thirty-two of an act approved the twenty-third day of May, one thousand nine hundred and nineteen, (P. L. 242), entitled "An Act to amend, revise, and consolidate the law relating to the State Library and Museum, including the law relating to the Free Library Commission and the Division of Public Records; abolishing the Board of Trustees of the State Library, the Advisory Commission of Public Records, and the Free Library Commission; and repealing existing laws in relation thereto;" fixing fees for certain services; and making an appropriation thereof.

Which was committed to the Committee on Appropriations.

House Bill No. 1183, (Senate Bill No. 955), entitled:

An Act reappointing the unexpended balance of an appropriation made by the General Assembly of one thousand nine hundred and twenty-one to the State Fair Commission

Which was committed to the Committee on Appropriations.

House Bill No. 1203, (Senate Bill No. 956), entitled:

An Act providing a method through which the Commonwealth may co-operate with individuals in building fences to protect farm crops and fruit orchards against damage from wild deer and making an appropriation

Which was committed to the Committee on Appropriations.

House Bill No. 1208, (Senate Bill No. 957), entitled:

An Act making an appropriation to the Pennsylvania State College to reimburse the said college for loss of interest on a bond of the Commonwealth for the benefit of said college which bond has matured

Which was committed to the Committee on Appropriations.

House Bill No. 1216, (Senate Bill No. 958), entitled:

An Act authorizing certain corporations to create and issue and convert their authorized and outstanding capital stock into shares of any class or kind either with or without nominal or par value and validating the creations and issues of stock heretofore made by corporations in accordance with the provisions hereof

Which was committed to the Committee on Corporations.

House Bill No. 1217, (Senate Bill No. 959), entitled:

An act to amend Route number ninety-three of section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State Highway solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense or improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county borough or incorporated town petitions providing for contracts townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of material to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not effected by provisions of this act"

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 1223, (Senate Bill No. 960), entitled:

An Act to amend section eight of the act approved the eleventh day of May, one thousand nine hundred and five, (P. L. 400), entitled "An Act to provide for the selection of a site and the erection of a state hospital for the treatment and care of the criminal insane, to be called the State Hospital for the Criminal Insane, and making an appropriation therefor," as amended; changing the name of said hospital.

Which was committed to the Committee on Judiciary Special.

House Bill No. 1224, (Senate Bill No. 961), entitled:

An Act regulating service of process and authorizing the service of writs of summons and other process in any county of the Commonwealth

Which was committed to the Committee on Judiciary General.

House Bill No. 1230, (Senate Bill No. 962), entitled:

An act to amend section one of the act approved the twenty-seventh day of March, one thousand eight hundred and seventy-three, (P. L. 54), entitled "An act to organize the State Hospital for the Insane at Danville, and provide for the government and management of the same;" as amended by changing the corporate name of the said hospital.

Which was committed to the Committee on Judiciary Special.

House Bill No. 1254, (Senate Bill No. 963), entitled:

An Act making an appropriation to carry out the provisions of the act, approved the twenty-seventh day of May, one thousand nine hundred and twenty-one(Pamphlet Laws, eleven hundred ninety), entitled "An Act providing for the refunding of moneys paid to the State Highway Department for registration of motor vehicles and drivers' licenses, which motor vehicles and licenses have not been used and to which moneys it appears the Commonwealth has no claim; and making an appropriation for such refunds."

Which was committed to the Committee on Appropriations.

House Bill No. 1269, (Senate Bill No. 964), entitled:

An act to amend section three of an act approved the tenth day of April, one thousand eight hundred and sixty-seven, (P. L. 62), entitled "An act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth," by requiring the drawing of jury panels from the wheel to take place publicly in the court room and in the presence of one of the Judges of the court of common pleas.

Which was committed to the Committee on Judiciary General.

House Bill No. 1289, (Senate Bill No. 965), entitled:

An Act empowering the Board of Commissioners of Public Grounds and Buildings to procure bonds for state officers and employes and providing for the payment of the cost of said bonds and the custody thereof

Which was committed to the Committee on Appropriations.

House Bill No. 1297, (Senate Bill No. 966), entitled:

An Act to amend section three hundred and three of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

Which was committed to the Committee on Education.

House Bill No. 1312, (Senate Bill No. 967), entitled:

An Act to amend sections one two three and four of an act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An act defining consolidating of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the tranportation of pupils to and from consolidated schools"

Which was committed to the Committee on Education.

House Bill No. 1334, (Senate Bill No. 968), entitled:

An Act to amend section 1, of an act approved the seventeenth day of March, 1921, (Pampnlet Laws No. 32) entitled "An Act authorizing the erection and construction by counties of memorial halls in memory of the soldiers, sailors, and marines of such counties; providing for an election to determine whether such hall shall be erected; providing for the purchase and condemnation of property for such purposes; regulating the use of such halls; and providing for the maintenance and care of the same, by a board of control at the expense of the county."

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 1345, (Senate Bill No. 969), entitled:

An Act to enable an incorporated hospital association to acquire by lease or purchase any State owned hospital specially devoted to the reception care and treatment of injured persons or of any State owned general medical and surgical hospital and to provide for the regulation and management thereof.

Which was committed to the Committee on Appropriations.

House Bill No. 1358, (Senate Bill No. 970), entitled:

An Act to amend the twelfth clause of section three hundred and eighty-one chapter seven of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

Which was committed to the Committee on New Counties and County Seats.

SENATE BILL NO. 513 RETURNED WITH AMENDMENTS.

He also returned to the Senate, Senate Bill No. 513 entitled:

An Act to amend section three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and twelve) entitled "An act to regulate the drilling operating and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act"

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the constitution, were twice read, as follows: Amend Section 1, page 2, line 10, by inserting after the word "Sand" the following: "Ball Town Sand", "Clarendon Sand" "Charry Grove Sand", "Kane Sand" and "Haskell Sand".

On the question,
Will the Senate concur in the same?

BILL POSTPONED.

Mr. BARR. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. LONG. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL NO. 321, RETURNED WITH AMENDMENTS.

He also returned to the Senate, Senate Bill No. 321, entitled:

An act to amend section one of article one of act approved the seventh day of March one thousand nine hundred and one entitled "An act for the government of cities of the second class"

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. HARRIS. Mr. Presient, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the constitution, were twice read, as follows: Amend section 1, page 1, line 7, by striking out the words "which reads" and inserting in lieu thereof the words "is hereby amended to read"; also pages 2 and 3 by striking out the entire pages; also page 4 by striking out lines 1 to 16 inclusive; also page 5, line 4 by striking out the word "mayor" and inserting in lieu thereof the words "city recorder"; also line 6 by striking out the word "four" and inserting in lieu thereof the word "three"; also line 7 by striking out the word "January" and inserting in lieu thereof the word "April"; also line 8 by inserting after the word "duly" the following: "but he shall not be eligible to the office of city recorder for the next succeeding term, or to any other office or position in the city during the period of two years next succeeding the expiration of his term of office" also line 14 by striking out the word "mayor" and inserting in lieu thereof the words "city recorder"; also line 16 by striking out the word "assembly" and inserting in lieu thereof the word "assembled"; also line 19 by striking out the word "mayor" and inserting in lieu thereof the words "city recorder"; also line 23 by striking out the word "mayor" and inserting in lieu thereof the words "city recorder"; also line 28 by inserting after the word "the" and before the word "council" the word "select"; also page 6, line 1, by inserting after the word "such" the word "joint"; also line 5 by striking out the word "mayor" and inserting in lieu thereof the words "city recorder"; also line 9, by striking out the word "council" and inserting in lieu thereof the word "councils" also line 14 by striking out the word "council" and inserting in lieu thereof the word "councils"; also line 18 by striking out the word "mayor" and inserting in lieu thereof the words "councils or either of them"; also line 23 by striking out the word "mayor" and inserting in lieu thereof the words "city recorder"; also line 29 by striking out the word "mayor" and inserting in lieu thereof the words "city recorder".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 457 RETURNED WITH AMENDMENTS.

He also returned to the Senate, Senate Bill No. 457, entitled:

An Act to amend section twenty-two of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" authorizing the Governor to confer brevet rank upon certain officers

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. PHIPPS. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. CRAIG. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution were twice read, as follows: Amend section 1, page 2, line 29, by striking out the word "Mexico," and inserting in lieu thereof the word "Mexican"; also page 3, line 11, by striking out the word "clause," and inserting in lieu thereof the word "cause".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENT TO HOUSE BILL No. 411, RECALLED FROM THE GOVERNOR.

He also presented for concurrence bill of the House of Representatives as follows:

House Bill No. 411, entitled:

An act to amend section one thousand one hundred and five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the laws relating thereto"

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows: Amend section 1, page 2, line 16 by striking out the following: "the whole amount of the benefit accruing to it and legally assessable" and inserting in lieu thereof the following: "its proportion aforesaid of the entire cost and expense of such construction"; also line 21 by inserting after the word "ascertained" the following "and the rights of tax payers are conferred"; also line 22 by striking out the word "sixty-four" and inserting in lieu thereof the word "sixty-five"; also by striking out lines 24 to 27 inclusive.

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL No. 5.

He also returned to the Senate, Senate Bill No. 5, entitled:

An Act making an appropriation to the trustees of the State Hospital of the Northern Anthracite Coal Region of Pennsylvania as Scranton Pennsylvania

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 432.

He also returned to the Senate, Senate Bill No. 432, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section eighteen

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 438.

He also returned to the Senate, Senate Bill No. 438, entitled:

An Act making a deficiency appropriation to the Commissioners of Fairmount Park

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 449.

He also returned to the Senate, Senate Bill No. 449, entitled:

An act to amend so much of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 502.

He also returned to the Senate, Senate Bill No. 502, entitled:

An act prohibiting the location by cities of the third class of city prisons or lock-ups close to public school buildings

with the information that the House has passed the same without amendment.

BILL SIGNED.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 16, entitled:

An Act to amend Clause five of Section three of an Act entitled, "An Act relating to food; defining food; providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" approved the thirteenth day of May, Anno Domini one thousand nine hundred and nine (Pamphlet Laws, five hundred and twenty).

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES.

Mr. SCHANTZ, from the Committee on Appropriations, reported as amended, Senate Bill No. 201, entitled:

An act directing the State Librarian to cause certain old church records of this State to be translated preserved and published, and making an appropriation therefor.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 505, entitled:

An act to repeal an act approved the twenty-seventh day of May, one thousand nine hundred and twenty-one (Appropriation Acts, Page 269), entitled "An act making an appropriation to the Washington and Jefferson College, Washington, Pennsylvania,"

Also from the Committee on Appropriations, reported, as amended, Senate Bill No. 508, entitled:

An act constituting the board of trustees of Washington and Jefferson college a commission to provide a memorial to the memory of the late James A. Beaver.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 610, entitled:

An act providing for the creation of a commission to study the subject of consolidation of the various municipalities to wit, cities, boroughs and townships in counties of the second class into one municipality and to file with the General Assembly its report together with an act providing a method for such consolidation; prescribing its powers and duties making an appropriation.

Also from the Committee on Appropriations, re-reported as committed, Senate Bill No. 679, (House Bill No. 759) entitled:

A joint resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section seventeen.

Also from the Committee on Appropriations, re-reported as amended, Senate Bill No. 721, (House Bill No. 782) entitled:

An act making a deficiency appropriation to the Pennsylvania Institution for the Deaf and Dumb Mount Airy Philadelphia, to cover deficiency in maintenance and education of State pupils.

Also from the Committee on Appropriations, re-reported as amended, Senate Bill No. 821, (House Bill No. 681) entitled:

An Act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight) entitled "A supplement to an act 'provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three" as amended by fixing the maximum amount for maintenance weekly per capita

Also from the Committee on Appropriations, re-reported as committed, Senate Bill No. 867, (House Bill No. 1357) entitled:

An Act providing for the redemption and cancellation of the Bond issued under the act approved April third one thousand eight hundred and seventy-two (Pamphlet Laws thirty-nine) entitled 'An act directing the sale of bonds composing the Agricultural College land script fund and authorizing the issue of a new bond in lieu thereof and abolishing the board commissioners created by act of April first one thousand eight hundred and sixty-three" and for the investment of the moneys in the fund resulting from such redemption and the payment of the interest therefrom by the Sinking Fund Commission to Pennsylvania State College.

Also from the Committee on Appropriations, re-reported as committed, Senate Bill No. 922, (House Bill No. 460) entitled:

A supplement to the Act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and sixty-two) entitled "An Act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by subscribers to be misdemeanor and providing penalties for the violation thereof" providing for the auditing of State Workmen's Insurance Fund and the payment of the costs thereof.

Also from the Committee on Appropriations, re-reported as committed, Senate Bill No. 946, (House Bill No. 1007) entitled:

An act to amend an act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred and sixty-one) entitled "An act relating to the maintenance of insane feeble-minded and other persons confined in the various institutions of the Commonwealth fixing liability for the collection of the moneys due the Commonwealth thereof and for proceedings relating thereto."

Also from the Committee on Appropriations, re-reported as committed, Senate Bill No. 957, (House Bill No. 1208) entitled:

An act making an appropriation to the Pennsylvania State College to reimburse the said college for loss of interest on a bond of the Commonwealth for the benefit of said college which bond has matured.

Also from the Committee on Appropriations, re-reported as committed Senate Bill No. 963, (House Bill 1254) entitled:

An act making an appropriation to carry out the provisions of the act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws eleven hundred ninety) entitled "An act providing for the refunding of moneys paid to the State Highway Department for registration of motor vehicles and drivers' licenses which motor vehicles and licenses have not been used and to which moneys it appears the Commonwealth has no claim and making an appropriation for such refunds."

Mr. JONES, from the Committee on Public Health and Sanitation, reported as amended, Senate Bill No. 656, entitled:

An Act requiring purchasers or receivers of milk or cream for manufacturing purposes or resale to furnish to the producer theeof certain periodical statements of daily deliveries and the average percentum butterfat test of the same, providing for the enforcement hereof and fixing penalties.

Mr. MILLER, from the Committee on Public Health and Sanitation, re-reported as amended, Senate Bill No. 242, entitled:

An act to amend sections ten eleven twelve and fourteen of and to add sections eleven (a) and eleven (b) to an act entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" approved the nineteenth day of March one thousand nine hundred and nine (Pamphlet Laws forty-six) changing the preliminary educational requirements; creating a board to examine and license osteopathic physicians to practice operative surgery; providing for such examination and licensing regulating the practice of the same and requiring additional qualifications therefor defining osteopathy and providing for the effect of reports and certificates made by osteopathic physicians and granting additional powers to the Board of Osteopathic Examiners to revoke licenses.

Mr. SNYDER, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 786, entitled:

A Supplement to an act approved the twenty-first day of March, one thousand nine hundred twenty-three entitled "An Act for the prevention of fraud and the protection of the public health; relating to milk, cream or skimmed milk whether or not condensed, evaporated, concentrated, dried, powdered or dessicated; prohibiting the introduction of foreign fats into them; regulating the sale of and defining condensed, concentrated and evaporated milk; stipulating penalties for the infraction thereof; and providing for the enforcement thereof;" defining condensed, concentrated and evaporated skimmed milk, and compounds thereof; regulating the manufacture, sale and exchange thereof; and providing penalties.

Mr. STEELE, from the Committee on Forestry, reported as committed, Senate Bill No. 940, (House Bill No. 933) entitled:

An Act authorizing county commissioners to appropriate money from the funds of the county to aid in the planting of trees and the establishment of tree nurseries in aid of the reforestration of wood lots of farms or any other lands denuded of timber trees which it is desired to reforest.

Mr. CULBERTSON, from the Committee on New Counties and County Seats reported or as amended, Senate Bill No. 778, (House Bill No. 232), entitled:

An Act to amend chapter eleven article two of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto.

Mr. PHIPPS, from the Committee on Military Affairs, reported as committed, Senate Bill No. 857, (House Bill No. 1165) entitled:

An Act authorizing cities boroughs towns and townships to purchase burial plots for certain deceased service men.

Mr. KRAUSE, from the Committee on Forestry, reported as committed, Senate Bill No. 675, (House Bill No. 724) entitled:

An Act to amend section one thousand and five Article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing further penal provisions for setting fire maliciously or otherwise to any woodlot forest or wild land.

Mr. HOMSHER, from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 631, entitled:

An Act authorizing the establishment and maintenance of branches by banks, savings banks and trust companies either within or outside of the State; providing penalties and remedies in case of violation; and repealing existing laws.

Mr. MANSFIELD, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 891, (House Bill No. 395) entitled:

An Act to regulate the sales of caustic acids caustic alkalies and preparations thereof and mineral or chemical salts intended for household and agricultural uses and providing penalties for the violating thereof.

Mr. SPROWLS, from the Committee on Forestry, reported as committed, Senate Bill No. 904, (House Bill No. 134) entitled:

A joint resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section sixteen.

Mr. BETTS, from the Committee on Forestry reported as committed, Senate Bill No. 676, (House Bill No. 725) entitled:

An act to amend Article XII of an act approved the third day of June one thousand nine hundred and fifteen (P. L. 797) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto a section to be section twelve hundred and two defining certain terms

Mr. STINEMAN, from the Committee on Forestry, re-reported as amended, Senate Bill No. 673, (House Bill No. 722) entitled:

An Act to amend clause (h) section one hundred and two Article I of an act approved the third day of June one thousand nine hundred fifteen (Pamphlet Laws seven hundred ninety-seven) entitled "An Act to establish a bureau of Forest Protection within the Department of Forestry Designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act," by providing for the purchase lease building and maintenance of telephone lines for attachments thereto by private parties and appropriating the revenue derived therefrom.

Also from the Committee on Mines and Mining, reported as committed, Senate Bill No. 55, entitled:

An Act to protect bituminous coal miners in the determination of the amount of coal to be used as a basis for calculating wages, providing that payment shall be made for the quantity mined irrespective of size, requiring mine cars to be of uniform capacity, granting the miners the right to employ check-weighmen, or check-measurers and prescribing their powers and duties, imposing certain duties on mine inspectors and providing penalties.

Mr. BROWN, from the Committee on Banks and Building and Loan Associations, re-reported as committed, Senate Bill No. 163, entitled:

An Act relating to the organization, maintenance and operation of the Banking Department, and the scope of its supervision and control over corporations, partnerships, unincorporated associations and individuals, and the assets and liabilities thereof; providing penalties for the enforcement of its provisions; and repealing the Banking Department Act of 1919; with table of contents.

Mr. DAVIS, from the Committee on Elections, reported as committed, Senate Bill No. 77, entitled:

An Act authorizing the use of voting machines at any or all the elections and primary elections within the several counties of the Commonwealth; creating a State Board of Voting Machine Examiners; and defining its powers and duties; authorizing County Commissioners to purchase voting machines; providing rules and regulations for the conduct of elections and primary elections held with voting machines; and providing penalties for violation of the provisions of this act.

Mr. HUFFMAN, from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 761, entitled:

An Act to amend section two of an act, approved the twenty-second day of April, one thousand nine hundred and nine (P. L. 121), entitled "An act restricting the use of the word 'trust' as part of a corporate name; forbidding advertising or doing business as a trust company except by corporations under the supervision of the banking department; and providing a penalty for violation thereof."

Mr. ARON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 797, entitled:

An Act relating to the powers and duties of probation officers.

BILLS INTRODUCED.

Mr. SMITH read in his place and presented to the Chair Senate Bill No. 971, entitled:

An Act to amend section one of an act approved the twenty-fifth day of July, 1917 (P. L. 1212), entitled "A Supplement to an act approved July 25, 1913, entitled 'An Act to provide for the selection of a site and the erection of a State institution for the detention, care and treatment of inebriates or persons habitually addicted to the use of alcholic drink or intoxicating drugs, to be called the State Institution for Inebriates, and making an appropriation therefor,' making an appropriation, and providing for the admission of patients to said institutions, and providing for the payment of the costs and fees of hearings and of maintainence of patients by the respective counties," making an appropriation available for the adjusting of claims found to be due and for the preparation of plans and specifications and other matters and things ordered by said Commission.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 972, entitled:

An Act to preserve the purity of the waters of the Commonwealth by providing for the discontinuance or abatement as nuisances of works hereafter erected, constructed or opened and operated, which discharge substances, wastes and waters polluting the waters of the Commonwealth to the detriment of the public health, fish life, or industrial purposes.

Which was committed to the Committee on Public Health and Sanitation.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 973, entitled:

An Act creating the office of controller in counties of the sixth class; prescribing his powers and duties, imposing certain duties upon county commissioners and county treasurers; and abolishing the office of county auditor, and the office of auditor appointed by the court of common pleas to audit accounts of certain county officers.

Which was committed to the Committee on Judiciary General.

Mr. SONES read in his place and presented to the Chair Senate Bill No. 974, entitled:

An Act to establish the route of the primary State highway between Muncy Valley and Laporte in Sullivan County.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 975, entitled:

An Act forbidding the use or shooting of live pigeons or other birds in any contest exhibition or practice of marksmanship; relating to the renting or use of buildings and premises for such purposes; and prescribing penalties for violations.

Which was committed to the Committee on Game and Fisheries.

Mr. ARON read in his place and presented to the Chair Senate Bill No. 976, entitled:

An Act to repeal an act approved May 16, 1921, (P. L. 579), entitled "An Act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third and fourth classes by creating, in such counties, a board to be known by the name and style of inspectors of the jail or county prison, with authority to appoint a warden of such prison, and by vesting in said board, and the officers appointed by it, the safe-keeping, discipline, and employment of prisoners and the government and management of said jails or county prisons."

Which was committed to the Committee on Judiciary General.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 977, entitled:

An Act prohibiting the purchase, sale, accepting a pledge or pawn, offering for sale, stealing or conversion of medals, buttons, insignias or decorations granted by the Government of the United States for service in the army, navy, marine or nurses corps.

Which was committed to the Committee on Judiciary General.

Mr. HARRIS read in his place and presented to the Chair Senate Bill No. 978, entitled:

A Supplement to the Fiduciaries Act entitled: An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widows and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof, contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real esate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; and the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balance due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents; approved the 7th day of June, 1917, (P. L. 447).

Which was committed to the Committee on Judiciary General.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 979, entitled:

An Act to authorize the trustees of the Pennsylvania State College to borrow funds for the erection and equipment of buildings and to liquidate present mortgage indebtedness.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 980, entitled:

An Act to amend section one of an act approved April 5, 1917, (P. L. 47), entitled "An Act specifying additional securities in which trustees or directors of savings banks, savings institutions, and provident institutions chartered under general or special acts of Assembly, may invest moneys deposited therein."

Which was committed to the Committee on Banks and Building and Loan Associations.

Mr. PATTON read in his place and presented to the Chair Senate Bill No. 981, entitled:

An Act to protect the public safety; authorizing the State Highway Department to regulate public advertising visible from a highway maintained wholly or in part by the Commonwealth; and providing penalties.

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 982, entitled:

An Act making an appropriation to the Misericordia Hospital of the Sisters of Mercy of Philadlephia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 983, entitled:

An Act making an appropriation to the Saint Vincent's Hospital for women and children, Seventieth Street, and Woodland Avenue of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. STINEMAN read in his place and presented to the Chair Senate Bill No. 984, entitled:

An Act granting water companies organized after April 13, 1905, the right of eminent domain, and requiring such water companies, and also water companies incorporated under Clause eighteen, section two, of the act approved April 29, 1874, entitled "An Act to provide for the incorporation and regulation of certain corporations," to secure certificates from the Water Supply Commission prior to the exercise of the power of condemnation.

Which was committed to the Committee on Judicial Special.

Mr. LONG read in his place and presented to the Chair Senate Bill No. 985, entitled:

An Act to amend section three hundred and twenty-nine, as amended, and section five hundred and fifty-four of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Which was committed to the Committee on Education.

Mr. DAIX read in his place and presented to the Chair Senate Bill No. 986, entitled:

An Act making an appropriation to the Saint Joseph's Hospital of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 987, entitled:

An Act imposing a tax upon certain classes of personal property for city purposes in cities of the first class providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and providing penalties.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 988, entitled:

An Act relating to Administration and Finance: Creating a Department of Administration and Finance, and a Board of Finance and Revenue, composed of the Superintendent of Administration, the Auditor General, the State Treasurer, the Attorney General, and the Secretary of the Commonwealth providing for the control of and supervision over the expenditures of the Commonwealth, the making available and lapsing of appropriations, the efficiency, coordination, and administration of units of the Executive branch of the State Government and State institutions, for uniform systems of accounting and financial reports, for the classifying and temporary transfer of State employes and the fixing of uniform salaries, and for the preparation and submission of budgets, and appropriation and revenue bills, and in connection therewith, imposing powers and duties upon the Governor and agencies receiving State appropriations; amending, revising, consolidating, and changing the law relating to the revision of settlements of public accounts, the supervision of State depositories and State deposits, and the sinking fund; and abolishing the Board of Revenue Commissioners, the Board of Public Accounts, and the Sinking Fund Commission.

Which was committed to the Committee on Finance.

Mr. STINEMAN read in his place and presented to the Chair Senate Bill No. 989, entitled:

An Act making an appropriation to the Mercy Hospital of Johnstown, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. McNICHOL read in his place and presented to the Chair Senate Bill No. 990, entitled:

An Act to preserve the purity of the sources of public water supplies hereafter approved authorizing the Advisory Board of the Department of Health to make orders and regulations therefor and the Commissioner of Health to enforce the same providing penalties for violation thereof and for abatement of nuisances by injunction.

Which was committed to the Committee on Public Health and Sanitation.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 991, entitled:

An Act making an appropriation to the Saint Agnes Hospital of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. BALDWIN (for Mr. Eyre), read in his place and presented to the Chair Senate Bill No. 992, entitled:

An Act to amend section three of an act entitled: "An act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealty materials therein; requiring that the materials used shall be accurately described, and prescribing the manner in which mattresses shall be labelled; providing for the enforcement of the provisions of this act; making certain acts criminal, and punishing the same; imposing certain duties upon the Commissioner of Health, and the Chief Factory Inspector; and repealing legislation inconsistent with this act", approved the first day of May 1913 (P. L. 134) as amended by the act approved the fourteenth day of May 1915 (P. L. 510), so as to provide for additional information on the Official Statement, and to provide that in all cases where a mattress is packed, shipped, delivered or sold in a sealed package, carton or container, a statement shall be printed or affixed to the outside of the sealed package, carton or container, and in such cases the name and address of the vendor and successive vendors may be omitted from the official statement sewed to the mattress.

Which was committed to the Committee on Judiciary Special.

The ACTING PRESIDENT PRO TEMPORE (Mr. John G. Homsher) in the Chair.

RESOLUTION AUTHORIZING THE APPOINTMENT OF COMMITTEE TO INVESTIGATE CHANGES IN SENATE BILL 586.

Mr. CRAIG offered the following resolution, which was twice read as follows:

In the Senate, April 16, 1923.

Whereas, By a resolution introduced in the Senate April 3, 1923, (Legislative Journal, page 1033), the chief clerk of the Senate was authorized to have printed for the use of the Senate twenty-five hundred copies of Senate bill number five hundred eighty-six, which was introduced into the Senate March 27, 1923, and referred to the Finance Committee the same day, and

Whereas, It appears that said copies have been printed, and that in the print thereof a number of additions and corrections have been inserted which do not appear in the original print, therefore be it

Resolved, That the President Pro Tempore of the Senate is directed to appoint an investigating committee, composed of three Senators, one of whom shall be a member of the minority party. Said committee shall investigate the circumstances surrounding the printing of the additional twenty-five hundred copies of Senate bill number five hundred eighty-six and ascertain what changes, if any, were made in said reprint, the effect of such changes, and by whose authority any new matter or corrections, not in the original bill or ordered by the Senate or the Committee on Finance, were inserted in said reprint.

The said committee is authorized to hold such meetings and to summon and interrogate such witnesses as it deems proper. The committee shall have power to subpoena witnesses and require their attendance and the production of books and papers. If any person shall refuse to appear before said committee and testify, or shall refuse to obey any subpoena issued by the committee, the said committee shall report the facts to the Senate for appropriate action.

The committee is hereby directed to make a report of its findings to the Senate and in said report shall set forth its recommendations with regard to any action that it suggests be taken by the Senate.

On the question,
Will the Senate agree to the resolution?

Mr. CRAIG. Mr. President, I wish to say to the members of the Senate in explanation of the reason for the introduction of this resolution, that I have been informed by the Chairman of the Committee on Finance that the committee has held no meeting to consider Senate Bill No. 586, and neither the Chairman of that committee, the committee itself nor the Senate, directed or authorized any person to make amendments to this bill.

Last Tuesday afternoon, shortly after the noon hour, I found upon my desk a copy of the bill, one of 2500 copies authorized to be printed by a resolution of the Senate, in addition to the usual number printed for the use of the Senate. Mr. President, I was amazed to find that someone had surreptitiously amended the bill in 156 particulars, that they even had the affrontery to amend the title of that bill, not on the floor of the Senate, as required by the Constitution, but secretly. Mr. President, where and when I do not know, and the purpose of this resolution is to discover that. These amendments are not simply to correct typographical errors. Many of them are, but some introduce entirely new phrases, some entirely new clauses and almost new sections. Mr. President and Gentlemen of the Senate, this is a dangerous situation. It is in my mind, one of extreme danger. Bear in mind that no one had authority to change one single word of Senate Bill No. 586, as introduced in the Senate, and in possession of the Committee on Finance, yet these amendments were surreptitiously inserted, and it is the business of this Senate to find out who assumes to amend Senate Bills without the knowledge or authority of this body. I have observed with growing concern, for many weeks past, a disposition in some quarters here on Capitol Hill to usurp legislative authority. As members of this Senate we not only have the right, but if you are men, instead of long tailed rats, who assumes to usurp the authority of our functions as legislators. This is a disgrace to this Senate a gratuitous insult, a breach of the law and mighty close to a breach of the penal laws of this Commonwealth, and whoever is responsible for the perpetration of this business of political chicanery should be known and should be punished, if there is any law to fit the case. This is the Administration Code, the most important piece of legislation that has come before the Legislature of Pennsylvania in a generation, one that should have been guarded with the utmost care and around the consideration and enactment of which every safeguard should have been thrown, and when it makes its appearance at the very threshold of its consideration with 156 amendments tacked on it by some one unknown to the members of the Senate, it is high time we find out who was the Legislature of Pennsylvania, whether we were amending our legislation or whether we had delegated our authority to some other branch of the government or to some other individual. The framers of our Constitution in their wisdom saw fit, and I say to you that the developments in the last few weeks have proved that they were right,—to throw every safeguard around the enactment of legislation and to provide with great care that no other department of the government should trespass upon the legislative privileges or perogatives. They were wise; they were farseeing men and knew that the liberties of our people depended upon the passage of legislation by the legislature and not legislation adopted or written by some one or some authority outside the membership of this body. That is the reason for this resolution. Mr. President, this act has been changed in 156 particulars and upon our files appears this thing they have sent up to us. It is a disgraceful situation and we must not, not only because we ought to, but because we owe it to ourselves and to the maintenance of our self respect find out who assumes to change legislation pending before this body and to have the people of the state know who assumes to do it. That is the purpose of this resolution. A large number of the sections are changed in as many as ten particulars. Various Boards and commissions provided for in this Code are switched around. Department heads are taken off and others provided in their places, dates are changed, years upon which men shall assume their offices and the years upon which they shall go out are changed, figures are changed, sections are changed about, and in many cases the sense of the paragraph is changed also. I do not think I ought to say more, I do not think there should be any need of it. It is our plain duty when a disgraceful situation like this arises, it is our bounden duty to ourselves and to the people we represent, to find out whether we are legislating in this State or someone else. I hope the Senate will pass this resolution that we may find that out.

And the question recurring,
Will the Senate agree to the resolution?

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 337.

Mr. BUCKMAN, offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 23, 1923.

Resolved (if the House of Representatives concur), That Senate Bill No. 337, File Folio 667, entitled "An act to amend section sixteen of an act, approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight, entitled 'An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes, defining their duties and the jurisdiction of the State Highways Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expenses to improve or maintain the same and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property or otherwise in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein; providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways, making appropriation to carry out the provisions of the act, and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith, and providing that existing contracts are not affected by provisions of this act', as amended by providing for payment of damages for change of grades of highways and for appeals from assessments of damages and authorizing counties to incur indebtedness for the payment of such damages",

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION REQUIRING STATE HIGHWAY DEPARTMENT TO COMPILE AND KEEP AN ACCURATE RECORD BY COUNTIES OF THE AMOUNT OF MONEY RECEIVED AND COLLECTED FROM EACH COUNTY FOR THE REGISTRATION OF MOTOR VEHICLES AND THE LICENSING OF OPERATORS AS WELL AS ALL FINES PAID INTO THE STATE TREASURY UNDER THE MOTOR VEHICLE LAWS OF THE COMMONWEALTH.

Mr. VARE offered the following resolution, which was twice read, as follows:

In the Senate, April 23, 1923.

Resolved, (if the House of Representatives concur), That it shall be the duty of the State Highway Department to compile and keep an accurate record, by counties, of the amount of moneys received and collected from each county in this Commonwealth for the registration of motor vehicles and the licensing of operators as well as all fines paid into the State Treasury under the motor vehicle laws of the Commonwealth.

On the question,
Will the Senate agree to the motion?

Mr. BUCKMAN. Mr. President, I move that the Resolution be referred to the Committee on Public Roads and Highways.

Mr. SALUS. Mr. President, I second the motion.

Mr. VARE. Mr. President the purpose of this resolution is in order that each Senator when he applies for the information from the Highway Department may receive it concerning the amount of the fees paid from the county. I had occasion during the last week to send to the State Highway Department for the purpose of ascertaining the amount of money paid into the State by the county of Philadelphia and I was informed that that was not their method of bookkeeping. This resolutiin simply adds a detail to the clerical part of the State Highway Department. It does not transfer any funds, it simply furnishes a method by which each Senator or each member of the House, might go to the Department and get intelligent information of the amount of funds turned into the State from their respective counties. If the Senator from Bucks has any particular reason for the bill being referred to the committee or desires any other information, I will be very glad to try to answer him tonight.

Mr. BUCKMAN. Mr. President, the only reason that I made that motion was that the resolution may be properly considered by committee. I do not know the effect of it and I do not think the Senate ought to be asked to give any snap judgment upon it. Therefore, I made the motion that it be referred to the Committee for the purpose of consideration. If that Committee sees fit to report the resolution out I presume it will be reported out, but I see no reason why this resolution, any more than any other resolution or any bill, should not be properly and orderly considered by the Committee in its deliberations.

Mr. VARE. Mr. President, I agree that the resolution shall be referred to the Committee.

And the question recurring,
Wil the Senate agree to the resolution?
It was agreed to.

QUESTION OF PERSONAL PRIVILEGE.

Mr. EYRE. Mr. President, I arise to a question of personal privilege.

The PRESIDENT. The Senator from Chester, Mr. Eyre, will state his question of personal privilege.

Mr. EYRE. Mr. President, my question of personal privilege is for a brief discussion of what I regard as the most important question that confronts the Senate of Pennsylvania and the Legislature at this session. We have stayed here now for a period of nearly four months and we have accomplished but very little. We have confronting us two most important functions of this session of the Legislature, the one is appropriations and the second is revenues with which to pay the appropriations. We have heard a great deal for the past year about appropriation liabilities, appropriation deficiencies, and about the mess and conditions that existed at Harrisburg, and I feel that we have reached the point in this session of the Legislature when we want to get down to serious consideration of these matters. The most of the conditions existing at Harrisburg, as I view them, have been brought about through the exigencies of war conditions and the appropriations that have been made to cover the necessities that had arisen during that period, at the last session of the Legislature certain money was appropriated while revenues declined in the dull period following the war.

As I view the situation to-day if we ever want to get down to a fair, sensible, sane solution of our business affairs we want to consider these questions not in a small, selfish way, we want to treat this situation in a very broad gauged statemanslike manner and it seems to me the sooner we get down to that solution of this situation the sooner we will be able to finish the work for which we have assembled and get away from here.

Now what is an appropriation liability? As I view an appropriation liability it is a liability placed on the State of Pennsylvania the moment the Legislature enacts appropriation bills, which are signed by the Governor of the State. We are told by the best method that we have of reaching conclusions that we have, of this fiscal period, appropriation liabilities aggregating approximately $28,000,000. We are asked to appropriate at this session of the Legislature through the budget a sum aggregating $152,273,066. I am wrong when I say budget appropriations of that amount, but a total of that amount. To the budget we have to add, if we want to get at the real situation, $28,000,000 of appropriation liabilities as of June 1st, 1923, we have to add $17,500,000 to the budget suggestions, if we want to secure a sufficient amount of money to keep in operation our educational code. We want to add, if we want to meet our liabilities created by act of legislature $2,000,000, for township reward to the public roads. There is existing in the City of Philadelphia a judgment against the State of Pennsylvania, determined by the Supreme Court of the State of Pennsylvania, drawing interest at the rate of six per cent per annum, a verdict of $650,000. We have a tax on the Pymatuning Dam aggregating $10,200. We have the appropriation for poor laws codification amounting to $1800. We are asked to appropriate for a Giant Survey Service $35,000. We are asked to appropriate to the Board of Pharmacy $7500. We are asked to appropriate for the dredging of the Delaware River $100,000. We are asked to appropriate to higher education, as recommended by the Educational Council, in addition to that which is provided in the budget, $1,202,586. We are not asked, but we owe by judgment, reduced to judgment in the Counties of Montgomery and Chester for the Valley Forge Park approximately $500,000. That aggregates $152,273,066.22. That will be reduced by whatever amount of revenue is collected by the Auditor General's Department between now and the first of June, which will probably reach somewhere in the neighborhood of $4,000,000, or leave us a deficit at that time of $148,273,066.22. That is without regard to any apropriation to the Sesqui-Centennial Celebration in the City of Philadelphia, and I want to say to you very frankly that in my judgment unless the State of Pennsylvania comes to the rescue of the Sesqui-Centennial Exposition there will be no Sesqui-Centennial Exposition. The only way that the Sesqui-Centennial Exposition can be successfully financed, in my judgment, is by appropriations from the Government of the United States, by the State of Pennsylvania and by the City of Philadelphia, and if we adjourn without giving any encouragment or assistance to the Sesqui-Centennial, you will find that the Sesqui-Centennial will be a thing of the past. Are you willing to assume that responsibility? Are you willing to put out of business a world exposition for the sake of saving a little money to the taxpayers of the State of Pennsylvania? What is the use of talking about this small sum of money, twelve or fifteen million dollars to be raised? It is absolutely absurd, and there are no figures that will justify it. If you undertake to do that you will be in two years from now in exactly the same position that you are in to-day, with appropriation liabilities aggregating fully the amount which they aggregate at the present time, if not greater.

I am not taking issue with the present state administration, but I am in accord with not only meeting the appropriation liabilities which have been created in the past, but I am in favor of raising sufficient money to pay the appropriation we want to make at the present session of the legislature. It is a foregone conclusion that we must appropriate over $6,000,000 for the Delaware River Bridge. If we do not the Delaware River Bridge would have to suspend operation because that amount of money is necessary from the State of Pennsylvania before the money from the State of New Jersey can be made available and whether the $6,000,000 will be required in the next biennium or not, my judgment is that sound business principles dictate to us the importance and the necessity of raising the money, or at least providing a method for raising the money that we appropriate at this session.

We read in the papers this evening that it is proposed that the money necessary can be raised from the tax on gasoline and a tax of fifty per cent additional on automobile licenses. It would not begin to reach it, and I submit to you, Mr. President and gentlemen of the Senate, whether it is fair that one subject should carry all of the taxation that is necessary for the State of Pennsylvania. Who drive the automobiles? It is the little fellow, it is the farmer, it is the workman, it is the laborer, and are you going to put all the tax on them and allow the big interests to go scot free? Are you going to further penalize the small fellow and have it go over the State of Pennsylvania that the Legislature of Pennsylvania is willing to penalize the little fellows because they are afraid to put taxes where they honestly believe that a part of the burden of taxation ought to be placed? If you are I for one want to raise my voice in opposition to it. I for one want to be fair on the tax question. We might just as well call things by their right name. We know that there has been an expensive lobby at Harrisburg ever since this session opened for the purpose of talking against a manufacturer's tax, a tax on manufacturing corporations. We know that that lobby is supplemented by a lobby of the State Chamber of Commerce, an adjunct of the same concern that is being paid. We know that the newspapers are decrying a tax. Why? Because by some doubtful method the newspapers of the State of Pennsylvania have gotten into the class of manufacturing corporations in order to be exempted from state tax. Let me inquire what product do newspapers manufacture? Is it bunk and colored news dictated from the business office of the paper? I can imagine nothing else. I for one am perfectly willing to stand all of the abuse that the newspapers care to heap on me because of my willingness to do that which I honestly and conscientiously believe to be the right thing. I am perfectly willing to accept all the odium that may be placed upon me because I am willing to divide the tax between the big fellow and the little fellow. I am perfectly willing to pay my full share of the tax and it is not a personal matter with me, but I say to you that when you place the entire burden of this tax on the one million automobile operators of the State of Pennsylvania and then have an insufficient amount of tax to properly function your State government, you are acting on a wrong basis. Let us be big enough, broad enough, to do what we believe to be the right and proper thing. I am not out with an axe for any class of people, but I have the courage of my convictions to do that which I believe to be the big thing, the right thing and the proper thing, and properly distribute the tax on the taxpayers of the State of Pennsylvania, as they are able to bear them, and I arise to this question of personal privilege in order that my individual position may be made clear.

I hold a brief for nobody. I hold no brief for the administration, I hold no brief for any class of taxpayers, but I do hold a brief for my own conscience and willingness to do that which I believe to be the right and proper thing, and I hope that this Legisltature will awaken to a realization of their full duty and the importance of the subject they have before them. Now let us get through with our appropriations and our tax business and return to our homes, and by so doing, in my judgment, we will render the State of Pennsylvania the best service that we can render them as members of the Session of 1923.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from his Excellency the Governor of the Commonwealth, which were read as follows:

APPROVAL OF SENATE BILL No. 303.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 21, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 303, entitled, "An Act to amend section three and section four of an act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and seventy-four) entitled 'An act providing for the licensing and regulation of corporations co-partnerships associations and individuals engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing negotiating offering for sale or selling any certificates securities contracts or other choses in actions evidenced by writing on the partial payment or instalment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon instalments or single payments under which all or part of the total amount received is to be repaid at some future time with or without profit and imposing penalties".

GIFFORD PINCHOT.

APPROVAL OF SENATE BILLS No. 33 AND 131.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 18, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed the following Senate Bills:

Senate Bill No. 33, entitled, "An Act to amend section seven of the act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred and nineteen) entitled, 'An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections' as amended".

Senate Bill No. 131, entitled, "An Act validating certain proceedings and elections of counties cities boroughs townships school districts and other municipalities or incorporated districts had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four entitled 'An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof' and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections".

GIFFORD PINCHOT.

APPROVAL OF RESOLUTION PROVIDING FOR COMMITTEE TO DRAFT SUITABLE RESOLUTIONS AND ARRANGE FOR JOINT SESSION OF THE SENATE AND HOUSE IN MEMORY OF HONORABLE BOIES PENROSE

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 18, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives providing for the appointment of three members of the Senate and five members of the House as a committee to draft suitable resolutions and arrange for a joint session of the Senate and House in memory of the late Honorable Boies Penrose, etc.

GIFFORD PINCHOT.

NOMINATIONS BY THE GOVERNOR.

JUSTICE OF THE PEACE.

Commonweayth of Pennsylvania,
Executive Chamber, Harrisburg, April 23, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate Ellsworth Ream, of Belle Vernon, for appointment as Justice of the Peace, in and for the Borough of Belle Vernon, Fayette County, vice E. S. Young, deceased, to serve until the first Monday in January 1924.

GIFFORD PINCHOT.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 23, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the term of four years, to compute from the date of expiration of their present commissions:

ADAMS COUNTY.

Miss Mary Hamer, Gettysburg, May 5, 1923.
Geo. M. Slaybaugh, Biglerville, May 5, 1923.

ALLEGHENY COUNTY

W. F. Campbell, Coraopolis, May 5, 1923.
C. H. Dougall, Pittsburgh, May 5, 1923.
Julius C. Hamrock, Homestead, April 1, 1923.
C. A. Harmeier, Pittsburgh, April 1, 1923.
George Edward Kirchner, Sr., Pittsburgh, May 2, 1923.
S. H. Lloyd, Pittsburgh, Feb. 17, 1923.
John J. McInerney Pittsburgh, May 3, 1923.
G. L. Neel, Pittsburgh, May 6, 1923.
Miss Louise M. Rodgers, Pittsburgh, April 1, 1923.

BEAVER COUNTY

John Glass, College Hill, May 5, 1923.

BERKS COUNTY.

John P. Breen, Reading, May 6, 1923.
Miss Anna M. Maxton, Reading, May 6, 1923.
Clarence L. Printz, Reading, May 5, 1923.

CAMBRIA COUNTY.

Chas I. Coleman, Johnstown, May 4, 1923.

CHESTER COUNTY.

Thomas L. Noskins West Chester, May 2, 1923.

CLEARFIELD COUNTY.

Earle G. Boose, DuBois, May 2, 1923.

DELAWARE COUNTY.

C. L. Boach, Upper Darby, April 1, 1923.

ERIE COUNTY.

S. A. Collins, Albion, May 5, 1923.
Jacob O. Hertzler, Erie, May 3, 1923.
Edward A. Solomon, Erie, April 2, 1923.

FAYETTE COUNTY.

D. E. Graham, Star Junction, April 21, 1923.
H. R. Rodahaver, Somerfield, May 2, 1923.

LACKAWANNA COUNTY.

Robert Relms, Carbondale, April 3, 1923.
Ernest N. Lettieri, Scranton, April 21, 1923.
Miss Bessie L. Smith Scranton, April 1, 1923.

LEHIGH COUNTY.

Miss Miriam M. Woodring, Allentown, April 1, 1923.

LUZERNE COUNTY.

Anthony C. Rubitsky, West Hazleton, March 3, 1923.

McKEAN COUNTY.

John M. Apple, Smethport, May 6, 1923.
Miss E. R. Sandborn, Bradford, May 6, 1923.

MERCER COUNTY.

Scott A. Robinson, Sharpsville, May 5, 1923.

NORTHUMBERLAND COUNTY.

R. J. Glick, Shamokin, May 2, 1923.

PHILADELPHIA COUNTY.

J. R. Ash, Philadelphia, May 3, 1923
John F. Bazford, Philadelphia, May 4, 1923.
Chas. E. Bowen, Philadelphia, May 5, 1923.
John M. Dredger, Jr., Philadelphia, Mar. 7, 1923.
Harry G. Drescher, Philadelphia, May 6, 1923.
Frank D. Flower, Philadelphia, April 1, 1923.
Harry A. Guy, Philadelphia, May 3, 1923.
Charles Hallman, Philadelphia, May 5, 1923.
Julius Koffler, Philadelphia, May 5, 1923.
Sigmund J. Marx, Philadelphia, May 4, 1923.
Connell J. McGill, Philadelphia, May 5, 1923.
George M. Metter, Philadelphia, May 5, 1923.
Mrs Bernice E. Morris, Philadelphia, May 5, 1923.
Miss Bernadette M. O'Brien, Philadelphia, May 5, 1923.
George H. Rettner, Philadelphia, May 5, 1923.
Samuel J. Taylor, Philadelphia, April 6, 1923.
Charles Wildermuth, Philadelphia, May 6, 1923.
Ernest C. Wright, Philadelphia, April 21, 1923.

SCHUYLKILL COUNTY.

Henry D. Goldberg, Shenandoah, Feb. 17, 1923.
Edward J. Kaier, Mahanoy City, May 5, 1923.

WESTMORELAND COUNTY.

C. L. Spence, Mount Pleasant, May 6, 1923.

YORK COUNTY.

Miss Edna F. Dimmerling, York, May 5, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 23, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation.

ALLEGHENY COUNTY.

James R. Dell, Pittsburgh.
Jacob Dolan, Pittsburgh.
Paul Franks, Carnegie.
I. N. Hopkins, Pittsburgh.
Mrs. Thelma F. Hughes, Garrick.
James F. Pugent, Pittsburgh.
Frank Webhun, Tarentum.
Frank J. Shermer, Braddock.
R. A. Silverman, Pittsburgh.
N. A. Speilmeyer, Pittsburgh.

BLAIR COUNTY.

John B. Robertson, Duncanville.
Paul D. Atwood, Sayre.

CAMBRIA COUNTY.

Miss Gertrude Wilson, Ebensburg.

DAUPHIN COUNTY.

Miss Margaret C. Weiger, Harrisburg.

ELK COUNTY.

Miss Eleanor Kraft, St. Marys.

ERIE COUNTY.

Marcus E. Peters, Erie.

MONTGOMERY COUNTY.

Walter O. Colflesh, Glenside.
Miss Bertha F. Croll, Eagleville.
Dante Di Rocco, Norristown.

NORTHAMPTON COUNTY.

Charles P. Warner, Easton.

PHILADELPHIA COUNTY.

Samuel Benjamin, Phila., 4212 Lancaster Ave.,
Earl V. Bush, Phila., 6011 Clifford Terrace.
Samuel A. Cohen, Phila., 1630 N. Natrona St.,
W. E. Decker, Phila., 6542 Walbrook Ave.
Charles Elkman, Phila., 315 Real Estate Tr. Bldg.
Daniel A. Gartland, Phila, 1620 E. Bailey St.
Charles J. Green, Phila., 2053 S. Garnet St.
A. B. Hertz, Phila., 1037 S. 55th St.
Miss Margaret C. Easterson, Phila. 1324 Walnut St.
Judson R. Newberg, Phila., 6137 Jefferson St.
Harry A. Beckner, Phila., 5905 Opal St.
Maurice Roppaport, Phila., 6054 Delancey St.
H. I. Steinberg, Phila., 5516 Whitby Ave.
C. E. Swearer, Phila., 149 N. 60th St.
David F. Volpar, Jr., Phila., 1808 N. 13th St.

SCHUYLKILL COUNTY.

M. A. Dun, St. Nicholas.

SUSQUEHANNA COUNTY.

Miss Julia Shanley, Susquehanna.

WESTMORELAND COUNTY.

Miss Bessie S. Heffman, Jeannette.
Frank S. Rinmell, Greensburg.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. BUCKMAN. Mr. President, I move that the Executive Session do now rise.

Mr. VARE. Mr President, I second the motion.

The motion was agreed to.

APPOINTMENT OF COMMITTEE TO INVESTIGATE AMENDMENTS TO SENATE BILL NO. 586.

The PRESIDENT. The Chair announces on behalf of the President Pro Tempore of the Senate the appointment of the following Committee to investigate as to how the amendments to Senate Bill 586 were inserted in the Code: The Senator from Beaver, Mr. Craig, the Senator from Lehigh, Mr. Schantz, and the Senator from Lycoming, Mr. Sones.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the Chair.

APPOINTMENT OF COMMITTEE TO DRAFT RESOLUTIONS ON THE DEATH OF THE HONORABLE BOIES PENROSE.

The PRESIDENT. The Chair announces the appoinment of the following Committee to draft resolutions on the death of the Honorable Boies Penrose: the Senator from Philadelphia, Mr. Daix, the Senator from Philadelphia, Mr. Vare, and the Senator from Monroe, Mr. Huffman.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 15, as follows:

An Act relating to the retirement of certain officers and employes of the State Government and their compensation including officers and employes heretofore retired

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the phrase "State employe" as used in this act includes (a) all officers and employes of the executive and legislative branches of the State government including officers and employes of the Department of Public Instruction who at the time of retirement are not contributors to the State Teachers' Retirement Fund and entitled to retirement in accordance therewith (b) all officers and persons employed by the Supreme and Superior Courts and (c) all salaried officers and employes of hospitals asylums penitentiaries reformatories and other institutions operated by the Commonwealth

Section 2 Any State employe who has served as such for twenty-five years or more or who has served as such for twenty years or more and has reached the age of sixty-five years shall be eligible to retirement under the provisions of this act if he or she is in the opinion of the Governor incapacitated or disabled from performing his or her regular official duties

Section 3 Any State employe desiring to take advantage of the provisions of this act may express to the Governor his or her desire to do so The Governor upon the receipt of any such expression of desire or upon his own initiative may notify any such State employe of the privilege to be so retired and in either case if such State employe shall resign within thirty days after such notice and shall hold himself or herself in readiness to perform special duties in such ways as he or she may be reasonably able to perform after such retirement by resignation he or she shall receive annually during the remainder of his or her life or during the continuance of such disability or incapacity one-half of the salary compensation or emoluments which he or she received during the year preceding the time of retirement

Section 4 No such State employe while accepting the benefits of this act shall be entitled to any additional compensation for the performance of any duties assigned to him hereunder and no such employe shall be obliged to accept an assignment of duty from any department or branch of service of which he was an employe at the time of his retirement except in cases where the duties so to be performed have been transferred to some other department or branch of service

Section 5 All payments under this act shall be made monthly only upon the certificates of the head of the proper department or branch of service or the department or branch of service to which the duties of such State employe have been transferred that such retired State employe is living and willing to perform the special duties assigned to him by such State official

Section 6 Any State employe who has been heretofore retired under the provisions of any act repealed by this act shall continue to be so retired and shall be entitled to all the benefits emoluments and be subject to the performance of all the duties provided for by this act

Section 7 The General Assembly shall at each biennial session appropriate moneys sufficient for the payment of the salaries compensation and emoluments of all such retired State employes

Section 8 That the following acts of Assembly are hereby repealed

The act approved the fourteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred and seventy-three) entitled "An act to provide for retirement of State employes permanently disqualified by reason of physical or mental disability to perform their official functions and duties with half pay under certain conditions during the remainder of their lives except State employes whose retirement has been or shall be otherwise provided for and the filling of vacancies caused by such retirement"

The act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws five hundred and fifty-nine) entitled "An act to amend an act entitled 'An act to provide for retirement of State employes permanently disqualified by reason of physical or mental disability to perform their official functions and duties with half pay under certain conditions during the remainder of their lives except State employes whose retirement has been or shall be otherwise provided for and the filling of vacancies caused by such retirement' approved the fourteenth day of June Anno Domini one thousand nine hundred and fifteen so as to extend the operation thereof to all employes in penitentiaries and other institutions operated by the Commonwealth as well as those more directly in the service thereof"

The act approved the twentieth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and ninety-seven) entitled "An act to amend section one of an act approved the fourteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred seventy-three) entitled 'An act to provide for the retirement of State employes permanently disqualified by reason of physical or mental disability to perform their official functions and duties with half pay under certain conditions during the remainder of their lives except State employes whose retirement has been or shall be otherwise provided for and the filling of vacancies caused by such retirement' as amended by changing the conditions under which said employes can be retired and the procedure therein changing the pension period and defining the term 'State employe' to include officers and employes in the legislative and executive branches of the State Government and of State institutions"

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28.

Aron,
Baldwin,
Berntheizel,
Brown,
Buckman,
Clark,
Craig,
Culberston,
Daix,
Davis,
Harris,
Heaton,
Homsher,
Jones,
Joyce,
Krause,
Leslie,
MacDade,
McNichol,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Smith,
Stineman,
Stites,
Eyre,
Pres. Pro Tem.

NAYS—21.

Barr,
Betts,
Christley,
Kutz,
Lanius,
Long,
Miller,
Schantz,
Sisson,
Sprowls,
Steele,
Vare,

Derrick,	Mansfield,	Snyder,	Weaver,
DeWitt,	McClintock,	Sones,	Woodward,
Huffman,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 685, as follows:

An Act to amend sections one two three five and seven as ameneded of an act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred twenty-one) entitled "An Act to provide for a State registration of Nurses to establish a State Board of Examiners in connection therewith and to provide penalties for the violation of certain provisions regarding such registration" by providing for a change in membership of the Board for a change in salary of the secretary treasurer the educational director and of the members of the Board

Section 1 Be it enacted et cetera That section one of the act approved the first day of May one thousand nine hundred and nine entitled "An Act to provide for State Registration of Nurses to establish a State Board of Examiners in connection therewith and to provide penalties for the violation of certain provisions regarding such registration" as amended by an act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and forty-five is hereby amended to read as follows

Section 1 Be it enacted et cetera That within sixty days after the passage of this act the Governor shall appoint a State Board of Examiners for Registration of Nurses composed of five members all of whom shall be registered nurses graduated from training schools connected with hospitals where practical and theoretical instruction is given in general surgical and medical nursing and who shall have been engaged in nursing in the State of Pennsylvania at least five years since graduation (The Governor shall also name two physicians as members of said board They shall be connected in an official capacity with public hospitals where nurses' training schools are maintained and shall have practiced their profession in the State of Pennsylvania for at least five years immediately preceding the time of their appointment) The shall be in good standing in the Graduate Nurses' Association of Pennsylvania

Section 2 That section two of said act as the same is amended by the act approved the twentieth day of June one thousand nine hundred and nineteen Pamphlet Laws five hundred and forty-five is hereby amended to read as follows

Section 2 The Governor shall appoint the original members of said board from a list of not less than twenty names submitted to him by the Board of Directors of the Graduate Nurses' Association of Pennsylvania one for one year one for two years one for three years one for four years one for five years and upon the expiration of the term of office of any member the Governor shall likewise appoint persons with the above specified qualifications from a list of not less than five names submitted to him by the Board of Directors of the Graduate Nurses' Association of Pennsylvania to fill the vacancy for a term of five years and until a successor is chosen The unexpired term of any member caused by death resignation or otherwise shall be filled by the Governor in the same manner as an original appointment (The Governor may remove any member for neglect of duty incompetence or dishonorable or unprofessional conduct

Upon the enactment of this amendment at the time fixed by this act for the appointment of the members of the board by the Governor the terms of the members of the board now in office shall terminate) except that not less than five names shall be submitted to him

Upon the enactment of this (amendment) law at the time fixed by this act for the appointment of the members of the Board by the Governor the terms of the members of the board now in office shall terminate

Section 3 That section three of said act which as the same is amended by the act approved the twentieth day of June one thousand nine hundred and nineteen Pamphlet Laws five hundred and forty-five is hereby amended to read as follows

Section 3 The said board as soon as appointed and annually thereafter on a date to be fixed by the by-laws shall meet for organization and shall also hold other meetings by call of the secretary upon written request of two members or under such other circumstances as may be prescribed by the by-laws three members shall constitute a quorum at such organization meeting the board shall elect from its members a president and a secretary (and an educational director) the secretary shall act as treasurer and shall give her entire time to the duties of the said office during working hours

The said officers shall be elected for a term of one year and until their successors shall be duly chosen and all vacancies arising in said office shall be filled by the board in like manner for the unexpired term The board shall adopt a seal and shall establish by-laws and regulations for its own government and for the execution of the provisions of this act The secretary shall keep a record of all proceedings of the board and also a register of all nurses and licensed attendants registered under this act which register shall at all reasonable times be open for public inspection

The board shall submit annually to the Governor or (State Board of Charities) at any other time required by (the said board) him a report of its findings or investigations and) the work of the board pertaining to the training schools in the several hopitals throughout the State"

Section 4 That section five of said act as the same is amended by the act approved the twentieth day of June one thousand nine hundred and nineteen Pamphlet Laws five hundred and forty-five is hereby amended to read as follows

Section 5 The secretary of the board shall receive a salary of (eighteen hundred) three thousand ($3000.00) dollars (a) per year and in addition shall receive all actual expenses incurred while engaged in the transaction of official business All other members (excepting the educational director whose salary is otherwise provided for herein) shall receive (five dollars ($5.00) fifteen ($15.00)) dollars for each day actually engaged in the transaction of official business together with all actual expenses incurred as aforesaid (all) Expenditures shall in no case be paid from the State Treasury The treasurer of the board shall give bond in such sums as may be fixed by the by-laws which bond shall be subject to the approval of the State Treasurer The said treasurer shall pay necessary and current expenses of the board and may retain in the treasury a sum not exceeding five thousand ($5000.00) dollars to defray the ordinary expenditures but all moneys exceeding the (said) sum of five thousand dollars shall be paid by the treasurer of the board to the State Treasurer The said board shall have no power to fix prices or in any way control the compensation received by the registered nurse or the licensed attendant

Section 5 That section seven of said act as the same is amended by the act approved the twentieth day of June one thousand nine hundred and nineteen Pamphlet Laws five hundred and forty-five is hereby amended to read as follows

Section 7 (On and after August first one thousand nine hundred and fifteen) no application for registration as a registered nurse shall be considered unless accompanied by a fee of ten dollars ($10.00) Every applicant to be eligible for examination must furnish evidence satisfactory to the board that he or she is twenty-one years of age or over is of good moral character and has graduated from a training school for nurses which gives at least a two years' course of instruction or has received instruction in different schools or hospitals for periods of time amounting to at least a two years' course as aforesaid and then graduated and that such applicant during said period of at least two years has received practical and theoretical training in surgical and medical nursing Provided That a graduate nurse registered in any State of the United States where the requirements for registration in the judgment of the registration board for nurses of this State are at least equal to the requirements of law for such nurses in Pennsylvania may at the discretion of the board be registered without examination upon application in writing on forms provided by the board and upon the payment of a fee of ten dollars And provided further That it shall be the duty of the registration board to prepare and make a report for public distribution at intervals regulated by the by-laws of the said board of all training schools or combinations of training schools that are approved by the Board as possessing the necessary requirements for giving a pupil-nurse a full and adequate course of instruction And provided further That a State eduational director of training schools for nurses shall be appointed (from among its members) by the State Board of Examiners for (the) Registration of Nurses (of the State of Pennsylvania) This appointee shall have (all the powers of) the same qualifiations as a member of the board (while acting officially as a member of said board but) and shall be under the direction of the board of examiners in all matters pertaining to her position as eduational director and her duty shall be to assist in maintaining the necessary standards in the living working and eduational conditions of training schools for nurses The salary of the educational director shall be (twenty-five hundred) three thousand dollars ($3000.00) dollars per year and her railroad mileage and actual expenses incurred while engaged in official business to be paid from the (additional) registration fee provided for in this act

Section 6 All acts or parts of acts inconsistent with this act are hereby repealed

And the amendments made thereto having been printed as required by the Constitution.

Shall the bill pass finally?

On the question,

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 686, as follows:

An Act relating to the registration and re-registration of nurses the State Board of Examiners for Registration of nurses and the issuance of a license to practice nursing

Section 1 Be it enacted et cetera that all persons registered as registered nurses with the State Board of Examiners for Registration of Nurses and all persons registered with said Board as Licensed Attendants shall in every year following the passage of this act during the month of January again cause his or her certificate to be recorded in the office of the State Board of Examiners for Registration of Nurses The registered nurse shall pay to the said board a fee of one dollar ($1.00) for such re-registration and the licensed attendant shall pay to the said Board a fee of fifty cents ($.50) for such registration

Section 2 On or before the first day of May of each year after the year one thousand nine hundred and twenty-three the Secretary of the Board shall mail to every registered nurse in the State of Pennsylvania a blank application for re-registration addressing the same in accordance with the post office address given at the last previous registration Upon the receipt of such application blank which shall contain space for the insertion of his or her name office or post office address date and number of his or her license and such other information as the Board may deem necessary he or she shall sign same with his or her name in his or her own handwriting and fill out the address and other blanks in his or her own handwriting after which he or she shall forward such statement and application for renewal of his or her registration certificate to the Secretary of the Board together with the fee of one dollar ($1.00) for registered nurses and fifty cents ($.50) for licensed attendants Upon receipt of such application and fee and having verified the accuracy of the same by comparison with the applicant's initial registration statements the secretary of the Board shall issue a certificate of registration which shall render the holder thereof a legally qualified registered nurse or licensed attendant as the case may be for the ensuing year Provided however That the said Board may revoke any certificate of registration for sufficient cause in accordance with the rules and by-laws of the Board and in the manner provided by law Every license shall be issued by the Board under seal and shall be signed by the President and Secretary of the Board of Examiners Before any license issued it shall be numbered and properly recorded in the office of the Board and its number shall be noted in the license The Board shall license to practice nursing all registered nurses practicing as such within the State of Pennsylvania on or before the first day of July one thousand nine hundred and twenty-three who make application therefor prior to the first day of December one thousand nine hundred and twenty-three and submit satisfactory evidence that he or she is at the time of the application therefor registered and legally authorized in the manner now provided by law to assume the title of registered nurse The Board shall license to care for the sick all practicing as such within the State of Pennsylvania on or before the first day of July one thousand nine hundred and twenty-three who make application therefor prior to to the first day of December one thousand nine hundred and twenty-three and submit satisfactory evidence that he or she is at the time of the application therefor registered and legally authorized in the manner now provided by law to assume the title of licensed attendant These certificates of registration shall all bear date of September first of the year of issue and shall expire on the thirty-first day of August in the year following All nurses already registered in this State at the time of the passage of this act shall make application to the Secretary of the Board for the registration blank upon receipt of which he or she shall in like manner already described make application for re-registration forwarding to the Secretary of the Board the re-registration blank properly filled in accompanied by the fee of one dollar ($1.00) All registered licensed attendants already registered in this State at the time of the passage of this act shall make applcation to the Secretary of the Board for the registration upon receipt of which he or she shall in like manner already described make application for re-registration forwarding to the Secretary of the Board the registration blank properly filled in and accompanied by the fee of fifty ($.50) cents Said application and fee must reach the Secretary on or before the first day of December following the adoption of this statute Should any registered nurse or licensed attendant continue to practice nursing and care of the sick beyond the thirty-first day of January without having registered as required by the provisions of this act he or she shall be counted as an illegal practitioner and his or her license may be suspended or revoked by the Board of Examiners Any nurse whose certificate is revoked because of failure to register as required by the provisions of this act shall be entitled to re-instatement as a registered nurse or licensed attendent as the case may be upon application made to the Board accompanied by the annual fee and by two affidavits as to good character made by a director of a traning school for nurses and by a superintendent of a hospital recognized as such by the Board No person whose certificate has been suspended or revoked for failure to register shall therefater practice as a trained certified graduate or registered nurse or licensed attendent nurse until he or she has been granted a license by the Board upon the application for re-instatement provided for above

Section 3 Any person who violates any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty ($50.00) dollars nor more than two hundred ($200.00) dollars for each offense

Section 4 Nothing contained in this act shall be construed as conferring any authority to practice medicine or to undertake the treatment or cure of disease in violation of the Laws of the Commonwealth

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 59, entitled:

An Act to repeal an act, entitled "An act to regulate the practice of the profession of engineering and of land surveying; creating a State Board for the Registration of Professional Engineers and Land Surveyors; defining its powers and duties; imposing certain duties upon the Commonwealth and political subdivisions thereof in connection with public work; and providing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman.
Vare,
Weaver,
Eyre,
Pres. Pro Tem.

NAYS—5.

MacDade,
Mansfield,
McClintock,
Stites;
Woodward,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. SCHANTZ. Mr. President, I ask that Senate Bill No. 266, on third reading, entitled:

An Act providing for only one assessment of all property for taxation in cities of the third class within this Commonwealth directing said assessment to be made by the city assessors of said cities and said city assessors in addition to their duties as such assessors, to perform all other duties now performed by the county assessors in said cities and requiring said cities to furnish copies of said assessment to each of the boards of school directors in said cities to each of the boards of county commissioners of the respective counties wherein said cities are located and to all other boards or authorities levying and collecting taxes in said cities and all taxes, city, school, county, poor and other taxes to be levied on said assessment.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 267, entitled:

An Act relating to the collection of city, county, school, poor and other taxes in the several cities of the third class in this Commonwealth, providing that the city treasurer of each of said cities shall be the collector of the said several taxes, prescribing his duties, providing for his compensation, authorizing him to appoint deputy collectors and clerks and providing for their compensation.

On the question,

Will the Senate agree to the bill?

Mr. SCHANTZ. Mr. President, I ask unanimous consent to amend section 4, page 3, line 19, by adding after the word "respectively," the following: "and upon the expiration of the office of said Treasurer, he shall turn over to his duly qualified successor in office, all duplicates, books, papers, accounts, receipts and other matters."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 395, (House Bill No. 283), as follows:

An Act to amend section four of the act approved the twentieth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred and sixty-six) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" as amended providing a pension for employes who have not reached the age of sixty years but who have become permanently disabled after eighteen years of service

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of the act approved the twentieth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred and sixty-six) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" which was amended by section two of the act approved the fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws six hundred and eighty-nine) entitled "An act to amend sections three four five six and eleven of an act approved the twentieth day of May one thousand nine hundred and fifteen entitled 'An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions' " is hereby further amended to read as follows

Section 4 During the lifetime of the said person he or she shall be entitled to receive a pension from the fund set aside for the purpose of fifty per centum of the amount which would constitute the average rate of pay at which he or she was employed during the last five years of his or her employment by the said city or other public employment as aforesaid Said pension shall be paid in monthly payments Provided That if any pension be granted to a person who has not been a contributor to the pension fund as herein provided during a period of twenty years such person shall be required to pay into the board of pensions monthly an amount equal to two per centum of his or her pension until such time as his or her contribution shall have extended during a period of twenty years Should any person so employed after twenty years of service be dismissed voluntarily retire or be in any manner deprived of his position or employment before attaining the age of sixty years upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to a pension above mentioned notwithstanding he or she has not attained the age of sixty years at the time of his or her separation from the public service but said pension shall not commence until he or she has attained the age of sixty years Should any employe however become totally and permanently disabled while in the service after twenty years of service and before attaining the age of sixty years he or she shall be entitled to the said pension Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office Provided That in cases where the nature of such disability is such as to disable the employe from performing any work whatsoever either within or without the scope of his regular duties or within or without the service of such city or county the board may upon a recommendation of the three practicing physicians herein provided for retire upon pension such applicant after a service of fifteen years Provided further That the benefits of this amendment shall apply to members of the pension fund who have been contributors to the said fund for five years or more The pension paid to any one employe shall not exceed one hundred dollars per month

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Wil the Senate agree to the bill?

Mr. ARON. Mr. President, I ask unanimous consent to amend title by striking out in the last line thereof the following "eighteen" and insert in lieu thereof the word "twenty"; also by adding at the end thereof the following: "and in certain cases of disability fifteen years".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 476, entitled:

An act providing for the abatement of nuisances caused by the improper grading of defective paving or encroaching fences in alleys in cities of the first class for the establishment of lines and grades for and the grading paving or repaving of said alleys and the grading of private alleys hereafter laid out and for apportioning the cost and for the filing of liens therefor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 494, entitled:

An act to exempt from County city borough township bounty road school and poor taxes real and personal property owned by one or more corporations of purely public charity and used by such owner or owners and other similar associations or corporations exclusively for the purposes of such occupants

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 495, entitled:

An Act establishing a State employes retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes and judges serve; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties.

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. WOODWARD. Mr. President, I ask unanimous consent to amend title, third line from the end by striking out the words "and judges"; also amend section 1, page 3, lines 25 and 26 by striking out the words "or judge"; also page 4, clause 10, line 1 by inserting after the word "become" the following: "a State employe and"; also Section 2, page 6, line 13 by striking out the words "and Judges' "; also Section 3, page 6, line 20, by striking out the words "at any time" and inserting in lieu thereof "either as an original member or a new members"; also Section 4, page 7, line 22 by inserting after the word "shall" the word "suffer"; also page 8, line 12 by striking out the word "acturial" and inserting in lieu thereof the word "actuarial"; also Section 7, page 14, line 9 by inserting after the word "period" the following: "as continuing throughout such pay-roll period"; also Section 10, page 20, line 28 by striking out the words fourteen and six" and insert in lieu thereof six and thirteen"; also Section 11, page 22, line 14 by striking out "through no fault of his own" and inserting in lieu thereof "not voluntarily"; also line 24 by striking out "one-eightieth (1/80)" and inserting in lieu thereof "one-one hundred sixtieth (1/160)"; also Section 12, page 25, line 22, by striking out the word "where"; also line 23 by inserting after the word "salary" the following: "unless said thirty per centum"; also by striking out "eight-tenths" and inserting "eight-ninths"; also page 26, by striking out all of lines 4 to 11 inclusive, being clause (c); also Section 13, page 27, line 6 by striking out the word "An" and inserting in lieu thereof "A member's".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL RECOMMITTED.

Mr. BARR. Mr. President, I move that Senate Bill No. 506, on third reading, entitled:

An Act to amend section two of an act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death nad of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for appeal" as amended

be recommitted to the Committee on Finance.

Mr. LONG. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 551, as follows:

An Act to amend section one of the act approved the first day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred and ten) entitled "An act relating to fires and fire prevention imposing duties and conferring powers heretofore exercised by the State Fire Marshal upon the Department of State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said departmtnt and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the department and the enforcement of its orders and prescribing penalties" fixing the powers of the Department of State Police and cities boroughs and townships relative to the erection and installation of tanks pumps drawing-off or measuring devices used in connection with inflammable liquids

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the first day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred and ten) entitled "An act relating to fires and fire prevention imposing duties and conferring powers heretofore exercised by the State Fire Marshal upon the Department of State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said department and defining their powers and duties providing for the invetigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the department and the enforcement of its orders and prescribing penalties" is hereby amended to read as follows:

Section 1 Be it enacted et cetera That the term "department" as used in this act means "Department of State Police"

The Superintendent of State Police may appoint and remove the chief of the fire department of any county city borough town or township where a fire department is established or where no such fire department exists the burgess or constable of any borough or town or constable or the president or chairman of the board of supervisors of any townships assistant to the department and when so appointed shall be subject to the obligations imposed by this act and to the authority of the department

The Superintendent of State Police may also appoint individual citizens as assistants to the department who shall be subject to the obligation aforesaid and to the directions of such department

The department may adopt and enforce rules and regulations governing the having using storage sale and keeping of gasoline naphtha kerosene or other substance of like character blasting powder gunpowder dynamite or any other inflammable combustible or explosive chemical products or substances or materials The department may also adopt and enforce rules and regulations requiring the placing of fire-extinguishers in buildings

No person co-partnership association or corporation shall erect or install any tank or pump drawing-off or measuring device for the storage of handling use discharging distribution or dispensing of volatile inflammable liquids without first obtaining a certificate of approval from the Bureau of Fire Protection of the Department of State Police for which the person obtaining such certificate shall pay to the said Bureau for the use of the Commonwealth a fee of five dollars Provided That nothing in this clause shall be construed to apply to safety containers or receptacles not exceeding five gallons capacity nor to tanks for the storage of kerosene oil not exceeding one hundred and twenty gallons capacity nor to any tanks or device which are used in connection with any manufacturing plant or refinery where such volatile inflammable liquid is manufactured or refined

No city borough or township shall adopt any ordinance or resolution in any maner affecting or regulating the installation of any tanks pumps drawing-off or measuring devices jurisdiction over which has herein been conferred upon the Bureau of Fire Protection of the Department of State Police except ordinances and resolutions fixing the location of any such tanks pumps drawing-off or measuring devices or limiting the number thereof or imposing an annual license or inspection fee thereon for inspection purposes which annual license or inspection fee shall not exceed ten dollars for each pump drawing-off or measuring device and the tank thereto connected

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheisel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 557, entitled:

An Act authorizing council in cities of the first class by ordinance to require the installation of standpipes and sprinkler systems in certain buildings in such cities to prescribe the kind and character thereof, and regulations therefor and to provide for the enforcement of such ordinance

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 565, entitled:

An Act creating a Department of Game and Fish charging the department with the enforcement, administration and execution of laws heretofore enforced, administered and executed by or through the Department of Fisheries and the Board of Game Commissioners; defining the powers and duties of the Department, and prescribing penalties, abolishing certain departments, boards, commissions and offices; providing for the disposition of certain moneys now held by or hereafter paid to the State Treasurer under any statute the enforcement of which is by this act imposed on the department; and making appropriations.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

BILL RECOMMITTED.

Mr. WOODWARD. Mr. President, I move that Senate Bill No. 565, the bill just read, be recommitted to the Committee on Game and Fisheries, for the purpose of amendment.

Mr. PHIPPS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion.

Mr. WOODWARD. Mr. President, this bill is one of a series of bills prepared by the legislative reorganization commission and I would like to state briefly that the difference in regard to the administration code is that the code leaves the Game and Fisheries Departments as they are now constituted, separate, and the legislative commission proposes to merge them. In defence of this I wish to state very briefly that it seemed to our Commission that if anything were to be consolidated that the Game and Fisheries Departments lend themselves very readily to this. In our reorganization we brought the one hundred and seven departments down to thirty eight and the Pinchot Commission has brought them down to fifteen and that is one of the points of difference, that the Pinchot code allows the Game and Fisheries Department to remain exactly as it is now. Now I would like to state that in three of the States, Oregon, Washington and California, that in California in 1870 they had combined the Game and Fisheries as we propose to do. In Illinois and Nebraska the Game and Fisheries is a part of the Department of Agriculture. In Michigan, Maryland, Massachussetts, New York and Ohio the Game and Fisheries is a part of the Department of Conservation. The only other thing I wish to say to the Senate is that I understand perfectly the esprit de corps amongst sportsmen of the state and they do not like to have any interference with their present admirable arrangement, especially in regard to their funds. I would like to state in explanation that those funds while they are to be merged into the general fund are preserved on the books and credited to the hunter's license, to the Game Department, and Fish Licenses to the Fish Department, and they will be given due credit and obtain money from the general fund.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 570, entitled:

An Act providing for the merging of moneys held in certain special funds in the State Treasury with moneys in the general fund providing for the use of all moneys in the general fund for the payment of appropriations and for the payment from the general fund of moneys appropriated and dedicated for special purposes

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

BILL OVER IN ORDER.

Mr. BUCKMAN. Mr. President, I ask that Senate Bill No. 570, on third reading, entitled:

An Act providing for the merging of moneys held in certain special funds in the State Treasury with moneys in the general fund providing for the use of all moneys in the general fund for the payment of appropriations and for the payment from the general fund of moneys appropriated and dedicated for special purposes.

go over in its order.

The PRESIDENT. Is there objection?

Mr. WOODWARD. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

Mr. BUCKMAN. Mr. President, I desire to interrogate the sponsor of this bill.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Woodward, permit himself to be interrogated?

Mr. WOODWARD. Mr. President, I will.

Mr. BUCKMAN. Mr. President, I would like to ask the Senator from Philadelphia, what moneys appropriated for special funds would be merged into the general fund by this bill?

Mr. WOODWARD. Mr. President, there are 13 of the special funds, the Motor Fund, the State Insurance Fund, Banking Department Fund, State School Fund, Fish Propogation Fund, Bounty Fund, Manufacturing Fund, Game Protection and Propogation Fund, Engineers Fund, Dog Fund, Resident Fish License Fund, Bureau of Markets Fund, Non-resident Hunters License Fund. Do you want to know the amount of money involved?

Mr. BUCKMAN. Mr. President, not necessarily, no, that is enough.

Mr. President, I think this would be a very dangerous and unwise proposition for the Legislature, without knowing more about it, to pass a bill of this sort, merging all of these moneys and special funds into the general fund at this time. We cannot tell where we will land. We cannot tell what funds might be depleted by this bill. I ask to have this bill go over in order that it may be investigated thoroughly. The Senator seems to obect and so I will ask the Senate to vote down this bill at this time.

Mr. WOODWARD. Mr. President, I would like to state on behalf of this bill that I hold in my hand that the balance in all of the funds as of February 23rd, 1923, these special funds amounted on that date to $11,026,240.35, less the general fund, which would be $307,789.40, or $10,718,450.85.

This money is what I call being put on the top shelf of the Treasury and no one can get at it. The bill provides for the merging of these special funds into the general fund to make them available for appropriations.

If the Senator has not read the bill, I am perfectly willing to have it go over until to-morrow morning.

The PRESIDENT. The objection is withdrawn.

BILL POSTPONED.

Mr. BUCKMAN. Mr. President, I move that the question together with the further consideraton of the bill be postponed for the present.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 583, entitled:

An Act authorizing the annexation to cities of portions of townships not exceeding one hundred acres in area and totally surrounded by said cities and providing for the division of the assets and liabilites of said townships

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. NORTON. Mr. President, I ask that Senate Bill No. 657, on third reading, entitled:

An Act empowering School Districts to employ a Police Force

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 677, (House Bill No. 726), entitled:

An Act to amend an act entitled "An Act to amend sections two thousand seven hundred and one and two thousand seven hundred and two of an Act entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) by providing that all receipts and proceeds derived in any way from or on account of the State forests now or hereafter acquired by this Commonwealth shall belong to and form a part of 'The State School Fund of Pennsylvania' approved the fourth day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and twenty-five) by providing that net receipts from State forests shall become part of the State School Fund of Pennsylvania.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. STINEMAN. Mr. President, I ask unanimous consent to amend Section 1, page 2, line 18, by striking out the words "acquired by the Commonwealth shall belong to and form" and inserting in lieu thereof the following: "that all receipts or proceeds derived in any way from"; also line 20, by striking out the word "from" and inserting in lieu thereof the word "form".

It was agreed to.

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 690, entitled:

An Act authorizing and empowering counties of the second class in this Commonwealth to acquire by lease, purchase or condemnation proceedings any land within the county for the purpose of establishing and maintaining airdromes or aviation landing fields; providing for the precedure in case of condemnation and the extent of title acquired; authorizing the lease by the county of portions of said land to individuals or corporations upon such term as may be fixed and the lease thereof to the Government of the United States upon nominal rental; authorizing and empowering the county to use land now owned by it for such purposes and authorizing joint operation by said county and any city within the county of airdromes or aviation land fields where such city is authorized to establish and maintain the same.

And said bill having been read at length the third time,

On the question,

Wil the Senate agree to the bill?

Mr. HARRIS. Mr. President, I ask unanimous consent to amend Section 1, page 2, line 1, by inserting after the word "county" the following "of the second class".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL OVER IN ORDER.

Mr. HARRIS. Mr. President, I ask that Senate Bill No. 691, on third reading, entitled:

An Act authorizing and empowering the cities of the second class in this Commonwealth to acquire by lease, purchase or condemnation proceedings any land within or without the limits of said cities for the purpose of establishing and maintaining municipal airdromes or avation landing fields; providing for the procedure in cases of condemnation and the extent of title acquired; authorizing the lease by the cities of portions thereof to individuals or corporations upon such terms as may be fixed and the lease thereof to the Government of the United States upon nominal rental; and empowering said cities to operate and maintain said fields jointly with any county within which said city is situated where the county is empowered to operate and maintain an airdrome or aviation landing field.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED.

Mr. SISSON. Mr. President, I move that Senate Bill No. 694 (House Bill No. 515), on third reading entitled:

An act limiting rent as a preferred claim

be recommitted to the Committee on Judiciary Special.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 696, (House Bill No. 600), entitled:

An Act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic the United-Spanish War Veterans and American Legion a part of the public records of the State and providing for their publication and distribution

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. DAVIS. Mr. President, I ask that Senate Bill No. 710, (House Bill No. 638) on third reading, entitled:

An Act supplementing an act, entitled 'A Supplement to an act, entitled "An Act for the government of cities of the second class," approved the seventh day of March, one thousand nine hundred and one; authorizing cities of the second class to regulate and limit the height and bulk of buildings and the area of yards, courts and open spaces, and to regulate and restrict the location of trades and industries, and the location of buildings for specified uses; and to make regulations for trades and industries and for the use of buildings; and, for the above purposes, to divide the cities into districts; and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein; and providing the method of adoption of said districts, regulations, and restrictions, and the method of amendment or change thereof,' approved the twenty-first day of June, Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws, five hundred seventy)," providing for a board of appeals to review decisions of the officer charged with the enforcement of any zoning ordinance duly adopted by said cities, establishing the procedure upon said appeals, authorizing appeals from the decision of said board of appeals to the court of common pleas of the respective counties, and authorizing said appeals to be advanced.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 717, (House Bill No. 727), entitled:

An act to amend Article X of the act approved the third day of June, 1915, (P. L. 797) entitled "An act to establish a Bureau of Forest Protection with the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general, special or lcoal or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto section one thousand and eight regulating civil actions by and on behalf of persons and the Commonwealth suffering damages from forest fires and making an appropriation.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. STINEMAN. Mr. President, I ask unanimous consent to amend section 1, page 3, line 8, by striking out after the syllable "ed" the following words "in an action to recover damage or the cost of extinction it shall not be necessary to prove that the setting or causing of the fire was negligently done".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 733, (House Bill No. 999), on third reading, entitled:

An Act providing for the refunding of liquor license fees and additional taxes to holders of liquor licenses to manufacture or sell vinous spirituous malt or brewed liquors or any admixture thereof intoxicating liquor or ethyl alcohol where the Act of Assembly under the authority of which licenses were granted has been repealed by the General Assembly of one thousand nine hundred and twenty-three prior to the expiration of the license year for which such licenses were issued providing for the payment of such refund in certain cases by the county in which such license was granted and the repayment to such county by the city, borough, township and State of their respective shares of such refund and for the payment of such refund in certain cases by the State along providing the procedure in such cases and making an appropriation.

be recommitted to the Committee on Appropriations.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 764 on third reading, entitled:

An act fixing the salary of court criers in counties of the sixth class

be recommitted to the committee on Corporations for the purpose of amendment

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 769, entitled:

A Supplement to an act approved March 10, 1921 (App. Acts, page 11) entitled "An act making an appropriation to the State Highway Department for the construction of Permanent State Highways, for the payment of the Commonwealth's share in the expenses of constructing State-aid highways; for the maintenance and repair of State Highways within the limits of boroughs; for the maintenance and repair of State-aid highways; for the payment of rewards due townships of the second class; for the payment of damages to property caused or occasions in connection with the work of the State Highway Department;" by extending the date for the apportionment of State-aid appropriations made by said act.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows: viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. BARR. Mr. President, I move that Senate Bill No. 780, on third reading, entitled:

An Act providing that the county treasurers in counties of the second class of this Commonwealth shall add a penalty of five per centum on all taxes, in each district, of said counties, which shall have been assessed against any person or persons, or their property in any of the districts of the said county and which shall remain due and unpaid for a period of four months after the date fixed for the payment in the proper district and requiring the county treasurer to receive the whole amount of taxes assessed against any person or persons or their property in any of the districts of the said county, with the added penalty of five per centum, as provided herein, without any other increases or deductions; providing that the said penalty of five per centum shall accrue to the revenues of said county; and repealing all acts or parts of acts inconsistent herewith.

be recommitted to the Committee on Education for the purpose of amendment.

Mr. LONG. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. LONG. Mr. President, I ask that Senate Bill No. 787, on third reading, entitled:

An act creating a Legislative Reference Bureau providing for the election of a Director by the General Assembly designating the officers and employes of such Bureau defining their duties fixing their salaries abolishing the present Legislative Reference Bureau and making an appropriation.

go over in its order.

The PRESIDENT It there objection? The Chair hears none.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 793, entitled:

An act to repeal the act approved May tenth one thousand eight hundred and seventy-one (Pamphlet Laws six hundred sixty-seven) entitled "An act to empower the school directors of Tuscarora and Spruce Hill townships in the county of Juniata to annex certain lands in Spruce Hill Township and Tuscarara township in the county of Juniata for school purposes"

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. CULBERTSON. Mr. President, I ask unanimous consent to Amend Title, page 1, line 5, by striking out the word "township" and inserting in lieu thereof the word "townships".

The PRESIDENT Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 798, entitled:

An Act to amend sections two and twenty of an act approved June 7, 1915 (P. L. 888) entitled "An Act regulating, through the Commissioner of Labor and Industry, the business of assisting employers to obtain employes, and persons to secure emplyment, including the business of collecting information to the same end, and prescribing penalties."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows: viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 817, (House Bill No. 532), entitled:

An Act to provide for the registration and protection of artificial assumed trade or association names titles or designations

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The Yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 846, (House Bill No. 928), entitled:

An Act providing for and regulating the public printing and binding the editing for publication and the distribution of all documents, reports, bulletins and other publications for the use of the Commonwealth the several departments, boards commissions and other agencies engaged in the legisative judicial and administrative work of the State government the sale of waste paper the appointment of a Director and other employes and repealing inconsistent and conflicting legislation.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. LONG. Mr. President, I ask unaniomous consent to amend line one, Article 1, by inserting after the words "Section 1" the following: "Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for use of the Senate.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 24, as follows:

An Act providing for an industrial State Highway from the city of Chester to the city of Philadelphia

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Highway Department is hereby authorized to locate lay out establish construct and maintain an industrial State Highway between the city of Chester in the county of Delaware and the city of Philadelphia Said industrial State Highway shall be constructed of a durable type and shall be of a width not exceeding one hundred and twenty feet and shall begin at the boundary of the city of Chester and the borough of Eddystone on Essington Avenue and running thence in an Easterly direction along Essington Avenue and adjacent to the tracks of the short line railway of the Philadelphia Rapid Transit Company in said borough of Eddystone thence through the township of Ridley to Island road in the townshp Tinicum and thence to Passayunk Avenue Bridge in the city and county of Philadelphia

The industrial State Highway hereinbefore described shall be located constructed improved and maintained in the same manner as other State Highways are constructed improved maintained and for such purposes the State Highway Commissioner shall possess all the powers now by law vested in him in relation to the State Highways Any State funds appropriated or available for the construction improvement and maintenance of State Highways shall be available for the construction improvement and maintenance of said industrial State Highway

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 82, as follows:

An Act providing for the detachment of territory from a city or borough divided by a county line and its annexation to a city or borough situate in the same county as the detached territory

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any city or borough shall comprise territory situate in more than one county the ward or wards or parts thereof situate in the county courts of which do not have jurisdiction of said city or borough may as a unit be detached from such city or borough and be annexed to any contiguous city or borough situate in the same county as the detaching territory in the manner herein provided

Section 2 Upon the presentation to the council of the city or borough to which such territory desires to be annexed of a petition signed by least fifty taxable inhabitants residing within the erritory to be affected setting forth that they believe the citizens residing in such territory wish to separate from the city or borough of which then a part and become annexed to the contiguous city or borough situate in the same county as the petitioners the council ants residing within the territory to be affected setting forth its desire to have such territory annexed to said city or borough

Section 3 Upon the adoption of any such resolution by the council of said city or borough any one or more of the taxable inhabitants who presented said petition to such city or borough may present his or her petition to the court of common pleas of the county in which such territory is actually located setting forth the facts Such petition shall have attached hereto a copy of the original petition presented to the council of the city or borough to which the territory is proposed to be annexed a copy of the resolution adopted by the council of such city or borough attested by the clerk or secretary thereof and a map or plot showing the territory to be so detached from one city or borough and annexed to a contiguous city or borough

Section 4 Thereupon the court shall order an election to be held on the next appointed day for the holding of a general or municipal election at which time the qualified electors within such territory proposed to be detached from the city or borough of which it is then a part shall vote for or against such detachment and annexation A copy of the entire proceedings shall be certified by the prothonotary of the county to the county commissioners who shall cause the question to be submitted to the qualified electors to be printed upon the ballot used at such said election in the manner and form provided by the election laws of the state

Section 5 If a majority of the electors voting at such election shall vote "Yes" the court shall make a decree declaring such territory to be detached form the city or borough to which it then belongs and hereafter to be a part of the eity or borough situate in the county as said detaching territory

Section 6 Copies of the entire proceedings certified under the hand and seal of the prothonotary shall be filed with the clerks or secretaries of the respective cities or boroughs

Section 7 The court of common pleas making the decree of detachment and annexation shall at the same time appoint an auditor The court of common pleas of the county in which is located the city or borough from which the territory was so detached shall upon the petition of the mayor or council of such city or borough also appoint an auditor The two auditors so appointed shall choose a third auditor and said three auditors shall ascertain the indebtedness of the city or borough from which the territory was detached the property assets and the moneys in the treasury of such city or borough or due such city or borough and they shall make a report showing how much of the debt if any of such city or borough shall be paid by the city or borough to which such territory was annexed what or how much of the moneys in the treasury of such city or borough or due such city or borough shall be paid to the city or borough to which the territory was annexed The report of a majority of the auditors shall be final

Section 8 All costs and expenses incurred in any proceedings under the provisions of this act shall be paid by the city or borough to which said territory is annexed

Section 9 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 82, the bill just read, be recommitted to the Committee on New Counties and County Seats.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 241, as follows:

An Act to amend section one of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and seven) entitled "An act relating to municipal improvements and the collecting of assessments therefor"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and seven) entitled "An act relating to municipal improvements and the collecting of assessments therefor" is hereby amended to read as follows

Section 1 Be it enacted et cetera That whenever any borough or incorporated town repaves a street or part thereof which had already been paved at the expense of the entire municipality the municipality may collect from the abutting property owners one-third of the cost of such repaving in the same manner as if the repaving were an original paving

If said repaving is done by the borough or incorporated town upon petition and the petition is signed by petitioners representing two-thirds in the number of feet of properties abutting on the street or part thereof paved then the whole cost of said repaving shall be collected from the owners of real estate abutting on the street or part thereof paved by an equal assessment on the foot-front in the manner and subject to the procedure provided in subdivision (c) article seven chapter six of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 285, as follows:

An Act making a deficiency appropriation to the Cottage State Hospital situated in Connellsville Fayette county Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirteen thousand dollars ($13,000) or so much thereof as may be necessary is hereby specifically appropriated to the Cottage State Hospital situated in Connellsville Fayette county Pennsylvania to cover a deficiency in maintenance for the two fiscal years ending the thirty-first day of May one thousand nine hundred and twenty-one and for the two fiscal years ending the thirty-first day of May one thousand nine hundred and twenty-three

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 338, as follows:

An Act to further amend clause four of section three hundred and eighty-six of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" as amended and repealing an additional amendment to said clause approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and fifty-seven)

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause four of section three hundred and eighty-six of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" which was amended by the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and sixty-four) entited "An Act to amend the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled 'An Act concerning townships and revising amending and consolidating the law relating thereto'" is hereby further amended to read as follows

IV To purchase such timber material machinery road-drags tools and implements as shall be necessary for making and repairing roads and bridges and to employ sufficient number of laborers to make and repair the same and to contract for the construction reconstruction and improvement of roads

Section 2 That the Act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and fifty-seven) entitled "An Act to amend section three hundred eighty-six clause four of the act approved the fourteenth day of July one thousand nine hundred seventeen (Pamphlet Laws eight hundred forty) entitled 'An Act concerning townships and revising amending and consolidating the law relating thereto' by limiting the power of townships of the second class to contract for road purposes" which was an additional amendment to said section be and the same is hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 355, (House Bill No. 206), as follows:

An Act to further amend section three of the act aproved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued" as amended providing for the impounding of property where an affidavit is filed before issuing of the writ

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued" which was amended by the act approved the fourteenth day of April one thousand nine hundred and five (Pamphlet Laws one hundred and sixty-three) entitled "An Act to supplement and amend section three of an act entitled 'An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued' approved the nineteenth day of April nineteen hundred and one permitting replevied property to be impounded in certain cases and regulating the practice in such cases" is hereby further amended to read as follows

Section 3 The court or in vacation time a judge thereof at chambers may grant leave to any person upon an affidavit filed that the goods and chattels so replevied belong to him to intervene as party defendant in such suit and the defendant or party so intervening may file a counter bond within seventy-two hours after such goods or chattels have been replevied during which time said goods and chattels shall remain in the posession of the sheriff and which time may be extended by the court or in vacation time a judge thereof at chambers upon cause shown Such counter bond shall be given to the Commonwealth of Pennsylvania for the use of the parties interested in the same amount as the original bond and with like conditions Where several parties claim the right to give a counter bond and have possession of said goods and chattels the party who is in actual or constructive possession of the goods and chattels at the time the writ of replevin was served shall upon entering the proper counter bond be entitled to have said goods and chattels

Provided That in any action of replevin hereafter to be brought where the defendant or person intervening in such action claiming title to the property replevied shall enter a claim property bond therefor if the plaintiff at the time he files his bond and before the writ is issued did aver that by reason of the nature of such property or of any special circumstances connected with his alleged ownership thereof the actual pecuniary value of such property will not compensate him for the loss thereof the court or in vacation time any judge thereof at chambers may if the court shall so conclude order such property to be impounded in the custody of the sheriff or such other person as the court or in vacation time any judge thereof at chambers may designate to abide the final determination of the action provided the plaintiff shall exhibit an estimate of the probable necessary charges and expenses of the storage care or keep of such property pending the final determination of such action and shall pay or secure the payment of such charges and expenses as the court or in vacation time any judge thereof at chambers shall approve

The amount of such security shall be fixed by the court or in vacation time by any judge thereof at chambers and said security shall be approved in the same manner as now provided for the approval of the security entered by the plaintiff on the issuing of the writ of replevin The bond shall be to the Commonwealth and shall be for the use of any party interested in the payment of the storage care or keep of the impounded property

Upon the final determination of such action the property so impounded shall be delivered to the party who shall have successfully maintained his title thereto and the charges and expenses of the storage care or keep of such property shall be assessed as costs of suit and shall be recoverable from the unsuccessful party in the same manner as damages and costs are now recoverable in action of replevin

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, At the request of the sponsor of the bill in the House, I move that Senate Bill No. 355, (House Bill No. 206), on second reading, entitled:

An Act to further amend section three of the act approved the ninteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An Act relating to replevin and regulating the practice in cases where the writ of replevin is issued" as amended providing for the impounding of property where an affidavit is filed before issuing of the writ

be recommitted to the Committee on Corporations, for the purpose of amendment.

Mr. PHIPPS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 398, (House Bill No. 494), entitled:

An Act validating certain proceedings of counties cities boroughs townships school districts and other incorporated districts or municipalities had pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds certificates of indebtedness and securities issued in pursuance of such proceedings.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 418, (House Bill No. 22), entitled:

An Act concerning conditional sales of chattels attached or to be attached to realty and regulating the recording and effect thereof and providing remedies and penalties

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 449, as follows:

An Act providing for the transfer to Pennsylvania of the titles to and liens affecting any lands heretofore regarded as being in the State of Delaware but found to be in Pennsylvania in accordance with the interstate boundary run by the joint commission of said States appointed by virtue of the act of Assembly of Pennsylvania approved the fourth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws eighty-one) entitled "An act relative to the boundary lines and boundary line monuments"

Whereas By virtue of the act of Assembly of Pennsylvania approved the fourth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws eighty-one) entitled "An act relative to the boundary lines and boundary line monuments" a commission in co-operation with a like commission appointed by the State of Delaware was authorized to examine survey and re-establish the boundary line between said States and said joint commission in pursuance thereof in the year one thousand eight hundred and ninety-two ran and located a boundary line and marked the same with stone monuments upon the ground and their action was duly ratified and confirmed by the State of Pennsylvania by the act of Assembly approved the twenty-second day of June one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred and eighty-two) entitled "An act providing for the acceptance approval and confirmation of the repart of the commission appointed in pursuance of the act approved the fourth day of May Anno Domini one thousand eight hundred and eighty-nine authorizing the examination survey and re-establishment of the circle of New Castle as the boundary line between Pennsylvania and Delaware" and by the State of Delaware by act of the twenty-eighth day of March one thousand nine hundred and twenty-one and also by Congress by act of the thirtieth day of June one thousand nine hundred and twenty-one thereby making it the legal boundary between said States

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for any person or persons body politic and corporate his her or their agent or attorney who may own or have any interest in or claim to upon or against lands and tenements heretofore supposed to be within the limits of the State of Delaware and which are now found by the said survey to be within the limits of the State of Pennsylvania to procure copies duly certified and authenticated according to the laws of the State of Dalaware of all deeds conveyances assurances agreements or other instruments of writing affecting or in anywise relating to any of said lands and tenements or the titles thereof and which shall have been duly recorded in the proper office for recording like papers or instruments within the county of New Castle in the State of Delaware and have the name recorded in the office for the recording of deeds in the county within this State in which the same are now found as aforesaid to be situate and it is hereby made the duty of the recorder of deeds of said last mentioned county or counties to receive and record the same on the payment of the usual fees for like services and when so recorded the same shall have the like force and efficiency and effect as if the same had been originally therein recorded at the time the same were recorded in the State of Delaware and copies duly certified and authenticated of such records so made within this State shall be evidenced in all cases and for all purposes for which the original papers or instruments or copies of the original record thereof would be evidence in this State and as if such record hereby authorized had been made from the original papers themselves

Section 2 Copies certified and authenticated in the manner required in the preceding section of all mortgages judgments recognizances or other liens or debts of record which shall be outstanding and subsisting at the time of such transfer in the county of New Castle in the State of Delaware and binding or affecting any of the lands and tenements hereinbefore mentioned had the same been within the limits of the said State may be transferred to and recorded or entered of record in the proper office in any county in this State within which such lands and tenements are now found to lie by the proper officer or any party in interest his her or their agent or attorney presenting the same for record or entry and on payment of the fees allowed by law for similar services the proper officer to whom they are so offered for entry or record shall enter and record the same and such entry or record when so made shall relate to the date of their original entry and be of the like force and effect as if originally made in said county in this State and copies thereof shall be evidence in the same manner and under the same restrictions as are mentioned and prescribed in the preceding section of this act

Section 3 All titles to lands along said line at any time heretofore sold under execution issued out of any of the courts of the State of Delaware or upon proceedings in partition in any of the said courts or by virtue of any order or orders of any of the said courts which lands are now found to be within the limits of the State of Pennsylvania shall be deemed and taken to be good and valid to all intents and purposes as if the said lands were within the limits of the State of Delaware

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 469, (House Bill No. 277), entitled:

An Act to validate tax liens filed in the office of the Prothonotary of the various counties by any of the cities of this Commonwealth since the 24th day of May 1921, under the provisions of an act approved the fourth day of June, 1901, entitled: "An Act providing when, how, upon what property and to what extent, liens shall be allowed for taxes and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefore; the methods of preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; and the manner of distributing the proceeds of such sales and its supplements and amendments thereto; and providing for their collection.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 496, as follows:

An Act to further amend section two of an act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" which was amended by an act approved the fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and forty-one) entitled "An act to amend section two of an act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" is hereby further amended to read as follows:

Section 2 All taxes imposed by this act shall be at the rate of two per centum upon the clear value of the property subject to such tax passing to or for the use of father mother husband wife children lineal descendants born in lawful wedlock legally adopted children children of a former husband or wife or the wife or widow of the son of a person dying seized or possessed thereof and also on the clear value of such property passing from the mother of an illegitimate child or from any person of whom the mother is a lineal descendant to such child his wife or widow and passing from an illegitimate child to his mother and at the rate of ten per centum upon the clear value of the property subject to such tax passing to or for the use of any other person or persons bodies corporate or politic to be paid for the use of the Commonwealth In ascertaining the clear value of such estates the only deductions to be allowed from the gross values of such estates shall be the debts of the decedent the expenses of the administration of such estates the expenses of the burial of the descedent and the expenses of erecting at the grave of the decedent a suitable tombstone monument or marker and no deduction whatsoever shall be allowed for or on account of any taxes paid on such estate to the Government of the United States or to any other State or territory

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 497, entitled:

An Act relating to county bridges authorizing counties to issue and sell bonds for the erection thereof and providing for the division of the cost of construction and erection of joint county bridges and the collection of tolls thereon

The first section of the bill was read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when in the opinion of the county commissioners of any county the cost of building a county bridge or bridges to be erected therein or the said county's proportionate share of the cost of a bridge to be erected over a river or stream upon the line between it and an adjoining county is so large in amount that to provide the funds necessary to pay the same by a single tax levy would be burdensome to the taxpayers said commissioners having first secured the approval of the court of quarter sessions of their county so to do may issue and sell to the highest bidder at not less than their face value interest bearing bonds of the county for the purpose of raising funds to defray the costs aforesaid

The second section of the bill was read as follows:

Section 2 Whenever any counties shall erect any joint county bridge the said counties may pay the cost of the construction and erection of such bridge in equal proportions or in any other proportions as the commissioners of the several counties may agree upon Whenever it is necessary for any counties in the construction of any joint county bridge to issue bonds in payment of such construction or erection the commissioners of said counties may assess supervise and collect such tolls for the use of said bridge for all traffic as may be necessary to pay the interest on said bonds and to create a sinking fund for the payment and redemption of the same The tolls so collected shall be distributed between such counties in proportion to the amount paid in by each county in the original construction and in no case shall any tolls be collected after the redemption of the original bonds issued

On the question,

Will the Senate agree to the section?

Mr. BROWN. Mr. President, I move to amend Section 2, page 2, line 13 by inserting after the word "pay" the following: "for the repairs, upkeep and maintenance of the said bridge and"; also line 15, by striking out the word "same" and inserting in lieu thereof the words "said bonds".

Mr. SMITH. Mr. President. I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third section of the bill was read as follows and agreed to.

Section 3 All acts and parts of acts inconsistent with this act are repealed

The title of the bill was read as follows and agreed to.

An Act relating to county bridges authorizing counties to issue and sell bonds for the erection thereof and providing for the division of the cost of construction and erection of joint county bridges and the collection of tolls thereon.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 512, entitled:

An Act to amend section one of an act approved the seventeenth day of March one thousand nine hundred and twenty-one (Pamphlet Laws thirty-two) entitled "An Act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county" by providing for second like proceeding in certain cases and making it the duty of the county commissioners upon favorable result of a second election to erect such hall at some place in the county other than the county seat

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the seventeenth day of March one thousand nine hundred and twenty-one (Pamphlet Laws thirty-two) entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county" is hereby amended to read as follows:

Section 1 Be it enacted et cetera That in any county of the Commonwealth where the petition of at least fifty citizens thereof to the county commissioners of any county for the erection or completion and maintenance of a memorial or monument in honor of the soldiers sailors and marines for such county who served in the Army and Navy of the United States in the War of the Rebellion the Spanish American War the Philippine Insurrection the War with Germany and Austria and all other wars in which the United States has been or may hereafter be engaged has been or may be laid before two successive grand juries and approved by them it shall be the duty of the county commissioners to submit the question of the erection of a memorial hall to the electors of the county at the next general or municipal election and if a majority of the persons voting at such election shall vote in favor of the same it shall be the duty of the county commissioners to erect at the county seat a memorial hall as such memorial or monument and for such purpose to acquire by purchase donation or by condemnation under the right of eminent domain the necessary site and to erect and maintain thereon a suitable and proper memorial hall or buildings in memory of the soldiers sailors and marines of such wars In case said election shall result adversely and a second petition shall be present the same shall be laid before two successive grand juries and if approved then it shall be the duty of the county commissioners to again in like manner submit the question to vote at the next general or municipal election and if the result shall be favorable then it shall be the duty of the county commissioners to erect such hall at such place in the county as they may designate All proceedings for the condemnation of any property under the provisions of this act shall be in the same manner as now provided by law for the condemnation of property for other county purposes

If the site so secured has a hall or building already erected thereon which can be altered and improved so as to be made suitable for such memorial hall it shall be lawful for such county commissioners to acquire such site in manner aforesaid for the purpose of a memorial hall

On the question,

Will the Senate agree to the section?

Mr. BALDWIN. Mr. President, I move to amend section 1, page 3, line 11 by striking out the word "present" and inserting in lieu thereof the word "presented".

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act to amend section one of an act approved the seventeenth day of March, one thousand nine hundred and twenty-one (P. L. 32), entitled, "An Act authorizing the erection and construction by counties of memorial halls in memory of the soldiers, sailors and marines of such counties; providing for an election to determine whether such hall shall be erected; providing for the purchase and condemnation of property for such purposes; regulating the use of such halls and providing for the maintenance and care of the same, by a board of control at the expense of the county;" by providing for second like proceeding, in certain cases and making it the duty of the county commissioners upon favorable result of a second election to erect such hall at some place in the county other than the county seat.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 522, (House Bill No. 289), entitled:

An Act to amend part of section forty-one of the act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; of legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 613, entitled:

An Act amending sections one two and eleven of an act approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred and seventy-four) entitled "An act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such power may be exercised" providing that the Juvenile Courts in the several counties of this Commonwealth shall have exclusive jurisdiction in all cases of juvenile delinquency

The first section of the bill was read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-third day of April One thousand nine hundred and three (Pamphlet Laws two hundred and seventy-four) entitled "An act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such power may be exercised" is hereby amended to read as follows

Section 1 The courts of quarter sessions of the peace within the several counties of this Commonwealth shall have and possess full and exclusive jurisdiction in all proceedings (which may be brought before them) affecting the treatment and control of dependent neglected incorrigible and delinquent children

The second section of the bill was read as follows:

Section 2 That section two of said act is hereby amended to read as follows

Section 2 The powers of the court may be exercised

1 Upon the petition of any citizen resident of the county setting forth that a child is neglected dependent or delinquent and is in need of the care and protection of the court

2 Whenever any magistrate or justice of the peace (in committing) shall commit a child arrested (for an indictable offense shall certify that in his opinion the good of the child and the interests of the State do not require a prosecution upon an indictment under the criminal laws of the Commonweath) for the violation of any law of this Commonwealth or the ordinance of any city borough or township

3 Whenever after return made by a magistrate of the proceedings upon the arrest of such delinquent child for an indictable offense the district attorney of the county either before or after the indictment shall certify that in his opinion the good of the child and the interests of the State do not require a prosecution upon an indictment under the criminal laws of this Commonwealth)

(4 Whenever upon the trial of any indictment of such delinquent child the judge trying the case is of the opinion that the good of the child and the interests of the State do not require a conviction under the criminal laws of this Commonwealth)

Upon the filing of any petition as above set forth or whenever the jurisdiction of the court has attached by the (filing of a certificate of a) commitment of a child by any magistrate or justice of the peace (or the district attorney or by the action of a judge as above set forth) it shall be (within the power) the duty of the judge holding said juvenile court to make all necessary orders for compelling the production of such child and the attendance of the parents and all persons having the custody or control of the child or with whom the child may be and pending the final disposition of any case the child shal be subject to the order of the court and may be permitted to remain in the control of its parents or the person having it in charge or the probation officer or may be kept in some place provided by the State or county authorities or by any association having one of its objects the care of delinquent or neglected children as the court may order

On the question,
Will the Senate agree to the section?

Mr. STITES. Mr. President, I move to amend Section 2, page 2, line 26, after the word "for" by adding the words "any indictable offense other than murder or for"; also line 27, after the word "any" by adding the word "other".

Mr. LONG. Mr. President, I second the motion.

On the question,
Will the Senate agree to the amendment?

It was agreed to.

On the question,
Will the Senate agree to the section as amended?

It was agreed to.

The third section of the bill was read as follows:

Section 3 That section eleven of said act is hereby amended to read as follows

Section 11 Whenever any child being above the age of fourteen years has been held by any magistrate or justice of the peace for any offense punishable by imprisonment in a State penitentiary the judge of the juvenile court having jurisdiction if in his opinion the interests of the State require a prosecution of such case on an indictment may certify the same to the District Attorney of the county who shall thereupon proceed with the case in the same manner as though the jurisdiction of the juvenile court had never attached and nothing (herein) in this act contained shall be in derogation of the powers of the court of quarter sessions and of oyer and terminer to try upon an indictment any delinquent child whose case may as above provided have been certified to the district attorney and who may in due course be brought to trial before such court

On the question,
Will the Senate agree to the section?

Mr. STITES. Mr. President, I move to amend Section 3, page 4, line 7, after the word "offense" by adding the words "other than murder".

Mr. LONG. Mr. President, I second the motion.

On the question,
Will the Senate agree to the amendment?

It was agreed to.

On the question,
Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act amending sections one two and eleven of an act approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred seventy-four) entitled "An act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such powers may be exercised" providing that the Juvenile Courts in the several counties of this Commonwealth shall have exclusive jurisdiction in all cases of juvenile delinquency

And said bill having been read at length the second time, and agreed to,

Ordered to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 629, as follows:

An Act to amend part of section three of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" by authorizing certain corporations of the first class to be incorporated by the Governor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That part of section three of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" is hereby amended to read as follows

Certificates for First Class

The said certificates of incorporation of the first class shall be acknowledged by at least three of those who subscribe to them before the recorder of deeds of the county in which the business of the corporation is to be transacted to be their act and deed and the same being duly certified under the hand and official seal of the said recorder of deeds shall be presented to a law judge of the said county accompanied by proof of the publication of the notice of such application who is hereby required to peruse and examine said instrument and if the same shall be found to be in the proper form and within the purposes named in the first class specified in the foregoing section and shall appear lawful and not injurious to the community he shall endorse thereon these facts and shall order and decree thereon that the charter is approved and that upon the recording of the said charter and order the subscribers thereto and their associates shall be a corporation for the purposes and upon the terms therein stated and the said order and charter shall be recorder in the office for the recording of deeds in and for the county aforesaid and from thenceforth the persons named therein and subscribing the same and their associates and successors shall be a corporation by the name therein given

When the business of any intended corporation of the first class is to be transacted or carried on in more than one county within the Commonwealth or partly outside of the Commonwealth the certificate of incorporation accompanied with the proof of publication may be produced to the Governor instead of the court of common pleas in the same manner as in the case of corporations of the second class The Governor shall if he finds such certificate in proper form and that it complies with the provisions of law endorse his approval thereon and shall order and decree that upon the recording of said charter and order the subscribers thereto and their associates shall be a corporation for the purposes therein stated The certificate shall be recorded in the office of the Secretary of the Commonwealth and with all its endorsements shall then be recorded in the office for the recording of deeds in and for the county where the chief business is to be carried on

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 637, as follows:

An Act authorizing the county controller to bring suit in the name of the county on contracts upon neglect or refusal of the board of commissioners so to do after notice

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where any right of action accrues or has accrued to any county for damages debt or penalty by reason of or upon any contract to which the county was or is a party or is in any way interested and the board of commissioners of said county refuses or neglects to bring suit on said action the county controller of said county may after thirty days' notice in writing to said board of commissioners of his intention so to do bring suit therein in the name of the county and prosecute the same in the same manner as though the suit had been brought by the board of commissioners of said county

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. PHIPPS. Mr. President, I move that Senate Bill No. 661, (House Bill No. 276), on second reading, entitled:

An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom the lien of taxes for the years one thousand nine hundred and twenty-one one thousand nine hundred and twenty-two and one thousand nine hundred and twenty-three and of municipal claims for work done within six months of the passage of this act and the procedure on tax and municipal claims filed under other and prior Acts of Assembly

be recommitted to the Committee on Judiciary General for the purpose of a hearing.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 669 (House Bill No. 701), entitled:

An Act to further amend sections ten and fourteen of the act approved July 12, 1913 (P. L. 711), entitled "An Act establishing a court for the county of Philadelphia, prescribing its jurisdiction and powers, providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia, regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as amended by requiring all proceedings in civil cases before magistrates that are sought to be reviewed by appeal to be taken only to the Municipal Court transferring original jurisdiction in certain civil cases from the court of common pleas to said court providing that costs in all cases shall follow the judgment and that certain judgments shall be final.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 697 (House Bill No. 606), entitled:

An Act to further amend an act approved the third day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and thirty) entitled "An act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges" providing for the rebuilding of decayed and unsafe bridges and certain bridges on State highways

The first section of the bill was read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the third day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and thirty) entitled "An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over nevigable rivers and other streams which have been declared public highways by act of assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges" which was amended by an act approved the twenty-first day of April one thousand nine hundred and three (Pamphlet Laws two hundred and thirty) entitled "An act to amend the first second third fourth and seventh sections of an act approved June third one thousand eight hundred and ninety-five entitled 'An act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of assembly where such bridges have been destroyed by flood or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges'" is hereby further amended to read as follows

Section 1 That from and after the passage of this act the Commonwealth of Pennsylvania shall from time to time rebuild all bridges maintained owned and controlled by the several counties and known as county bridges and also bridges not exceeding five hundred feet in length on or conneting portions of any State highway which briges are now or may hereafter be erected over and across the navigable rivers and such other streams as have been declared public highways by act of assembly which may hereafter be carried away or destroyed by flood or wind storm or become so decayed or unsafe as to require rebuilding

The second section of the bill was read as follows:

Section 2 That section two of said act as amended by said act of one thousand nine hundred and three (Pamphlet Laws two hundred and three) is hereby further amended to read as follows

Section 2 Whenever any such county bridge shall be so carried away or destroyed by flood or wind storm or any such county or other bridge has become so decaved or unsafe as to require rebuilding the county commissioners of the county in which such bridge may be located or when such bridge crosses the boundary line between two counties then the commissioners of both counties may apply by petition to the court of common pleas of Dauphin county setting forth fully in said petition the location of such bridge the time when a bridge was first erected in the same location the time when the bridge was carried away by flood or destroyed by wind storm or became so decaved or unsafe the character of the bridge so carried away destroyed decaved or unsafe and the probable cost of replacing the same Whereupon it shall be the duty of the court to appoint five viewers one of whom shall be a civil engineer and not more than two of whom shall be residents of the county wherein such bridge is proposed to be built The viewers so appointed after having been duly qualified to faithfully perform their duties shall proceed to view the location of the proposed bridge and make report at such time as the court may direct which report shall contain an accurate statement of the kind and character of the bridge carried away or destroyed or decaved or unsafe which it is proposed to replace the length of time since the first bridge was built on the proposed location the length of the bridge together with a recommendation of viewers as to the kind of bridge needed and the prbable cost thereof and it shall be the duty of the said viewers to inquire whether the accommodation of the traveling public in the locality demands the rebuilding of said bridge Provided That the Attorney General shall have due notice of the time of filing the petition and the application for viewers and it shall be his duty to appear for and defend the interests of the Commonwealth in all such proceedings

On the question,

Will the Senate agree to the section?

Mr. JONES. Mr. President, I move to amend section 2, page 3, line 9 by striking out the word "three" and inserting in lieu thereof the word "thirty."

Mr. PATTON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act to further amend an act approved the third day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and thirty) entitled "An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges" providing for the rebuilding of decayed and unsafe bridges and certain bridges on State highways

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 712 (House Bill No. 657), entitled:

An Act to amend section two thousand six hundred and twenty-eight of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the compensation of auditors of the accounts of school districts of the fourth class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 729, (House Bill No. 911), entitled:

An Act to provide for the erection of new or additional buildings for the maintenance care and treatment of the poor indigent insane and indigent persons afflicted with tuberculosis in poor districts in counties of the second class which now maintain or which shall hereafter maintain a poor house or a hospital or sanitarium for such purposes authorizing the county commissioners to borrow moneys issue and negotiate the sale of bonds and to levy taxes for the payment of the same

The first section of the bill was read as follows:

Section 1 Be is enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where under any law of this Commonwealth a poor house or houses or hospital for indigent insane or hospital or sanitarium for indigent persons afflicted with tuberculosis have been or hereafter shall be erected or maintained by the Directors of the Poor in any poor district in any county or counties of the second class said class being ascertained and fixed according to population by reference from time to time to the last preceding decennial census of the United States and the said building or buildings are found insufficient by said Directors of the Poor for the purpose of the proper maintenance care and treatment of the said poor indigent insane or indigent persons afflicted with tuberculosis it shall be lawful for the Directors of the Poor in said county or counties to erect construct and maintain new or additional buildings as in their judgment is necessary for such purposes and to make contracts therefor

On the question,

Will the Senate agree to the section?

Mr. MANSFIELD. Mr. President, I move to amend Section 1, Line 9, page 2 by inserting after the word "counties"—and before the word "to" the following: "With the approval of the county Commissioners or majority thereof":

Mr. HARRIS. Mr. President, I second the motion.

The second section of the bill was read as follows.

Section 2 That at the request of said Directors of the Poor the county commissioners of such county or counties are hereby directed to borrow money and to incur indebtedness to an amount not to exceed two per centum of the assessed valuation of the taxable property in said poor district or districts as fixed by the last preceding assessed valuation thereof to carry out the provisions of this act and to issue as evidence thereof registered or coupon bonds payable by said poor district within thirty years from the date of their issue and bearing interest at a rate not exceeding six per centum per annum payable annually or semi-annually and to negotiate the same for the purpose of raising the money necessary to carry out the provisions of this act and further to levy and collect taxes on all the taxable property in said poor district or districts for the purpose of paying any bonded indebtedness which may be incurred as herein provided

On the question,

Will the Senate agreee to the section?

Mr. MANSFIELD. Mr. President, I move to amend Section 2, line 14, page 2 by striking out after the word "counties" and before the word "borrow" the following: "are hereby directed to" and inserting after the word "counties" and before the word "borrow" the following "may".

Mr. HARRIS. Mr. President, I second the motion.

The third section of the bill was read as follows and agreed to.

Section 3 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

The title of the bill was read as follows and agreed to.

An Act to provide for the erection of new or additional buildings for the maintenance care and treatment of the poor indigent insane and indigent persons afflicted with tuberculosis in poor districts in counties of the second class, which now maintain or which shall hereafter maintain a poor house or a hospital or sanitarium for such purposes, authorizing the county commissioners to borrow moneys, issue and negotiate the sale of bonds and to levy taxes for the payment of the same.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 736, as follows:

An Act authorizing the State Highway Commissioner to use funds appropriated for State-aid highway purposes by the act of March tenth one thousand nine hundred and twenty-one entitled "An act making an appropriation to the State Highway Department for the construction of permanent State Highways for the payment of the Commonwealth's share in the expense of constructing State-aid highways for the maintenance and repair of State Highways within the limits of boroughs for the maintenance and repair of State-aid highways for the payment of rewards due townships of the second class for the payment of damages to property caused or occasioned in connection with the work of the State Highway Department" for the construction or reconstruction of State highways and to enter certain charges against the State-aid highway accounts of those counties in which State Road Bond Fund money has been used to pay State-aid highway contracts so as to reimburse accounts available heretofore for highway purposes which were used for State-aid highway purposes and making an appropriation thereof

Whereas The act approved the tenth day of March one thousand nine hundred and twenty-one (Appropriation Acts page eleven) entitled "An act making an appropriation to the State Highway Department for the construction of permanent State Highways for the payment of the Commonwealth's share in the expense of constructing State-aid highways for the maintenance and repair of State Highways within the limits of boroughs for the maintenance and repair of State-aid highways for the payment of rewards due townships of the second class for the payment of damages to property caused or occasioned in connection with the work of the State Highway Department" appropriated four million dollars ($4,000,000) to the State Highway Department for the payment of the Commonwealth's share in the expense of constructing State-aid highways and

Whereas Under the provisions of the act approved the tenth day of March one thousand nine hundred and twenty-one (Pamphlet Laws page twenty-three) entitled "An act to amend section twenty-seven of an act approved the thirty-first day of May one thousand nine hundred and eleven entitled 'An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highway and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act'" said appropriation of four million dollars ($4,000,000) was apportioned by the State Highway Commissioner among the several counties of the Commonwealth and

Whereas The State Highway Commissioner in pursuance of the authority vested in him by law entered into various contracts for the construction of State-aid highways and

Whereas When certain payments under the aforesaid contracts became due the money for the payment thereof not being available from said appropriation for State-aid highways because the receipts in the General Fund in the State Treasury were not sufficient to meet its obligations the Commonwealth's share of the money due thereon was paid out of money in "The State Road Bond Fund" established by the act approved the eighteenth day of April one thousand nine hundred and nineteen (Pamphlet Laws page sixty-two) The total amount of money so paid as the Commonwealth's share of the contract price under said contracts is one million five hundred eight thousand nine hundred eighty-three and ninety-nine one hundreths dollars ($1,508,983.99) and

Whereas No part of the aforesaid appropriation of four million dollars ($4,000,000) for State-aid highways has become available for use or has been used for any purpose

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Highway Commissioner is hereby authorized and directed in the cases of those counties of the Commonwealth where payments were made as aforesaid from the State Road Bond Fund for the construction of State-aid highways to charge against the State-aid appropriation as made by the aforesaid Appropriation Act of the tenth of March one thousand nine hundred and twenty-one (Pamphlet Laws page eleven) and as apportioned to said counties under the provisions of the aforesaid act of the tenth of March one thousand nine hundred and twenty-one (Pamphlet Laws page twenty-three) an amount equal to the total of money so used out of the State Road Bond Fund toward the payment of the Commonwealth's share of contracts for the construction of State-aid highways within said counties

Section 2 The State Highway Commissioner is hereby authorized to use for the construction or reconstruction of tate highways such amount of State-aid appropriations made by the aforesaid act of one thousand nine hundred and twenty-one as is equivalent to the amount of the deductions authorized in the first section of this act and for such purposes said moneys are hereby specifically reappropriated

Section 3 The Auditor General shall issue his warrant and the State Treasurer honor the same in the total sum of one million five hundred eight thousand nine hundred eighty-three and ninety-nine hundredths dollars ($1,508,983.99) for the payment of money heretofore appropriated to the State Highway Department for construction of State-aid highways upon the requisition of the State Highway Commissioner for the construction or reconstruction of State highways

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 737, as follows:

An Act authorizing the State Highway Commissioner to take over as State highways certain roads leading from State institutions to State highways or railroad stations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Highway Commissioner is authorized with the approval of the Governor to take over for maintenance and improvement as a State highway any public road not exceeding five mile in length and leading from a State institution to an existing State highway or to a railroad station

Section 2 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. BARR. Mr. President, I move that Senate Bill No. 768, on second reading, entitled:

An Act providing for the appointment of inspectors of steam engines and steam boilers in counties of the second class of this Commonwealth

be recommitted to the Committee on Judiciary General.

Mr. LONG. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 775, as follows:

An Act requiring supervisors and commissioners of townships to apply for county aid in the construction and maintenance of roads upon application therefor by property owners

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the owners of the majority of the assessed valuation of real property within any township desires any principal road or highway within the township to be improved and maintained at the joint expense of the county and township they may petition the supervisors or commissioners of the township for said improvement and require them to make application to the county commissioners for such improvement and maintenance in accordance with the provisions of existing law

Section 2 In all cases where the township supervisors or commissioners refuse to act upon or unduly delay action on any petition for the improvement and maintenance of any road or highway as provided in section one of this act any citizen taxpayer of the township or county may by petition present the facts of the matter to the court of quarter sessions requesting the court to order such action thereon as the case may require If after due hearing had before said court it shall appear that the truth of the matters alleged in the petition are sustained the court shall make an order directing the township supervisors or commissioners to forthwith act upon said application or applications and that the said application or petition for the improvement be forthwith forwarded to the county commissioners

Section 3 All acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 781, as follows:

An Act authorizing the State Highway Commissioner to combine certain State Highways or any part or sections thereof into a route under a common letter name number or other marker or designation or any combination thereof for the purpose of informing and assisting the traveling public in and through the State

Whereas In order to more properly accomodate and inform the traveling public using the highways of the Commonwealth it is deemed advisable to designate certain State Highway Routes or any part or sections thereof comprising the present system as now or hereafter created by Acts of Assembly by a common letter name or number

Section 1 Therefore Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Highway Commissioner is hereby authorized to combine certain State Highways or any part or sections thereof into a route under a common letter name or number or other marker or designation or any combination thereof and to so mark the same for the purpose of informing and assisting the traveling public in and through the State Provided That nothing herein contained shall be construed as authorizing the changing of any route number as now or hereafter designated by law insofar as it affects the records of the State Highway Department

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 825, (House Bill No. 773), entitled:

An Act making a deficiency appropriation to the Commission of the Soldiers' Orphans Industrial School at Scotland

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 826, (House Bill No. 777), entitled:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Instruction of the Blind.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 827, (House Bill No. 783), entitled:

An Act making a deficiency appropriation to the Home for Training in Speech of Deaf Children before they are of school age at Philadelphia Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 828, (House Bill No. 784), entitled:

An Act making a deficiency appropriation to the Eastern State Penitentiary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 830, (House Bill No. 788), entitled:

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania located at Blossburg Pennsylvania to cover a deficiency in maintenance for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 836, (House Bill No. 874), entitled:

An Act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 840, (House Bill No. 902), entitled:

An Act to amend section ten hundred and twenty-five of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 842, (House Bill No. 912), entitled:

An act validating the incurring of certain debts or increase of indebtedness of poor districts in counties of the second class by the county commissioners thereof for improvements or alterations of the property of such poor districts and all bonds and other securities issued therefor and also the assessment of annual taxes for the payment of such indebtedness since the twentieth day of April one thousand eight hundred and seventy-four

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 849, (House Bill No. 977), entitled:

An Act to amend an act approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 894), entitled "An act to amend an act approved the twenty-fifth day of June, one thousand nine hundred and thirteen (Pamphlet Laws, five hundred and fifty), entitled 'An act authorizing the several counties, incorporated towns, and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans, and the Army of the Philippines, and to each post of the American Veterans of Foreign Service, in the respective counties, boroughs, and towns, to aid in defraying the expenses of Memorial Day,' by authorizing appropriations to each post of the American Legion, Veterans of Foreign Wars, and to each Naval Association, and each post of the Grand Army of the Republic" to include authorization of appropriations to each organization of ex-service men incorporated under the act of April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING AND FINAL PASSAGE.

Mr. DAVIS. Mr. President, I move that the Senate do now proceed to the third reading and consideration of Senate Bill No. 710 (House Bill No. 638), entitled:

An Act supplementing an act entitled 'A supplement to an act entitled "An act for the government of cities of the second class" approved the seventh day of March one thousand nine hundred and one, authorizing cities of the second class to regulate and limit the height and bulk of buildings and the area of yards courts and open spaces and to regulate and restrict the location of trades and industries and the location of buildings for specified uses and to make regulations for trades and industries and for the use of buildings and for the above purposes to divide the cities into districts and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein and providing the method of adoption of said districts regulations and restrictions and the method of amendment or change thereof' approved the twenty-first day of June A D 1919 (P. L. 570)" providing for a board of appeals to review decisions of the officer charged with the enforcement of any zoning ordinance duly adopted by said cities establishing the procedure upon said appeals authorizing appeals from the decision of said board of appeals to the court of common pleas of the respective counties and authorizing said appeals to be advanced

Mr. LONG. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 710, (House Bill No. 638), entitled:

An Act supplementing an act entitled "An act amending an act entitled 'A supplement to an act entitled "An act for the government of cities of the second class" approved the seventh day of March one thousand nine hundred and one authorizing cities of the second class to regulate and limit the height and bulk of buildings and the area of yards courts and open spaces and to regulate and restrict the location of trades and industries and the location of buildings for specified uses and to make regulations for trades and industries and for the use of buildings and for the above purposes to divide the cities into districts and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein and providing the method of adoption of said districts regulations and restrictions and the method of amendment or change thereof' approved the twenty-first day of June Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws five hundred seventy)" providing for a board of appeals to review decisions of the officer charged with the enforcement of any zoning ordinance duly adopted by said cities establishing the procedure upon said appeals authorizing appeals from the decision of said board of appeals to the court of common pleas of the respective counties and authorizing said appeals to be advanced

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

REPORTS FROM COMMITTEES.

Mr. VARE. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 734, entitled:

A resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section sixteen.

Mr. DAIX. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAIX from the Committee on Judiciary Special reported as committed, Senate Bill No. 992, entitled:

An Act to amend Section Three of an act entitled "An Act Defining mattresses; regulating the making, remaking and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that the materials therein; requiring that the materials used shall be accurately described, and prescribing the manner in which mattresses shall be labeled; providing for the enforcement of the provisions of this act; making certain acts criminal, and punishing the same; imposing certain duties upon the Commissioner of Health and the Chief Factory Inspector; and repealing legislation inconsistent with this act", approved the first day of May 1913 (P. L. 134), as amended by the act approved the fourteenth day of May 1915 (P. L. 510), so as to provide for additional information on the Official Statement, and to provide that in all cases where a mattress is packed, shipped, delivered or sold in a sealed package, carton or container, a statement shall be printed or affixed to the outside of the sealed package, carton or container, and in such cases the name and address of the vendor and successive vendors may be omitted from the official statement sewed to the nattress.

MOTION TO READ BILLS THE FIRST TIME.

Mr. PATTON. Mr. President, I move that all bills reported from Committees at to-day's session be read the first time.

Mr. DAVIS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 55, entitled:

An Act to protect bituminous coal miners in the determination of the amount of coal to be used as a basis for calculating wages, providing that payment shall be made for the quantity mined irrespective of size, requiring mining cars to be of uniform capacity, granting the miners the right to employ check-weighmen, or check measurers and prescribing their powers and duties, imposing certain duties on mine inspectors and providing penalties

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 77, entitled:

An act authorizing the use of voting machines at any or all elections and primary elections within the several counties of the Commonwealth; creating a State Board of Voting Machine Examiners; and defining its powers and duties authorizing county commissioners to purchase voting machines; providing rules and regulations for the conduct of elections and primary elections held with voting machines; and providing penalties for violation of the provisions of this act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 201, entitled:

An Act directing the State Librarian to cause certain old church records of this State to be translated preserved and published, and making an appropriation therefor.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 505, entitled:

An Act to repeal an act approved the twenty-seventh day of May, one thousand nine hundred and twenty-one, (Appropriation Acts, Page 269), entitled "An Act making an appropriation to the Washington and Jefferson College, Washington, Pennsylvania."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 610, entitled:

An Act providing for the creation of a commission to study the subject of consolidation of the various municipalities to wit, cities, boroughs and townships in counties of the second class into one municipality and to file with the General Assembly its report together with an act providing a method for such consolidation prescribing its powers and duties; and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 508, entitled:

An Act constituting the board of trustees of Washington and Jefferson college a commission to provide a memorial to the memory of the late James A. Beaver.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No 631, entitled:

An Act authorizing the establishment and maintenance of branches by banks, savings banks and trust companies either within or outside of the State; providing penalties and remedies in case of violation; and repealing existing laws.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 656, entitled:

An Act requiring the purchasers or receivers of milk or cream for manufacturing purposes or resale to furnish to the producer thereof certain periodical statements of daily deliveries and the average percentum butterfat test of the same, providing for the enforcement hereof and fixing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 721, (House Bill No. 782), entitled:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf and Dumb Mount Airy Philadelphia, to cover deficiency in maintenance and education of State pupils.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 734, entitled:

A Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section sixteen.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 761, entitled:

An Act to amend section two of an act, approved the twenty-second day of April, one thousand nine hundred and nine (Pamphlet Laws, one hundred twenty-one), entitled "An Act restricting the use of the word "trust" as part of a corporate name; forbidding advertising or doing business as a trust company, except by corporations under the supervision of the banking department; and providing a penalty for violations thereof."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 778, (House Bill No. 232), entitled:

An Act to amend chapter eleven article two of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 786, entitled:

A Supplement to an act approved the twenty-first day of March, one thousand nine hundred twenty-three entitled "An Act for the prevention of fraud and the protection of the public health; relating to milk, cream or skimmed milk whether or not condensed, evaporated, concentrated, dried, powdered or dessicated; prohibiting the introduction of foreign fats into them; regulating the sale of and defining condensed concentrated and evaporated milk; stipulating penalties for the infraction thereof; and providing for the enforcement thereof;" defining condensed, concentrated and evaporated skimmed milk, and compounds thereof; regulating the manufacture, sale and exchange thereof; and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 797, entitled:

An act relating to the powers and duties of probation officers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 821, (House Bill No. 681), entitled:

An Act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight) entitled "A supplement to an act to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three" as amended by fixing the maximum amount for maintenance weekly per capita.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 857, (House Bill No. 1165), entitled:

An act authorizing cities boroughs towns and townships to purchase burial plots for certain deceased service men.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 867, (House Bill No. 1357), entitled:

An act providing for the redemption and cancellation of the bond issued under the act approved April third one thousand eight hundred and seventy-two (Pamphlet Laws thirty-nine) entitled "An act directing the sale of bonds composing the Agricultural College land script fund and authorizing the issue of a new bond in lieu thereof and abolishing the board commissioners created by act of April first one thousand eight hundred and sixty-three" and for the investment of the moneys in the fund resulting from such redemption and the payment of the interest therefrom by the Sinking Fund Commission to Pennsylvania State College.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 891, (House Bill No. 395), entitled:

An act to regulate the sales of caustic acids caustic alkalies and preparations thereof and mineral or chemical salts intended for household and agricultural uses and providing penalties for the violating thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 904, (House Bill No. 134), entitled:

A joint resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section sixteen.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 922, (House Bill No. 460), entitled:

A supplement to the Act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and sixty-two) entitled "An Act providing for the creation and administration of a State Fund for the insurance of compenastion for injuries to employes of subscribers thereto declaring false oaths by subscribers to be misdemeanors and providing penalties for the violation thereof" providing for the auditing of the State Workmen's Insurance Fund and the payment of the costs thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 940, (House Bill No. 933), entitled:

An act authorizing county commissioners to appropriate money from the funds of the county to aid in the planting of trees and the establishment of tree nurseries in aid of the reforestration of wood lots of farms or any other lands denuded of timber trees which it is desired to reforest.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 946, (House Bill No. 1007), entitled:

An act to amend an act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred and sixty-one) entitled "An act relating to the maintenance of insane feeble-minded and other persons confined in the various institutions of the Commonwealth fixing liability for their support providing for the collection of the moneys due the Commonwealth thereof and for proceedings relating thereto."

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 957, (House Bill No. 1208), entitled:

An Act making an appropriation to the Pennsylvania State College to reimburse the said college for loss of interest on a bond of the Commonwealth for the benefit of said college which bond has matured.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 963, (House Bill No. 1254), entitled:

An act making an appropriation to carry out the provisions of the act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws eleven hundred ninety) entitled "An act providing for the refunding of moneys paid to the State Highway Department for registration of motor vehicles and drivers' licenses which motor vehicles and licenses have not been used and to which moneys it appears the Commonwealth has no claim and making an appropriation for such refunds."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 992, entitled:

An act to amend Section Three of an act entitled "An Act Defining mattresses; regulating the making, remaking and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that the materials used shall be accurately described, and prescribing the manner in which mattresses shall be labelled; providing for the enforcement of the provisions of this act; making certain acts criminal, and punishing the same; imposing certain duties upon the Commissioner of Health and the Chief Factory Inspector; and repealing legislation inconsistent with this act", approved the first day of May 1913 (Pamphlet Laws one hundred and thirty-four), as amended by the act approved the fourteenth day of May 1915 (Pamphlet Laws five hundred and ten), so as to provide for additional information on the Official Statement, and to provide that in all cases where a mattress is packed, shipped, delivered or sold in a sealed package, carton or container, a statement shall be printed or affixed to the outside of the sealed package, carton or container, and in such cases the name and address of the vendor and successive vendors may be omitted from the official statement sewed to the mattress.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 87 entitled:

An Act making a deficiency appropriation to carry into effect the provisions of an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and ninety-five) entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof"

House Bill No. 121 entitled:

An Act making a deficiency appropriation to the State Hospital of Coaldale

House Bill No. 183 entitled:

An act providing for the establishing and maintenance of uniform building lines in cities of the third class.

House Bill No. 412 entitled:

An Act authorizing any county separately or counties interested jointly to lease for a term of years from a bridge company or corporation any toll bridge spanning a river or stream when such bridge is used solely for highway purposes or jointly for highway railroad or street railway purposes discontinuing tolls on any such bridge during such lease and authorizing counties to appropriate money levy taxes and incur indebtedness for such purposes

House Bill No. 476, entitled:

An act creating regulating and defining the powers of a County Planning Commission and authorizing the creation of a county plan in counties of the second class requiring the county commissioners to furnish to the commission before passage resolutions relating to county improvements to roads lands buildings or means of communication authorizing the commission to report suggestions to the county commissioners concerning improvements and to appear in court with reference thereto authorizing the making of a county map and plan including territory extending three miles beyond the county limits showing proposed improvements in roads lands buildings and means of communication making it unlawful to record plans of land with streets or highways intended for dedication to public use except in boroughs or cities without first securing approval from the commission and making disapproval of a plan by the commission a refusal of proposed dedication

House Bill No. 641 entitled:

An Act making a deficiency appropriation to the Western Pennsylvania Institution for the Instruction of the Deaf and Dumb

House Bill No. 720 entitled:

An Act to amend section seven hundred three Article VII of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for compensation for forest fire fighting on private lands listed with the Department of Forestry for forest protection

House Bill No. 721, entitled:

An Act to amend section one hundred and two, clause (j), Article I, of the act approved the third day of June, one thousand nine hundred and fifteen (P. L. 797), entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry; designating the officers who shall constitute the Bureau, their duties and salaries; prescribing penalties for the violation thereof; and repealing all laws, general, special, or local, or any parts thereof, that may be inconsistent with or supplied by this act," by providing for co-operation with and receipts of contributions from persons, firms, corporations or associations for forest protection.

House Bill No. 728, entitled:

An Act to amend article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto a section to be section one thousand nine providing a penalty for interfering with notices posted by the Department

House Bill No. 729, entitled:

An Act to amend sections one thousand one one thousand two one thousand three and one thousand four Article ten of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for imprisonment for default in payment of fines and costs in case of neglect of duty by fire warden refusing to aid a fire warden hindering a forest protection officer in his duties or non-abatement of a nuisance caused by maintaining a special forest fire hazard

House Bill No. 789, entitled:

An Act making a deficiency appropriation to the Pennsylvania Industrial Reformatory at Huntingdon Pennsylvania

House Bill No. 790, entitled:

An Act making a deficiency appropriation to the Pennsylvania Training School at Morganza Pennsylvania

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the presence of the Senate signed the same.

ADJOURNMENT.

Mr. VARE. Mr. President, I move that the Senate do now adjourn until eleven o'clock tomorrow morning.

Mr. PATTON. Mr. President I second the motion.

The motion was agreed to.

The Senate adjourned at 11.54 P. M., until Tuesday morning, April 24, 1923, at 11 o'clock.

HOUSE OF REPRESENTATIVES

MONDAY, APRIL 23, 1923.

The House met at 9:00 o'clock P. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

O Heavenly Father, we thank Thee this evening for the provileges we enjoy. We thank Thee for our being endowed as we are, with the power to think, to reason, to understand, to appreciate and to love. We pray that Thou wouldst bless us and help us, that we may love the right and hate the wrong. May Thy blessing rest upon the members of this House as they take up the duties of another Assembly week. Guide them in all things, not only that they may do the right, but help them that in every act they may so legislate that it will be for the welfare and the greatest good of the people of this State. Bless the Governor of the Commonwealth and the Speaker of the House and all associated with him in the discharge of their duties here. We ask it in the name of Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of the proceedings of Thursday, April 19, 1923.

The Clerk proceeded to the read the Journal of the proceedings of Thursday, April 19, 1923, when, on motion of Mr. Rhodes, the further reading was dispensed with and the Journal approved.

PETITIONS.

PROTEST AGAINST THE PASSAGE OF HOUSE BILL No. 1201.

The SPEAKER presented a petition from the Philadelphia Board of Trade protesting against the passage of House Bill No. 1201.

Referred to the Committee on Labor and Industry.

FAVORING MINERS' CERTIFICATE ACT.

The SPEAKER presented a petition from Local Union No. 1812, of Witlock, Pa., favoring passage of Miners' Certificate Act and Workmen's Compensation Act.

Referred to the Committee on Insurance.

FAVORING PASSAGE OF DERRICK BILL.

The SPEAKER presented a petition from J. H. Lamon, of Philadelphia, favoring the passage of the Derrick Bill; also a petition from G. B. Bowen, of Philadelphia, favoring the passage of the Derrick Bill.

Referred to the Committee on Judiciary General.

PROTESTING AGAINST PASSAGE OF DERRICK BILL.

The SPEAKER presented a petition from the Philadelphia Bourse protesting against the passage of the Derrick Bill relative to daylight saving.

Referred to the Committee on Judiciary General.

REPORT OF THE SECRETARY OF INTERNAL AFFAIRS.

The SPEAKER laid before the House the Report of the Secretary of Internal Affairs, which was ordered to be noted on the Journal and printed in the appendix of the Legislative Journal.

(For Report see Appendix.)

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 362, 471, 447, 635, 697 AND 760.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 23, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 362, entitled, "An Act to empower and authorize any school or college or institution of optometry incorporated under the laws of Pennsylvania organized operated and conducted not for profit which has a prescribed course of study to confer a degree certifying to the completion of such prescribed course of study."

House Bill No. 471, entitled, "An Act to amend sections one two as amended and three of an act approved the twenty-fourth day of April one thousand eight hundred and eighty-five (Pamphlet Laws nine) entitled 'An Act to amend an act entitled 'An Act to provide for the destruction and to prevent the spread of Canada thistles' approved the twenty-second day of March Anno Domini one thousand eight hundred and sixty-two' extending the provisions of said act to cichorium intybus the weed commonly known as chicory or succory or blue daisy."

House Bill No. 447, entitled, "An Act to amend section five of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled, 'An Act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death.' "

House Bill No. 635, entitled, "An Act to amend section six of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled 'An Act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated "as deceased service men" defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death.' "

House Bill No. 697, entitled, "An Act making it unlawful for any county city borough or incorporated town to prohibit the wearing of certain military insignia by its employees upon their uniforms."

House Bill No. 760, entitled, "An Act to amend section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled 'An Act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death.' "

GIFFORD PINCHOT.

BILL RE-REFERRED.

By Mr. McCAIG. HOUSE BILL No. 1432.

An Act making an appropriation to Saint Rita's L. C.-B. A. Home for Infants, Pittsburgh, Allegheny County, Pennsylvania.

Referred to the Committee on Appropriations.

REPORTS FROM COMMITTEES.

Mr. HOLCOMBE, from the Committee on Education, reported as amended House Bill No. 998, entitled:

An Act to amend section one of the act approved the twenty-fourth day of May, one thousand nine hundred and twenty-one, (P. L. 1116) entitled, "An act appropriating to the Department of Health any moneys to be received from the United States Government in the promotion of sanitation, public health, and heatlh education, the protection and care of maternity, infancy, and old age, and the prevention, treatment, and cure of disease."

Mr. SOWERS, from the Committee on Judiciary General, reported as committed House Bill No. 1405 (Senate Bill No. 472), entitled:

An Act to amend section one of an act approved the eighteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws one thousand and seventy-two) entitled, "An act providing a method of establishing title to land acquired at a sale for unpaid taxes," extending the provisions of said act to all such sales.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 259.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 19, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 259, entitled, "An Act relating to the drainage of wet and spouty lands by providing for the construction of surface or under drains over lands owned by others".

GIFFORD PINCHOT.

LEAVES OF ABSENCE.

Mr. NOLTE asked and obtained leave of absence for Mr. Blumberg, on acount of illness in the family.

Mr. WONER asked and obtained leave of absence for Miss MacKinney, on account of illness, for the balance of the week.

Mr. GLASGOW asked and obtained leave of absence for Mr. Baldi, on account of death in the family.

Mr. WALKER asked and obtained leave of absence for Mr. Heffran, on account of illness.

Mr. SARIG asked and obtained leave of absence for Mr. Eshelman, on account of death of a son.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 365.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 20, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I return herewith, without my approval, House Bill No. 365, entitled "An Act to amend section one of the act approved the fifteenth day of March, one thousand nine hundred and eleven (Pamphlet Laws twenty), entitled 'An Act regulating in criminal trials the cross-examination of a defendant when testifying in his own behalf by prohibiting the introduction as evidence of certain testimony or records'."

Prior to the passage of the Act of March 15, 1911, it was permitted, whenever a person accused of any crime went upon the stand as a witness in his own behalf, not only to produce the record of his conviction of any previous crime as a matter of course, but also to ask him questions, or afterward produce witnesses, to show that he had been accused or convicted of some crime or crimes other than the one against which he was at the time obliged to defend. The concensus of enlightened thought finally condemned it as unfair and contrary to justice that an accused person should be obliged to defend himself before the minds of the jury from any evidence except that which bore directly and properly upon the crime against which he is putting up a defense.

Consequently the Act of March 15, 1911 which this Bill proposes to amend, was passed in order that no person accused of a crime might be asked any question or have any other witnesses give evidence concerning a previous accusation or conviction of crime unless he shall have attempted to establish by witnesses his own good reputation or character, or has gone on the stand to give evidence tending to prove such good character or reputation, or unless testifies at his trial against a co-defendant charged with the same offense.

Last year, in the case of Commonwealth vs. Doe, 79 Pa. Super. Ct. 162, it was held that if the defendant went upon the stand at all in his own behalf, no matter whether the evidence was in support of his own character and reputation or not, the record of any previous conviction might be presented for the purpose of inpeaching his credibility as a witness.

This decision made it unsafe for a witness with a previous criminal record to go upon the stand on his own behalf, House Bill No. 365 is intended to reverse the decision of the Superior Court and so give a person accused of law breaking the opportunity to become a witness on his own behalf without having the attention of the jury called to any previous conviction of crime by the placing of the record of such conviction in evidence.

I am unwilling to sign a measure which throws additional protection around those accused of law breaking beyond that already supplied by the Act of 1911, which as it stands, certainly goes far enough in that direction. Professor Wigmore comments on our Act of 1911 as follows:

"This State (Penna.) has now permitted the following vicious piece of legislation to slip in and thus tenderly to make it easier for astute defenders of villains to juggle their clients out of legal danger."

Wigmore on Evidence. Vol. 5, D. 2276.

If Wigmore could call the present law a "vicious piece of legislation", would it not be improper to strengthen that Act still further?

There are other material objections to this amendment. I refer, for example to the law which makes a taking of human life in an attempt to commit arson, rape, robbery or burglary first degree murder, even when the immediate circumstances might by themselves excuse the killing. If a person were convicted of one of those crimes and afterward tried for murder because of a death caused by him in connection with the same felony, he should not have even the remote chance of being protected from having the fact of the first crime proven.

It is unsafe to change rules of evidence by law without the deepest consideration of what the effect might be in the way of hampering justice or preventing the speedy and full trial of all cases.

A person accused of crime should not be protected any more tenderly as to his credibility as a witness when he chooses to take the stand than other citizens who are obliged by subpoena to act as witnesses. I agree with Wigmore where, in discussing the impeachment of an accused person's credibility when he acts as a witness on his own behalf, he says:

> " * * * That, as the defendant has voluntarily chosen to offer his testimony, it is not unfair to require him to submit to the incidental tests of testimony ordinarily applied, and that any other rule would practically give immunity to defendants to offer false testimony to the jury."

Wigmore on Evidence. Vol. 2, Sec. 889

For these reasons the Bill is not approved.

GIFFORD PINCHOT.

And the question being,

Shall the bill become a law, the objections of His Excellency the Governor to the contrary notwithstanding?

A motion was made by Mr. Goehring and seconded by Mr. Joseph C. Marcus,

That the question, together with the further consideration of the communication, be laid upon the table.

Which was agreed to.

BILL RECOMMITTED.

Mr. ALEXANDER. Mr. Speaker, I move that House Bill No. 205, file folio 4583, entitled

An Act making an appropriation providing for a deficiency in the maintenance of the Glen Mills Schools Glen Mills Delaware County Pennsylvania

on page 2 of to-day's calendar, bills on third reading, be recommitted to the committee on Appropriations.

Mr. HEYBURN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Mr. SPANGLER asked and obtained unanimous consent to call up out of order House Bill 1330, file folio 4841, on page 7 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1330, entitled:

An Act authorizing the establishment and maintenance of branches by banks savings banks and trust companies either within or outside the State providing penalties and remedies in case of violation and repealing existing laws

On the question,

Will the House agree to the bill on third reading?

Mr. SPANGLER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, page 2, line 3, by inserting after the word "banks" the following "savings banks or trust companies"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

BILL RECOMMITTED.

Mr. SPANGLER. Mr. Speaker, I move that House Bill No. 1330, file folio 4841, be recommitted to the Committee on Banks and Banking.

Mr. CRAIG. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. BREWSTER. Mr. Speaker, I move that House Bill No. 235, file folio 5199, entitled:

An Act to validate certain municipal claims and municipal liens in the several boroughs of the Commonwealth providing for the filing of claims therefor and the proceedings for the collection of such claims

on page 24 of to-day's calendar, bills on second reading be recommitted to the Committee on Municipal Corporations for the purpose of amendment.

Mr. IRVIN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1253 entitled

An act permitting service in divorce actions, to be made by registered letter upon respondents residing outside of the Commonwealth

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1404 (Senate Bill No. 439), entitled

An Act to amend section one thousand one hundred five, and one thousand one hundred thirty-four of an act, approved the eighteenth day of May, one thousand nine hundred and eleven, (Pamphlet Laws, three hundred nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1416, (Senate Bill No. 634), entitled

An act to amend section one of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and three) entitled "An act regulating the fees of notaries public"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1145 (Senate Bill No. 324), entitled

An Act to amend section two thousand one hundred five of the act approved May 18, 1911, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith," authorizing other forms of teacher training in lieu of teachers' institutes in districts of the first, second and third classes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING.

The SPEAKER. If there are no objections the Chair will take up the bills on the second reading calendar.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1339, entitled

An Act prescribing the fees for the office of Secretary of the Commonwealth

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fees of the Secretary of the Commonwealth for the use of the State shall be as follows

For certificates with great seal two dollars

Certificates with Secretary's seal one dollar

Taking or filing bond of any public officer two dollars

Taking or filing recognizance of any public officer two dollars

Commission for any state officer who receives salary five dollars

Writ of assistance including great seal five dollars

Commission for any city county or district officer who receives emoluments and pays no taxes on commission five dollars (corouers are by law exempt from this fee)

Commission to take acknowledgment of deeds or other instruments ten dollars

Each search twenty-five cents

Certified copies for each page twenty-five cents

Each commission for justice of the peace or alderman to be collected and paid over to the recorder of deeds three dollars

Requisition for criminals three dollars

Warrants on requisition for criminal three dollars

Approving plans of prisons including certificate and great seal three dollars

Each commission for railroad mining or other police five dollars

Mailing advance sheets of pamphlet laws three dollars

Registering assumed or fictitious names under act of assembly six dollars

Filing statements of cancellation or withdrawal of assumed or fictitious names under act of assembly six dollars

Registering trade marks labels et cetera under act of assembly five dollars

Description of bottles under act of assembly six dollars

Registering union labels under act of assembly six dollars

Filing power of attorney and statement by foreign corporations ten dollars

Filing statement of revocation of agent by foreign corporations five dollars

Filing certificate of change of corporate title by foreign corporation five dollars

Filing statement of change of Pennsylvania office by foreign corporation five dollars

Receiving service of process on foreign corporations two dollars

Letters patent or instrument incorporating any corporation or association thirty dollars

Filing articles of association for railroad or street railway companies and recording the same fifty dollars

Letters Patent or instrument incorporating any insurance company thirty-seven dollars

Filing acceptance of provisions of act of assembly or constitution ten dollars

Filing application for change of name and issuance of certificate twenty dollars

Filing articles of association by cooperative associations including copies twenty-six dollars

Filing proceedings in extension of route by street railway companies twenty dollars

Filing election return authorizing increase or decrease of capital stock or indebtedness or sale of franchises and recording same thirty dollars

Filing report of actual increase or decrease of capital stock or indebtedness or sale of franchises five dollars

Filing each waiver of sixty days' notice five dollars

Filing certificate of change of location of office or date of annual meeting ten dollars

Filing certificate of change of par value of shares ten dollars

Filing agreement of merger or consolidation fifty-five dollars

Filing each Secretary's certificate relating thereto five dollars

Filing proceedings in reorganization thirty dollars

Filing copy of decree of dissolution ten dollars

Filing Treasurer's affidavit of paid up capital stock ten dollars

Filing copy of articles of association limited partnership ten dollars

And equipment fees for any like services though not herein specified

The Secretary of the Commonwealth shall not be required to receive or file any papers unless the same shall be in accordance with law and accompanied by the proper fee

On the question,

Will the House agree to the section?

Mr. KELLY. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Section 1, page 4, line 13 by striking out the word "equipment" and insert in lieu thereof the word "equivalent"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and title were separately read and agreed to as follows:

Section 2 That all fees due the Commonwealth on commissions and bonds forwarded through the offices of the recorders of deeds shall be collected and transmitted by said recorder of deeds for the use of the Commonwealth no commission for such collections shall be allowed

Section 3 That from and after the passage of this act so much of the acts of the General Assembly entitled "An Act prescribing the fees for the office of the Secretary of the Commonwealth approved April twenty-seventh one thousand eight hundred seventy-one "An Act amending an act entitled 'An Act prescribing the fees for the office of the Secretary of the Commonwealth' approved April twenty-seventh Anno Domini one thousand eight hundred seventy-one providing for the increase of certain fees therein specified" approved twenty-eighth March one thousand eight hundred and seventy-three and that part of section three of the act entitled "An Act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred seventy-four which reads as follows "The Secretary of the Commonwealth shall charge and receive a fee of five dollars upon every paper relating to a corporation filed or recorded in his office and any other acts or parts of acts inconsistent herewith be and the same are hereby repealed

An Act prescribing the fees for the office of Secretary of the Commonwealth

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 345, entitled:

An Act imposing a State license tax upon public slot machines used for vending weighing telephone or other service amusement entertainment or any other purpose imposing certain powers and duties upon the Auditor General prescribing penalties for the violation of the provisions of this act and providing for the confiscation of certain machines

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "public slot machine" as used in this act shall mean all machines and mechanical devices for vending goods of any kind for determining the weight of persons or things for rendering telephone service or any other service for furnishing amusement or entertainment or for any other object or purpose whatsoever which is set in motion automatically so as to perform its function or the fastening device of which is released so that it may be operated by hand or otherwise by depositing a coin or other article in a slot or other receptacle provided for that purpose or in which the depositing of a coin or other article is the signal for an operator to permit the use of the service desired and which are placed in any place within this Commonwealth to which the public have access

The second section was read as follows:

Section 2 An annual State license tax is hereby imposed upon all public slot machines as follows (a) On all public slot machines in which coins of the denomination of one cent or of five cents or both can be dropped or inserted the sum of one dollar (b) On all public slot machines in which coins of the denomination of five cents and over can be dropped or inserted or in which only coins of a denomination greater than five cents can be dropped or inserted the sum of two dollars

On the question,

Will the House agree to the section?

Mr. JEFFERSON W. SMITH. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 2, page 2, line 8 by inserting after the word "machines" the following: "except such as are maintained without profit to the owner, lessee or possessor thereof"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third, fourth, fifth, sixth, seventh, eighth and ninth sections and title were separately read and agreed to as follows:

Section 3 After December thirty-first one thousand nine hundred and twenty-three it shall be unlawful for any owner lessee or possessor of any public slot machine to maintain or permit to be maintained any such public slot machine or to place or have in any place or position where the same may be operated any such public slot machine unless there is securely attached thereto a license from the Auditor General as herein after provided

Section 4 Before January first one thousand nine hundred and twenty-four and before the first day of January of each succeeding year every owner lessee or possessor of every public slot machine shall make application to the Auditor General for a license for each such public slot machine maintained by him which application shall be accompanied by the proper fee such license shall be made of metal and shall have stamped thereon the words "Licensed public slot machine" together with the year for which issued and shall be securely attached in a conspicuous place to the public slot machine for which issued All licenses shall expire on the thirty-first day of December of the year for which issued

Section 5 The application for a license for each public slot machine shall be made separately on a blank to be provided for that purpose by the Auditor General In cases however where application is made by any one person for licenses for a number of public slot machines of the same make and charter devoted to the same purposes one application shall be considered sufficient for any number of such public slot machines or devices Such application shall in each case specify the character of the public slot machine for which the license is requested together with the purpose to which it is devoted

Section 6 All moneys collected or received by the Auditor General for such licenses shall be immediately covered into the State Treasury

Section 7 Every owner lessee or possessor of any public slot machine who shall maintain or permit any such public slot machine to be maintained or who shall place or have in any position or place where the same may be operated any such public slot machine without the license required by this act shall upon conviction thereof in a summary proceeding be sentenced to pay a fine not exceeding twenty-five dollars for each offense Each public slot machine maintained contrary to the provisions of this act shall constitute a separate offense

Section 8 This act shall not be construed to permit the licensing or operation of any gambling machine or device or any other machine or device the use of which is now prohibited by law

Section 9 All public slot machines maintained contrary to the provisions of this act shall be confiscated by the local police authorities or constable

An Act imposing a State license tax upon public slot machines used for vending weighing telephone or other service amusement entertainment or any other purpose imposing certain powers and duties upon the Auditor General prescribing penalties for the violation of the provisions of this act and providing for the confiscation of certain machines

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1226, as follows:

An Act to amend section three hundred and three of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylavnia together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That section thre hundred and three of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which was amended by the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and seventy-two) entitled "An act to amend section three hundred and three of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled 'An act to establish a public system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith'" is hereby further amended to read as follows

Section 303 A permanent organization shall then be effected for the ensuing year as follows

In all school districts of the first class the school directors shall elect a president and vice-president from their members and a secretary who is not a member They shall elect the treasurer of the city constituting such school district of the first class as the school treasurer for such school district for the ensuing fiscal year In each school district of the second third and fourth class the school directors shall elect from their members a president and a vice-president and shall annually on the first Monday of July elect a treasurer each to serve for one year and shall in the first Monday of July one thousand nine hundred and twenty-one and every four years thereafter elect a secretary a resident of the district for a term of four years Vacancies in the office of secretary shall be filled for the unexpired term In school districts of the second class the secretary and treasurer shall not be members of the board In districts of the third and fourth class they may be members of the board The same person shall not be secretary and treasurer of any board of school directors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 428, as follows:

An Act to amend section one of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred and sixty-eight) entitled "An act relating to police pension funds in cities of the third class and directing such cities to appropriate certain moneys thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred and sixty-eight) entitled "An act relating to police pension funds in cities of the third class and directing such cities to appropriate certain moneys thereto" is hereby amended to read as follows

Section 1 Be it enacted et cetera That there shall be paid annually to the organization or association constituting and having in charge the distribution of police pension funds in every city of the third class a sum of money equal to not less than one-half of one per centum of all city taxes collected by the city other than taxes levied to pay interest on or extinguish the debt of the municipality or any part thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 967, as follows:

An Act to amend an act approved the twentieth day of April one thousand nine hundred and five (Pamphlet Laws two hundred and thirty-seven) entitled "An Act to provide for the repair and maintenance or improvement by the proper county city or borough of turnpikes heretofore or hereafter appropriated or condemned or any part thereof for public use free of tolls" as amended providing for the maintenance and repair of abandoned turnpikes and turnpikes of dissolved companies by the several townships cities and boroughs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the twentieth day of April one thousand nine hundred and five (Pamphlet Laws two hundred and thirty-seven) entitled "An Act to provide for the repair and maintenance or improvement by the proper county city or borough of turnpikes heretofore or hereafter appropriated or condemned or any part thereof for public use free of tolls" which was amended by an act approved the twenty-fifth day of April one thousand nine hundred and seven (Pamphlet Laws one hundred and four) entitled "An Act to amend the first section of an act entitled 'An Act to provide for the repair and maintenance or improvement by the proper county city or borough of urnpikes heretofore or hereafter appropriated or condemned or any part thereof for public use free of tolls' approved the twentieth day of April Anno Domini one thousand nine hundred and five providing for the repair and maintenance or improvement by the proper county city or borough of turnpikes heretofore or hereafter abandoned or any part thereof and for the repair maintenance or improvement of any turnpike or part thereof where the company or association owning the same has been or may hereafter be dissolved" is hereby further amended to read as follows

Section 1 Be it enacted et cetera That when any turnpike or part thereof has been or may hereafter be appropriated or condemned for public use free of tolls under any existing laws and the assessment of damages therefor shall have been paid by the proper county such turnpike or part thereof shall be properly repaired and maintained at the expense of the county city or borough in which the said turnpike or part thereof lies or the same may be improved under any existing laws by the said county city or borough

When any turnpike company or association has heretofore abandoned or may hereafter abandon its turnpike or any part thereof or when any turnpike company or association owning any turnpike has heretofore been dissolved or may hereafter be dissolved by proceedings under any existing laws of this Commonwealth such abandoned turnpike or part thereof shall be properly repaired and maintained at the expense of the township city or borough in which the said turnpike or part thereof lies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1058, as follows:

An Act authorizing cities and boroughs to appropriate moneys to organizations of veterans to assist in paying rent

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That each city and borough may appropriate money to any camp or post of veterans of any war in which the United States was engaged to be used in the payment of the rent of any building or room or rooms in which such camp or post has its regular meetings

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1306, as follows:

An Act to amend section seven of an act entitled "An Act to establish a Department of Mines in Pennsylvania defining its purposes and authority providing for the appointment of a Chief of said Department and assistants and fixing their salaries and expenses" approved the fourteenth day of April Anno Domini one thousand nine hundred and three (Pamphlet Laws one hundred and eighty) increasing fees paid by applicants for certificates of qualifications as mine foremen and assistant mine foremen in the Anthracite mines providing for the disposition of fees received and providing for copies of lost or destroyed certificates

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven of an act approved the fourteenth day of April Anno Domini one thousand nine hundred and three (Pamphlet Laws one hundred and eighty) entitled "An act to establish a Department of Mines in Pennsylvania defining its purposes and authority providing for the appointment of a Chief of said Department and assistants and fixing their salaries and expenses" be and the same is hereby amended to read as follows

Section 7 Certificates of qualification to mine foremen and assistant mine foremen in the Anthracite mines shall be granted by the Chief of the Department of Mines to each applicant who has passed a successful examination The certificates shall be in manner and form as shall be prescribed by the Chief of the Department of Mines and a record of all certificates granted shall be kept in the Department Each certificate shall contain the full name age and place of birth of the applicant and also the length and nature of his previous service in the mines Before the examination for certificates of qualification to mine foremen and assistant mine foremen in the Anthracite mines each applicant shall pay a fee of two dollars and each successful applicant shall pay an additional fee of three dollars before receiving a certificate The money thus received from applicants shall be transmitted to the Chief of the Department of Mines to be deposited in the State Treasury said fees to be put in the fund of the Department of Mines for the use of the Department for inspection service The monies in such fund from time to time are hereby specifically appropriated to the Department of Mines for the purposes herein provided In case of the loss or destruction of a certificate the Chief of the Department of Mines shall upon the presentation of satisfactory evidence of the loss or destruction issue a copy of the certificate to the original possessor on the payment of the sum of one dollar

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1307, entitled:

An Act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the districts in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assitant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates

The first and second sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on petition of the mine inspector of any district the court of common pleas in any county in said district shall appoint an examining board of three persons consisting of a mine inspector a miner and an operator or superintendent all of whom shall be citizens of this Commonwealth The miner shall have had at least ten years' practical experience in the bituminous mines of this Commonwealth and be in actual practice as a miner The persons so appointed and after the board has been duly organized shall take and subscribe before an officer authorized to ad minister the same the following oath namely

"We the undersigned do solemnly swear (or affirm) that we will perform the duties of examiners of applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses that we will not divulge or make known to any person any question prepared for the examiners or in any manner assist any applicant to pass the examination but will be governed by the evidence of the qualifications of the applicants to fill said positions and not by any consideration of personal favor and that we will certify all whom we may find qualified in accordance with this act and none other"

Section 2 The Chief of the Department of Mines shall each year determine the districts in which the boards of examiners shall meet for the purpose of holding examination and at least two weeks' notice of the time and place where the examinations are to be held shall be given

The third section was read as follows:

Section 3 The members of each board of examiners shall meet two weeks before the time set for the examination of applicants for the purpose of discussing the general scope of the theoretical and practical questions to be given the applicants and to adopt rules to govern the examinations and to decide any other important matters pertaining to their duties and said board shall formulate a code of questions to be used at the next succeeding examination The questions prepared by the board shall be printed and sealed under the personal direction of the chairman who shall only break the seal and open the packages at the commencement of each session in the presence of the other members of the board

After the examination of applicants is over the board shall meet to prepare answers for the questions propounded which answers shall be used in rating the value of the answers given by the applicants While preparing answers to the questions the board is hereby authorized to engage the services of a clerk whose compensation and mileage shall be the same as that of the members of the board

On the question,

Will the House agree to the section?

Mr. BIDELSPACHER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sections 3, page 3, by striking out lines 5 to 25 inclusive and inserting in lieu thereof the following: "Section 3 The Chief of the Department of Mines shall select from the members of the examining boards a committee of six comprising two mine inspectors two operators or superintendents and two miners who shall meet at such time and place as the Chief may designate to prepare the questions and answers to be used by all the examining boards in the bituminous region of the Commonwealth

"The committee so selected shall distribute the questions and answers in sealed packages to the chairmen of the boards selected to hold the examinations and at the commencement of each session the chairman of each board shall open the package containing the questions and answers for that particular session in the presence of all the members of the board

"The committee is hereby authorized to engage the services of a clerk whose compensation and milegae shall be the same as that of the members of the board

"Provided further that the Chief of the Department may at any time convene the committee for the purpose of preparing questions and answers for any special examination that may be held and for such examination the questions and answers shall be distributed to the boards in the usual way."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read as follows:

Section 4 Each board member shall receive six dollars ($6.00) a day for each day actually employed not exceeding fifteen days in all and mileage at the rate of five cents a mile for each mile necessarily travelled in going from his home to the place of meeting and return by the shortest practicable railway route Each member shall also be reimbursed for al other necessary expenses incurred in the discharge of his duties Each Board of Examiners is hereby authorized to employ the services of a clerk whose compensation and rate of mileage shall be the same as that of members of the Board The clerk of each Board shall on final adjournment send to the Chief of the Department of Mines properly attested vouchers for compensation and expenses of each member of the Board and also a voucher covering his own compensation and expenses which vouchers shall be approved by the Chairman and the Secretary of the Board The Chief of the Department of Mines shall then approve said vouchers and transmit them to the Auditor General who shall issue warrants on the State Treasurer for their payment

On the question,

Will the House agree to the section?

Mr. BIDELSPACHER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 4, page 4, line 2, by striking out the word "shorest" and inserting in lieu thereof the word "shortest."

Amend section 4, page 4, line 2, by inserting after the word "route" the following: "The committee of six shall receive additional compensation at the rate of six dollars a day and mileage at the rate of five cents a mile while preparing the questions and answers."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth section was read and agreed to as follows:

Section 5 The Chief of the Department of Mines shall designate the Boards of Examiners before whom applicants residing in the various inspection districts shall appear All persons who desire to enter the examination shall notify the Chairman of the Board of their intention to appear if possible not less than ten days prior to the date set for the examination The Boards shall inquire into the character and qualifications of the applicants who present themselves for examination

The sixth section was read as follows:

Section 6 Applicants for certificates of qualification as mine foremen and assistant mine foremen shall be citizens of the United State of good moral character and of known temperate habits at least twenty-three years of age and shall have had at least five years' practical experience after sixteen years of age as miners or mining engineers or men of general work inside of the bituminous miners of Pennsylvania Applicants for certificates of qualification as fire bosses shall be citizens of the United State of good moral character and of known temperate habits at least twenty-three years of age and shall have had at least five years' practicl experience after sixteen years of age as miners or men of general work and shall have had experience in bituminous mines in Pennsylvania that generate explosive gas

All applicants shall be able to read and write the English language intelligently and shall furnish the board with certificates as to their character and temperate habits which certificates shall also show the length of service in the different mines

Certificates of qualification as mine foremen shall be of two grades namely Certificates of first grade shall be granted to persons who have given to the examining board satisfactory evidence of their ability to perform the duties of mine foremen in gaseous mines and who shall have received an average of at least eighty per centum in the examination Certificates of second grade shall be granted to persons who have given to the examining board satisfactory evidence of their ability to perform the duties of mine foremen in non-gaseous mines and who shall have received an average of at least eighty per centum in the examination

Certificates of qualification as assistant mine foremen shall be granted to persons who have given to the examining board satisfactory evidence of their ability to perform the duties of assistant mine foremen in gaseous mines and who shall have received an average of at least seventy per centum in the exmination

Certificates of qualification as fire bosses shall be granted to persons who have given to the examining board satisfactory evidence of their ability to perform the duties of fire bosses in gaseous mines and who shall have received an average of at least sixty-five per centum in the examination

On the question,

Will the House agree to the section?

Mr. BIDELSPACHER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 6, page 4, line 28, by striking out the word "State" after the word "United" and inserting in lieu thereof the word "States".

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended:

It was agreed to.

The seventh and eighth sections were separately read and agreed to as follows:

Section 7 Before the examination for certificates of qualification to mine foremen assistant mine foremen and fire bosses each applicant shall pay a fee of two dollars and each successful applicant shall pay an additional fee of three dollars before receiving a certificate The money thus received from applicants shall be transmitted to the Chief of the Department of Mines to be deposited in the State Treasury said fees to be put in the fund of the Department of Mines for the use of the Department for inspection service The monies in such fund from time to time are hereby specifically appropriated to the Department of Mines for the purposes herein provided In case of the loss or destruction of a certificate the Chief of the Department of Mines shall upon presentation of satisfactory evidence of the loss or destruction issue a copy of the certificate to the original possessor on the payment of the sum of one dollar

Section 8 Each examining board or at least two members thereof shall certify to the Chief of the Department of Mines on forms furnished by him every person whose examination shall disclose his fitness for the duties of mine foreman assistant mine foreman or fire boss as above classified and the Chief of the Department of Mines shall then prepare certificates of qualification for the successful applicants and send them to the chairman of the board for distribution Each certificate shall contain the full name age and place of birth of applicant and also the length and nature of his previous service in or about the mines The certificates shall be in manner and form as prescribed by the Chief of the Department of Mines

The ninth section was read as follows:

Section 9, Each examining board shall send to the Chief of the Department of Mines the answers and all other papers of the applicants together with the tally sheets and a list of the questions and answers as prepared by the board which shall be filed in the Department of Mines as public documents

On the question,

Will the House agree to the section?

Mr. BIDELSPACHER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 9, page 7, line 19, by striking out the word "board" and inserting in lieu thereof the words "committee of six."

On the question,

Will the House agree to the amendments?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The tenth, eleventh, twelfth and thirteenth section and title were separately read and agreed to as follows:

Section 10 It shall be unlawful for any operator manager or superintendent to employ as mine foreman in a bituminous mine or as assistant mine foreman in a bituminous gaseous mine any person who has not obtained the proper certificate of qualification requiring by this act unless such person is in the judgment of the operator equally competent with the persons who are holders of such certificates Provided That certificates of qualification or service heretofore granted shall have equal value with certificates of qualification granted under this act And it shall be unlawful for any operator manager superintendent or mine foreman to employ as fire boss in a bituminous mine any person who has not obtained the proper certificate of qualification under this act unless such person is in the judgment of the operator equally competent with the persons who are holders of such certificates Provided That certificates of qualification as fire boss granted under the acts of June nine one thousand nine hundred and eleven (Pamphlet Laws seven hundred and fifty-six) and May fifteen one thousand eight hundred and ninety-three (Pamphlet Laws fifty-two) shall have equal value with certificates of equalification granted under this act

Section 11 If any person shall forge or counterfeit a certificate or knowingly make or cause to be made any false statement in any certificate issued under this act or any previous act or in any copy thereof or shall make use of such forged or false certificate or copy thereof or shall make use of any false declaration representation or statement in any such certificate or copy thereof or any document containing the same he shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than two hundred dollars nor more than five hundred dollars or be imprisoned for a term not exceeding one year or both at the discretion of the court

Section 12 Nothing in this article shall prevent a First Grade Mine Foreman from acting as Assistant Mine Foreman in any mine or a Second Grade Mine Foreman from acting as Assistant Mine Foreman in a non-gaseous mine

Section 13 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the districts in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1309, as follows:

An Act to amend rule thirty-four of article twenty-five of an act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred and fifty-six) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by requiring mine operators to pay the Department of Mines for certain report and record books

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That rule thirty-four of article twenty-five of an act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred and fifty-six) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" is hereby amended to read as follows

Rule Thirty-four The special and general rules in the various languages and all books blank forms and notices mentioned in this act shall be printed by the State and shall be furnished to the operators by the Department of Mines through the inspectors and all record books shall at all times be accessible to the inspectors Provided That said operators shall pay to the Department of Mines the actual cost to the State of the assistant mine forman's report book the mine forman's daily record books the mine foreman's weekly record book and the fire boss's daily record book Provided further That all payments thus received by the Department of Mines shall be forthwith deposited in the Treasury of the Commonwealth to be added to and become a part of the funds appropriated for the payment of the salaries and other expenses of the inspectors of coal mines

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1310, entitled:

An Act to amend article two of an act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred and seventy-six) entitled "An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as amended by an act approved the eighth day of June one thousand nine hundred and one (Pamphlet Laws five hundred and thirty-five) by making it the duty of the mine inspector to prosecute for violations of the mining law

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it it hereby enacted by the authority of the same That article two of an act approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred and seventy-six) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as amended by an act approved the eighth day of June one thousand nine hundred and one (Pamphlet Laws five hundred and thirty-five) is hereby further amended by adding at the end of said article two the following to be section twenty-one

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. BIDELSPACHER. Mr. Speaker, I move that House Bill No. 1310, file folio 4943, be recommitted to the Committee on Mines and Mining for the purpose of a hearing.

Mr. ASTON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 992, as follows:

A Joint Resolution proposing an amendment to article three of the Commonwealth of Pennsylvania by adding thereto section thirty-five

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following is proposed as an amendment to the Constitution of the Commonwealth of Pennsylvania in accordance with the provisions of the eighteenth article thereof

That article three of the Constitution of the Commonwealth of Pennsylvania be amended by adding thereto section thirty-five as follows

Section 35 Laws may be enacted authorizing assessments against properties which are specially and particularly benefited by public improvements made by the State Government or by a municipality whether or not such properties abut upon such public improvements

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1315, entitled:

An Act to amend chapter six article seventeen of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for borough and revising amending and consolidating the law relating to boroughs"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That chapter six article seventeen of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended by adding thereto the following section

Section 51 No person firm or corporation shall introduce electric current for light heat or power purposes into the limits of any borough in this Commonwealth which is furnishing electric current to the inhabitants of the borough without the consent of the borough authorities

On the question,

Will the House agree to the section?

Mr. WHITEMAN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 1, page 2, by inserting before the word "into" being the first word in the line, the following: "without the consent of the borough authorities."

Amend bill, page 2, line 3 by striking out "the borough without the consent of the borough authorities" and insert "such borough"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to,

The title was read and agreed to as follows:

An act to amend chapter six article seventeen of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1287, entitled:

An Act to amend section second of the act approved th ninth day of July one thousand nine hundred and one (Pamphlet Laws six hundred fourteen) entitled "An act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" as amended

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section second of the act approved the ninth day of July one thousand nine hundred and one (Pamphlet Laws six hundred fourteen) entitled "An act regulating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" which was amended by the act approved the third day of April one thousand nine hundred and three (Pamphlet Laws one hundred thirty-nine) entitled "A supplement to section second of an act entitled 'An act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs' approved the ninth day of July one thousand nine hundred and one" is hereby further amended to read as follows

Second The writ of summons the writ of attachment in execution and the writ of scire facias in personal actions may be served by the sheriff upon a corporation a partnership limited or a joint stock company in the county wherein it is issued in any of the following methods

(a) By handing a true and attested copy thereof to the president secretary treasurer cashier chief clerk or other executive officer personally or

(b) By handing a true and attested copy therof to an adult member of the family of any one of said officers at his dwelling house or

(c) By handing a true and attested copy thereof at his place of residence to an adult member of the family of the person with whom any of said officers resides or

(d) By handing a true and attested copy thereof at his place of residence to the manager or clerk of the hotel inn apartment-house boarding-house or other place or lodging where any of said officers reside or

(e) By handing (an) a true and attested copy thereof at any of its offices depots or places of business to its (agents) agent or person for the time being in charge thereof if upon inquiry thereat the residence of one of said officers within the county it not ascertained or if from any cause an attempt to serve at the residence given has failed or

(f) If the corporation partnership limited or joint stock company has no office or place of business in actual operation in the county (where the cause of action arose) in which the writ issues then service may be made in such county upon any members of its Board of Directors in any of the methods set forth in clauses (a) (b) (c) or (d) hereof or

(g) If the corporation partnership limited or joint stock company has no office or place of business in actual operation in the county in which the (cause of action arose) writ issues and no member of its board of directors or other officer is a resident of (the county in which the cause of action arose) that county then service may be made in any of the methods set forth in clauses (a) (b) (c) (d) (e) or (f) hereof in any other county in the State than that in which the writ issues by the sheriff of such other county who shall be deputized for that purpose by the sheriff of the county in which the writ issues or

(h) If the sheriff after diligent search and inquiry is unable to locate an officer or depot or place of business of any such corporation partnership limited or joint stock company in the county in which the writ issues or shall locate such office or depot or place of business and shall be unable to find any agent or person for the time being in charge thereof during the usual business hours of any business day and shall be satisfied that no member of its board of directors or other officer is a resident of the county in which the writ issues or of any other county of the State all of which the Sheriff shall certify as part of his return then service may be made (1) by posting a true and attested copy of the writ at such office or depot or plact of business if such there be and by posting at least five true and attested copies of the writ at conspicuous places in the county in which the writ issues one of which shall be posted in the usual posting place in front of the Court House of that county having due regard to the location in that county of any property therein owned by the corporation partnership limited or joint stock company (2) by mailing by registered letter a true and attested copy of the writ addressed to the corporation partnership limited or joint stock company at such place as the Sheriff may be informed is its proper domicile and address and also to any person who the Sheriff may be informed is an officer or director or member of the corporation partnership limited or joint stock company and (3) by publishing a true and attested copy of the writ once a week following the week in which the writ issues in one newspaper having a general circulation in the county in which the writ issues and by mailing a marked copy of each and all of the three issues of said newspaper to the corporation partnership limited or joint stock company at such address as the Sheriff may be informed is its address or

((h)) (i) In the case of a registered foreign corporation partnership limited or joint stock company by serving its duly registered attorney as in case of a summons issued against him personally or by leaving a true and attested copy thereof for him at the registered place of he be not found there during the usual business hours of any business day with the person for the time being in charge of the business carried on at such place

((i) (1) By having the sheriff post papers on the premises owned by the company or in conspicuous places in and around the place where its principal office in the county is located (2) by having the sheriff send by registered letter copies of the papers to the corporation at the place where it has its principal office and by sending also to any person who the sheriff may be informed is connected with the corporation or (3) by publishing for a certain number of times in one or more newspapers in the county where the suit is brought)

Provided That two returns of nihil habet shall be equivalent to personal service in writs of scire facias to revive judgments entered in personal actions

On the question,

Will the House agree to the section?

Mr. PARKINSON. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 1, page 2, line 29, by inserting after the word "person" the following "persons"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section second of the act approved the ninth day of July one thousand nine hundred and one (Pamphlet Laws six hundred fourteen) entitled "An Act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" as amended

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1164, entitled:

An Act amending an act entitled "An Act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth" approved the tenth day of April Anno Domini one thousand eight hundred and sixty-seven Pamphlet Laws page sixty-two

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act of April tenth one thousand eight hundred and sixty-seven (Pamphlet Laws page sixty-two) which reads as follows

"Section 2 It shall be the duty of the said jury commissioners president judge or additional law judge of the respective district or a majority of them to meet at the seat of justice of the respective counties at least thirty days before the first term of the court of common pleas in every year and thereupon proceed with due diligence to select alternately from the whole qualified electors of the respective county at large a number such as at the term of the court of common pleas next preceding shall by the said court be designated of sober intelligent and judicious persons to serve as jurors in the several courts of such county during that year and the said jury commissioners president judge or additional law judge or a majority of them shall in the mode and manner now directed by law place the names of persons so selected in the proper jury wheel and the said jury wheel locked as now required by law shall remain in the custody of the said jury commissioners and the keys thereof in the custody of the sheriff of said county"

BE AND THE SAME IS HEREBY AMENDED so that the same shall read as follows

"Section 2 It shall be the duty of said jury commissioners president judge or additional law judge of the respective district or a majority of them to meet at the seat of justice of the respective counties at least thirty days before the first term of the court of common pleas in every year and thereupon proceed with due diligence to select alternately from the whole qualified electors of the respective county at large a number such as at the term of the court of common pleas next preceding shall by the said court be designated of sober intelligent and judicious persons to serve as jurors in the several courts of such county during that year and the said jury commissioners president judge or additional law judge or a majority of them shall in the mode and manner now directed by law place the names of persons so selected in the proper jury wheel and the said jury wheel locked as now required by law shall remain in the custody of the said jury commissioners and the keys thereof in the custody of the sheriff of said county

Provided However That if the president judge of the court of common pleas of any of said districts constituting a county of the second class shall make an order to that effect the names of the persons so selected shall be placed in three jury wheels in the manner following Before the names are placed in said wheels the jury commissioners shall mail a notice to each prospective juror by return postal card directing the proposed juror to indicate to the jury commissioners the part or portion of the calendar year in which he or she shall prefer to serve The names of the jurors wishing to serve in the months of January February or March shall be placed in one wheel the names of the jurors wishing to serve in the months of April May June July and August shall be placed in the second wheel and the names of the jurors desiring to serve in the months of September October November and December shall be placed in the third wheel The names of all jurors who do not indicate the part or portion of the year in which they wish to serve shall be apportioned among the three several wheels by the jury commissioners and the president judge in such a manner that there will be sufficient names in each of said wheels to provide jurors for the portion of the year for which the said wheel has been designated The names of all jurors called for service in the months of January February and March shall be drawn from the wheel in which the names of those desiring to serve in said months shall have been placed the names of all jurors called for service in the months of April May June July and August shall be drawn from the wheel in which the names of those desiring to serve in said months shall have been placed and the names of all jurors called for service in the months of September October November and December shall be drawn from the wheel in which the names of those desiring to serve in said months shall have been placed

Provided further That when authorized so to do by the president judge of the court of common pleas of any district constituting a county of the second class the jury commissioners may employ one or more persons as clerks and one or more persons to investigate and report to the president judge or additional law judge designated for that purpose and to the jury commissioners upon the fitness or unfitness of the persons whose names are proposed to be placed in the jury wheels for the next ensuing calendar year The salary of said clerk or clerks and of said investigator or investigators shall be fixed by the salary board of said county or district in the manner now provided by law and the compensation of said clerks and investigators shall be paid from the general funds of the county constituting said district

On the question,

Will the House agree to the section?

Mr. STORER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 1, page 1, line 4 by striking out the word "of" and inserting in lieu thereof "approved"

Amend sec. 1, page 1, line 5 by inserting after the word "sixty-two" the following "entitled, "An act for the better and more impartial selection of persons to serve as jurors, in each of the counties of this Commonwealth," is hereby amended to read as follows"

Amend sec 1, page 1, line 5 by striking out beginning with the words "which reads" and ending page 2, line 15 with the word "follows"

Amend sec. 1, page 2, line 24 by underscoring the word "common"

Amend sec. 1, page 3, lines 6 to 29 by underscoring lines 6 to 29 both inclusive.

Amend sec. 1, page 4, lines 1 to 27 by underscoring lines 1 to 27 both inclusive.

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and title were separately read and agreed to as follows:

Section 2 All acts or parts of acts inconsistent or conflicting with the provisions of this act be and the same are hereby repealed insofar as they affect this act

An Act amending an act entitled "An Act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth" approved the tenth day of April Anno Domini one thousand eight hundred and sixty-seven Pamphlet Laws page sixty-two

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 200, entitled:

An Act providing for the assistance of voters at General Municipal or Special Elections regulating the manner and return thereof providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter no voter at any General Municipal or Special Election be permited to receive any assistance in the marking of his or her ballot unless said voter shall first make affidavit upon a form to be provided by the County Commissioners or upon a similar form that he or she cannot read the names on the ballot or that because of a physical disability which said voter shall specify in the affidavit he or she is unable to mark the ballot and upon making such an affidavit that he or she is unable to mark the ballot because he or she cannot read the names on the ballot or because of physical disability the judge of election shall permit the voter to select a duly qualified member of the election board of his or her election district to assist in marking the ballot in the voting compartment

The affidavits so made by the voters requesting assistance in marking his or her ballot because he or she cannot read the names on the ballot or because of physical disability at the close of election shall be enclosed by the judge of election with the other papers required by law to be filed with the prothonotary of the court of common pleas of the county subject to the same examination as other election papers

On the question,

Will the House agree to the section?

Mr. HOWELL. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 1, line 5, by inserting after the word "Election" the word: "shall".

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second, third, fourth, fifth and sixth sections and title were separately read and agreed to as follows:

Section 2 Whenever any voter shall be assisted as aforesaid in marking his or her ballot because he or she cannot read the names on the ballot or because of physical disability it shall be the duty of the majority and minority inspectors of the election to enter in separate lists the names of the voters receiving the assistance and the name of the election officer assisting in marking the ballot opposite the name of the voter

One of the lists so made shall be deposited by the judge of election in the ballot box and the other list shall be enclosed in a sealed cover directed to and filed of public record with the prothonotary of the court of common pleas of the county

Section 3 Any voter who for the purpose of receiving assistance in the marking of his or her ballot shall falsely make oath or declare that because he or she cannot read the names on the ballot or that by reason of physical disability he or she is unable to mark his or her ballot or who without having made the affidavit provided for in this act shall permit another to accompany him or her into the voting compartment or shall permit another person to mark his or her ballot for him or her shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo imprisonment for a period not exceeding two years

Section 4 Any person who shall accompany a voter into a voting compartment without the said voter having first made an affidavit as provided in this act that he or she cannot read the names on the ballot or that by reason of physical disability he or she is unable to mark his or her ballot or who shall accompany a voter into the voting compartment when the affidavit as provided in his act which the voter has made is false to the knowledge of such person or shall attempt to influence the vote of the voter whom he or she is assisting or who shall mark a ballot in any other way than that requested by the voter whom he or she is assisting or any member of the election board permitting a voter to be assisted in marking his or her ballot contrary to the provisions of this act or any judge of election who shall fail to properly file and return affidavits and other papers required by this act or by law to be filed and returned to the prothonotary of the court of common pleas of the county or any inspectors of election who shall fail to keep a separate list of voters receiving assistance in marking his or her ballot and the election officer assisting as provided in this act shall for each such offense be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding two thousand dollars ($2.000) and to undergo imprisonment for a period not exceeding three years

Section 5 The invalidity of any portion of this act shall in no wise affect the validity of any other portion thereof which can be given effect without such invalid portion

Section 6 That the twenty-sixth section of the Act of Assembly entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three and all other acts and parts of acts inconsistent with this act be and the same are hereby repealed

An Act providing for the assistance of voters at General Municipal or Special Elections regulating the manner and return thereof providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1105, entitled:

An Act to amend section fourteen of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section fourteen of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" which was amended by the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and sixty-nine) entitled "An Act to further amend section fourteen of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled 'An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' as amended" is hereby further amended to read as follows

Section 14 Upon the closing of the polls at such primary and before the ballot-boxes are opened the number of ballots issued to the voters of each party as shown by the stubs and the number of ballots of each party if any spoiled and returned by voters and canceled shall be announced to all present in the voting room and entered on the general return sheets aforesaid and then the names checked as having voted in the two assessor's lists or registers marked "ballot check list" and "voting check list" respectively shall be immediately counted and the result announced and compared with the number of ballots issued as above ascertained after deducting the number spoiled and cancelled and said results shall also be compared with the number of names written in the numbered lists of voters which shall be made as at elections as the electors receive and cast their ballots with the addition of a note of each elector's party enrollment after his name If any differences exist which are not found to be due merely to clerical errors such differences shall also be noted on the general return sheets aforesaid Then the numbered lists of voters (except a copy of the latter which shall be hung outside of the polling place) shall be placed in the separate envelopes provided for them respectively and sealed In cities the voting and ballot check lists shall be put in one envelope and sealed and subsequently delivered to the registration commissioners or county commissioners as required by the personal registration acts relating to cities of various classes

Also the stubs of all ballots used together with all unused ballots and all spoiled and canceled ballots of each party and the ballot check list in boroughs townships and districts other than in cities shall be placed in separate envelope and sealed before the ballot-boxes are opened which package shall be kept by the judge and delivered by him in person to the county commissioners at such place as they shall designate on or before noon of Thursday following such primary

As soon as all the ballots of each party have been properly accounted for and those outside the ballot-boxes as well as the said lists sealed as aforesaid the election officers shall forthwith open the ballot-boxes and take therefrom all ballots therein and separate the same according to the party to which they belong and first audibly count the number cast for each party one by one and make a record thereof and then the judge or one of the inspectors in the presence of the other officers shall read aloud the names marked or inserted upon each ballot keeping the ballots of each party in sequence together with the office for which the person named is a candidate and any other relevant matter necessary to identify him and the clerks shall carefully enter each vote as read and keep account of the same in triplicate tally papers for each party to be provided as aforesaid All ballots after being removed from the box shall be kept within the unobstructed view of all persons in the voting room until replaced in said box and no person while handling same shall have in his hand any pencil pen stamp or other means of marking or spoiling any ballot When the vote cast for the different persons named upon said party ballots shall have been fully recorded on said tally papers and counted the election officers shall duly certify to the number of votes cast for each person upon the respective party tickets and shall prepare triplicate returns thereof for each party and also general returns in duplicate showing besides the entries made thereon as aforesaid the number of ballots of each party cast and the number of ballots of each party declared altogether void including any blank ballots cast as well as the votes cast for each candidate on each party ticket one of which statements shall be immediately posted for the information of the public outside the voting room or polling place and the other of which shall be entrusted to the judge for delivery to the county commissioners with the package of unused ballots et cetera aforesaid The election officers shall then replace the ballots cast so counted and canvassed in the boxes including those declared void together with one set of tally papers one set of said triplicate return sheets one numbered list of voters sealed as aforesaid (and the voting check lists in districts other than cities) and one oath of each election officer and lock and seal each ballot-box so that nothing can be inserted therein until it be opened again and the judge and minority inspector shall deliver them to the place which has been designated by the court of common pleas or by law for the delivery of ballot-boxes at general and municipal elections on or before noon of the Thursday following such primary and the county commissioners or return board shall not compute any returns from any election district until the ballot-boxes thereof as well as the package of unused ballots et cetera aforesaid therefrom are delivered as aforesaid

The minority inspector shall retain one complete set of tally papers and one of the triplicate return sheets for each party and one set of the affidavits of voters and other persons except oaths of election officers made pursuant to the provisions of this act at such primary and carefully preserve the same for the period of at least one year The remaining tally papers triplicate return sheets and affidavits of voters and others including oaths of election officers shall be placed in separate envelopes to be provided for the same and sealed as soon as the count is finally completed All of such envelopes and the other numbered list of voters previously sealed as aforesaid shall be entrusted to the judge of election and shall on or before noon of the Thursday following be deposited by him in person or by registered mail with the county commissioners who shall on the succeeding day at noon publicly commence the computation and canvassing of the returns and continue the same from day to day until completed in the manner hereinafter provided except that if any of the county commissioners of any county shall be a candidate for any nomination at any primary he shall not act as a member of the return board for computing or canvassing any returns of such primary but the other two commissioners if both are qualified shall act and in case in any county there are not at least two commissioners so qualified two or more judges of the court of common pleas of such county shall be designated by said court to act as a return board provided that neither of them are candidates for any nomination at such primary either on a party or a non-partisan ballot and if there shall be only one judge of such court in such county or if less than two judges are qualified and able to act in such county any judge who is qualified may act alone and if there be none qualified the prothonotary of such county shall act as the return board

The general returns from the various districts shall be open to public inspection at the office of the county commissioners as soon as they receive same from the judges thereof

The county commissioners shall provide a convenient public place for holding the sessions of the return board whoever may compose it as aforesaid with adequate accommodations for the authoryized representatives of each party and candidate concerned in any such primary not exceeding two such representatives for each of them at any one time to attend and to keep or check up their own computation of the votes cast in the several election districts as the returns from the same are read as hereinafter directed and the county commissioners shall give at least one week's previous notice by advertising once in at least two newspapers of a large paid circulation published at the county-seat of the time aforesaid and place when and where such return board will commence and hold its sessions and keep copies of such advertisement posted in their office during said period

At noon on the Friday following any such primary the county commissioner shall have ready a sufficient number of blank forms of returns made out in a proper manner and headed as the nature of the ballots may require for making out full and fair statements of all votes which shall have been given within the county or any political district therein according to the returns from the several election districts thereof for any person voted for therein for any party nomination or party office

All the clerks of the county commissioners and other persons assisting in the official computation and canvassing of the votes shall be first sworn to perform their duties impartially and not to read write count or certify any return or vote falsely or fraudulently

The general returns made by the election officers as aforesaid from the various election districts shall be read one after another in the usual order slowly and audibly by one of the clerks who shall in each case read therefrom the number of ballots of each party issued spoiled and canceled and cast respectively whereupon the clerk having charge of the records of the county commissioners showing the number of ballots of each party furnished for each election district and the number of stubs and unused ballots and spoiled and canceled ballots returned shall publicly announce the number of same respectively and unless it appears by said numbers or calculations therefrom that said records and the said general return correspond no further returns shall be read from the later until all the ballots issued are fully accounted for and all the stubs and unused ballots spoiled and canceled ballots as well as the other election returns aforesaid shall be open to public inspection and shall be carefully preserved together with the contents of the ballot-box by the county commissioner for at least eleven months and not destroyed in any event without the previous consent in writing by the district attorney None of the envelopes sealed by election officers and entrusted to the judges of election shall be opened by any person except by order of the return board or of the court of common pleas

When the records agree with the said returns regarding the ballots the votes recorded for each candidate on each party ticket shall be read by the said clerk slowly audibly and in an orderly manner from the said returns and the figures announced shall be compared by other clerks with the return sheets of each party for the respective districts and discrepancies shall be immediately called to the attention of the return board which shall thereupon compare said return sheets with the tally papers for the same election district respecting the same candidates or party ballots and if the tally papers and party return sheets agree the general return shall be forthwith corrected to conform thereto but in every other case the return board shall forthwith cause the ballot-box of such division to be brought before it and opened under its direction and the ballots therein recounted respecting any vote in question in the presence of representatives of each party and candidate interested who are attending the canvass of such votes and if such recount shall not be sufficient to correct the error in any of the said returns the return board may summon the election officers and overseers if any to appear forthwith with all election papers in their possession and the court of common pleas shall use its processes to enforce such summons of necessary and if any error or fraud is discovered the return board shall compute and certify the votes justly regardless of any fraudulent or erroneous returns presented to it and report the facts to the district attorney of the proper county for action in cases that appear to warrant same

As the returns from each election district are read computed and found to be correct or corrected as aforesaid they shall be recorded on the blanks prepared for the purpose of casting up the total vote of each candidate on each party ticket until all the returns from the various election districts which are entitled to be counted shall have been duly recorded when they shall be added together announced and attested by the clerks who made and computed the entries respectively and at the expiration of five days after the completion of said computation the return board shall certify the several returns accordingly to the county commissioners unless upon appeals taken from any decision the court of common pleas shall have directed any returns to be revised in which cases such returns shall be revised and certified accordingly

On the question,

Will the House agree to the section?

Mr. EDMONDS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 17, inserting after the word "amend" the word "and"

Amend section 1, page 4, line 22, by inserting before the word "Thursday" the word "the"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section fourteen of the act approved the twelfth day of July one thousand nine hundred and thirteen

(Pamphlet Laws seven hundred and nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1219, as follows:

An Act making it a misdemeanor in office for any magistrate alderman or justice of the peace to refuse to admit to bail a person charged with a bailable offense

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any magistrate alderman or justice of the peace who shall refuse to admit to bail upon presentation of adequate security any person charged before said magistrate alderman or justice of the peace with an offense bailable under the laws of this Commonwealth shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not less than one hundred dollars nor more than one thousand dollars or to undergo imprisonment in the county jail for a period of not more than one year or both in the discretion of the court

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 353, entitled:

An Act to amend section eight of the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and fifty-nine) entitled "An act for the better protection of fish requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth or in the waters bounding or adjacent thereto and regulating the issuance of such license providing penalties for the violation of this act and the manner of proceeding to enforce compliance therewith ad providing for the disposition of the penalties recovered and license fees received" by making county treasurers agents of the Commonwealth in collecting license fees and issuing licenses

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight of the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and fifty-nine) entitled "An act for the better protection of fish requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth or in the waters bounding or adjacent thereto and regulating the issuance of such license providing penalties for the violation of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties recovered and license fees received" which reads as follows

"Section 8 A county treasurer may collect for his own use for services rendered under this act the sum of ten cents to be paid by the applicant for a license All license fees except said treasurer's fees paid to a county treasuerer under this act shall be by such county treasurer paid into the State Treasury at least once a month to be applied to the purposes hereinafter provided Such county treasurer shall make a return to the State Treasurer upon a form to be supplied by the Commissioner of Fisheries at the cost of the Commonwealth and shall in all such cases forward a duplicate of such report to the Commissioner of Fisheries at Harrisburg" is hereby amended to read as follows

Section 8 The county treasurers of the several counties shall be agents of the Commonwealth for the collection of aid license fees and the issuing of licenses A county treasurer may collect for his own use for services rendered under this act the sum of ten cents to be paid by the applicant for a license All license fees except said treasurer's fees paid to a county treasurer under this act shall be by such county treasurer paid into the State Treasury at least once a month to be applied to the purposes hereinafter provided Such county treasurer shall make a return to the State Treasurer upon a form to be supplied by the Commissioner of Fisheries at the cost of the Commonwealth and shall in all such cases forward a duplicate of such report to the Commissioner of Fisheries at Harrisburg

On the question,

Will the House agree to the section?

Mr. COLDSMITH. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 2, line 11, by striking out beginning with the words "which reads" and ending line 24 with the word "Harrisburg."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section eight of the act approved the sixteenth day of May, one thousand nine hundred and twenty-one, (P. L. 559), entitled "An Act for the better protection of fish; requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth, or in the waters bounding or adjacent thereto; and regulating the issuance of such license; providing penalties for the violation of this act, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the penalites recovered and license fees received," by making county treasurers agents of the Commonwealth in collecting license fees and issuing licenses.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 825, entitled

An Act for the protection of owners of electric storage batteries upon which the word "rental" or any other word marked or character is printed painted stamped or attached to indentify the same and providing penalties

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in

General Assembly met and it is hereby enacted by the authority of the same That it is unlawful for any person copartnership or corporation to remove or deface or alter or destroy or cause to be removed or defaced or altered or destroyed the word "rental" or any other word mark or character printed or painted or stamped upon or attached to any electric storage battery which has been so placed upon or attached to such electric storage battery to indentify the same as belonging to or being the property of any person copartnership or corporation

On the question,
Will the House agree to the section?
Mr. METCALF. Mr. Speaker, I desire to offer the following amendments.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 1, page 1, line 10, by striking out the word "indentify" and inserting in lieu thereof "identify."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The second section was read as follows:

Section 2 It is unlawful for any person copartnership or corporation to sell dispose of deliver or give or attempt to sell dispose of deliver or give to any person copartnership or corporation other than the owner thereof any electric storage battery upon which the word "rental" or any other word mark or character is printed painted or stamped or to which such word mark or character is attached for the purpose of indentifying the said electric storage batery as belonging to or being the property of any person copartnership or corporation

On the question,
Will the House agree to the section?
Mr. METCALF. Mr Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 2, page 2, line 6, by striking out the word "indentifying" and inserting in lieu thereof "identifying".

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The third section was read as follows:

Section 3 It is unlawful for any person copartnership or corporation engaged in buying selling or re-charging electric storage batteries to receive or retain in his their or its possession or to recharge any electric storage battery not owned by such person copartnership or corporation upon which the word "rental" or any other word mark or character is printed painted or stamped or to which word or mark or character is attached for the purpose of indentifying the said electric storage battery as belonging to or being the property of any person copartnership or corporation

On the question,
Will the House agree to the section?
Mr. METCALF. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 3, page 2, line 17, by striking out the word "indentifying" and inserting in lieu thereof "identifying."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The fourth section was read as follows:

Section 4 It is unlawful for any person copartnership or corporation to retain in his their or its possession for a longer period than ten days without the written consent of the owner any electric storage battery upon which the word "rental" or any other word mark or character is printed or stamped or to which any such word mark or character is attached for the purpose of identifying the said electric storage battery as belonging to or being the property of any person copartnership or corporation

On the question,
Will the House agree to the section?
Mr. METCALF. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 4, page 2, line 27, by striking out the word "indentifying" and inserting in lieu thereof: "identifying."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The fifth section was read and agreed to as follows:

Section 5 Any person copartnership or corporation and the officers agents employes and members of any copartnership or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars or be imprisoned for a term not exceeding ninety days or both at the discretion of the court

The title was read as follows:

An Act for the protection of owners of electric storage batteries upon which the word "rental" or any other word mark or character is printed painted stamped or attached to indentify the same and providing penalties

On the question,
Will the House agree to the title?
Mr. METCALF. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend title, page 1, line 4, by striking out the word "indentify" and inserting in lieu thereof: "identify."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time and agreed to as amended.
Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1264, as follows:

An Act providing for the depositing of money as a forfeit for the appearance of persons arrested for certain offenses for hearing before a mayor or chief burgess and providing for the forfeiture and payment of the same into the city or borough treasury in case of non-appearance of person arrested

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where any person is arrested on view by the police of any city or borough for the violation of any city or borough ordinance or for any other offence for which no formal information is required and no warrant is issued and no immediate hearing can be given said person the mayor or chief burgess of said city or borough or the proper police official in charge of any police station to which said person is taken may accept from said person as a forfeit for his appearance for a hearing before said mayor or chief burgess or before an alderman magistrate or justice of the peace appearing and acting for said mayor or chief burgess current funds of the United States in an amount not exceeding the maximum amount of fine that could be imposed in case of conviction of said offence

Section 2 Upon the posting of any such funds as a forfeit for his appearance at said hearing there shall be delivered to the person so arrested a receipt for the amount so deposited which shall plainly state thereon the amount deposited the purpose for which it was so deposited and the time and place fixed for the hearing and the person receiving such deposit shall make a record of the posting thereof and the name and address of the person posting the same

Section 3 In case of the appearance of any person depositing such forfeit at the time fixed for said hearing the amount so deposited shall be returned without any deduction for any purpose whatsoever

Section 4 In case any person who has deposited such forfeit fails or neglects to appear at the time fixed for said hearing the amount so posted shall be forfeited and after notice of said forfeiture mailed by registered mail to the address given by said person when arrested and the continued failure or neglect of said person to appear for hearing within ten days after the mailing of said notice the said sum shall be paid in the city or borough treasury for the use of said city or borough

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 204, entitled:

An Act directing the Governor with the assistance of a budget director and assistants to prepare and transmit to each General Assembly a budget for each of the two fiscal years next succeeding and to submit therewith a general and other appropriation and revenue bills providing for the consideration thereof by the General Assembly requiring spending agencies of the Commonwealth and the fiscal officers thereof to furnish certain information and providing for uniform systems of accounting and financial reports for control and supervision over the expenditures of the Commonwealth and for the lapsing of appropriations

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, and thirteenth sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That DEFINITIONS the words "fiscal year" as used in this act shall mean the period beginning on the first day of June of each year and ending on the thirty-first day of May of the year succeeding and shall be the year for which appropriations are made by the General Assembly

The words "spending agencies" as used in this act shall include the several departments and independent boards bureaus divisions and commissions comprising the executive branch of the State government the legislature and judicial branches of the State government and the several State semi-State and private institutions within the Commonwealth supported in whole or in part by or seeking assistance from the Commonwealth

Whenever any duty is imposed by this act upon any "spending agency" the same shall be performed by or under the direction of the head of the respective department board bureau division and commission and in the case of the legislative branch by the chief clerks of the Senate and House Representatives and in the case of the judicial branch by the prothonotaries of the Supreme and Superior Courts and the president judges of the several courts of common pleas orphans' courts municipal courts and county courts and in the case of State semi-State and private institutions by the board of trustees board of managers or other proper authority thereof

Section 2 GOVERNOR TO PREPARE AND SUBMIT BUDGET The Governor shall in accordance with this act bienially prepare and transmit to each General Assembly a budget for each of the next two succeeding fiscal years

Section 3 BUDGET DIRECTOR ASSISTANTS The Governor shall with the advice and consent of the Senate appoint a budget director who shall hold office at the pleasure of the Governor

The budget director shall receive an annual salary of seven thousand five hundred ($7,500) The Governor may instead of appointing a budget director designate any existing appointed State officer as the budget director in which case no additional salary shall be paid to such officer With the consent of the Governor the budget director may appoint necessary assistants and fix their salaries

Section 4 POWERS OF BUDGET DIRECTOR In the preparation of the biennial budget the budget director shall perform such duties as may be assigned to him by the Governor and in the performance of such duties he shall have and possess all the powers herein granted to the Governor

Section 5 DISTRIBUTION OF ESTIMATE BLANKS CONTENTS Not later than November first of each even-numbered year the Governor shall distribute suitable blanks for the preparation of budget estimates to each of the several spending agencies of the Commonwealth Upon request made in writing the Governor shall also furnish estimate blanks to any private institution not theretofore receiving State-aid The budget estimate blanks shall be in such form and call for such information as the Governor may require

Section 6 RETURN OF INFORMATION ON ESTIMATE BLANKS Each spending agency shall not later than December fifteenth of each even-numbered year return to the Governor the estimate blanks with the complete information required including complete information as to receipts and expenditures from special funds Such estimates shall be accompanied by a statement in writing giving facts and explanation of reasons for each item of appropriation requested

Section 7 INFORMATION FROM AUDITOR GENERAL The Auditor General shall by December fifteenth of each even-numbered year furnish to the Governor (a) a classified statement of revenues and expenditures during the two fiscal years last ended and the first six months of the current year (b) a classified statement of appropriations applicable to or available in the current fiscal year together with the amounts of such appropriations unexpended and unencumbered on December first of the current fiscal year (c) a balance sheet of the State's finances on December first of the current fiscal year (d) an itemized statement of balances in the general and special funds as of December first of the current fiscal year and (e) a classified statement of estimated revenues in the current and two next succeeding fiscal years

Section 8 INFORMATION FROM STATE TREASURER The State Treasurer shall prior to the meeting of each General Assembly and at times as may be requested by the Governor furnish to him a statement showing the amount of money required to be appropriated by the General Assembly for the two succeeding fiscal years for payment into the sinking fund of the Commonwealth to pay the interest upon the funded debt and to provide for the retirement of the same at maturity

Section 9 HEARINGS REVIEW OF APPROPRIATION REQUESTS The Governor in his discretion may take further inquiries and investigations as to any item of appropriation desired by any spending agency Before submitting his budget to the General Assembly the Governor shall hold such official hearings on the appropriation requests as he deems necessary and at least one joint public hearing thereon with the chairman of the respective appropriations and finance and ways and means committees of the Senate and House of Representatives and the Auditor General and State Treasurer The Governor's tentative budget including the tentative drafts of bills to carry into effect his recommendations shall be presented and distributed to agencies requesting appropriations and upon request to citizens and taxpayers in ample time for use at such joint public hearings Any agency requesting a State appropriation and any citizen and taxpayer shall have a right to be heard at such public hearing on any matter relating to the Governor's budget When such hearings are completed the Governor shall review all information in his possession with regard ot the probable revenues and expenditures of the Commonwealth and shall revise an appropriation requests in such manner as to keep the expenditures of the Commonwealth for the two next succeeding fiscal years within the probable revenues under laws in force or recommended by the Governor

Section 10 SUBMISSION OF BUDGET CONTENTS The Governor shall not later than the first day of March of each odd-numbered year transmit to the General Assembly a budget in printed form for each of the two next succeeding fiscal years The budget shall cover all expenditures to be made from the general fund and from all special funds and it shall contain a statement balancing appropriations recommended with revenues available or proposed and a summary statement comparing by spending agencies the appropriations recommended with the expenditures incurred in the two completed fiscal years just preceding or with the expenditures authorized in the current biennium It shall also show in itemized form (a) the amounts expended during the last two completed fiscal years and an estimate of the expenditures for the current fiscal year (b) the appropriations requested for each of the next two fiscal years (c) the Governor's recommendations thereon (d) explanation of increases and decreases and (e) an estimate of revenues available from the general and special funds in the current and two next succeeding fiscal years The itemized statement of appropriations recommended or expenditures proposed shall be classified by organization units and shall show in detail for each spending agency by objects of expenditure the purpose of each appropriation Such statement shall further indicate whether the appropriation recommended or expenditure proposed is for capital maintenance or operation purposes

Section 11 SUBMISSION OF APPROPRIATION BILLS With the budget for each of the two next succeeding fiscal years the Governor shall transmit to the Speaker of the House of Representatives and the President pro tempore of the Senate a general appropriation bill covering the needs of the executive legislative and judicial departments of the State government interest on the public debt and for the public schools The bill shall include appropriations to departments from special funds which are devoted to particular purposes but said appropriations shall only be for purposes for which said funds were created The Governor shall also submit individual bills for all special appropriations which he deems necessary and proper

Section 12 FORM OF APPROPRIATION BILLS AND LAWS All appropriation bills submitted to the Governor or enacted by the General Assembly shall include separate appropriations for each of the two succeeding fiscal years and so far as practicable such appropriation bills shall follow the classification adopted in the Governor's budgets

All appropriation bills submitted by the Governor or enacted by the General Assembly shall state specifically the fund from which the appropriation is to be made and the purpose for which the appropriation is to be expended

In the appropriation to the spending agency or agencies having charge of the purchase of supplies and printing and binding the Governor shall in each case set forth in schedule form the amount of the total appropriation for such purpose which is set aside for each spending agency and the General Assembly shall in all appropriation bills specifically limit each such spending agency in the amount of supplies and printing and binding which it may requisition The items in the general appropriation bill and all separate appropriation bills making appropriations to spending agencies shall however also show the amounts set aside for such spending agencies in the appropriations to the spending agency or agencies having charge of the purchase of supplies and printing and binding

The Governor may in the case of State semi-State and private institutions classify the same and submit bills making lump sum appropriations to classes of institutions with a schedule thereto attached showing the amount to be appropriated to each institution in accurate and direct proportion to the services it renders

Salaries recommended in the Governor's appropriation bills or fixed in the appropriation bills shall be based upon a uniform schedule for employees engaged in the same character of work

Section 13 REVENUE BILLS Whenever the Governor deems it necessary to revise existing revenue laws or to provide new sources of revenue he shall submit appropriate revenue bills with his budget statements and appropriation bills All such revenue bills shall be introduced only in the House of Representatives

The fourteenth section was read as follows:

Section 14 CONSIDERATION OF APPROPRIATION AND REVENUE BILLS BY GENERAL ASSEMBLY ADJOURNMENT The appropriations finance and ways and means committees of the Senate and House of Representatives respectively shall not later than March fifteenth hold joint meetings and joint public hearings on the appropriation and revenue bills submitted by the Governor and other revenue bills introduced At such hearings all citizens and taxpayers shall have a reasonable opportunity to present their views on any matter relating to appropriations and revenues In the exercise of the power granted by the Constitution the General Assembly may strike out or otherwise alter any item in any appropriation bill and may add new items thereto or in any other manner amend the same or any other bill submitted by the Governor and may permit the introduction consideration and passage of any substitute or other appropriation and revenue bills

The General Assembly shall in no case adjourn until the general appropriation bills enacted by the General Assembly has been finally acted upon by the Governor or been repassed over his veto

On the question,

Will the House agree to the section?

Mr. EDMONDS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 14, page 9, line 17, by inserting after the word "upon" the word: "by"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifteenth, sixteenth, seventeenth and eighteenth sections and title were separately read and agreed to as follows:

Section 15 UNIFORM ACCOUNTS QUARTERLY REPORTS LAPSING OF APPROPRIATIONS In order that the Governor may collect reliable information to assist in the preparation of biennial budgets and correctly ascertain the financial condition of the Commonwealth it is hereby provided

(a) That the Governor shall after due investigation prescribe a uniform system for the accounts financial reports and statements of all spending agencies

(b) That no appropriations shall become available for expenditure by any spending agency until such agency shall submit to the Governor quarterly estimates of the amount required for each activity to be carried on and such estimates have been approved by the Governor and each spending agency shall keep accounts and render monthly reports of expenditures for each activity to the Governor in such form as he may prescribe

(c) That all unexpended appropriations made by the General Assembly except for constructions under way or where any contract is let shall lapse into the fund from which appropriated at the end of the fiscal year for which such appropriation was made

Section 16 PRESERVATION OF BUDGET INFORMATION The information material and data collected by the Governor shall be preserved permanently in the Governor's office and be placed at the disposal of each incoming executive

Section 17 CONSTRUCTION The provisions of this act are severable and if any of its provisions are declared unconstitutional such decision shall not affect any of the remaining provisions of this act It is hereby declared as a legislative intent that such provisions would have been enacted had such unconstitutional provisions not been included therein

Section 18 All acts and parts of acts inconsistent herewith are hereby repealed

An Act directing the Governor with the assistance of a budget director and assistants to prepare and transmit to each General Assembly a budget for each of the two fiscal years next succeeding, and to submit therewith a general and other appropriation and revenue bills; providing for the consideration thereof by the General Assembly; requiring spending agencies of the Commonwealth and the fiscal officers thereof to furnish certain information; and providing for uniform systems of accounting and financial reports, for control and supervision over the expenditures of the Commonwealth, and for the lapsing of appropriations.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 314, entitled:

An Act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business through a bureau in the department of the Secretary of the Commonwealth

The first, second and third sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the Real Estate Brokers' License Act of one thousand nine hundred and twenty-three

Section 2 (a) The term "real estate broker" shall include all persons copartnerships associations and corporations foreign and domestic who for another and for a fee commission or other valuable consideration shall sell exchange purchase or rent or shall negotiate the sale exchange purchase or rental or shall offer or attempt to negotiate the sale exchange purchase or rental or shall hold himself or themselves out as engaged in the business of selling exchanging purchasing or renting of any real estate or interest in real estate the property of another whether the same shall be located within the State of Pennsylvania or elsewhere or shall collect or offer or attempt to collect rental for the use of real estate the property of another or shall negotiate or offer or attempt to negotiate a loan secured or to be secured by mortgage or other encumbrance upon a transfer of any such real estate It shall also include any person copartnership association or corporation employed by the owner or owners of lots or other parcels of real estate at a stated salary or upon a commission or upon a salary and commission basis or otherwise to sell such real estate or any parts thereof in lots or other parcels and who shall sell or exchange or offer or attempt to negotiate the sale or exchange of any such lot or parcel of real estate One act in consideration of compensation by fee commission or otherwise of buying selling renting or exchanging any such real estate of or for another or attempting or offering so to do or negotiating a loan upon or leasing or renting or placing for rent any such real estate or collection of rent therefrom shall constitute the person copartnership association or corporation so acting or attempting to act a real estate broker within the meaning of this act

(b) The term "real estate salesman" shall mean and include any person employed by a licensed real estate broker to sell or offer for sale to buy or offer to buy or to negotiate the purchase sale or exchange of any real estate or interest in real estate the property of another or to negotiate a loan upon real estate or to lease or rent or offer to lease or rent or place for rent any such real estate

(c) Neither of the said terms "real estate broker" or "real estate salesman" shall be held to include within the meaning of this act any attorney at law when acting for or under due authority from his client nor shall they be held to include any recever trustee in bankruptcy or any other person or corporation acting under the appointment or order of any court or as trustee under the authority of a will or deed of trust or in any other fiduciary capacity

Section 3 There is hereby created in the Department of the Secretary of the Commonwealth a bureau to be known as the Pennsylvania Real Estate License Commission for the issuance of real estate brokers' and salesmen's licenses under the provision of this act and the supervision and control of all such licensees as hereinafter specifically provided

The fourth section was read as follows:

Section 4 The Governor shall on or before October first nineteen hundred and twenty-three appoint to be members of the said Commission three persons whose vocation for a period of at least seven years prior to and at the date of their appointment shall have been and be that of a real estate broker or real estate salesman These appointments shall be confirmed by the State Senate and the chairman of the Commission shall be designated by the Governor One member shall be appointed for a term of one year one member shall be appointed for a term of two years and one member shall be appointed for a term of three years and until their respective successors shall be appointed and qualified thereafter the term of the members of said Commission shall be for three years and until their successors shall be appointed and qualify Members to fill vacancies shall be appointed for the unexpired term The Commission appointed in nineteen hundred and twenty-three shall organize within two weeks from date of appointment and then prepare to issue licenses on January first nineteen hundred and twenty-four and may do all things convenient for carrying into effect the provisions of this act and to that end may from time to time adopt and promulgate and regulations necessary for the administration of the act In subsequent years the commission shall organize immediately upon the qualifications of the new member appointed

Each member of the Commission shall receive as full compensation for each day actually spent on the work of said Commission the sum of ($25.00) per day and his actual and necessary expenses incurred in the performance of duties pertaining to his office

On the question,

Will the House agree to the section?

Mr. STERLING. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 4, page 4, line 21 by striking out the word "and"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth section was read and agreed to as follows:

Section 5 A secretary of this commission shall be appointed by the Governor to hold office during his pleasure and subject to the approval of the Governor the Commission shall employ and at its pleasure discharge such deputies clerks and assistants as shall be deemed necessary to discharge the duties imposed by the provisions of this Act and shall outline their duties and fix their compensation subject to the general laws of the State

The sixth section was read as follows:

Section 6 The Board of Commissioners of Public Grounds and Buildings shall furnish and equip suitable rooms at the Capitol for the use of said Commission The Printing for said Commission shall be done by the State Printer or on requisition of the Commission to the Superintendent of Public Printing and Binding

On the question,

Will the House agree to the section?

Mr. STERLING. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Ses. 6, page 5, line 12 by striking out the word "Print-" and inserting in lieu thereof "print-"

On the question,

Will the Hosue agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventh, eighth and ninth sections were separately read and agreed to as follows:

Section 7 From and after the date of approval of this act all monies collected by this Commission as license fees charges or otherwise shall be paid by the Commission into the general fund of the State Treasury All expenses incurred by the Commission under the provisions of this Act including compensation to members secretaries clerks and assistants shall be paid out of the general fund in the State Treasury upon warrants of the Auditor General from time to time when vouchers therefor are exhibited and approved by the Commission provided that the total expense for every purpose incurred shall not exceed the total fees and charges collected and paid into the State Treasury

Section 8 The Commission shall adopt a seal with the words "Real Estate License Commission of the Commonwealth of Pennsylvania" and such other device as the Commission may select A description of the seal with the impression thereof shall be filed in the office of the Secretary of the Commonwealth

Section 9 (a) Copies of all records and papers or documents filed in the office of the Real Estate License Commission and as well of all proceedings by or before the commission or any of its deputies with the commission's action thereon and stenographic notes of testimony or other evidence submitted when certified under the hand and seal of the commission shall be admitted to be read in evidence in all courts in this Commonwealth in all cases where the originals would be admissible in evidence under the provisions of this act Provided That in any proceeding the court having jurisdiction may on cause shown require the production of the original

(b) For every copy of paper filed with the Real Estate License Commission in any proceedings before it the commission may charge such fees as it may be general rule or regulation prescribe

The tentn section was read as follows:

Section 10 Neither the Members of the Real Estate License Commission nor any deputy clerk or other employe of the said bureau shall directly or indirectly wilfully exhibit publish divulge or make known to any person or persons any record report statement letter or any other matter fact or thing contained among the papers documents or records of said bureau or ascertained from any of the same or from any investigation or proceedings made or held under the provisions of this act by or before the commission or any of its deputies excepting in such manner as is expressly authorized by this act and excepting when the production of such information in any proceedings any court is duly required by subpoena issued by special order of the court or other regular process and any violation of the provisions of this section shall be a misdemeanor upon conviction whereof the person so offending shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and shall be dismissed from his appointment by said commission

Provided however That the provisions of this section shall not apply to any ruling or decision of the commission with the record relative thereto and upon which the same was founded which ruling or decision shall have been duly made and entered under and in accordance with the provisions of this act after investigation and or hearing as hereinafter provided All such records shall immediately upon the entry of such ruling or decision become public records of the Real Estate License Commission subject to inspection by any person interested

On the question,

Will the House agree to the section?

Mr. STERLING. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 10, page 7, line 6 by inserting after the word "proceedings" the word "before"

On the question,

Will the Hosue agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The eleventh and twelfth sections were separately read and agreed to as follows:

Section 11 From and after January first one thousand nine hundred and twenty-four it shall be unlawful for any person copartnership association or corporation to engage in or carry on the business or act in the capacity of a real estate broker or a real estate salesman within this Commonwealth without first obtaining a license as real estate broker or real estate salesman from the Real Estate License Commission

Section 12 (a) It shall be the duty of the Real Estate License Commission upon payment of license fees required by this Act to issue licenses as real estate broker or real estate salesman to all individuals and as real estate broker alone to all copartnerships associations and corporations who shall be duly qualified under and shall comply with the provisions of this Act

(b) Applications for licenses as real estate broker shall be made in writing to the Real Estate License Commission upon a blank provided for the purpose by the said bureau and shall contain such information as to the applicant or when the application is made by a copartnership association or a corporation as to its members or officers as the Commission shall require the application shall be signed by the applicant and shall be accompanied by the recommendation of at least two citizens not related to the applicant or in the case of a co-partnership or corporation to any member or officer thereof who shall be owners of real estate within and residents of the county in which the applicant resides or has his their or its place of business certifying to the honesty truthfulness and good repute of the applicant or in the case of a copartnership association or corporation its members or officers by name and recommending that a license be granted the applicant If the applicant or in the case of a copartnership or corporation any of its members or officers shall have resided or shall have engaged in business for less than one year in the county from which the application is made such application shall also be accompanied by the recommendation of at least two (2) real estate owners not related to the applicant of each of the counties where he or each of such members or officers has formerly resided or engaged in business during the said period of one year prior to the filing of such application certifying to the honesty truthfulness and good repute of the applicant or its members or officers by name and recommending that the license be granted Where the applicant for a real estate broker's license maintains more than one place of business within the Commonwealth he shall be required to apply for and procure a duplicate license for each branch office so maintained by him such duplicate license to be issued with an additional charge of five dollars for each additional office or place of business Every such application shall state the name of the person copartnership association or corporation and the location of the place or places of business for which such license is desired and the license shall expire December thirty-first of the year issued unless sooner revoked by the Real Estate License Commission

(c) Application for licenses as real estate salesman shall be made in writing to the said Commission signed by the applicant setting forth the period of time during which he has been engaged in the business stating the name of the last employer and the name and place of business of the person firm copartnership association or corporation then employing him or into whose employ he is then about to enter All applications shall be made upon a blank provided for the purpose by the Real Estate License Commission and shall contain such information as to the applicant in addition to the above prescribed as the Commission shall require The application shall be accompanied by the recommendation of his employer or prospective employer certifying that the applicant is honest truthful and of good repute and recommending that such license be granted All such licenses shall expire December thirty-first of the year issued unless sooner revoked by the Real Estate License Commission

(d) The Real Estate License Commission may require such other and further evidence as it may deem advisable of the qualifications of any applicant for a license or of the members of any copartnership or of the officers of any association or corporation making such application before issuing such license

(e) Authority to transact business as a real estate broker or real estate salesman under any license issued by the Real Estate License Commission shall be restricted to the person named in such license and shall not inure to the benefit of any other person or persons whatsoever Where a real estate broker's license shall be issued to a corporation or association authority to transact business thereunder shall be limited to one officer of such corporation or association to be designated in the application and named in the license Each other officer of such association or corporation desiring to act as a real estate broker in connection with the business of the said association or corporation or otherwise shall be required to make application for and take out a separate license in his or her own name individually Where the licensee is a copartnership the license issued to such copartnership shall confer authority to act as real estate broker upon one member of such copartnership only who shall be designated in the application and named in the license all the other members of such copartnership shall be required to apply for and take out individual license in their own names

(f) A non-resident of this state may be licensed as a real estate broker or a real estate salesman upon complying with all the provisions and conditions of this act relative to resident brokers and salesmen

(g) In connection with the application of a non-resident of this state for a license as Real Estate Broker or Real Estate Salesman the Real Estate License Commission may accept in lieu of the recommendations and statements otherwise required to accompany the application for such license the license (as real estate broker or real estate salesman) issued to such applicant by the proper authority of the state of his domicile upon the payment by the applicant of the proper license fee and the filing with the Commission of a duly certified copy of the license issued to such applicant by such other state In such case the licensee shall not be required to maintain a definite place of business within this state provided that he if a broker shall maintain an active place of business within the state of his domicile Provided however and it is hereby expressly stipulated that the provisions of this sub-paragraph "(g)" of Section twelve of this act shall only apply to licensed real estate brokers and real estate salesmen of those states under the laws of which similar recognition and courtesies are extended to licensed real estate brokers and real estate salesmeen of this state Provided further that every non-resident applicant shall file an irrevocable consent that suits and actions may be commenced against such applicant in the proper court of any county of this State in which a cause of action may arise in which the plaintiff may reside by the service of any process or pleading authorized by the laws of this State on the Secretary of the Commission said consent stipulating and agreeing that such service of such process or pleading on said secretary shall be taken and held in all courts to be as valid and binding as if due service has been made upon said applicant personally within the State Said instrument containing such consent shall be authenticated by the seal thereof if a corporation or by the acknewledged signature of a member or officer thereof if otherwise All such application except from individuals shall be accompanied by the duly certified copy of the resolution of the proper officers or managing board authorizing the proper officer to execute the same In case any process or pleadings mentioned in the case are served upon the Secretary of the Commission it shall be by duplicate copies one of which shall be filed in the office of the Commission and the other immediately forwarded by registered mail to the main office of the applicant against which said process or pleadings are directed

The thirteenth section was read as follows:

Section 13 The fees to be charged and paid to the Real Estate License Commission by licenses for all licenses issued shall be as follows

(1) For each real estate broker's license a fee of twenty dollars ($20.00) Provided That there shall be an additional license fee of five dollars for each additional office or place of business

(2) For each license as real estate broker issued to an officer of a corporation or association or member of a copartnership other than the office or member named in the license issued to such association corporation or copartnership a fee of ten dollars ($10.00)

(3) For each real estate salesman's license a fee of five dollars ($5.00)

(4) Provided however that for any and all licenses issued subsequently to the first day of July in any year the license fee charged shall be but one-half of the annual license fee as respectively above prescribed The fee herein prescribed for real estate broker's and real estate salesman's licenses shall be in lieu of any and all other license fees or license taxes imposed or to be imposed upon real estate brokers and real estate salesmen by this Commonwealth or any subdivision thereof

On the question,

Will the House agree to the section?

Mr. STERLING. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 13, page 13, line 7 by striking out the word "licenses" and inserting in lieu thereof the word "licensees"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourteenth section was read and agreed to as follows:

Section 14 (a) Every person co-partnership association or corporation licensed as real estate broker under the provisions of this act shall be required to have and maintain a definite place of business within the Commonwealth which shall serve as his their or its office for the transaction of business under the authority of the said license and where the license shall be prominently displayed The said place of business shall be specified in the application for license and designated in the license and no license issued under the authority of this act shall authorize the licensee to transact business from any office other than that designated with licensee Notice in writing shall be given to the commission of any change of business location within ten days thereof whereupon the Commission shall forthwith issue a new license for the unexpired period without charge The change of the specified business location without notification to the said commission and the issuance by it of a new license therefor shall automatically cancel the license theretofore issued

(b) All real estate estate brokers shall also prominently display in their place or places of business the licenses of all real estate salesmen employed by them therein or in connection therewith All licenses issued to real estate salesmen shall designate the employer of such salesmen by name Prompt notice in writing shall be given to said commission by the real estate salesmen of any change of employer and of the name of the new employer into whose services such salesman is about to enter or has entered and a new license shall thereupon be issued without charge by the commission to such salesman for the then expired term of the original license provided that such new employer shall be a duly licensed real estate broker The change of employer or employment by any licensed real estate salesman without notice to the commission as aforesaid shall automatically cancel the license to him theretofore issued and it shall be the duty of the employer named in such license to notify the Commission promptly of any such change of employer or employment

The fifteenth section was read as follows:

Section 15 (a) The Real Estate License Commission may upon its own motion and shall promptly upon the verified complaint in writing of any person setting forth specifically the wrongful act or acts complained of investigate any action or business transaction of any licensed real estate broker or real estate salesman and shall have the power temporarily to suspend or permanently to revoke licenses theretofore issued by the Commission under the provisions of this act at any time when after due proceedings as hereinafter provided it shall find holder thereof to have been guilty in the performance or attempt to perform any of the acts prohibited to others than licensed real estate brokers or real estate salesmen under the provisions of this act

(1) Of making any substantial misrepresentation in writing or

(2) Of making any false promise or of a character likely to influence persuade or induce or

(3) Of a continued or flagrant course of misrepresentation or making of false promises through agents or salesmen or

(4) Of any other conduct whether of the same or of a different character than that hereinbefore specified which shall constitute dishonest dealing or when it shall be shown that the licensee within five years prior to the issuance of the license then in force has been convicted in a court of competent jurisdiction of this or any other state of forgery embezzlement obtaining money under false pretense extortion conspiracy to defraud or other like offense or offenses

(b) Before refusing suspending or revoking any license the Commission shall in writing notify the applicant or licensee of the charges against him accompanying the notice with a copy of the complaint if any filed and the Commission shall accord the applicant or licensee ample opportunity to be heard thereon in person or by counsel If the applicant or licensee shall so desire the Commission shall grant a hearing upon such charges to be held on not less than ten (10) days' prior notice in writing to the applicant or licensee given and shall furnish licensee at the time of giving the said notice with copies of any and all communications reports affidavits and depositions in the possession of the Commission touching or relating to the matter in question At such hearing the applicant or licensee shall be entitled to examine either in person or by counsel any and all persons complaining against him and as well all other witnesses whose testimony is relied upon to substantiate the charges made He shall also be entitled to present such evidence oral and written as he may see fit and as may be pertinent to the inquiry The said hearings may be held by the Commission or any member thereof or by any of its duly authorized deputies or by any other person duly deputized by the Commission for such purpose in any particular case and they shall be held if the applicant or licensee so desires within the county where the applicant's or licensee's principal place of business is situated At such hearings all witnesses shall be duly sworn by the Commissioner or the duly authorized deputy general or special before whom the hearing is held and stenographic notes of the proceedings shall be taken and filed as part of the record in the cause Any party to the proceedings desiring it shall be furnished with a copy of such stenographic notes upon the payment to the Commission of such fee as the Commission shall by general rule or regulation prescribe therefor not exceeding however twenty-five cents per folio

(c) The refusal of the Commission to issue any license after application properly made and compliance by the applicant with the requirements of this act shall be subject to review by the Court of Common Pleas of the County in which the principal office or place of business of the applicant shall be located upon petition for writ of mandamus or other appropriate remedy with the right of appeal to the applicant as in other and similar cases

(d) The decision of the Commission in suspending or revoking any license issued under this act shall be subject to review by the Court of Common Pleas of the county in which the principal office or place of business of the licensee is located The Commission shall maintain in its main office a public docket or other record in which it shall record from time to time as made the rulings or decisions upon all complaints filed with it and all investigations instituted by it in the first instance upon or in connection with any such hearing shall have been had or in which the licensee charged shall have made no defense The Commission shall also give immediate notice in writing of such ruling or decision to the licensee affected thereby and as well where the investigation shall have been instituted by complaint filed to the party or parties by whom complaint was made If such ruling shall be to the prejudice of or shall injuriously affect the licensee the Commission shall also state in said notice the date upon which the said ruling or decision shall become effective if not theretofore appealed from and such date shall be not less than fifteen (15) days from and after the date of the said notice If the licensee cannot at such time be found his whereabouts being unknown such notice may be given by the Commission by advertisement inserted in one issue of a newspaper of general circulation published within the county where was located the principal office of the licensee as designated in the license

Such ruling or decision of the Commission shall be final when in favor of the licensee and in dismissal of the complaint filed if any If against the licensee or in any way to the licensee's injury or prejudice the licensee may at any time prior to the date fixed by the Commission in its said notice as the date it shall become effective appeal from such decision to the Court of Common Pleas of the county in which the licensee's principal office or place of business is located by serving upon the Commission written notice of such appeal Such service shall be made either by filing the said notice of appeal in the office of the Real Estate License Commission at Harrisburg or by delivering the same to the deputy whether general or special before whom the hearing in the case was had

Within thirty (30) days after the service of such notice of appeal the Commission shall file with the prothonotary of the said court of common pleas a transcript of the record of the proceedings in its office duly certified over the seal of the Real Estate License Commission which record shall include all papers on file with the said Commission affecting or relating to the inquiry or investigation conducted by the Commission and all the evidence taken in the said hearing including the stenographic notes of testimony Notice of the filing of the said transcript with the term and number to which filed shall be forthwith given by the Commission to the licensee and as well to the party or parties if any upon whose complaint the proceedings before the Commission were instituted The cost of the said transcript at twenty-five cents per folio and one dollar for certification shall be entered as part of the record costs in the cause to be paid as the said court may direct In all proceedings upon such appeal the Real Estate License Commission shall appear for and represent the Commonwealth

The appeal shall thereupon be heard in due course by the judge or judges of the said court of common pleas without a jury by whom the proceedings before the Commission its findings and rulings shall be given similar weight force and effect as are accorded to the findings and report of a referee selected or appointed under the provisions of the act entitled "An Act to provide for the submission of civil cases by agreement of the parties to a referee learned in the law" approved the fourteenth day of May one thousand eight hundred and seventy-four and its supplements The court may however in its discretion receive and consider any additional pertinent evidence whether oral or written either in open court or by deposition as the said court shall direct and the decision of the Commission shall be reviewed in the light of such evidence

(e) The order or ruling of the Commission in any such proceeding shall become of full force and effect upon the date fixed by the Commission in the said notice by it given thereof to the parties thereto unless notice of appeal therefrom shall prior to said date be duly served upon the Commission as hereinbefore provided If an appeal shall be so taken such an appeal shall act as a supersedeas until ten (10) days from and after the date of the filing of the transcript by the Commission in the Court of Common Pleas to which the appeal is taken and notice thereof by it given to the licensee but not longer unless the said Court of Common Pleas shall upon motion of the licensee grant an order of supersedeas in which case the appeal shall be heard by the aid court and its decision entered within thirty (30) days after the granting of such order of supersedeas An appeal shall lie from the decision of the said Court of Common Pleas to the Superior Court but no such appeal shall operate as a supersedeas

On the question,

Will the House agree to the section?

Mr. STERLING. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 15, page 20, line 17 by inserting after the word "seventy-four" the following: "(P. L. 166)"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixteenth and seventeenth sections were separately read and agreed to as follows:

Section 16 (a) In all proceedings before the Commission and as well in all proceedings upon appeal from any of its decisions the record or a duly certified or exemplified copy thereof in any proceeding at law or in equity in any court of competent jurisdiction in this or any other State in which the applicant or licensee charged or under investigation shall have been a party shall be admissible where the issues of fact involved in such proceeding are pertinent to the inquiry before the Commission and the verdict of the jury or judgment of the court in any such action at law or the decree of the court in any such proceeding in equity shall be conclusive as to the facts at issue in such proceeding and necessarily adjudicated therein So also the verdict of the jury in any criminal prosecution in a court of record of this or any other State in which the applicant or licensee charged shall have been the defendant shall be conclusive as to the facts charged and at issue in such prosecution

(b) Where during the term of any license issued by the said Commission the licensee shall be convicted in a court of competent jurisdiction in this or any other State of forgery embezzlement obtaining money under false pretenses extortion criminal conspiracy to defraud or other like offense or offenses and a duly certified or exemplified copy of the record in such proceeding shall be filed with the said Commission the Commission shall revoke forthwith the license by it theretofore issued to the licensee so convicted

(c) In the event that any licensee shall be indicted in this or any other State for forgery embezzlement obtaining money under false pretenses extortion criminal conspiracy to defraud or other like offense or offenses and a certified copy of the indictment be filed with the Commission or other proper evidence thereof be to it given the Commission shall have authority in its discretion to suspend the license issued to such licensee pending trial upon such indictment

(d) In the event of the revocation or suspension of the license issued to any member of a co-partnership or to any officer of an association or corporation the license issued to such co-partnership association or corporation shall be revoked by the Commissioner unless within a time fixed by the Commission where a co-partnership the connection therewith of the member whose license has been revoked shall be severed and his interest in the co-partnership and his share in its activities brought to an end or where an association or corporation the offending officer shall be discharged and shall have no further participation in its activities

(e) Pending any investigation or proceeding before the Commission affecting any licensee and as well pending final decision upon any appeal taken by a licensee from the ruling of the Commission no new license shall be issued to such licensee or to a co-partnership of which he is a member or employee or to an association or corporation of which he shall be an officer or employee except for the period of such investigation or proceeding and subject to the action of the Commission thereon or therein

(f) After the revocation of any license no new license shall be issued to the same licensee within a period of one year from and after the date of such revocation nor at any time thereafter except in the sole discretion of the Commission

(g) No license shall be issued by the Commission to any person known by it to have been within five (5) years theretofore convicted of forgery embezzlement obtaining money under false pretenses extortion criminal conspiracy to defraud or other like offense or offenses or to any co-partnership of which such person is a member or to any association or corporation of which said person is an officer or employe or in which as a stockholder such person has or exercises a controlling interest either directly or indirectly

Section 17 Any person co-partnership association or corporation who shall after the first day of January nineteen hundred and twenty-four engaged in or carry on the business or act in the capacity of a real estate broker or a real estate salesman within this Commonwealth without a license or shall carry on or continue business after the suspension or revocation of any such license to him or it issued or shall employ any person as a real estate salesman to whom a license as real estate salesman has not been issued or whose license as such shall have been revoked or suspended shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced for the first offense to pay a fine or not less than fifty dollars ($50) nor more than one hundred dollars ($100) and for a second and any subsequent offense shall be sentenced to pay a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000.00) or undergo imprisonment for a period of not more than one (1) year or both in the discretion of the court

The eighteenth section was read as follows:

Section 18. (a) The Real Estate License Commission and each of its duly authorized assistants and deputies and as well any special deputy appointed by it to hold a hearing in any particular case shall have power to administer oath and to issue subpoena for the attendance of witnesses and the production of books and papers In any hearing in any part of the Commonwealth the process issued by the Commission shall extend to all parts of the Commonwealth and such process shall be served either in like manner as are served writs of subpoena in the Court of Common Pleas or by any person designated by the Commission for such purpose The person serving such process shall receive such compensation as may be allowed by the Commission not to exceed the fee prescribed by law for similar services in the courts of common pleas and such fees shall be paid in the same manner as provided herein for the fees of witnesses subpoenaed at the instance of the Commission All witnesses who shall be subpoenaed and who shall appear in any proceeding before the Commission shall receive the same fees and mileage as allowed by law to witnesses in the Common pleas which amount shall be paid by the party at whose instance the subpoena has issued or upon whose behalf the witness has been called When any witness who has not been subpoenaed at the instance of any party to the proceeding shall be subpoenaed at the instance of the Commission or its assistant or deputy general or special the fees and mileage of such witness shall be paid from the funds appropriated to the use of the said Commission in the same manner as other expenses of said Commission are paid

(b) Where in any proceeding before the Commission any witness shall fail or refuse to attend upon subpoena issued by the Commission or any of its assistants or deputies general or special or appearing shall refuse to testify or shall refuse to produce any books and papers the production of which is called for by the subpoena the attendance of such witness and the giving of his testimony and the production of the books and papers required shall be enforced by any court of common pleas of this Commonwealth in like manner as are enforced the attendance and testimony of witnesses before commissioners appointed by any court of the United States or of any other State to examine or take the testimony of witnesses within this Commonwealth

(c) The court of common pleas of any county shall upon the application of the Commisison issue commissions or letters rogatory to other States for the taking of evidence there for use in any proceeding before the Commission The Commission shall make such application at the instance of any party to the proceeding before it unless in the opinion of the Commission such application is made for the purpose of delay Any such party shall be entitled as of right to subpoenas from the Commission directed to such witnesses and for the production of such books and papers as the party may desire

On the question,

Will the House agree to the section?

Mr. STERLING. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 18, page 25, line 16 by striking out the word "has" and inserting in lieu thereof the word "was"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The nineteenth, twentieth, twenty-first, twenty-second twenty-third, and twenty-fourth sections and title were separately read and agreed to as follows:

Section 19 No violation of any of the provisions of this act on the part of any real estate salesman or other employee of any licensed real estate broker shall be ground for the revocation of the license of the employer of such salesman or employee unless it shall appear upon the hearing had that such employer had guilty knowledge of such violation A course of dealing shown to have been persistently and consistently followed by such employee shall constitute prima facie evidence of such knowledge upon the part of his employer

Section 20 (a) It shall be unlawful for any licensed real estate broker or real estate salesman to pay any compensation in money or other valuable thing to any person other than a licensed real estate broker or real estate salesman for the rendering of any service or the doing of any of the acts by this act forbidden to be rendered or performed by other than licensees

(b) No real estate salesman shall accept or receive compensation of any kind from any person other than the licensed real estate broker by whom he is employed for any service rendered or work done by such salesman in buying selling exchanging leasing or negotiating a loan upon any real estate or interest therein

(e) The violation of the provisions of this section by any licensee shall be sufficient cause for the suspension or revocation of his license in the discretion of the Real Estate License Commission

Section 21 No action of suit shall be instituted nor recovery therein be had in any court of this Commonwealth by any person co-partnership association or corporation for compensation for any act done or service rendered the doing or rendering of which is prohibited under the provisions of this act to others than licensed real estate brokers unless such person co-partnership association or corporation was duly licensed hereunder as real estate broker at the time of the doing of such act or the rendering of such service

Section 22 This act is intended as a complete and exclusive measure for the licensing and regulation of real estate brokers and their salesmen as hereinbefore defined All laws or parts of laws imposing any license fees or in any way regulating said brokers and salesmen general local or special are hereby specifically repealed

Section 23 The Commission may act by a majority vote of the members thereof and authority is hereby given to the Commission to adopt fix and establish all rules and regulations in its opinion necessary for the conduct of its business the holding of hearings before it and its deputies and otherwise generally for the carrying out of the provisions of this act

Section 24 If any section subsection sentence clause phrase or requirement of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions thereof The Legislature hereby declares that it would have passed this act and each section subsection or sentence clause phrase and requirement thereof irrespective of the fact that any one or more sections subsections sentences clauses phrases or requirements be declared unconstitutional

An Act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business through a bureau in the department of the Secretary of the Commonwealth

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1023, entitled:

An Act providing a system of employment and compensation for the inmates of county jails and prisons.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all persons sentenced to the several county jails and who are physically capable may be employed at labor for not to exceed eight hours each day other than Sundays and public holidays Such employment may be in such character of work and the production of such goods as may now be manufactured and produced in such jails and prisons and may also be for the purpose of the manufacture and production of supplies for said prisons and jails or for the preparation and manufacture of building material for the construction or repair the said prisons and jails or in the manufacture and production of crushed stone brick tile and culvert pipe or other material suitable for draining roads or in the preparation of road building and ballasting material

On the question,

Will the House agree to the section?

Mr. SARIG. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 1, page 1, line 15, by inserting after the word "repair" the word "of".

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second, third, fourth and fifth sections and title were separately read and agreed to as follows:

Section 2 The county commissioners or board of inspectors or other person or persons in charge of any such jail or prison shall determine the amount kind and character of the machinery to be erected in such jail or prison the industries to be carried on therein and shall arrange for the purchase and installation of such machinery at the expense of the county They shall also provide for the sale of articles and material produced The county commissioners shall make available the necessary funds to carry out the provisions of this act

Section 3 The authorities in charge of any such county jair or workhouse shall have authority to fix the wages of each prisoner to be employed and they shall keep an account of all such wages and the amount due each prisoner Three-fourths of the amount credited to each prisoner or the entire amount if the prisoner so wishes shall constitute a fund for the relief of any person or persons dependent upon such prisoner and shall be paid to such persons establishing dependency to the satisfaction of the said authorities at such times as they may prescribe

In case a prisoner has no person dependent upon him his wages shall be deposited for his benefit and shall be paid to him as follows one-third at the time of his discharge one-third three months thereafter and one-third six months thereafter

Section 4 The authorities in charge of any such jail or prison may establish a fund for the purpose of carrying out this act and may provide for the purchase of machinery and materials and payment of wages from such fund All revenues received from the sale of articles produced shall be paid into said fund

Section 5 All acts and parts of acts general local or special inconsistent with this act are hereby repealed

An Act providing a system of employment and compensation for the inmates of county jalis and prisons

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1319, entitled:

An Act to amend section one article four chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" as amended

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one article four chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" which was amended by the act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred four) entitled "An act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled 'An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs' and repealing certain acts relating to boroughs" is hereby further amended to read as follows

Section 1 The auditors of the borough shall meet on the third Tuesday of January one thousand nine hundred and sixteen and annually thereafter and shall audit adjust and settle the accounts of the tax collectors and all officers of the borough and shall prepare a statement thereof which shall contain an audit of the accounts of the last fiscal year and shall also show a complete statement of the financial condition of the borough giving in detail the actual indebtedness the amount of the funded debt the amount of the floating debt thereof the valuation of taxable property therein the assets of the borough with the character and value thereof and the date of maturity of the respective forms of funded debt thereof At least one hundred and not more than five hundred copies of said statement shall be printed at the expense of the borough and shall be placed in the hands of the borough secretary for general distribution The amount of any balance or shortage or of any expenditure of a kind or made in a manner prohibited or not authorized by statute or which causes a financial loss to the borough shall be a surcharge against any officer against whom such balance or shortage shall appear or who by vote act or neglect has made permitted or approved such expenditure

On the question,

Will the House agree to the section?

Mr. McVICAR. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 1, line 9, by inserting after the word "by" the following: "section thirty-four of."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section one, article four, chapter seven, of the act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs," as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1396, as follows:

An Act to repeal the act adopted over the veto of the Governor by the Senate of Pennsylvania the eighth day of May one thousand eight hundred and sixty-one and by the House of Representatives of Pennsylvania the fifteenth day of May one thousand eight hundred and sixty-one (Pamphlet Laws seven hundred and fifteen) entitled "An act to grade curb and pave Main or Market street in the town of Annville Lebanon county"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act adopted over the veto of the Governor by the Senate of Pennsylvania the eighth day of May one thousand eight hundred and sixty-one and by the House of Representatives of Pennsylvania the fifteenth day of May one thousand eight hundred and sixty-one (Pamphlet Laws seven hundred and fifteen) entitled "An act to grade curb and pave Main or Market street in the town of Annville Lebanon county" is hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1168, as follows:

An Act authorizing the annexation to cities of portions of townships not exceeding one hundred acres in area and totally surrounded by said cities and providing for the division of the assets and liabilities of said townships

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter any city that entirely surrounds a portion of a township the area of which is not greater than one hundred acres may annex said portion of said township to said city by ordinance

Section 2 The assets and liabilities of said township shall be divided between it and the annexing city in the proportion that the assessed valuation of the territory annexed bears to the total last preceding assessed valuation of the entire township

Section 3 The Courts of Quarter Sessions of the respective counties are hereby authorized upon petition of either the annexing city or the township to ascertain and determine the said assets liabilities and division of them between the annexing city and the township In ascertaining the indebtedness neither pending actions nor claims agaist such townships founded upon tort shall be included unless the same shall in the meantime have been prosecuted to final judgment

Section 4 All acts or portions of acts conflicting with the provisions of this act be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 963, entitled:

An Act to amend sections thirty-two and thirty-eight of an act entitled "An Act relating to the sale of goods" approved the nineteenth day of May Anno Domini one thousand nine hundred and fifteen

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section thirty-two of an act entitled "An Act relating to the sale of goods" approved the nineteenth day of May Anno Domini one thousand nine hundred and fifteen which reads as follows

"Section 32 A negotiable document of title may be negotiated

(a) By the owner thereof or

(b) By any person to whom the possession or custody of the document has been entrusted by the owner if by the terms of the document the bailee issuing the document undertakes to deliver the goods to the order of the person to whom the possession or custody of the document has been entrusted or if at the time of such entrusting the document is in such form that it may be negotiated by delivery" be and the same is hereby amended to read as follows

Section 32 A negotiable document of title may be negotiated by any person in possession of the same however such possession may have been acquired if by the terms of the document the bailee issuing it undertakes to deliver the goods to the order of such person or if at the time of negotiation the document is in such form that it may be negotiated by delivery

On the question,

Will the House agree to the section?

Mr. EDMONDS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerks as follows:

Amend sec. 1, page 1, line 6, by inserting after the word "fifteen" the following:—"(Pamphlet Laws five hundred and forty-three)."

Amend sec. 1, page 1, lines 6 and 7, by striking out the words "which reads as follows" and inserting in lieu thereof the following:—"is hereby amended to read as follows."

Amend sec. 1, page 1, line 9, by inserting after the word "negotiated" the following:—"by any person in possession of the same however such possession may have been acquired."

Amend sec. 1, page 1, lines 10, 11 and 12 by placing in ( ) the entire lines 10, 11 and 12.

Amend sec. 1, page 1, lines 13 and 14 by placing in ( ) the words "the document" and inserting in lieu thereof "it."

Amend sec. 1, page 2, line 1 by placing in ( ) the word "the" which precedes the word "person" and inserting in lieu thereof "such".

Amend sec. 1, page 2, line 1 by placing in ( ) the following:—"to whom the possession or custody of the document has been entrusted"

Amend sec. 1, page 2, line 2 and 3 placing in ( ) the words "such entrusting" and inserting in lieu thereof "negotiation".

Amend sec. 1, page 2, line 4 by striking out beginning with the words "be and the same" and ending in line 12 with the word "delivery".

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 That section thirty-eight of the same act which reads as follows

"Section 38 The validity of the negotiation of a negotiable document of title is not impaired by the fact that the negotiation was a breach of duty on the part of the person making the negotiation or by the fact that the owner of the document was induced by fraud mistake or duress to entrust the possession or custody thereof to such person if the person to whom the document was negotiated or person to whom the document was subsequently negotiated paid value therefor without notice of the breach of duty or fraud mistake or duress" be and the same is hereby amended to read as follows

Section 38 The validity of the negotiation of a negotiable document of title is not impaired by the fact that the negotiation was a breach of duty on the part of the person making the negotiation or by the fact that the owner of the document was deprived of the possession of the same by loss theft fraud accident mistake duress or conversion if the person to whom the document was negotiated or a person to whom the document was subsequently negotiated paid value therefor in good faith without notice of the breach of duty or loss theft fraud accident mistake duress or conversion

On the question,

Will the House agree to the section?

Mr. EDMONDS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 2, page 2, line 14 by striking out beginning with the words "which reads" and ending in line 25 with the word "same".

Amend sec. 2, page 3, line 3 by inserting after the word "was" the following: "induced by fraud mistake or duress to entrust the possession or custody thereof to such person"

Amend sec. 2, page 3, line 4 by inserting after the word "mistake" the following: "or".

Amend sec. 2, page 3, line 9 by inserting after the word "mistake" the following: "or".

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read and agreed to as follows:

Section 3 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

The title was read as follows:

An Act to amend sections thirty-two and thirty-eight of an act entitled "An Act relating to the sale of goods" approved the nineteenth day of May Anno Domini one thousand nine hundred and fifteen

On the question,

Will the House agree to the title?

Mr. EDMONDS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 4, by inserting after the word "fifteen" the following: "(Pamphlet Laws five hundred and forty-three)."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 480 (Senate Bill No. 47), entitled:

An Act to amend section eleven of the act approved June 13, 1840 (P. L. 683), entitled "A Supplement to an act entitled 'An Act, relating to the elections of this Commonwealth,' passed the second day of July, A. D. 1839, and for other purposes;" allowing constables mileage for advertising elections, and compensation for advertising elections where there is more than one polling place in a district. Said mileage and compensation to be paid by counties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1101 (Senate Bill No. 198), entitled:

An Act to amend section seventy-four of an act approved the second day of July one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen) entitled "An act relating to the Elections of this Commonwealth" as amended

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 810 (Senate Bill No. 233), entitled:

An Act to further amend section one of an act approved March 5, A. D. 1906, (P. L. 63), entitled "An Act to provide for the personal registration of electors in cities of the third class of the Commonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for violation of its provisions."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1408 (Senate Bill No. 511), entitled:

An Act making it a misdemeanor to forge or to make or manufacture any object with intent of representing or of permitting the same to be represented as an archeological specimen; or to sell or exchange or to possess for the purpose of selling or exchanging as such any object so unlawfully forged, made or manufactured; and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1406 (Senate Bill No. 489), entitled:

An Act to amend section two of the Act of April nineteen one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1372 (Senate Bill No. 366), entitled:

An Act to permit the service of writs of scire facias in certain cases in any county of the Commonwealth and providing by whom such service shall be made

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1403 (Senate Bill No. 203), entitled:

A Joint Resolution proposing an amendment to Article Three Section six of the Constitution of the Commonwealth of Pennsylvania so that the subject of an amendment or supplement to a law and the subject to which such law is extended or on which it is conferred shall be clearly expressed in its title

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1410 (Senate Bill No. 601), entitled:

An Act authorizng boards of revision of taxes and boards for the assessment and revision of taxes to hear and dispose of appeals away from the county seat

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1415 (Senate Bill No. 589), entitled:

An Act authorizing sheriff's in counties of the fourth class to appoint a solicitor prescribing the duties of said solicitor and fixing his salary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1141 (Senate Bill No. 217), entitled:

An Act to amend section one of an act approved the thirteenth day of April one thousand eight hundred and eighty-seven (Pamphlet Laws twenty-one) entitled "An Act for the establishment of a uniform standard of time throughout the Commonwealth" prohibiting the adoption of other standards of time

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 863 (Senate Bill No. 84), entitled:

An Act relating to the acquisition of land for park purposes by any city in this Commonwealth in sections not entirely built up limiting time for condemnation by councils or condemnation or purchase by park commissioners after same has been placed on city plan for park purposes by ordinance of councils or action of park commissioners and providing for removal from city plan upon failure to condemn or purchase within time specified herein

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184.

Albert,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Greeby,
Griffith,
Grimes,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Stevens, A. J.,
Stevens, A. F.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1380 (Senate Bill No. 422), entitled:

An Act fixing the compensation of jury commissioners in counties of the seventh class

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182.

Albert,
Alexander,
Gelder,
Gibbon,
Ludlow,
Lynch,
Schleiter,
Schoener,

Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Behney,
Bentley,
Blair,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, J.,
Fields,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Mack,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 787, entitled:

An Act making a deficiency appropriation to the Cottage State Hospital of Philipsburg Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Albert,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Blair,
Boback,
Brenneman,
Brewster,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Gelder,
Gibbon,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haines,
Hall,
Ludlow,
Lynch,
Malie,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McClure,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Millar,
Miller,
Schleiter,
Schoener,
Schwartz,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Hoover,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kunkle,
Labar,
Lauver,
Little,
Long,
Lucas,
Minehart,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond.
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse.
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McBRIDE,

The House resumed the consideration on third reading of House Bill No. 868, entitled:

An Act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating taxes received for monument and memorial purposes and prescribing penalties

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JOSEPH C. MARCUS. Concerning the bill which we are now to vote on, there appeared on each and every desk in this House a circular in which it sort of ridicules this bill. In view of the fact that the sponsor of this bill has contracted a heavy cold, making it impossible for him to carry his voice, I desire to enlighten the members of this House in my modest way as to the contents of this bill. It appears that pugilism has suffered as all other professions, and this bill elevates the profession, placing many safeguards around it, and not only does it maintain itself but it places the youth of the country under such favorable conditions that they may develop into fine specimens of manhood and womanhood. It restricts young men, under the age of 16, from participating in or becoming spectators of or amateur fights, and increases the age up to 18 years. It not only surrounds every particular fight with the necessary safeguards as to seeing that the participants are in excellent physical condition, and it not only provides that the place in which the fight is to be conducted must receive the necessary proper ventilation, but provides proper buildings, and that no license can be granted until the principals giving this exhibition have had at least three months of some standing. But it provides for salaries, and then further stipulates a further percentage of the gross receipts to go to the State Treasury; the monies to be used for monuments dedicated to heroes who served in the World War. I believe legislation of this kind is progressive, wholesome, and productive of the best things for all of us. I hope that those of you who have been apprehensive as to the real merits of this bill, will analyze it more thoroughly and give it your full consideration.

Mr. LORENZO D. THOMAS. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Marcus.

The SPEAKER. Will the gentleman from Allegheny, Mr. Marcus permit himself to be interrogated?

Mr. MARCUS. Yes, Sir.

Mr. THOMAS. Will you please explain to the members of this House why the opposition to this bill comes so strongly from the sports writers of the state?

Mr. MARCUS. I have yet to see any opposition from the sports writers of this state, but I have seen many letters and recommendations asking for the passage of this bill.

Mr. LORENZO THOMAS. I desire to state that everyone of the daily newspapers and the Sunday newspapers in Luzerne and Lackawanna counties have sent to the members from those particular counties today, personal telegrams telling us not to support this bill, I would like to have that word of mine verified, on account of the destruction of the telegram, by any members from that part of the state.

Mr. SCHWARTZ. Mr. Speaker, I have been requested by sport writers of the various newspapers of Luzerne county to cast my vote against this bill. They are opposed to it because they think it will be a very expensive proposition for the state; they think that the income will be very much less than the expenditures for the commission which will be appointed, with all the various clerks, stationery, and other expenses in connection therewith. They think that it will establish in the State a fight trust, so to speak, which will preclude the possibility of boxing exhibitions such as are given now by the American Legion in the various municipalities of the state. Therefore, they think the bill should not be passed and they have asked me, as they asked my colleague, Mr. Thomas—requested all of us, I understand—to vote against the bill.

Mr. DAVID FOWLER. Mr. Speaker, A question has been asked in regard to the sports writers of Luzerne and Lackawanna counties, and I wish to say that I have not seen any statements in any of the papers in Lackawanna county in regard to this bill. Personally, I am for the bill for a good many reasons. Naturally sport writers may take exception to the bill due to the fact that in many cities the decisions are now placed in the hands of newspaper sport editors. I feel that it is often true that when a boy comes from some other city to fight with home talent, and it is only natural, the home papers give more credit to the boy at home. I know that happens in Philadelphia because we have never been able to win a fight there. I feel that this is only just that it should be placed in the hands of a referee. It is a success in many of the other states, and while I do not know much about the boxing game, I can honestly state that I have seen no Scranton papers that have come out against this bill.

Mr. LORENZO D. THOMAS. Mr. Speaker and members of the House, I was just hoping that we would get the real solution of the question by the sponsor of the bill, or by friends of the measure. Now we know there is indeed a great deal of merit in a thing such as this under state regulation, and we know, those of us who have had experience with boxing in the past under regulation, that boxing should come under restrictive influence, and we know that it will be better if it is put in the shape that this bill is put in. Consequently, I, myself, am in favor of the bill as it is, but I wanted the House to have an explanation as to why the sporting editors are against it.

Mr. EDMONDS. Mr. Speaker and members of the House there was a time when probably I should have voted against a bill of this kind because I confess my ignorance on the subject of boxing was exceedingly great. But during the World War I had the oppoprtunity to observe the effect of boxing upon the morale and lives of the young men with the American Expeditionary Forces, and I want to say that it seems to me boxing is not only a legitimate exercise, but it is one of those exercises that can best be conducted under some sort of supervision, and since this bill provides a sensible supervision for boxing, thereby giving the advantage of the sport to the young men of the state, I think this bill should be supported. Personally, I shall vote "aye".

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—114.

Alexander,
Allman,
Arthur,
Asbury,
Baker,
Beaver,
Behney,
Berger,
Betts,
Bidelspacher,
Bluett,
Brownmiller,
Burns,
Chaplin,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, J.,
Fields,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Glasgow,
Goehring,
Golder,
Goss,
Greeby,
Grimes,
Guerin,
Haas,
Hall,
Harter,
Haws,
Heffernan,
Hetrick,
Heyburn,
Hoover,
Howell,
Huber,
Keene,
Kelly,
Kohler,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McBride,
McCaig,
McClure,
McDaniel,
McDermott,
McGowan,
McVicar,
Metcalf,
Millar,
Moffatt,
Moore,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Parkinson,
Patterson,
Perry,
Pitts,
Posey,
Price,
Rinn,
Rippman,
Sample,
Sautter,
Schaeffer,
Shambach,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stoner,
Storer,
Thomas, M. G.,
Van Alen,
Weamer,
Wheeler,
Whitehouse,
Whiteman,
Williams, J. M.
Goodnough,
Speaker.

NAYS—69.

Albert,
Anderson,
Armstrong,
Aston,
Bell, F. A.,
Bentley,
Blair,
Brenneman,
Brewster,
Brown,
Bush,
Clutton,
Coldsmith,
Colville,
Evans, B. P.,
Flinchbaugh,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Gorham,
Griffith,
Gundy,
Haslett,
Henderson,
Himes,
Holcombe,
Hollis,
Hontz,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kennedy,
Kunkle,
Labar,
Lauver,
Mack,
Mangan,
Marshall, J. G.,
McCurdy,
Miller,
Minehart,
Morrison,
Orr,
Peelor,
Post,
Raymond,
Richards,
Rhodes,
Schleiter,
Schoener,
Schwartz,
Sheridan,
Smith, G. A.,
Soffel,
Stavitski,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Wells,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1258, as follows:

An Act to amend section one hundred and six of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one hundred and six of an act approved the eighteenth day of May one thousand nine hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which was amended by an act approved the seventeenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand twenty-three) entitled "An Act to amend sections one hundred six and one hundred seven of an act approved the eighteenth day of May one thousand nine hundred eleven entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' as amended" is hereby further amended to read as follows

Section 106 The last United States census as set forth in the official report thereof shall be the basis on which the population of the several school districts shall be computed No change shall be made from one class of school districts to another except after the taking of a United States census showing the population of any school district to be such as to entitle it to be changed from one class of school districts to another or except where the population of the two districts combined subsequent to the taking of the census and ascertained by such census is such as to entitle the new or combined district to be in a class different from the class of either of the districts so combined or except also in any case where since the last preceding census of the United States any territory has been annexed to any city borough town or township whereby the population of such city borough town or township has been increased and the population of such annexed territory cannot be ascertained from the last preceding census of the United States in which case it shall be lawful for the directors of the school districts affected by such annexation to apply to the court of common pleas for the appointment of a commissioner to make an enumeration of the population of such annexed territory The court shall certify the population of the annexed territory so ascertained together with the population of the city borough town or township as shown by the last preceding census of the United States to the Superintendent of Public Instruction The cost of the proceeding including reasonable compensation for the commissioner to be fixed by the court shall be paid by the school district Provided however That when a district which at a decennial census had sufficient population to entitle it to an advance to another class of districts has since suffered a large decrease in population a census of the district may be authorized by the board of school directors of the district and if it shall appear that said district has not the required population to remain in the class in which the same then is the Superintendent of Public Instruction upon the receipt of the facts disclosed by said census may issue his proclamation declaring such district to be of the class to which it properly belongs as disclosed by the census of the school board

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker.
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hoover,
Horne,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kunkle,
Labar,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCaig,
McClure,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Guerin.

The House resumed the consideration on third reading of House Bill No. 61, entitled:

An Act to amend sections one and two of the act approved the eighth day of June, one thousand eight hundred and ninety-three, (P. L. 344), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will, and enabling them to sue and to testify against each other in certain cases;" authorizing a married women to mortgage her real property without the joinder of her husband.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker and members of the House, I am simply calling your attention to the bill which has been called up at this time. This bill on numerous occasions has been before the House, and a number of members have talked against it, and on each occasion it has been put on the postponed calendar. This bill provides that either the husband or the wife may sign a mortgage without the consent of either her or him. Now, we passed a bill in this House sometime ago which was a proper bill. It provided that neither the husband nor the wife should sign a mortgage without the other joining in that mortgage. That for their proper protection was right, but to sign a mortgage without the husband's consent, and especially at this time when, as we know, and especially the members of the bar, and the lawyers of this House know, that there are hundreds of instances at the present time where the husband for the purpose of protecting their property for their families against their creditors, and I mean that where people are engaged in a hazardous undertaking where someone is liable to sue them for damages, and perhaps recover damages against them and yet they might not be guilty of neglect is not right. I say in many instances at this time the wives are holding the title to the properties under those conditions, and for those wives at the present time without the consent of the husband to sign a mortgage is entirely wrong. I know a great many people will say that husbands for the purpose of defeating their creditors have no right to do it, but they have a right to do it. A man has the right to transfer his property to his wife for the protection of his family, and every man who enters into an agreement or contract with that man knows that that property is in wife's name, therefore, there is no deceit, nobody is deceived nobody is fooled. He knows when he enters into the contract that property is in his wife's name, and is her property to all intents and purposes. Therefore, nobody is deceived, and that argument in favor of this bill does not stand ground, as I say at this time with the conditions as they are. The wife should not be permitted to enter into a mortgage without her husband's joining.

Mr. GUERIN. Mr. Speaker and members of the House, I desire to explain to you why this bill has been postponed for five weeks. Another bill was referred to of a somewhat similar character that passed the House, and it was considered by the Judiciary General Committee of the Senate, and I have been informed that a vote was passed not to report it out. I wanted five weeks to give the committee an opportunity, if they desired, to report that bill out and act upon it in the Senate. In response to the argument made by the former speaker, I want to appeal to you, ladies and gentlemen of the House if you think that is a valid argument, if it is moral, or even a legal thing for a man to do, to transfer his property in order that he cannot be held responsible for some act of his, or his employes; whether you consider that a good reason why you should not vote for this bill. Personally, I don't. I want to say this that if a man is engaged in a hazardous business, with the opportunities he has today of insurance with a very small amount of money, he can insure against that, and in that way save the property that might otherwise be taken on judgment. An argument was also advanced that if the property of a husband was in the wife's name that a wife could mortgage it without the consent of the husband and thus waste his money. I want to say to you that a wife is in that same position today; that if she gives a judgment note to anybody, a creditor or anybody else, or if she contracts a bill or a debt at the present time, that debt can be collected upon a judgment note. I want to show you also another inconsistency, and we will presume that a member of this House has a daughter, and in one instance he would leave her say $10,000, and in one instance that $10,000 was in real estate and she afterwards married a man who was worthless, and she found it necessary to raise some money, under the present act she could not mortgage her property, but on the other hand if the same amount of money was given to her in personal estate, such as mortgages, or money, she could use that money. Now, don't you think it is an inconsistency if you allow her in one instance, if the estate happens to be personal, that a woman can use it, and if it happens to be real estate she cannot use it. That certainly is an inconsistency, ladies and gentlemen, and for that reason, and for reasons that I cited on my former appearance on the floor of this House, I would ask your support of the bill.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—62.

Albert,
Allman,
Asbury,
Aston,
Bell, F. A.,
Bell, W. T.,
Berger,
Burns,
Coldsmith,
Conner,
Craig,
Dietz,
Dilsheimer,
Drinkhouse,
Dunn,
Earley,
Evans, J.,
Fields.
Gibbon,
Glasgow,
Goehring,
Golder,
Greeby,
Grimes,
Guerin,
Hall,
Haws,
Keene,
Kennedy,
Kunkle,
Long,
Lucas,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
McBride,
McGowan,
McVicar,
Minehart,
Moore,
Morrison,
Nolte,
Peelor,
Perry,
Post,
Price,
Raymond,
Richards,
Sautter,
Schaeffer.
Schleiter,
Smith, H.,
Smith, J. W.,
Sowers,
Stavitski,
Steedle,
Stoner,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Wheeler,

NAYS—113.

Alexander,
Anderson.
Armstrong,
Baker,
Behney,
Bentley,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback;
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Bush,
Chaplin,
Clutton,
Colville,
de Young,
Diehm,
Donahue,
Driggs,
Eaches,
Edmonds,
Evans, B. P.,
Flinchbaugh,
Fowler, A. I.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gilchrist,
Gorham,
Goss.
Griffith,
Haas,
Harter,
Haslett,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kohler,
Labar,
Lauver,
Little,
Ludlow,
Lynch,
Mangan,
Marshall, W. F.,
Mathay,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
Metcalf,
Miller,
Moffatt,
Munley,
Myers, G. C.,
Myers, P. M.,
Orr,
Parkinson,
Patterson,
Pitts,
Rhodes,
Rinn,
Rippman,
Sample,
Sarig,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Soffel,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Walker,
Weamer,
Wells.
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1376, (Senate Bill No. 96), entitled:

An Act making a deficiency appropriation to the trustees of the Pennsylvania State Oral School for the deaf at Scranton Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Hall,
Harer,
Harter,
Haws,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Steedle.

The House resumed the consideration on third reading of House Bill No. 1078, entitled:

An Act to amend section twelve of the act approved the third day of June, one thousand nine hundred and eleven, (P. L. 639), entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction; and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act; and have been suspended or revoked and for the reinstatement said bureau; and providing penalties for violation thereof, providing for revocation or suspension of licenses given by and repealing all acts or parts of acts inconsistent thereof licenses in certain cases.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STEEDLE. Mr. Speaker and members of the House, it is possible that a little explanation may be necessary on this bill. This bill is only a remedial agent. During the tenure of office of Attorney General Alter he decided that the medical board of licensure could not reinstate an applicant who had once had his license revoked to practice medicine and surgery in Pennsylvania. I had an experience, as well as one of the members of this House, a member of the bar of Allegheny county, with a young man, whom we were vitally interested in, through some misfortune or other had his license revoked. He was denied the right to practice because of the fact that the attorney general had decreed that they were without authority to reinstate the applicant who was so unfortunate. I decided that there certainly should be some elasticity in the power of the board, they had the right of revocation, they certainly should have the power to reinstate. Therefore, I was moved by the case of this young man in these unfortunate circumstances of having his license revoked, and I understand throughout the State of Pennsylvania to day there are many similar cases. This condition was due to the decision of Attorney General Alter, therefore, I hope every member of this House will vote for this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS—177.

Albert,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harter,
Haslett,
Haws,
Henderson,
Hetrick,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Lucas,
Ludlow,
Lynch,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Richards,
Rinn,
Sample,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Sprowls,
Stark,
Staudenmeier,
Stavitski.
Stevens, A. J.,
Stevens, A. F.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,

Eaches,
Earley,
Edmonds,
Kelly,
Kennedy,
Kohler,
Post,
Price,
Raymond,
Goodnough,
Speaker.

NAYS—2.

Evans, B. P.,
Orr,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 846, as follows:

An Act to amend clauses (e) and (f) of section three hundred and six and clause seven of section three hundred and seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended and providing when the same shall become effective

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause (e) of section three hundred and six of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" which was amended by the act approved the twenty-sixth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred and forty-two) entitled "An act to amend an act approved the second day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder' and providing when the same shall become effective" is hereby further amended to read as follows

(e) From the time the disability begins the employer shall furnish reasonable surgical and medical services medicines and supplies as and when needed unless the employee refuses to allow them to be furnished by the employer Compensation for such medical and surgical services and supplies furnished to the employee shall be paid to the medical doctor or surgeon by the employer regardless of where such services are rendered either at a hospital home or elsewhere Compensation for such medical and surgical services and supplies shall in no case exceed the prevailing charge in any community in which the services are rendered for like medical and surgical services and supplies to other individuals in like circumstances If the employer shall upon application made to him refuse to furnish such services medicines and supplies the employee may procure the same and shall receive from the employer the reasonable cost thereof within the above limitations If the employee refuses to accept the services furnished him by the employer the employee shall be responsible for all medical and surgical services rendered him during the time of such refusal

From the time the disability begins the employer shall furnish reasonable hospital care medicines and supplies when and as needed unless the employee refuses to allow them to be furnished by the employer Compensation for such hospital care medicines and supplies shall in no case exceed the prevailing charge in any community in which the services are rendered and like hospital care medicines and supplies to other individuals in like circumstances Compensation to the hospital shall not include the services of a medical doctor or surgeon but compensation for such services must be paid directly to any medical doctor or surgeon furnishing such medical and surgical services

Resident internes serving in hospitals are denied the right to collect fees for services rendered injured employees under this act

Any medical doctor surgeon hospital or institution treating an injured employee under the Workmen's Compensation Act shall within one week after the beginning of such treatment furnish the employer or his insurance carrier a certificate stating that such medical surgical or hospital service is being rendered

If the employee shall refuse reasonable surgical medical and hospital services medicines and supplies tendered to him by his employer he shall forfeit all right to compensation for any injury or any increase in his incapacity shown to have resulted from such refusal

Any medical doctor or surgeon hospital or institution incorporated or otherwise shall be and have the right of party in interest in any proceedings had or begun under the provisions of this act and shall have the right originally to file a petition for compensation for any such services medicines and supplies furnished under the provisions thereof

Wherever the conditions are such that the employer is unable to furnish medical and surgical services medicines and supplies hospital or institutional care medicines and supplies and the treatment care and supplies be furnished in an emergency wherein the absence of the employer or the condition of the employee make it impossible for such employer to provide such services medicines and supplies or for the employee to procure them for himself said services treatment care medicines and supplies shall be paid for by the employer to the medical doctor or surgeon for such medical treatment and supplies and to the hospital or other institution for such care and supplies at the usual rates in the community for such emergency service

Section 2 That clause (f) of section three hundred and six of said act which was amended by section one of said act of one thousand nine hundred and nineteen (Pamphlet Laws six hundred and forty-two) is hereby further amended to read as follows

(f) Should the employee die as a result of the injury the period during which compensation shall be payable to his dependents under section three hundred and seven of this article shall be reduced by the period during which compensation was paid to him in his lifetime under this section of this article No reduction shall be made for the amount which may have been paid for medical and surgical services and medicines nor for the expenses of the last sickness and burial Compensation for medical and surgical services medicines and supplies also hospital care medicines and supplies shall be paid for as hereinbefore required under the act irrespective of whether the employee dies within the ten day period or not Should the employee die from some other cause than the injury the liability for compensation shall cease

On the question.

Will the House agree to the bill on third reading?

Mr. EARLEY. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title, page 1, line 4 by striking out the word "on" and inserting in lieu thereof "one."

Amend sec. 2, page 6, line 2 by striking out the word "mployee" and inserting in lieu thereof "employee."

Amend sec. 2, page 6, line 4 by striking out the word "libility" and inserting in lieu thereof "liability."

Amend sec. 3, page 6, line 6, by striking out the words "Section 3."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objections? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

BILL RECOMMITTED.

Mr. EARLEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Insurance for the purpose of a hearing.

Mr. HALL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 985, as follows:

An Act providing that mortgages shall cease to be a lien upon the real estate described in the mortgage from and after the expiration of fifty years from the date the principal becomes due unless such mortgages are re-recorded or a declaration recorded that the principal or some part thereof remains unpaid and Providing further That every mortgage the principal of which is overdue more than fifty years at the time of the approval of this act shall not lose its lien under the provisions of this act if within five years after the approval of this act such mortgage shall be re-recorded or a declaration recorded that the principal or some part thereof remains unpaid

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every mortgage heretofore given or hereafter to be given and which is or hereafter shall become a lien on real estate in this Commonwealth shall cease to be a lien on the real estate covered by the said mortgage at the expiration of fifty years from the time when the principal of such mortgage becomes due unless before the expiration of the said period of fifty years from the time the principal of the said mortgage becomes due the holder and owner of the said mortgage shall either (a) re-record the said mortgage or (b) shall record a declaration setting forth the name of the holder or owner of such mortgage and such a description of the said mortgage and the real estate against which the same is a lien as is sufficient for purposes of identification and a statement that the principal secured thereby is unpaid or if not all of the principal is unpaid then a statement of how much of the principal is unpaid Such declaration shall be signed by the owner of the mortgage and duly acknowledged before some person authorized to take acknowledgments of deeds for lands and shall be recorded in the office of the Recorder of Deeds where the real estate on which the said mortgage is a lien is situated Such mortgages and declarations shall be recorded in books in which mortgages are recorded and shall be indexed in the mortgagor index in the name of the original mortgagor in the same manner as mortgages are indexed and shall also be noted on the margin of the record of such mortgage

Section II Every mortgage the principal of which has become due and payable more than fifty years prior to the approval of this act shall (unless sooner satisfied released or discharged) remain a lien for further period of five years following the approval of this act and shall cease to be a lien at the expiration of such further period of five years from and after the date of this act unless before the said period of five years the holder or owner of such mortgage shall either (a) re-record such mortgage or shall (b) record a declaration that the principal or some part thereof is unpaid in the manner provided in the first section of this act Such mortgages and declarations shall also be indexed in the mortgagor index as provided in the first section of this act

Section III All Recorders of Deeds of the several counties of this Commonwealth are hereby authorized and required to receive or record and to re-record every mortgage tendered for re-recording as hereinabove provided and also every declaration as hereinabove provided and the Recorder of Deeds shall record every such re-recorded mortgage and recorded declaration in the books in which mortgages are recorded and the Recorder of Deeds shall also cause the same to be noted upon the margin of the mortgage affected thereby and also to be indexed in the name of the original mortgagor on the mortgagor index in like manner as mortgages are indexed

Section IV Upon the re-recording of any mortgage or the filing of a declaration as provided in this act such mortgage so re-recorded or concerning which such declaration is filed shall continue a lien for and during the further period of fifty years from the date of such re-recording or recording unless sooner satisfied released or discharged

Section V All acts and parts of acts inconsistent herewith are hereby repealed Provided That nothing contained in this act shall be construed to repeal or vary the legal presumption of payment of a mortgage after a period of twenty-one years nor be construed to repeal any law providing a procedure to obtain satisfaction of a mortgage where the legal presumption of payment of a mortgage exists

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. BLUETT. Mr. Speaker, I move that House Bill No. 985, file folio 4969, be recommitted to the Committee on Judiciary General for the purpose of amendment.

Mr. DILSHEIMER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 282, entitled:

An Act to amend section one of an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and twenty-three) entitled "An act providing for the nomination and election of judges of courts of record and repealing certain acts"

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GOLDER. Mr. Speaker I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Monroe, Mr. Rhodes, permit himself to be interrogated?

Mr. RHODES. Yes sir, Mr. Speaker.

Mr. GOLDER. Mr. Speaker, will the sponsor of the bill kindly explain its purpose?

Mr. RHODES. The purpose of the bill is to permit when two or more persons are to be candidates for the superior court bench that you can only vote for one less than the total number to be elected. As a matter of fact it provides for a minority representation on the superior court bench.

Mr. GOLDER. Mr. Rhodes, is there any particular reason why there should be a minority representation upon the superior court as against the reason why there should be such representation on the supreme court; is there any good reason for either?

Mr. RHODES. In my opinion there is good reason why there should be minority representation in all courts.

Mr. GOLDER. Mr. Speaker and members of the House, I desire only to call your attention to the fact that the purpose of this bill is to assure the minority party in Pennsylvania representation upon the superior court. Now, I, of course, find no fault with the minority party, and I certainly find no fault with the lawyers of the minority party and in fact, I have no occasion to find any fault with any of the judges of the minority party, but it has occured to me that there should be no reason why the fact that a man belongs to the minority party should assure him of a place upon the superior court. There is neither virtue nor fault in being a member of either one of the political parties, either the majority or the minority party, so as to commend him to a position upon the superior court, and with that fact in mind I shall vote against this bill.

Mr. RHODES. Mr. Speaker and members of the House, it is my personal opinion that the appellate courts should have upon them the men who will give the courts breadth of thought in the decisions that come before them, on questions that they are to decide. We readily recognize the proposition that if a court is composed of men who have been trained along one line of political thought, or who have one line of economic thought, that they therefore do not comprehend the importance of the problems that come before them for decision. If a court is composed entirely of republicans in my opinion it is to a certain degree narrow. It cannot comprehend the economic and the political and social aspect of the problems that confront them as well as a court can that is composed of men who have been brought up along different line of thought, economical, political and social. It seems to me that the courts in rendering their decisions certainly should have in those decisions something more than merely legal technicality. They represent in their decision the principal thought of the age, whether it be upon morals, politics, or sociology. Therefore, I think that a court is broader, that it can do more justice, if it is composed of men of various political faith, men who have been brought up along different lines, social, political and economical lines. I don't believe any member of the supreme court or the superior court, regardless of their political faith, would tend to deviate from the paths of justice, but I do feel that a more comprehensive court would be in existence, if we put in men of various political faiths, in order to reflect into their decisions the light and the spirit of the age.

Mr. DILSHEIMER. Mr. Speaker and members of the House, we as the laymen, who are in the majority in this House, must voice our idea with reference to this bill. I want to say that the public in general, who are the majority, laymen of this Commonwealth, when they vote upon judges they don't ask whether this man belongs to the minority or to the majority party. I believe that the public knows very well when they vote for candidates who is the best man, whether he belongs to the minority or the majority party. Therefore, I don't see any reason we should make a distinction and give the minority any more rights than we do the majority. Let the public decide the question when it comes to the election of judges. I believe for that reason this bill should be voted down.

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—54.

Albert,
Alexander,
Anderson,
Bentley,
Betts,
Bidelspacher,
Blair,
Boback,
Brenneman,
Coldsmith,
Dietz,
Donahue,
Driggs,
Flinchbaugh,
Gorham,
Gundy,
Haines,
Harter,
Heyburn,
Hontz,
Hoover,
Howell,
Johnson,
Kennedy,
Kunkle,
Labar,
Lauver,
Mack,
Marshall, W. F.,
McDermott,
Minehart,
Moore,
Munley,
Myers, G. C.,
O'Boyle,
Peelor,
Post,
Price,
Rhodes,
Rinn,
Rippman,
Sarig,
Schleiter,
Schoener,
Schwartz,
Sheridan,
Smith, G. A.,
Spangler,
Stavitski,
Stevens, A. J.,
Vickerman,
Weamer,
Williams, G. W.
Wright,

NAYS—116

Allman,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Behney,
Bell, W. T.,
Bluett,
Brewster,
Bromley,
Brown,
Bush,
Clutton,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dilsheimer,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Fields,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gibbon,
Glasgow,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Himes,
Holcombe,
Hollis,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kohler,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Mathay,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
Millar,
Miller,
Moffat,
Morrison,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Perry,
Pitts,
Posey,
Raymond,
Richards,
Sample,
Sautter,
Schaeffer,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. F.,
Stoner,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Walker,
Wells,
Wheeler,
Whitehouse,
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Zook,
Goodnough,
Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1122, as follows:

An Act regulating the selection of jurors for service in the several courts civil and criminal of the county of Allegheny creating a Board of Judges from the Court of Common Pleas of said county for this purpose and prescribing the powers and duties of such Board imposing the entire cost and expense of maintaining and operating such Board upon said county requiring the County Commissioners of said county to provide suitable office quarters equipment and supplies for said Board authorizing the employment of the necessary clerks assistants deputies and other employees abolishing the existing office of jury commissioner in said county and providing that the present jury commissioners shall become clerks of said Board until the expiration of their term of office requiring other County Officers and Boards to furnish information to said Board and prescribing punishments for violation of the provisions hereof

Section 1 CREATION OF "BOARD FOR THE SELECTION OF JURORS" Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the better and more impartial selection of persons to serve as jurors in the several courts civil and criminal of the county of Allegheny there is hereby created a Board to be known as the "Board for the selection of Jurors" Said Board shall consist of three judges of the Court of Common Pleas of said county the President Judge of said Court The President Judge of said Court annually on or before the first day of December of each year shall appoint the other three members of said Board who shall hold office for the calendar year next ensuing their appointment All vacancies arising in said Board shall be filled by the President Judge of said Court from time to time as occasion may arise Two members of said Board shall constitute a quorum for the transaction of business

Section 2 DUTY OF OTHER COUNTY OFFICERS The County Commissioners of said county shall provide suitable office quarters for said Board at the county seat and shall properly furnish and equip the same and shall provide said Board with all needed supplies All expenses incurred in the maintenance and operation of said Board and all salaries and wages payable to clerks assistants deputies and other employees of said Board shall be payable out of the funds of said county in the County Treasury upon payrolls approved by said Board

Section 3 CLERKS EMPLOYEES AND SALARIES Said Board shall at all times employ a sufficient number of clerks assistants deputies and other employees as shall be necessary in the opinion of said Board to efficiently perform the duties provided herein The President Judge of said Court shall appoint all officers clerks assistants deputies and employees of said Board who shall be under the general charge of a clerk to be known as the "Jury Clerk' who shall be paid a salary of seven thousand five hundred dollars ($7,500.00) per annum

All salaries shall be payable in monthly or semi-monthly instalments All salaries payable to all employees of said Board other than as herein provided shall be fixed by the majority vote of a County Salary Board consisting of the members of the Board hereby created the County Commissioners of said county and the County Controller

Section 4 JURY CLERK The Jury Clerk under the direction of the Board shall have general charge of the work of said Board and shall be responsible for the efficient operation thereof The Jury Clerk is particularly charged with the duty of collecting information relative to the various persons in said county qualified to act as jurors and their fitness therefor and for the preparation of proper indices for the purpose of making readily available to said Board at all times full information pertaining to jurors and the list of jurors

Section 5 LIST OF TAXABLES—DUTIES OF OTHER COUNTY OFFICERS AND EMPLOYEES On or prior to the first day of September one thousand nine hundred and twenty-three the County Commissioners of said county or other officers or Board charged with the duty of making assessments for taxable purposes shall furnish to the Board hereby created a certified list arranged alphabetically of the names of all taxables of said county in the several cities boroughs and townships located therein together with the residence and occupation of each taxable and each year thereafter on or before June first a certified list of names of all taxables who have been added to or removed from said list during the preceding year in each and every district in the said county together with any change of residence or occupation

It shall be the duty of the several local assessors to ascertain by strict inquiry the proper name of each taxable present within his respective district the exact place of residence together with the taxables present occupation and the name of the taxible's employer if any and to state plainly written all such particulars in his assessment list

The duly authorized clerks assistants deputies and employees of said Board shall have the right of access at all times to all public offices in said county for the purpose of examining any lists of taxables on file in such office

Section 6 PREPARATION OF JURY ROLL It shall be the duty of said Board to meet at the seat of justice of said county at least ninety days before the first term of the Court of Common Pleas in each and every year and thereupon to proceed with due diligence to select from the certified list of taxables of said county and not otherwise names of persons who may required for service as jurors in all the Courts of said county for the ensuing calendar year duly qualified to serve as such in the manner hereinafter provided

Except as otherwise herein provided said Board shall in the manner now directed by law place the names of the persons so selected in the proper jury wheel which wheel securely locked and safeguarded from interference shall remain in the custody of the Board and the keys thereof in the custody of the President Judge of said Court

Said Board shall be the sole judge of the requirements and qualifications of any person for jury service Provided however That if before trial any party to the cause shall submit satisfactory proof to the Court that any juror on the panel does not possess the necessary qualifications or is exempt from jury service the Judge shall order his dismissal from the panel and the striking of his name from the jury roll

At the end of each year the Board shall ascertain the names of all persons on the jury roll during the preceeding year who have served and who have been excused and the names of such as have served shall be omitted for the following year and those who have not served and are duly qualified to act as jurors shall again be put on the jury roll for the following year

Section 7 JURY ROLL The names of taxables so selected with their respective address and occupations shall in the presence of the Board be written on separate pieces or slips of paper which shall then and there be placed in a closed wheel to be provided by the County Commissioners and kept in the exclusive custody of the Board securely locked sealed or otherwise guarded from intrusion and a list of all the names appearing on the jury roll with their respective residences and occupations shall be certified to and filed in the office of the Prothonotary of the Court of Common Pleas of said county for preservation and public inspection One other such list shall be made out and kept in the office of said Board

Section 8 QUALIFICATIONS OF JURORS To be a qualified juror a person must be

(a) An American citizen and a taxable resident of said county not less than twenty-one years of age nor more than seventy years of age

(b) One who bears a good reputation for honesty and integrity

(c) One who can read write and understand the English language

(d) One who has no physical disability that will tend to interfere with the duties of the juror

(e) One who has not served a full term of at least ten days within three years next preceding the year for which the jury roll is prepared

The foregoing prerequisities are mandatory and in order to obtain the foregoing information the Board shall cause a reliable investigation to be made to ascertain such facts as well as the other facts relating to the qualifications of such taxable as a juror

No persons other than those whose names appear on the certified list of taxables hereinbefore mentioned shall be placed upon the jury roll

The Board shall have the power to obtain in whatever manner it deems most suitable the information required in the performance of its duties hereunder and for this purpose the jury clerk in person or by deputy may visit as often as necessary every house office shop building or other place within the county

The jury roll shall be of convenient form arranged alphabetically and classified as to cities boroughs and townships The jury roll shall as to each name specify age occupation office address and residence address

Section 9 EXEMPTION FROM JURY SERVICE The following persons are hereby exempted from jury service and their names shall not be placed upon the jury roll

A doctor of medicine an attorney at law a minister of the Gospel or a pharmacist in active practice in his or her profession

Section 10 EXCUSES FROM JURY SERVICE No juror shall be excused from service when drawn from the wheel except

(a) For personal incapacity by reason of illness or injury or such illness in his or her immediate family as in the opinion of the Court shall require his or her attendance at home or

(b) When it shall appear that service at that particular time shall cause an exceptional hardship arising from the affairs or business of the juror or his employer

(c) The mother of a small child or chidren

The name of any juror excused under the provisions of clauses (a) and (b) of this section shall remain upon the jury roll and shall not be returned to the wheel but shall be set apart for service at such later date in the same or the following year as said Board may deem best Any juror whose name is so set aside shall be deemed to have been drawn from the jury wheel at the later date fixed for service by said Board

SECTION 11 DRAWING OF JURORS FROM THE WHEEL As often as directed by a judge of a court of record of said county the Board shall cause to be drawn from the jury wheel the number of names required who shall be summoned to appear before said judge at the time designated in the venire in the manner hereinafter mentioned The Jury Clerk personally or by his deputy or assistant in the presence of one of the members of the said Board shall draw the names from the jury wheel A minute of each drawing shall be kept which shall specify the court for which the juror is drawn the name of each juror drawn together with his or her address and occupation which shall be signed by the person in charge of the drawing and the judge present

A certified copy of the minute shall be delivered to the Clerk of Court for which the jury is drawn on the return day of the venire together with a return stating the time place and manner of serving each juror Such return shall be presumptive evidence of the fact of such service

The names of jurors drawn shall not be given to any person by the Jury Clerk or any employee of said Board unless authorized in writing so to do by the judge issuing the venire which order shall be preserved among the records of said Board

Any person in the employ of said Board giving any such information shall be guilty of a misdemeanor in office and on conviction shall be sentenced to pay a fine not to exceed one thousand dollars and to undergo an imprisonment not to exceed one year or either or both at the discretion of the Court

Section 12 CUSTODY OF WHEEL The Jury Clerk shall preserve the said wheel secure from all interference by others and if the said Board on any examination the members thereof may make into the condition of the said wheel and its contents shall discover that any names have been surreptitiously withdrawn therefrom or that the contents of said wheel have been in any manner tampered with it shall be evidence of a misdemeanor committed by the Jury Clerk and thereupon unless the Board shall be satisfied he is free from all blame in the matter it shall be the duty of said Board to bind him over to answer at the next Court of Quarter Sessions and upon conviction thereof he shall be subject to a fine not exceeding one thousand dollars and to imprisonment not exceeding one year or either or both at the discretion of the Court

Section 13 NOTIFICATION OF JURORS ON JURY ROLL AND AFFIDAVITS AS TO JURORS Within thirty days after the jury roll is completed the Jury Clerk shall cause notice to be given by mail to each of the persons whose names appear thereon

Thereafter any person shall have the right to file with the clerk of said board an affidavit setting forth any facts relating to the qualifications or disqualifications of any person whose name appears on the jury roll and it shall be the duty of the clerk to investigate and report thereon to said board and if any of such names are drawn from the jury wheel the board shall at that time determine whether or not the person is or is not qualified and in the event of their determining that the person is not qualified under the terms of this act the name of such juror shall be striken from the jury roll and cast out of the wheel and another name drawn in place thereof

Thereafter any person whose name appears on the jury roll may if he or she so desires file an affidavit with the Jury Clerk setting up any ground of exemption or disqualification or any reason for not being called upon to serve at a particular time of the year by reason of the exigencies of his or her business or affairs If the board determines that the person filing such affidavit is disqualified from serving or is entitled to exemption the name of such person shall be striken from the jury roll and such name if thereafter drawn from the wheel shall be cast out If the affidavit filed requests that the person be not called to serve at a particular time of the year by reason of the exigencies of the person's business or affairs or employment the board may in proper cases order that the name of such person if drawn from the wheel shall be set aside for jury service at such other later time in the year as will be more suitable and if the name of such person is drawn from the wheel too late in the year for service at such convenient time as the board may determine to be right in view of the nature of the person's business or affairs the board may releive the juror from service for the current year the name how ever to be set aside for service at such time in the following year as the board may deem best The names of all jurors so set aside for future service shall be deemed to have been drawn from the jury wheel at the later date fixed by the said board

Section 14 SUMMONING JURORS The board shall have the right to summon jurors in either of the following ways

(a) By having the Jury Clerk mail the summons by registered mail with return receipt requested

(b) By service of such summons by clerks or deputies duly appointed for the purpose such summons to be served on such persons in the manner now provided by law for the service of such summons by the sheriff of said county

(c) By causing the summons to be served by the Sheriff of said county in the manner now provided by law

Said summons shall be served upon each juror at least fifteen days before the time fixed for his or her appearance The person making the service pursuant to the provisions hereof shall make return thereof to the proper court under oath stating the time and manner of such service and the same shall be presumptive evidence of the service thereof

If a juror neglects of refuses to appear the judge shall thereupon summarily cause said person to be brought before him and punish each and every offender as contempts of court are now punishable

The names of all persons excused by the court or failing to appear shall be transmitted to the Jury Clerk and the slips with such names shall not be returned to the jury wheel but shall be set apart for service at such later date as the board may direct at which date their names shall be deemed to have been drawn in accordance with the provisions thereof

Section 15 LIMITATION OF RIGHTS TO OBJECT TO JURORS No exceptions objection or challenge to any juror grand juror or any panel of jurors shall be allowed at any time because of any failure to comply with the provisions of this act unless the complaining party shall raise the question before the case has gone to trial or if raised thereafter the facts were not known before trial and that an actual injustice has been done as a result thereof

Section 16 OATHS The Jury Clerk and such assistants and deputies as shall be named by the board shall have the power to administer oaths in any matter or thing connected with the selection and qualification of jurors or other matter to jury service

If any person shall wilfully and corruptly on his oath or affirmation administered by the jury clerk his deputy or assistant make a false statement in respect to any matter or thing inquired of such person shall be guilty of wilful and corrupt perjury and on conviction sentenced in such manner as perjury is by law punishable

SECTION 17 REPORT OF JURORS It shall be the duty of the Clerk of the several Courts of said county to notify said Board of any misconduct of jurors arising in their Court and it shall be the duty of the Jury Clerk to keep permanent record of such information and any investigations made with respect thereto and to make any investigations pertaining thereto as may be required by said Board or any members thereof or by the Court wherein any such misconduct took place It shall be the duty of the Board from time to time as occasion may arise to investigate any and all irregularities arising from the misconduct and to take such action in respect thereto as it may deem necessary

SECTION 18 MANNER OF DRAWING TALESMEN Whenever talesmen are required in any of the said Courts the Jury Clerk shall produce the said wheel in open court and in the presence of the judges thereof draw therefrom five names for every talesman required which names so drawn shall be immediately noted on the minutes of the court whereupon a venire shall be issued requiring the clerks or deputies of said Board or sheriff to bring into court any one of the said five persons so drawn to serve as a tales juror or tales juror shall be selected or served in any other manner and the tickets or slips so drawn from the said wheel shall be returned thereto

SECTION 19 PLACING OF ADDITIONAL NAMES IN WHEEL Whenever said Board shall be of opinion that it will be necessary to place additional names in the wheel the Board shall select from the lists of taxables aforesaid the names of such number of qualified jurors as may in their judgment be necessary to supply all the venires that may be issued during the current year which names when so selected shall be placed in said wheel in the manner herein provided and a list of the names of the persons so selected and placed in the wheel with their residences and occupations shall be certified by the Board as herein required as an addition to the jury roll theretofore prepared

If the Board shall be of the opinion that the purpose of this act will be better carried out by adding further names to the jury roll and to the jury wheel from time to time during the course of the year the Board shall have the right so to do The Board shall always have on the jury roll and in the jury wheel at least five names for every juror required to be summoned during the current year

SECTION 20 ABOLITION OF PRESENT OFFICE OF JURY COMMISSIONERS Forthwith upon the passage of this act the present office of Jury Commissioners in said county shall be and the same is hereby abolished and the present incumbents in said office shall forthwith become clerks of the Board hereby created for and during the balance of the term to which they have been elected at the same salary which they are now receiving and it shall be their duty to perform such services for the Board hereby created as may be required of them by said Board

SECTION 21 OTHER OFFENSES Any person who offers promises or gives money or anything of value to any person for the purpose of securing his or another's selection as a juror or for the purpose of evading for himself or another jury service or who directly or indirectly tampers with a jury roll jury wheel jury ballot or jury list or who directly or indirectly wilfully prevents hinders or subverts the execution of any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding five thousand dollars and undergo an imprisonment not exceeding two years or both or either at the discretion of the court

Any person who solicits demands or receives money or any thing of value or the promise thereof from any person for securing the selection of any person as a juror or for the purpose of excusing any person from jury service or who being a jury clerk deputy or assistant jury clerk or employee of the Board unlawfully tampers with any jury roll jury wheel jury ballot or jury list with the intent of preventing hindering or subverting the execution of any of the provisions of this act or with the intent of unlawfully securing the selection or excusing of any person from jury service shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding five thousand dollars and undergo an imprisonment not exceeding two years or both or either at the discretion of the court Thereupon if he be jury clerk deputy or assistant jury clerk in addition to the penalty imposed he shall be forthwith deprived of his said office and be thereafter incapable of holding any public office created under the laws of this Commonwealth

Section 22 WHEN ACT TAKES EFFECT This act shall take effect forthwith upon its passage and the jury wheel now in the Sheriff's custody with the names of the jurors selected for the present year shall be turned over to said Board and the jurors for the current year shall be drawn therefrom until a new list is drawn by the Board appointed under the provisions hereof

Section 23 LAWS REPEALED All general or local or special acts or parts of acts relating to the custody sealing locking opening of the jury wheel or the qualification selection drawing from the jury wheels of jurors or summoning them other than as herein provided together with all general local or special acts or parts of acts inconsistent herewith are repealed in so far as they relate to the county of Allegheny

On the question,

Will the House agree to the bill on third reading?

It was agreed to,

On the question,

Shall the bill pass finally?

Mr. JOSEPH C. MARCUS. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. Price, permit himself to be interrogated?

Mr. PRICE. Mr. Speaker, yes sir.

Mr. JOSEPH C. MARCUS. I believe from the contents of this bill that its purpose is to abolish the jury commissioners of Allegheny county, is that correct?

Mr. PRICE. That is correct.

Mr. JOSEPH C. MARCUS. And in substitution therefore there is to be a board of three common pleas judges, and the title of jury clerk shall be given to one and he shall receive a salary of $7500 a year?

Mr. PRICE. That is not correct. It provides for a board of four judges of the common pleas court, one of whom shall be the president judge, and the president judge appoints a jury clerk at a salary of $7500.00 a year.

Mr. JOSEPH C. MARCUS. What salary does the jury commissioner receive at the present time?

Mr. PRICE. At the prsent time he receives a salary of $1200.00 a year; there are two jury commissioners, each receiving $1200.00 a year.

Mr. JOSEPH C. MARCUS. The two jury commissioners receive $2400.00 and the jury clerk will receive, under the provisions of this bill, a salary of $7500.00.

Mr. PRICE. That is correct.

Mr. JOSEPH C. MARCUS. How many assistants will the jury clerk be allowed?

Mr. PRICE. That is not definitely set forth, it will be determined by the duties of the office, but I do not think any more than the present jury commissioners are allowed.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I desired, before this bill reached this place on the calendar, to avoid any discussion of the bill by asking the gentleman from Allegheny if he would not recommit this bill to the Judiciary General Committee for the purpose of a public hearing by reason of the fact that I have received a number of letters asking to be heard, but that courtesy was denied. Under the circumstances, Mr. Speaker, I believe there is no necessity for the abolishment of the jury commissioners. I do not know of any serious complaint that has been directed against them from any particular source. The gentleman under interrogation sets forth a very concrete example. The two jury commissioners in Allegheny at the present time receive $2,400.00, yet this jury clerk, under the jurisdiction of a board consisting of four common pleas judges, would receive a salary of $7500.00 a year. It provides for a great many assistants and because the number is not mentioned and the salary is not mentioned, I believe under the circumstances that the present law has been most satisfactory and I would ask you members to vote this bill down.

Mr. PRICE. Mr. Speaker, in reply to the argument of Mr. Marcus, I would like to trace for you a little of the history of this act and the history of the desire for jury reformation in Allegheny county. As I said before, this act creates a board of four judges, one of whom shall be the president judge of the common pleas court, and with him are three other judges whom he appoints to serve as members of the Board for the selection of jurors from year to year. This board of four judges appoints this jury clerk who is the administrative officer in charge of the work of the Board. The purpose of the act is to secure a better and more impartial system for the selection of jurors. It is true that the jury clerk under this act would receive a salary of $7500.00, but when this bill was drawn by the members of the Allegheny County Bar Association, it was drawn with the idea of attracting to this office a man of such standing that the duties of this important office could be carried out, and well carried out. It was in the minds of the men in back of this bill that they needed a man who in a private occupation could earn a salary of $7500.00 a year. They wanted the best man they could get for the position, and the appointment of a man will be in the hands of the president judge of the Common Pleas Court. Now what are the duties of this jury clerk under this act? He is the administsative officer of the board. He is the man in charge of the investigation of jurors to determine their fitness. He has charge of all the records of this office, all reports requiring an investigation, and a number of jurors will come before him for investigation, and he will be in charge of that. It is a very important office, and the Bar Association well knows, and it was with that idea in mind that the provision was incorporated in the bill calling for the type of man that the Bar Association wants. Now then, as to the provisions of the bill regarding the selection of jurors; the bill provides that the assessors and the board of county commissioners shall furnish the board of judges and the jury clerk with a list of the taxables, a certified list of the taxables of the county, and from that list the jurors shall be drawn and from no place else; a great improvement over our present system. The jury roll is made up ninety days before the first term in the common pleas court from this list of taxables by the board of judges and the jury clerk, after they have investigated the fitness of the men whom they desire to place on the roll. A thorough investigation is called for by the Act. There must be on the jury roll, or in the jury wheel, at least five names for every juror required for service in the county during the current year, and at the end of each year those names, or the names of those men who have not served as jurors are automatically carried over until the next year. Certain qualifications are laid down for jurors in this Act.

There is no such thing under the present system. What are these qualifications? First, the juror must be a citizen of the United States and a taxable resident of the county between the age of 21 and 70. He must bear a good reputation for honesty. He must read, write and understand the English language. He must have no physical disability which would interfere with his duties as a juror, and he must be one who within three years preceding his selection has not served on the jury in that county. Under the present system, men are finding that they are put in the jury wheel year after year in Allegheny county and the same men are serving year after year. There are certain exemptions provided for in this Act, such as doctors, lawyers and professional men who cannot serve, and certain excuses are provided for them under the act. If a man by reason of illness or injury cannot serve, if a man by reason of his business or the business interests of his employer cannot serve at a particular time, and lastly the case of a mother of a small child or children. In the first two cases that is in the case of personal disability or injury, or in the case of business reasons, a man may be excused from jury service at a particular time, but he is not excused altogether. His name is postponed for service at a later date in the same year or in the following year. Under the present system, by reason of political pull, the good jurors in Allegheny county never do serve, but in this way men will have to serve on the jury. They may have their time of service postponed, but it cannot be put off altogether. The drawing of names for the jury wheel is provided for, to take place in open court, and the custody of the wheel is provided for under strict regulations in charge of the judges and this jury clerk. It is also provided in the bill that as soon as the names of the jurors are put in the wheel notices must be sent to them by registered mail notifying them that their names are in the wheel and that they may be called for service in that particular year, and if they do not desire to serve at a particular time, then they have the right to come to the jury clerk and to that board of judges in charge of the selection of jurors and give the reasons why they do not desire to serve at that particular time and their time of service can be postponed, but they are not excused altogether. Certain penalties are provided for any infraction of the regulations laid down in this act and for any offense which deals with the offering of or promising to give money to any person in return for having them go in the jury wheel or putting them in the jury wheel or having them serve as jurors, and certain penalties are contained in the act against one who solicits any money for service as a juror. Now, I did oppose any motion this evening, and said I would oppose any motion to have this bill recommitted to the Judiciary General Committee. I want to say that I did so without any feeling of discourtesy to Mr. Marcus, for whom I have the very highest regard. I did it without any feeling that the bill would not be treated fairly in the Judiciary Committee, because I know it would be, but I do it from motives that appeal to me as absolutely sound. In the first place, the bill has been on the calendar now for thirteen days, and at any previous time, before I nursed it up to final passage, I would gladly have given my consent, but when the bill arrived on the third reading calendar, I thought it was too late. Not only that, but I call to your attention the fact that we are geting along late in the session, and if this bill were referred back to Judiciary General Committee, it could not get out on the floor for a period of two or three weeks, and if there is any chance of the Legislature adjourning some time between May 15th and 30th, there would be no chance of getting the bill through the Senate, and I feel absolutely that the bill would be jeopardized if referred back to the Judiciary General Committee. Not only that, but our House calendar is very congested, and I desired to get this matter out of the way on the calendar as promptly as possible. I want to call to your attention the fact that the Senate calendar and the Senate committees are not tied up as we are here. The calendar is not congested and the committees are not burdened as ours are, and I say to Mr. Marcus and to the men he is representing here that if they have any objection to this bill, that I will offer them any assistance and will have the members of the Bar Association and the friends of this bill render any assistance in their power to have a hearing in the Senate. Finally, gentlemen, I do not say that all the politicians in Allegheny County are for this bill, but most of the politicians desire to see a better administration of justice. Every ambulance chaser and every attorney and every jury-fixing attorney in Allegheny County is not for the bill, but I do say that the great majority of the members of the bar who desire a fair administration of justice are for it. I hold in my hand here a letter from George Alter, one of the leaders of our bar, from Thomas Patterson, generally represented as the leader of the Allegheny County Bar, Lee C. Beatty, recognized as an expert on municipal and constitutional law, Richard Martin, city solicitor in the cabinet of Mayor William A. Magee, William Dalzell, president of the Allegheny County Bar Association, and Frank McGirr, president of the State association, William S. Moorehead, one of the few democrats in Allegheny County appointed by the federal commission at Washington on the Tax Simplification Board. All of these men endorse the bill and are ready to stand back of the constitutionality of it if attacked. They indorse the need for it. The Pittsburgh Sun and the Pittsburgh Post, the Democratic newspaper of Pittsburgh, are for the bill heart and soul, and I say to you, all of these men desire its passage. I am for it heart and soul, and I hope you will vote for it.

Mr. STEEDLE. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. Price, permit himself to be interrogated?

Mr. PRICE. I will, Mr. Speaker.

Mr. STEEDLE. I would like to ask the gentleman from Allegheny County whether the practice of picking jurors is any different in Allegheny County than it is in Philadelphia or Juniata or any other county of the State?

Mr. PRICE. I am glad you called that to my attention. The practice in Allegheny County is the general system used for most of the counties of this State with the exception of Philadelphia County. Philadelphia for years has had a system from which this act has been modeled very closely.

They have, as I understand it, a board for the selection of jurors, consisting of judges, and this act is modeled after that system. The rest of the State has the system that Allegheny County has, and while it may work well in the country districts, I want to say to you gentlemen that the experience of our Bar Association is that it does not work well in the city of Pittsburgh with its varied population.

Mr. STEEDLE. Mr. Speaker, It seems unfortunate that poor Allegheny County should be besmirched and should be looked down upon as one of the most corrupt counties in the Commonwealth. Unfortunately, time after time, when a bill is introduced by somebody and he has fear that it may possibly go by the wayside, he takes all the good out of the nut for the other counties, but leaves the empty shell for Allegheny. I have the highest regard for my friend and colleague, Mr. Price. I am a lawyer, but I am directing my remarks in defense of my county. There seems to be a question of dispute as to whether this is really the sentiment voiced by the majority of the Bar Association of Allegheny County. I see no reason why we should throw upon the judges more power and more labor than they are now called upon to do. In the session of 1911, the school code took away from the people the right to elect their own school directors, and they turned that over to the judiciary. Now, here comes along another bill takes away again from the people of the County of Allegheny the right to select by voice or choice their own jury commissioners, and it places that in the hands of the judges. I feel that it will not be very long until every member of the Legislature will be appointed by a court of justice, and I think the time is right now for us to put our feet down and call a halt. I hold no brief for any judge, but I personally have heard them admit that they were not in accord with the present system of having to select the school board, that they were not particularly stuck on that job. Here we are going to shove something more on them and compel them to pick a jury commissioner. I am sure that the two men on the board now are two men of good reputation in the community from which they come, and I see no reason why you should take Allegheny County and single it out. If this is such good legislation, why are you picking out Allegheny County and why do you not include the whole State, with the exception of the State of Philadelphia? I hope, gentlemen, you will vote this bill down.

Mr. STONER. Mr. Speaker, I wish to say to you that I am for this bill. I have been practicing law in Allegheny County for something like twenty-four years, and I believe there is a crying need for a bill of this kind. There is nobody but will admit that Allegheny County is the salt of the earth, but in this matter of jury selection there isn't any doubt but what the salt has lost some of its savour. Neither has anybody said a word against the present jury commissioners. One of them happens to be a client of mine, and a mighty fine fellow he is too. But nevertheless, I do know, and I think most people from Allegheny County know that for a long period of time certain lawyers have been practically filling the jury box by submitting to the jury commissioners lists of men to be called on the jury. The result of that is perfectly apparent; it simply means that when those particular lawyers try cases in court, there will be some of these suggested men on the jury and of course, these men will, in every instance, favor the lawyers who have put them there, because they are put in the jury wheel for such purpose. It needs no argument to suggest that such a thing is absolutely subversive of justice, and it is rather a strange thing that any one knowing that at any time his own affairs or the affairs of his city or county or State may come before a jury, a strange thing that anyone would oppose any step in the direction of improving a system which is confessedly wrong. The present system has proven itself obsolete. The newspapers of Pittsburgh have been writing us for weeks and months on this very question of jury selection, and they have been demanding that the Bar Association suggest or advise some better way of jury selection. This bill is the answer to that demand, and I say to you that this is a meritorious bill which will serve the interests of justice and we ask you to vote for it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—80.

Albert,
Anderson,
Armstrong,
Aston,
Beaver,
Bell, F. A.,
Bentley,
Betts,
Bidelspacher,
Blair,
Brenneman,
Brewster,
Brown,
Bush,
Clutton,
Coldsmith,
de Young,
Dietz,
Driggs,
Edmonds,
Frazier,
Gelder,
Goss,
Grimes,
Gundy,
Haslett,
Henderson,
Himes,
Hollis,
Hontz,
Hoover,
Howell,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kunkle,
Labar,
Lauver,
Ludlow,
Marshall, J. G.,
Marshall, W. F.
McClure,
McVicar,
Minehart,
Moffatt,
Moore,
Morrison
Myers, G. C.,
Peelor,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rippman,
Sample,
Sarig,
Schleiter,
Schoener,
Smith, G. A.,
Stevens, A. J.,
Stoner,
Thomas, L. D.,
Thompson,
Vickerman,
Walker,
Wheeler,
Whitehouse,
Whiteman,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodneugh,
Speaker.

NAYS—89.

Alexander,
Allman,
Arthur,
Baker,
Behney,
Bell, W. T.,
Berger,
Bluett,
Boback,
Bromley,
Burns,
Colville,
Conner,
Coyne,
Craig,
Diehm,
Dilsheimer,
Donahue,
Drinkhouse,
Dunn,
Eaches,
Earley,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, D.,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Gorham,
Greeby,
Guerin,
Hall,
Harer,
Harter,
Haws,
Heffernan,
Hetrick,
Heyburn,
Holcombe,
Keene,
Kohler,
Little,
Long,
Lucas,
Lynch,
Mangan,
Marcus, J.,
Marcus, J. C.,
Mathay,
McBride,
McCaig,
McDaniel,
McDermott,
McGowan,
Metcalf,
Millar,
Miller,
Munley,
Myers, P. M.,
Nolte,
O'Boyle,
Orr,
Parkinson,
Patterson,
Perry,
Pitts,
Rinn,
Sautter,
Schaeffer,
Schwartz,
Shambach,
Sheridan,
Smith, H.,
Smith, J. W.,
Sowers,
Sprowls,
Staudenmeier,
Steedle,
Sterling,
Storb,
Storer.
Thomas, M. G.,
Weaver
Wells,
Williams, J. M.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

MOTION TO PLACE BILL ON CALENDAR.

Mr. MACK. Mr. Speaker, I move that House Bill 835, file folio 4571, entitled

> An Act to further amend clause (d), section three hundred and six of an act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure the determination of liability and compensation thereunder," as amended.

be placed upon the calendar, notwithstanding the negative recommendation of the Insurance Committee.

Mr. GOLDER. Mr. Speaker, I second the motion.

The SPEAKER. The Chair is unable to entertain the motion of the gentleman from Northumberland, Mr. Mack, for the reason that more than five days have elapsed since the bill was reported from the Committee. Under Rule 37 no bill negated by a committee shall be placed upon the calendar of the House unless a motion to place such bill on the calendar be made within five days after such bill is reported from the committee. This bill was reported on the 10th of April, and this is the seventh legislative day, therefore, the Chair is unable to entertain the motion.

QUESTION OF INFORMATION.

Mr. DAVID FOWLER. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. DAVID FOWLER. Mr. Speaker, is it not possible to suspend the rule?

The SPEAKER. The Chair will entertain such a motion.

RULE 37 SUSPENDED.

Mr. DAVID FOWLER. Mr. Speaker, I move that rule 37 be suspended for the specific purpose of entertaining a motion to place House Bill 835 upon the calendar.

Mr. MILLER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The Speaker announced the "ayes" appeared to have it.

Whereupon, a division was called for and seventy-one members having voted in the affirmative and forty-three in the negative, the question was determined in the affirmative, and the motion was agreed to.

BILL PLACED ON THE CALENDAR.

Mr. MACK. Mr. Speaker, I now move you that House Bill No. 835, be placed upon the calendar, notwithstanding the negative recommendation of the committee.

Mr. GOLDER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The Speaker declared the Chair unable to decide the vote,

Whereupon, a division was called for, and 86 members having voted in the affirmative, and 31 in the negative the question was determined in the affirmative and the motion was agreed to.

BILLS SIGNED BY SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 16.

An Act to provide for the welfare of all persons confined (whether such persons be tried or untried prisoners) in any penitentiary or county prison in this Commonwealth

HOUSE BILL No. 87.

An Act making a deficiency appropriation to carry into effect the provisions of an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and ninety-five) entitled "An Act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof"

HOUSE BILL No. 121.

An Act making a deficiency appropriation to the State Hospital of Coaldale

HOUSE BILL No. 183.

An Act providing for the establishing and maintenance of uniform building lines in cities of the third class

HOUSE BILL No. 412.

An Act authorizing any county separately or counties interested jointly to lease for a term of years, from a bridge company or corporation, any toll bridge spanning a river or stream when such bridge is used solely for highway purposes or jointly for highway, railroad, or street railway purposes; discontinuing tolls on any such bridge during such lease; and authorizing counties to appropriate money, levy taxes and incur indebtedness for such purposes.

HOUSE BILL No. 476.

An Act creating regulating and defining the powers of a County Planning Commission and authorizing the creation of a county plan in counties of the second class requiring the county commissioners to furnish to the commission before passage resolutions relating to county improvements to roads lands buildings or means of communications authorizing the commission to report suggestions to the county commissioners concerning improvements and to appear in court with reference thereto authorizing the making to a county map and plan including territory extending three miles beyond the county limits showing proposed improvements in roads lands buildings and means of communication

HOUSE BILL No. 641.

An Act making a deficiency appropriation to the Western Pennsylvania Institution for the Instruction of the Deaf and Dumb

HOUSE BILL No. 720.

An Act to amend section seven hundred three Article VII of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for compensation for forest fire fighting on private lands listed with the Department of Forestry for forest protection

HOUSE BILL No. 721.

An Act to amend section one hundred and two clause (j) Article I of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act "By providing for co-operation with and receipts of contributions from persons firms corporations or associations for forest protection

HOUSE BILL No. 728.

An Act to amend article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" adding thereto a section to be section one thousand nine providing a penalty for interfering with notices posted by the Department

HOUSE BILL No. 729.

An Act to amend sections one thousand one one thousand two one thousand three and one thousand four Article ten of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for imprisonment for default in payment of fines and costs in case of neglect of duty by fire warden refusing to aid a fire warden hindering a forest protection officer in his duties or non-abatement of a nuisance caused by maintaining a special forest fire hazard

HOUSE BILL No. 789.

An Act making a deficiency appropriation to the Pennsylvania Industrial Reformatory at Huntingdon Pennsylvania

HOUSE BILL No. 790.

An Act making a deficiency appropriation to the Pennsylvania Training School at Morganza Pennsylvania

Whereupon

The Speaker, in the presence of the House, signed the same.

ADJOURNMENT.

Mr. STORB. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 11:00 o'clock.

The motion was agreed to and (at 11:59 P. M.) the House adjourned until tomorrow morning at 11:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

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SENATE

TUESDAY, APRIL 24, 1923.

The Senate met at 11:00 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Our Heavenly Father: We thank Thee for this great Commonwealth, for its long and honorable history, for its wealth of priceless memories, and for the multitude of noble men and women whose lives have been associated with it. We are proud of our State, and we are thankful for what it has done through the past years, and for its commanding influence in the Sisterhood of States. May Thy richest blessing continue to rest upon Pennsylvania, upon our Governor and Lieutenant-Governor and the entire Legislature, upon Judges and Mayors and all in places of authority, and upon all the people throughout our borders. Grant that our Commonwealth may ever stand in the very forefront in all things that pretain to good government. Bless the Senate in this day's session, and guide us to the end of life. We ask it in the name of Jesus Christ. Amen.

JOURNAL APPROVED.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

PROTESTING AGAINST PASSAGE OF HOUSE BILL No. 541.

Mr. MacDADE presented numerous telegrams and petitions from citizens of Upper Darby Township, protesting against the passage of House Bill No. 541.

Which were referred to the Committee on New Counties and County Seats.

REPORTS FROM COMMITTEES.

Mr. SMITH, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 972, entitled:

An Act to preserve the purity of the waters of the Commonwealth by providing for the discontinuance or abatement as nuisances of works hereafter erected, constructed or opened and operated, which discharge substances, wastes and waters polluting the waters of the Commonwealth to the detriment of the public health, fish life, or industrial purposes.

Also from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 762, entitled:

An Act to safeguard human life and health throughout the Commonwealth by providing for the reporting, quarantining, and control of diseases declared communicable by this act or by regulation of the Department of Health; providing for the prevention of infection therefrom; and prescribing penalties.

Mr. PHIPPS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 539, (House Bill No. 588), entitled:

An Act to regulate the allotting or subdividing of land in cities of the second class by requiring the recording in the office of the Recorder of Deeds of a map or plan prior to the sale conveyance or mortgaging of any part thereof and providing penalties for the violation of the act.

Also from the Committee on Military Affairs, reported as committed, Senate Bill No. 902, (House Bill No. 1033), entitled:

An Act providing that any person who was engaged in the military or naval services of the United States during any war in which the United States was engaged and having an honorable discharge therefrom shall receive credit for the experience and training derived from such service in civil service examinations.

Also from the Committee on Military Affairs, reported as committed, Senate Bill No. 856, (House Bill No. 1163), entitled:

An Act making unlawful the wearing of the discharge button issued by the United States Government by any person not entitled to wear the same.

Mr. BROWN, from the Committee on Education, re-reported as committed, Senate Bill No. 228, (House Bill No. 162), entitled:

An Act to amend section one thousand seven hundred and eight of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Mr. SNYDER, from the Committee on Education, reported as committed, Senate Bill No. 823, (House Bill No. 712), entitled:

An Act to amend section six of an act approved the twenty-sixth day of June, one thousand eight hundred and ninety-five, (P. L. 327), entitled "An Act to provide for the incorporation of institutions of learning with power to confer degrees in art, pure and applied science, philosophy, literature, medicine, law, and theology, and for the supervision and regulation of the same, and providing a method by which institutions already incorporated may obtain the power to confer degrees; and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas, with power to confer degrees, in cases where such colleges have, at the time of the passage of this act, a specified amount of capital or resources," as amended; by prescribing additional requirements for institutions conferring degrees; making certain exceptions therefrom; and imposing certain duties on the State Council of Education.

Mr. MILLER, from the Committee on Education, re-reported as committed, Senate Bill No. 896, (House Bill No. 1229), entitled:

An Act to further amend section 1210, as amended of an act approved May 18, 1911, (Pamphlet Laws three hundred and nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof, that are or may be inconsistent therewith."

Mr. BETTS, from the Committee on Game and Fisheries, reported as amended, Senate Bill, No. 916, (House Bil No. 358), entitled:

An Act to amend sections one and eighteen of the act approved May 16, 1921, (P. L. 559), entitled "An Act for the better protection of fish, requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth, or in the waters bounding or adjacent thereto, and regulating the issuance of such license providing penalties for the violation of this act, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the penalties recovered and license fees received"; changing the age limit of persons required to procured licenses; and providing for the purchase with surplus moneys of lands and water and the impounding of waters.

Mr. CLARK, from the Committee on Game and Fisheries, re-reported as amended, Senate Bill No. 660, (House Bill No. 234), entitled:

An Act concerning game and other wild birds and wild animals and amending, revising, consolidating and changing the law relating thereto.

Mr. MANSFIELD, from the Committee on Education, reported as committed, Senate Bill No. 967, (House Bill No. 1312), entitled:

An Act to amend sections one, two, three and four of an act approved June 18, 1919 (P. L. 498), entitled "An Act defining consolidation of schools, providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools."

Mr. JONES, from the Committee on Game and Fisheries, re-reported as committed, Senate Bill No. 565, entitled:

An Act creating a Department of Game and Fish; charging the department with the enforcement, administration and execution of laws heretofore enforced, administered and executed by or through the Department of Fisheries and the Board of Game Commissioners; defining the powers and duties of the department, and prescribing penalties; abolishing certain departments, boards, commissions and offices; providing for the disposition of certain moneys now held by or hereafter paid to the State Treasurer under any statute the enforcement of which is by this act imposed on the department; and making appropriations.

Mr. MacDADE, from the Committee on Judiciary General, reported as committed, Senate Bill No. 86, entitled:

An Act to further amend the fifth section of an act, entitled "An Act relating to the organization and jurisdiction of orphans' courts, and to establish a seperate orphans' court in and for the counties having more than one hundred fifty thousand inhabitants, and to provide for the election of judges thereof," approved May nineteenth, Anno Domini eighteen hundred and seventy-four (Pamphlet Laws, two hundred and six), as amended, by fixing and determining the salaries of the assistant clerks of said court in counties of the first, second, third, and fourth classes.

Mr. CHRISTLEY, from the Committee on Judiciary General, reported as committed, Senate Bill No. 864, (House Bill No. 1313), entitled:

An Act to amend section ten of the act approved July 12, 1913, (P. L. 711), entitled "An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers, providing for the service of its writs, process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as amended.

Mr. BARR, from the Committee on Education, reported as amended, Senate Bill No. 780, entitled:

An Act providing that the county treasurers in counties of the second class of this Commonwealth shall add a penalty of five per centum on all taxes in each district of said counties, which shall have been assessed against any person or persons or their property in any of the districts of the said county and which shall remain due and unpaid for a period of four months after the date fixed for the payment in the proper district and requiring the county treasurer to receive the whole amount of taxes assessed against any person or persons on their property in any of the districts of the said county with the added penalty of one-half of one per centum per month as provided herein without any other increases or deductions providing that the said penalty of five per centum shall accrue to the revenues of said county and repealing all acts or parts of acts inconsistent herewith.

Mr. BUCKMAN, from the Committee on Corporations, reported as amended, Senate Bill No. 764, entitled:

An Act fixing the salary of court criers in counties of the sixth class.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 381, (House Bill No. 227), entitled

An Act to further amend the fifth section of an act entitled "An Act relating to the organization and jurisdiction of orphans' courts and to establish a seperate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof" approved May nineteenth Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six) as amended by fixing and determining the salaries of the assistant clerks of said court in counties of the first second third and fourth classes.

Mr. STINEMAN, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 893, (House Bill No. 678), entitled:

An Act to amend clause three, section ten, article two of chapter seven and section seven article one of chapter twelve of the act approved May 14, 1915, (P. L. 312), entitled "An Act providing a system of government for boroughs and revising, amending and consolidating the law relating to boroughs."

Also from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 413, (House Bill No. 389), entitled:

An Act to amend chapter six article twenty section three of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs."

Also from the Committee on New Counties and County Seats reported as committed, Senate Bill No. 714, (House Bill No. 682), entitled:

An Act to amend the forty-first clause of section two article one chapter five of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve), entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" as amended.

Mr. HOMSHER, from the Committee on Education, reported as committed, Senate Bill No. 792, entitled:

An Act to amend section nine hundred six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended; conferring sole power of supervision over certain schools and institutions supported wholly or partly by the State upon the Council of Education.

Mr. DAIX, from the Committee on Judiciary General, reported as committed, Senate Bill No. 820, (House Bill No. 633), entitled:

An Act to amend section one of the act approved the twelfth day of June one thousand nine hundred and one (Pamphlet Laws five hundred and fifty-nine) entitled "An Act to provide for the election of one person to fill the office of prothonotary one person to fill the office of clerk of the courts of general quarter sessions and oyer and terminer one person to fill the office of register of wills and clerk of the orphans' court and one person to fill the office of recorder of deeds in counties containing forty thousand inhabitants and hereafter created separate judicial districts under the Constitution" providing that said act shall be in effect only upon the acceptance thereof

Mr. BALDWIN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 892, (House Bill No. 617), entitled:

An Act to amend clauses (b) and (c) of section fifty-six of an act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decendents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" so as to permit the orphans' court in its discretion to permit a corporation appointed as trustee in the place of an executor or executors trustee or trustees dying renouncing dismissed or refusing to act to give its own bond without surety

Mr. DERRICK, from the Committee on Education, reported as committed, Senate Bill No. 966, (House Bill No. 1297), entitled:

An Act to amend section three hundred and three of an act approved May 18, 1911 (P. L. 309) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith" as amended.

Mr. STEELE, from the Committee on Education reported as committed, Senate Bill No. 837, (House Bill No. 880), entitled:

An Act to amend section two hundred and seven of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended.

BILLS INTRODUCED.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 993, entitled:

An Act to amend section seventeen of an act approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 719) entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committee-men; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation."

Which was committed to the Committee on Elections.

Mr. McNICHOL read in his place and presented to the Chair Senate Bill No. 994, entitled:

An Act making an appropriation to the Saint Mary's Hospital of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. McCLINTOCK, read in his place and presented to the Chair Senate Bill No. 995, entitled:

An Act to prevent fraud at elections; providing a system authenticating and marking ballots and of locking ballot boxes; providing for the installation by counties of certain mechanical equipment and for the use and custody thereof; providing for the appointment by the Governor of a commission to select and approve such equipment; and fixing penalties.

Which was referred to the Committee on Elections.

Mr. MANSFIELD read in his place and presented to the Chair Senate Bill No. 996, entitled:

An Act making an appropriation to the Pittsburgh Hospital Sisters of Charity Frankstown Avenue, Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. BETTS, read in his place and presented to the Chair Senate Bill No. 997, entitled:

An Act making an appropriation to the DuBois Hospital of DuBois, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 998, entitled:

An Act to repeal the act approved the fourteenth day of February, one thousand eight hundred and sixty-seven, (P. L. 205), entitled "A supplement to an act, passed the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine, relating to billiard saloon, et cetera, in the counties of Chester and Delaware extending the same to the county of Bradford.

Which was referred to the Committee on Judiciary Special.

Mr. McCLINTOCK read in his place and presented to the Chair Senate Bill No. 999, entitled:

An Act making an appropriation to the Rosalia Foundling Asylum and Maternity Hospital of the City of Pittsburgh, Pennsylvania.

Which was referred to the Committee on Appropriations.

Mr. LESLIE (by request of Mr. Einstein) read in his place and presented to the Chair Senate Bill No. 1000, entitled:

An Act making an appropriation to the Saint John's General Hospital of Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 1001, entitled:

An Act making an appropriation to the Saint Francis Hospital of Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 1002, entitled:

An Act making an appropriation to the Hardy Hospital of Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

MEMBER COMMITTEE ON BANKS AND BUILDING AND LOAN ASSOCIATIONS.

The PRESIDENT. The Chair announces the appointment of the Senator from Allegheny, Mr. Mansfield, as a member of the Committee on Banks and Building and Loan Associations.

RESOLUTION AUTHORIZING THE APPOINTMENT OF COMMITTEE TO DRAFT RESOLUTIONS ON THE DEATH OF THE HONORABLE WILLIAM E. CROW AND FIXING TIME FOR MEMORIAL SESSION.

Mr. BROWN offered the following resolution, which was twice read, considered and agreed to.

In the Senate, April 24, 1923.

Resolved, That the President pro tempore shall appoint a committee composed of five Senators to draft suitable resolutions and to arrange for the holding of a memorial service in honor of the late Honorable William E. Crow, Senator from Pennsylvania, in Congress of the United States, and a former Member of the Senate of Pennsylvania. The committee shall arrange the date for said meeting, and is authorized to issue invitations to such persons as to the committee may seem proper.

TIME OF FINAL ADJOURNMENT.

Mr. HOMSHER offered the following resolution, which was twice read, considered and agreed to:

In the Senate, Tuesday, April 24, 1923.

Resolved (If the House of Representatives concur), That the General Assembly of the session of one thousand nine hundred and twenty-three adjourn sine die Thursday, May twenty-fourth, at twelve o'clock noon.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 5, entitled:

An Act making an appropriation to the trustees of the State Hospital of the Northern Anthracite Coal Region of Pennsylvana at Scranton Pennsylvania

Senate Bill No. 321, entitled:

An Act to amend section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class"

Senate Bill No. 432, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section eighteen

Senate Bill No. 438, entitled:

An Act making a deficiency appropriation to the Commissioners of Fairmount Park

Senate Bill No. 449, entitled:

An Act to amend so much of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred fifty-five) entitled "An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

Senate Bill No. 457, entitled:

An Act to amend section twenty-two of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine) entitled "An Act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" authorizing the Governor to confer brevet rank upon certain officers

Senate Bill No. 502, entitled:

An Act prohibiting th location by cities of the third class of city prisons or lock-ups close to public school buildings

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the presence of the Senate signed the same.

HOUSE MESSAGES.

HOUSE CONCURS IN SENATE BILL No. 84.

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 84, entitled:

An Act relating to the acquisition of land for park purposes by any city in this Commonwealth in sections not entirely built up limiting time for condemnation by councils or condmenation or purchase by park commissioners after same has been placed on city plan for park purposes by ordinance of councils or action of park commissioners and providing for removal from city plan upon failure to condemn or purchase within time specified herein

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 422.

He also returned to the Senate, Senate Bill No. 422, entitled:

An Act fixing the compensation of jury commissioners in counties of the seventh class

with the information that the House has passed the same without amendment.

SENATE BILL No. 96, RETURNED WITH AMENDMENTS.

He also returned to the Senate, Senate Bill No. 96, entitled:

An Act making a deficiency appropriation to the trustees of the Pennsylvania State Oral School for the Deaf at Scranton Pennsylvania

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. DAVIS. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. WEAVER. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution were twice read, as follows:

Amend section 1, page 1, line 4, by striking out the words "twenty-five" and inserting in lieu thereof the words "twenty-eight"; also line 5, sy striking out "($25,000)" and inserting in lieu thereof "($28,000)."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheisel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

NOMINATIONS BY THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 24, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY

John B. Mesride, Pittsburgh, April 23, 1923.
C. C. Meyer, Duquesne, April 7, 1923.
Miss E. E. Shaw, Pittsburgh, April 21, 1923.

CHESTER COUNTY.

Isaac E. Roberts, East Downingtown, April 23, 1923.

CLEARFIELD COUNTY.

Harry E. Beyer, DuBois, Jan. 20, 1923.

ERIE COUNTY.

E. P. Kling, Erie, April 1, 1923.

PHILADELPHIA COUNTY.

Daniel Lipshutz, Philadelphia, May 5, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 24, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

BERKS COUNTY.

Benjamin Parvin, Reading.

LACKAWANNA COUNTY.

Thomas H. Davies, Olyphant.

LAWRENCE COUNTY.

Mrs. Hazel D. Rick, New Castle.

LUZERNE COUNTY.

James A. Brennan, Plymouth.
Russell N. Crisman, Kingston.

MONTGOMERY COUNTY.

Oliver T. Watson, Hatboro.

PHILADELPHIA COUNTY.

W. C. Holzworth, 470 Bullitt Building, Philadelphia.
Edward J. McGlinn, 537 N. 35th St., Philadelphia.
H. A. Poulshock, 2402 Ridge Ave., Philadelphia.
Miss Eva Roberts, 5714 Pine St., Philadelphia.
A. B. Weinblatt, 6127 Market St., Philadelphia.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. BUCKMAN. Mr. President, I move that the Executive Session do now rise.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 513.

Mr. BALDWIN. Mr. President, I move that the Senate do now proceed to the consideration of the amendments made by the House to Senate Bill No. 513, entitled:

An act to amend section three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and twelve) entitled "An act to regulate the drilling operating and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act"

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

Mr. BALDWIN. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bills.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the constitution, were twice read, as follows:

Amend section 1, page 2, line 10, by inserting after the word "Sand" the following: "Ball Town Sand", "Clarendon Sand", "Cherry Grove Sand", "Kane Sand" and "Haskell Sand".

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL OVER IN ORDER.

Mr. CRAIG. Mr. President, I ask that Senate Bill No. 846, (House Bill No. 928), on final passage, entitled:

An Act providing for and regulating the public printing and binding the editing for publication and the distribution of all documents, reports, bulletins, and other publications for the use of the Commonwealth, the several departments, boards and commissions and other agencies engaged in the legislative judicial and administrative work of the State government, the sale of waste paper, the appointment of a Director and other employes and repealing inconsistent and conflicting legislation.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 24, entitled:

An Act providing for an industrial State Highway from the City of Chester to the City of Philadelphia

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—1.

Lanius,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. MILLER. Mr. President, I move that Senate Bill No. 241 on third reading, entitled:

An Act to amend section one of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred seven) entitled "An Act relating to municipal improvements and the collecting of assessments therefor"

be recommitted to the committee on Municipal Affairs, for further consideration.

Mr. CLARK. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. PHIPPS. Mr. President, I ask that Senate Bill No. 266, on third reading, entitled:

An Act providing for only one assessment of all property for taxation in cities of the third class within the Commonwealth directing said assessment to be made by the city assessors of said cities and said city assessors in addition to their duties as such assessors to perform all other duties now performed by the county asessors in said cities and requiring said cities to furnish copies of said assessment to each of the boards of school directors in said cities to each of the boards of county commissioners of the respective counties wherein said cities are located and to all other boards or authorities levying and collecting taxes in said cities and all taxes city school county poor and other taxes to be levied on said assessment

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 285, entitled:

An Act making a deficiency appropriation to the Cottage State Hospital situated in Connellsville Fayette County Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 338, entitled:

An Act to further amend clause four of section three hundred and eighty-six, of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (Pamphlet Laws eight hundred forty), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto," as amended, and repealing an additional amendment to said clause, approved the seventeenth day of May, one thousand nine hundred and twenty-one, (Pamphlet Laws eight hundred fifty-seven).

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 398, (House Bill No. 494,) entitled:

An Act validating certain proceedings of counties cities boroughs townships school districts and other incorporated districts or municipalities had pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds certificates of indebtedness and securities issued in pursuance of such proceedings

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 418, (House Bill No. 22), entitled:

An Act concerning conditional sales of chattels attached or to be attached to realty and regulating the recording and effect thereof and providing remedies and penalties

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 448, entitled:

An Act providing for the transfer to Pennsylvania of the titles to and liens affecting any lands heretofore regarded as being in the State of Delaware but found to be in Pennsylvania in acordance with the interstate boundary run by the joint commission of said States appointed by virtue of the act of Assembly of Pennsylvania approved the fourth day of May one thousand eight hundred and eigthy-nine (Pamphlet Laws eighty-one) entitled "An Act relative to the boundary lines and boundary line monuments"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 469, (House Bill No. 277), entitled:

An Act to validate tax liens filed in the office of the Prothonotary of the various counties by any of the cities of this Commonwealth since the 24th day of May 1921, under the provisions of an act approved the fourth day of June, 1901, entitled: "An Act providing when, how, upon what property and to what extent, liens shall be allowed for taxes and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefore; the methods of preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; and the manner of distributing the proceeds of such sales and its supplements and amendments thereto; and providing for their collection.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 496, entitled:

An Act to further amend section two of an act approved the twentieth day of June, one thousand nine hundred and nineteen, (Pamphlet Laws five hundred and twenty-one) entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as amended

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Smith,
Snyder,
Sones,
Sprowls,
Steele,

Brown, Buckman, Christley, Clark, Craig, Culberston, Daix, Davis,
Huffman, Jones, Joyce, Krause, Kutz, Lanius, Leslie, Long,
Norton, Patton, Phipps, Quigley, Salus, Schantz, Sisson,
Stineman, Stites, Vare, Weaver, Woodward, Eyre, Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 497, entitled:

An Act relating to county bridges authorizing counties to issue and sell bonds for the erection thereof and providing for the division of the cost of construction and erection of joint county bridges and the collection of tolls thereon.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron, Baldwin, Barr, Berntheizel, Betts, Brown, Buckman, Christley, Clark, Craig, Culbertson, Daix, Davis,
Derrick, DeWitt, Harris, Heaton, Homsher, Huffman, Jones, Joyce, Krause, Kutz, Lanius, Leslie, Long,
MacDade, Mansfield, McClintock, McNichol, Miller, Norton, Patton, Phipps, Quigley, Salus, Schantz, Sisson,
Smith, Snyder, Sones, Sprowls, Steele, Stineman, Stites, Vare, Weaver, Woodward, Eyre, Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. MILLER. Mr. President, I move that Senate Bill No. 522, (House Bill No. 289) on third reading, entitled:

An Act to amend part of section forty-one of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred forty-seven) entitled "An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds righs powers duties liabilities accounts discharge and removal of executors administrators guardans and trustees herein designated as fiduciaries, the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estate of decedents"

be recommitted to the committee on Judiciary General, for the purpose of amendment.

Mr. WEAVER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 629, entitled:

An Act to amend part of section three of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" by authorizing certain corporations of the first class to be incorporated by the Governor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron, Baldwin, Barr, Berntheizel, Betts, Brown, Buckman, Christley, Clark, Craig, Culbertson, Daix, Davis,
Derrick, DeWitt, Harris, Heaton, Homsher, Huffman, Jones, Joyce, Krause, Kutz, Lanius, Leslie, Long,
MacDade, Mansfield, McClintock, McNichol, Miller, Norton, Patton, Phipps, Quigley, Salus, Schantz, Sisson,
Smith, Snyder, Sones, Sprowls, Steele, Stineman, Stites, Vare, Weaver, Woodward, Eyre, Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 637, entitled:

An act authorizing the county controller to bring suit in the name of the county on contracts upon neglect or refusal of the board of commisioners so to do after notice

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron, Baldwin, Barr, Berntheizel, Betts, Brown,
Derrick, DeWitt, Harris, Heaton, Homsher, Huffman,
MacDade, Mansfield, McClintock, McNichol, Miller, Norton,
Smith, Snyder, Sones, Sprowls, Steele, Stineman,

Buckman,
Christley.
Clark,
Craig,
Culberston,
Daix,
Davis,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 657, entitled:

An act empowering School Districts to employ a Police Force

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. NORTON. Mr. President, I ask unanimous consent to amend section 4, page 3, lines 7 and 8 by striking out "and upon and in the vicinity of the said school district and" and insert in lieu thereof the following:—"enforcing the school laws of the Commonwealth at their respective districts and policing the grounds belonging to the said school districts and protecting."

The PRESIDENT. It there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 669, (House Bill No. 701), entitled:

An Act to further amend sections ten and fourteen of the act approved July twelfth one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) entitled "An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as amended by requiring all proceedings in civil cases before magistrates that are sought to be reviewed by appeal to be taken only to the Municipal Court transferring original jurisdiction in certain civil cases from the court of common pleas to said court providing that costs in all cases shall follow the judgment and that certain judgments shall be final

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Derrick,
DeWitt,
Harris,
MacDade,
Mansfield,
McClintock,
Smith,
Snyder,
Sones,

Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 676, (House Bill No. 725), entitled:

An Act to amend Article twelve of an act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of forest protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescibing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto a section to be section twelve hundred and two defining certain terms

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 679, (House Bill No. 759), entitled:

A joint resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section seventeen

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Derrick,
DeWitt,
MacDade,
Mansfield,
Smith,
Snyder,

Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 691, entitled:

An Act authorizing and empowering the cities of the second class in this Commonwealth to acquire by lease purchase or condemnation proceedings any lands within or without the limits of said cities for the purpose of establishing and maintaining municipal airdromes or aviation landing fields providing for the procedure in cases of condemnation and the extent of title acquired authorizing the lease by the cities of portions thereof to individuals or corporations upon such terms as may be fixed and the lease thereof to the Government of the United States upon nominal rental and empowering said cities to operate and maintain said fields jointly with any county within which said city is situate where the county is empowered to operate and maintain an airdrome or aviation landing field

An said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. MANSFIELD. Mr. President, I ask unanimous consetn to amend Title, page 1, line 4, by inserting after the word "cities", the following: "but within the limites of the counties in which such cities are located;" also page 2, section 1, line 7, by inserting after the word "city", the following: "but within the limitations of the county in which such city is located."

The PRESIDENT. Is there objecton? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill in third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceded to the third reading and consideration of Senate Bill No. 712, (House Bill No. 657), entitled:

An Act to amend section two thousand six hundred and twenty-eight of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the compensation of auditors of the accounts of school districts of the fourth class

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. WEAVER. Mr. President, I move that Senate Bill No. 736, on third reading, entitled:

An Act authorizing the State Highway Commissioner to use funds appropriated for State-aid highway purposes by the Act of March tenth, one thousand nine hundred and twenty-one, entitled "An Act making an appropriation to the State Highway Department for the construction of permanent State Highways; for the payment of the Commonwealth's share in the expenses of constructing State-aid highways; for the maintenance and repair of State Highways within the limits of boroughs; for the maintenance and repair of State-aid highways; for the payment of rewards due townships of the second class; for the payment of damages to property caused or occasioned in connection with the work of the State Highway Department"; for the construction or reconstruction of State highways, and to enter certain charges against the State-aid highway accounts of those counties in which State Road Bond Fund money has been used to pay State-aid highway contracts, so as to reimburse accounts available heretofore for highway purposes which were used for State-aid highway purposes and making an appropriation thereof.

be recommitted to the committee on Appropriations.

Mr. JONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. JONES. Mr. President, I do not have any serious objection to this bill going back to the Committee on Appropriations. I think possibly it has to do with appropriations or our Chairman of the Committee on Appropriations thinks it has something to do in connection with this committee, and therefore I will not object to its being recommitted. I do not think they will find anything in the bill that needs to be considered.

And the question recurring,

Wil the Senate agree to the motion?

It was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 737, entitled:

An Act authorizing the State Highway Commissioner to take over as State highways certain roads leading from State institutions to State highways or railroad stations

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 775, entitled:

An Act requiring supervisors and commissioners of townships to apply for county aid in the construction and maintenance of roads upon application therefor by property owners

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Snyder,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Woodward.
Eyre,
Pres. Pro Tem.

NAYS—1.

Long.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 781, entitled:

An Act authorizing the State Highway Commissioner to combine certain State Highways or any part or sections thereof into a route under a common letter name number or other marker or designation or any combination thereof for the purpose of informing and assisting the traveling public in and through the State

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 787, entitled:

An Act creating a Legislative Reference Bureau providing for the election of a Director by the General Assembly designating the officers and employes of such Bureau defining their duties fixing their salaries abolishing the present Legislative Reference Bureau and making an appropriation

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Lanius,
Leslie,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 825, (House Bill No. 773), entitled:

An Act making a deficiency appropriation to the Commission of the Soldiers' Orphans Industrial School at Scotland

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 826, (House Bill No. 777), entitled:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Instruction of the Blind

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 827, (House Bill No. 783), entitled:

An Act making a deficiency appropriation to the Home for Training in Speech of Deaf Children before the year of School Age at Philadelphia Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 828, (House Bill No. 784), entitled:

An Act making a deficiency appropriation to the Eastern State Penitentiary

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 830, (House Bill No. 788), entitled:

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania located at Blossburg Pennsylvania to cover a deficiency in maintenance for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-three

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,

Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 836, (House Bill No. 874), entitled:

An Act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved April twentieth one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto, and validating bonds issued or authorized to be issued in pursuance of such elections

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 840, (House Bill No. 902), entitled:

An Act to amend section ten hundred and twenty-five of an act approved July fourteenth one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 842, (House Bill No. 912), entitled:

An Act validating the incurring of certain debts or increase of indebtedness of poor districts in counties of the second class by the county commissioners thereof for improvements or alterations of the property of such poor districts and all bonds and other securities issued therefor and also the assessments of annual taxes for the payment of such indebtedness since the twentieth day of April one thousand eight hundred and seventy-four

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 849, (House Bill No. 977), entitled:

An Act to amend an act approved May seventeen one thousand nine hundred twenty-one (Pamphlet Laws eight hundred ninety-four) entitled "An Act to amend an act approved the twenty-fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and fifty) entitled 'An Act authorizing the several counties incorporated towns and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans and of the Army of the Philippines and to each post of the American Veterans of Foreign Service in the respective counties boroughs and towns to aid in defraying the expenses of Memorial Day' by authorizing appropriations to each post of the American Legion Veterans of Foreign Wars and to each Naval Association and each post of the Grand Army of the Republic" to include authorization of appropriations to each organization of ex-service men incorporated under the act of April twenty-ninth one thousand eight hundred seventy-four and the supplements thereto

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Mr. WOODWARD. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 570, on third reading postponed for the present, entitled:

An Act providing for the merging of moneys held in certain special funds in the State Treasury with moneys in the general fund providing for the use of all moneys in the general fund for the payment of appropriations and for the payment from the general fund of moneys appropriated and dedicated for special purposes

Mr. PHIPPS. Mr. President, I second the motion.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 570, entitled:

An Act probiding for the merging of moneys held in certain special funds in the State Treasury with moneys in the general fund providing for the use of all moneys in the general fund for the payment of appropriations and for the payment from the general fund of moneys appropriated and dedicated for special purposes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WOODWARD. Mr. President, I merely wish the rest of the Senate to know that at the close of business yesterday in the State Treasury there were $18,649,000, of which $125,000, belonged to the general fund and the $18,524,000 in the special funds not available for general uses. I wish to file a very able paper by Mr. William J. McCaig, as part of my remarks:

SPECIAL FUNDS.

We, as members of the General Assembly, should begin to realize that a policy which has been adopted within the last few years should be either halted or entirely discontinued. I refer to the creating of special funds by the Legislature. This practice is gaining such headway that unless it is stopped, the time will rapidly approach when the power of the Assembly to make appropriations will be very much limited.

When I speak of the power to make appropriations being limited, I of course do not mean that the Legislature would find itself helpless to change the system, because the right given to the Legislature to make appropriations can only be taken away from it by the Constitution and not by prior Legislatures thru the setting up of special funds. What I do mean is that the special fund policy will become so thoroughly engrafted into the Pennsylvania system, and so great a part of the State's revenues tied up in these funds, that the General Assembly becomes practically powerless in the spending of the State's revenues.

If you were to examine the books of the State Treasurer, you would find that there are now twenty-five funds into which the income of the Commonwealth is distributed. Of these twenty-five funds thirteen are known as revenue funds, and he other twelve are known as non-revenue funds, such as the sinking fund, the reserve funds for school employes, federal aid funds, et cetera. The thirteen revenue funds are the ones in which we, as Members of the General Assembly, should be likely interested. I am not unmindful of the fact that the moneys paid into some of these funds might never have become revenues of the Commonwealth if they had not been dedicated to specific purposes.

There is, however, in my mind a question whether we should continue to secure revenues only if we agree to dedicate the revenue to a particular purpose to suit certain interests.

The general fund is the only one from which appropriations are now specifically made by the General Assembly. According to the most recent figures which have been given by Auditor General Lewis in his interesting pamphlet, only 82 per centum, or $79,900,000 of all the revenues collected by him during the last eighteen months went into the General fund. The remaining 18 per centum, or $18,100,000, went into the twelve other special funds. If the revenues for the remaining six months of two full years are approximately this large, about $24,000,000 will have been diverted to these funds during the last two years, over the expenditures of which the General Assembly has had no control except by the original act which made the dedication. Do not misunderstand me; I do not wish to convey the thought that the General Assembly has no control over these funds, but simply that it fails to exercise any control, and the longer we hesitate to exercise this control, the harder it will be to ultimately secure it.

The creation of a special fund is nothing more than a special privilege for certain classes of work. Under our present system it means a permanent authorization to expend, or in other words a continuing appropriation. The first special fund was created in 1911, and is known as the State School Fund, and each succeeding Legislature has added one or more funds to the list, so that now we have, as I said before, twenty-five special funds.

Under the present system of Government, it may not be practical, and it may be almost impossible to prevent the creation of any special funds. Certain of those funds, such as the Sinking Fund, and others, which hold moneys appropriated by the United States Government, must be retained, but I am of the belief that the time has arrived when we should halt the creation of any more of these funds, unless there is an absolute necessity, and that we should also place ourselves upon record to secure a better control over the expenditures of the present funds, or at least place the moneys therein in such a position that they may be used by the Commonwealth in a better manner. If we continue to cut down the amounts available for appropriation purposes in the way we have been doing in the past, there will eventually be very little left for appropriation purposes, and the financial condition of the Commonwealth will simply become worse from year to year.

Under our frame of government, it is for the General Assembly to say how much and for what purposes the moneys in the treasury of the Commonwealth shall be expended, and this is a power which the Legislature can neither give away nor surrender.

The question of abolishing any one or all of the funds about which I have been speaking, is a matter entirely for the Legislature to decide, but if we should hesitate to go so far; (now that the situation has been brought about and certain revenues received with the understanding that they should be dedicated to particular purposes), it might be well to leave the special funds which we now have and try to prevent the creation of more in the future, but if we intend to do this, it seems to me that the Commission for the Reorganization of the State Government has made a very good suggeston when it proposes that the money in certain of these funds shall be made liquid. At various times the Commonwealth, as you all know, has not been able to meet its bills promptly, and those to whom moneys were due have been obliged to go out and borrow money at the rate of six per centum to meet current bills, and this practice has been going on while millions of dollars of actual cash have been lying idle in the State Treasury in these special funds. It has been brought to the attention of the Reorganization Commission that moneys were borrowed from banks to pay current bills, when the same banks had, at the same time, funds of the Commonwealth on deposit and unused. Under the system proposed by the Reorganization Commission, it would not be necessary to abolish any of these funds, but simply pay all of the moneys therein into the general fund, and keep a record of the amount in the general fund which could be applied to the purposes for which the special fund was created.

It seems to me, ladies and gentlemen, that this is a matter which should receive the earnest consideration of every member of the General Assembly, and especially at this time when we are trying to wipe from the books of the fiscal officers an over-appropriation, and at the same time continue the functions of government without doing grievous harm to anyone.

And the question, recurring.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Craig,
Culberston,
Daix,
Derrick,
DeWitt,
Heaton,
Homsher,
Jones,
Joyce,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sprowls,
Steele,
Stineman,
Vare,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—2.

Davis,
Lanius,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. PHIPPS. Mr. President, I ask that Senate Bill No. 267, on final passage, entitled:

An act relating to the collection of city county school poor and other taxes in the several cities of the third class in this Commonwealth providing that the city treasurer of each of said cities shall be the collector of the said several taxes prescribing his duties providing for his compensation authorizing him to appoint deputy collectors and clerks and providing for their compensation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 449.

Mr. SMITH, offered the following resolution, which was twice read, considered and agreed to:

In the Senate, Tuesday, April 23, 1923

Resolved (if the House of Representatives concur), That Senate Bill No. 449, entitled "An act to amend so much of section one of the act approved the tenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five), entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution." be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representaiives for concurrence.

RECESS.

Mr. VARE. Mr. President, I move that the Senate do now take a recess until four o'clock this afternoon.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 395 (House Bill No. 283), as follows:

An Act to further amend section four of the act approved the twentieth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred and sixty-six) entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" as amended providing a pension for employes who have not reached the age of sixty years but who have become permanently disabled after twenty years of service and in certain cases of disability fifteen years

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of the act approved the twentieth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred and sixty-six) entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" which was amended by section two of the act approved the fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws six hundred and eighty-nine) entitled "An Act to amend sections three four five six and eleven of an act approved the twentieth day of May one thousand nine hundred and fifteen entitled 'An Act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions'" is hereby further amended to read as follows

Section 4 During the lifetime of the said person he or she shall be entitled to receive a pension from the fund set aside for the purpose of fifty per centum of the amount which would constitute the average rate of pay at which he or she was employed during the last five years of his or her employment by the said city or other public employment as aforesaid Said pension shall be paid in monthly payments Provided That if any pension be granted to a person who has not been a contributor to the pension fund as herein provided during a period of twenty years such person shall be required to pay into the board of pensions monthly an amount equal to two per centum of his or her pension until such time as his or her contribution shall have extended during a period of twenty years Should any person so employed after twenty years of service be dismissed voluntarily retire or be in any manner deprived of his position or employment before attaining the age of sixty years upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to a pension above mentioned notwithstanding he or she has not attained the age of sixty years at the time of his or her separation from the public service but said pension shall not commence until he or she has attained the age of sixty years Should any employe however become totally and permanently disabled while in the service after twenty years of service and before attaining the age of sixty years he or she shall be entitled to the said pension Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office Provided That in cases where the nature of such disability is such as to disable the employe from performing any work whatsoever either within or without the scope of his regular duties or within or without the service of such city or county the board may upon a recommendation of the three practicing physicians herein provided for retire upon pension such applicant after a service of fifteen years Provided further That the benefits of his amendment shall apply to members of the pension fund who have been contributors to the said fund for five years or more The pension paid to any one employe shall not exceed one hundred dollars per month

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 677, (House Bill No. 726), as follows:

An Act to amend an act entitled "An act to amend sections two thousand seven hundred and one and two thousand seven hundred and two of an act entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) by providing that all receipts and proceeds derived in any way from or on account of the State forest now or hereafter acquired by this Commonwealth shall belong to and form a part of 'The State School Fund of Pennsylvania' approved the fourth day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and twenty-five)" by providing that net receipts from State forests shall become part of the State School Fund of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two thousand seven hundred and one of an act entitled "An Act to amend an Act entitled 'An act to amend sections two thousand seven hundred and one and two thousand seven hundred and two of an Act entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) by providing that all receipts or proceeds derived in any way from or on account of the State forests now or hereafter acquired by this Commonwealth shall belong to and form a part of 'The State School Fund of Pennsylvania' approved the fourth day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and twenty-five)" is hereby amended to read as follows

Section 2701 The net receipts and proceeds derived in any way from or on account of the forest reservations now or hereafter acquired by this Commonwealth together with all water-powers and water-rights belonging to this Commonwealth in the streams rivers lakes or other waters of this Commonwealth and all real estate owned by this Commonwealth which is not used for State or other public purposes all escheated estates in this Commonwealth and all other property or money which shall in any way accrue to such fund whether by Act of Assembly devise gift or otherwise shall belong to and contitute a fund to be known and designated as "The State School Fund of Pennsylvania" which is to be maintained as herein provided Provided however That the forest reservations shall continue to be wholly under the control of the State Forest Reservation Commission as now provided by law

Section 2 That section two thousand seven hundred and two of said act is hereby amended to read as follows

Section 2702 All real and personal property belonging to the State School Fund shall be wholly under the control and management of the State Board of Education The net receipts derived in any way from or on account of the State forest reservations or from or on account of any real or personal property belonging to the State School Fund and all other moneys accruing to said fund shall always be promptly paid to the State Treasurer and kept by him in a separate account subject to the disposal of the State Board of Education as herein provided and the State Treasurer shall deposit said funds in the properly authorized depositories for State funds and shall add to such funds the interest received from the depositories for the use of the same All income derived from any investments of the State School Fund shall be paid to the State Treasurer and kept deposited as herein provided in a separate account subject to the order of the State Board of Education The State Treasurer and his bondsmen shall be responsible for the safe-keeping of and accounting for said funds in the same manner and under the same penalties as for the safe-keeping of and accounting for the other funds of this Commonwealth

Section 3 All acts or parts of acts general local or special inconsistent with this act are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with the information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No 717, (House Bill No. 727), as follows:

An Act to amend Article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto section one thousand and eight regulating civil actions by and on behalf of persons and the Commonwealth suffering damage from forest fires and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Article ten of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" is hereby amended by adding thereto section one thousand and eight as follows

Section 1008 Damages and Expenses Due to Forest Fires—(a) persons causing woodlot forest or wild land fires shall be liable for the full amount of all expenses incurred by the Commonwealth on account of such fires whether or not the fire is confined to the land of the person responsible therefor Where there are mitigating circumstances the Commissioner of Forestry may direct the chief forest fire warden to determine and decide what amount shall be paid by the parties responsible being either a part or all of the cost of extinguishing the fire or other expenses incurred as a consequence thereof The chief forest fire warden in all such cases shall decide the time and manner of payment When such costs and expenses have not been paid to the Commonwealth within ninety days after presentation of a bill therefor the chief forest fire warden may proceed to collect the amount due the Commonwealth by an action of debt before any justice of the peace magistrate alderman or court having jurisdiction in which case a judgment for the Commonwealth shall also carry with it all necessary and reasonable expenses incurred by the Department of Forestry on account of such legal action

(b) Whenever any person shall by his own act or that of an agent cause a woodlot forest or wild land fire which destroys the property of another such person shall be liable for the amount of the damages so caused

(c) As the Commonwealth is directly interested in the perpetuation of forests and as the destruction of forests by fire is an injury to the entire Commonwealth whenever the damages and costs hereinbefore provided for in paragraph (b) of this section have not been settled and are not in process of adjudication before a judicial tribunal within six months of date of fire the Commissioner of Forestry may upon appeal from either party affected direct the chief forest fire warden to appraise the damage and to begin civil action in behalf of the injured party A judgment against the defendant shall include necessary and reasonable expenses incurred by the Department of Forestry on account of the appraisal and the suit

(d) All moneys received by the Commissioner of Forestry in accordance with this section shall be paid by him to the State Treasurer who shall credit the amounts to the Department of Forestry the forest protection and such moneys are hereby specifically appropriated to the Department of Forestry for such purposes

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 675, (House Bill No. 724), as follows:

An Act to amend section one thousand and five Article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing further penal provisions for setting fire maliciously or otherwise to any woodlot forest or wildland

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand and five of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" is hereby amended to read as follows

Section 1005 Penalty for Causing (Forest) Fire on or within Woodlots Forests or Wild Lands—

(a) It shall be unlawful for any person to set fire to or to employ an agent or cause to be set on fire either accidently or otherwise directly or indirectly in person or by said agent any woodlot forest or wild land or property material or vegetation being or growing thereon without permission of the owner either by dropping lighted matches tobacco or other substances or in any other manner whatsoever or to start fires anywhere and permit them to spread to woodlots forest or wild land thereby causing damage to or destruction of such property as aforesaid

It shall be unlawful to use fire for the purpose of smoking out birds bees animals or any other creature from hollow trees logs or subterranean holes or caverns when by so doing the fire may or does spread to adjoining or neighboring woodlots forest or wild lands

Any person violating any of the foregoing provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined for each offense not exceeding five hundred dollars or undergo imprisonment not exceeding six months or both in the discretion of the court

(b) If any person shall maliciously set fire to or cause to be set on fire directly or indirectly in person or by agent any woodlot forest or wild land or property material or vegetation being or growing thereon such person shall be guilty of a felony and upon conviction shall be sentenced to pay a fine not exceeding five thousand dollars and be imprisoned in a penitentiary for a period not exceeding ten years

(c) This section shall not apply to the setting of a back fire in good faith to extinguish a fire then burning

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 697, (House Bill No. 606), as follows:

An Act to further amend an act approved the third day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and thirty) entitled "An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges" providing for the rebuilding of decayed and unsafe bridges and certain bridges on State highways

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the third day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and thirty) entitled "An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of assembly where such bridges have been destroyed by flood or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges" which was amended by an act approved the twenty-first day of April one thousand nine hundred and three (Pamphlet Laws two hundred and thirty) entitled "An Act to amend the first second third fourth and seventh sections of an act approved June third one thousand eight hundred and ninety-five entitled 'An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges'" is hereby further amended to read as follows

Section 1 That from and after the passage of this act the Commonwealth of Pennsylvania shall from time to time rebuild all bridges maintained owned and controlled by the several counties and known as county bridges and also bridges not exceeding five hundred feet in length on or connecting portions of any State highway which bridges are now or may hereafter be erected over and across the navigable rivers and such other streams as have been declared public highways by act of assembly which may hereafter be carried away or destroyed by flood or wind storm or become so decayed or unsafe as to require rebuilding

Section 2 That section two of said act as amended by said act of one thousand nine hundred and three (Pamphlet Laws two hundred and thirty) is hereby further amended to read as follows

Section 2 Whenever any such county bridge shall be so carried away or destroyed by flood or wind storm or any such county or other bridge has become so decayed or unsafe as to require rebuilding the county commissioners of the county in which such bridge may be located or when such bridge crosses the boundary line between two counties than the commissioners of both counties may apply by petition to the court of common pleas of Dauphin county setting forth fully in said petition the location of such bridge the time when a bridge was first erected in the same location the time when the bridge was carried away by flood or destroyed by wind storm or became so decayed or unsafe the character of the bridge so carried away destroyed decayed or unsafe and the probable cost of replacing the same Whereupon it shall be the duty of the court to appoint five viewers one of whom shall be a civil engineer and not more than two of whom shall be residents of the county wherein such bridge is proposed to be built The viewers so appointed after having been duly qualified to faithfully perform their duties shall proceed to view the location of the proposed bridge and make report at such time as the court may direct which report shall contain an accurate statement of the kind and character of the bridge carried away or destroyed or decayed or unsafe which it is proposed to replace the length of time since the first bridge was built on the proposed location the length of the bridge together with a recommendation of viewers as to the kind of bridge needed and the probable cost thereof and it shall be the duty of the said viewers to inquire whether the accommodation of the traveling public in the locality demands the rebuilding of said bridge Provided That the Attorney General shall have due notice of the time of filing the petition and the application for viewers and it shall be his duty to appear for and defend the interests of the Commonwealth in all such proceedings

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 729, (House Bill No. 911), as follows:

An Act to provide for the erection of new or additional buildings for the maintenance care and treatment of the poor indigent insane and indigent persons afflicted with tuberculosis in poor districts in counties of the second class which now maintain or which shall hereafter maintain a poor house or a hospital or sanitarium for such purposes authorizing the county commissioners to borrow moneys issue and negotiate the sale of bonds and to levy taxes for the payment of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where under any law of this Commonwealth a poor house or houses or hospital for indigent insane or hospital or sanitarium for indigent persons afflicted with tuberculosis have been or hereafter shall be erected or maintained by the Directors of the Poor in any poor district in any county or counties of the second class said class being ascertained and fixed according to population by reference from time to time to the last preceding decennial census of the United States and the said building or buildings are found insufficient by said Directors of the Poor for the purpose of the proper maintenance care and treatment of the said poor indigent insane or indigent persons afflicted with tuberculosis it shall be lawful for the Directors of the Poor in said county or counties with the approval of the county commissioners or majority thereof to erect construct and maintain new or additional buildings as in their judgment is necessary for such purposes and to make contracts therefor

Section 2 That at the request of said Directors of the Poor the county commissioners of such county or counties may borrow money and to incur indebtedness to an amount not to exceed two per centum of the assessed valuation of the taxable property in said poor district or districts as fixed by the last preceding assessed valuation thereof to carry out the provisions of this act and to issue as evidence thereof registered or coupon bonds payable by said poor district within thirty years from the date of their issue and bearing interest at a rate not exceeding six per centum per annum payable annually or semi-annually and to negotiate the same for the purpose of raising the money necessary to carry out the provisions of this act and further to levy and collect taxes on all the taxable property in said poor district or districts for the purpose of paying any bonded indebtedness which may be incurred as herein provided

Section 3 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL RECOMMITTED.

Mr. CLARK. Mr. President, I move that Senate Bill No. 55 on second reading, entitled:

An Act to protect bituminous coal miners in the determination of the amount of coal to be used as a basis for calculating wages providing that payment shall be made for the quantity mined irrespective of size requiring mine cars to be uniform capacity granting the miners the right to employ check-weighmen or check-measurers and prescribing their powers and duties imposing certain duties on mine inspectors and providing penalties

be recommitted to the Committee on Mines and Mining, for purpose of a hearing.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 77, as follows:

An Act authorizing the use of voting machines at any or all elections and primary elections within the several counties of the Commonwealth creating a State Board of Voting Machine Examiners and defining its powers and duties authorizing county commissioners to purchase voting machines providing rules and regulations for the conduct of elections and primary elections held with voting machines and providing penalties for violation of the provisions of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever one hundred or more citizens residents of the county petition the county commissioners for the purchase installation and use of voting machines at all elections to be held in the county such commissioners shall at the next general or municipal election submit to the voters of the county the question whether or not the county shall purchase install and use voting machines at all elections to be held in the county Such question shall be printed at the foot of the ballot and shall be in the form provided by the general election laws for the submission of such questions The vote on such question shall be returned in the manner prescribed in the general election laws

Section 2 WHEN VOTING MACHINES MAY BE ADOPTED PROCURED AND USED If a majority of the voters voting upon such question at such election shall be in favor of the purchase installation and use of voting machines at all elections to be held in the county the county commissioners of said county shall adopt and purchase for each election district of the county and require the use therein one or more voting machines of a style or type approved by the State Board of Voting Machine Examiners Thereafter such machines shall be used at all elections authorized by law and for receiving registering and counting the votes cast at such elections After the adoption of voting machines in any county voting by ballot in such county shall be abolished except by soldiers who may be in military service or by absentee voters in case such persons are authorized by law to vote

Section 3 STATE BOARD OF VOTING MACHINE EXAMINERS The Governor the Secretary of the Commonwealth and the Attorney General and their successors in office are hereby created and constituted the State Board of Voting Machine Examiners It shall be the duty of said Board to examine all makes of voting machines submitted to it and determine whether such machines comply with the requirements of this act and can safely be used by voters at elections Any person or corporation owning or being interested in a voting machine may submit the same to said Board for examination and said Board shall thereupon publicly examine and report upon such machine pursuant to the provisions of this act For the purpose of assistance in examining such machine the said Board may employ not more than three expert machinists at a cost of not more than ten dollars each for each day employed the compensation of said machinists shall be paid by the person or corporation submitting the machine Within thirty days after completing the exaamination of any voting machine the Board shall make and file with the Secretary of the Commonwealth its report on such machine together with such written or printed description and such drawings and photograph as shall clearly identify such machine and the mechanical operation thereof and within ten days after receiving such report the Secretary of the Commonwealth shall send a copy thereof to the county commissioners of each county Any voting machine that shall receive the approval of a majority of said board may be used for conducting any or all elections subject to the provisions of this act Any machine that shall not receive said approval shall not be adopted for or used at any election After a voting machine has been approved by said board any change or improvement therein that does not impair its accruing efficiency or capacity shall not render necessary a re-examination or re-approval thereof

Section 4 DEFINITION OF TERMS EMPLOYED IN THIS ACT The list of officers and candidates and the statements of questions on the voting machine shall be deemed an official ballot and the words "ballot labels" as used in this act shall mean the cards paper or other material containing the names of officers and candidates and statements of questions to be voted on The word "diagram" shall mean an illustration of the official ballot when placed upon the machine showing the names of the parties officers and candidates and statements of the questions in their proper places together with the voting devices therefor and shall be considered a sample ballot The word "question" shall mean a statement of such constitutional amendment or other proposition as shall be submitted to a popular vote at any election The words "irregular ballot" shall mean the paper or other material on which a vote is cast for persons whose names do not appear on the ballot labels The words "vote indicator" shall mean those devices with which votes are indicated for candidates or for or against questions The words "candidate counters" and "question counters" shall mean the counters on which are registered the votes cast for candidates and on questions respectively The words "public counter" shall mean a counter or other device which shall at all times publicly indicate how many times the machine has been voted on at an election The words "protective counter" shall mean a counter or "protective device" or devices that will register each time the machine is operated and shall be constructed and so connected that it cannot be reset altered or operated except by operating the machine The words "voting machine booth" shall mean the enclosure occupied by the voter when voting The word "model" shall mean a mechanically operating model of a portion of the face of the machine illustrating the manner of voting The word "custodian" shall mean the person charged with the duty of testing and preparing the voting machine for the election The words "statement of canvass" shall mean a statement and return in book form of the votes cast at an election together with suitable certifications of its correctness

Section 5 REQUIREMENTS OF VOTING MACHINES No voting machine shall be approved by the State Board of Voting Machine Exeminers unless it is so constructed as to fulfill the following requirements It shall secure to the voter secrecy in the act of voting It shall provide facilities for voting for the candidates of as many political parties or organizations as may make nominations and for or against as many questions as may be submitted It shall be of the type or style that will permit of the arrangement of names of candidates or questions to be submitted to electors in the manner prescribed by law for the arrangement of such names or questions upon a ballot It shall permit the voter to vote for any person for any nominations or any office that he shall have the right to vote for but none other It shall permit the voter to vote for all the candidates of one party or except at primary elections in part for the candidates of one party and in part for the candidates of one or more other parties It shall permit the voter to vote for as many persons for an office as he is lawfully entitled to vote but no more It shall permit the voter to vote for or against any question he may have a right to vote on but none other It shall correctly register or record all votes cast for any and all persons and for or against any and all questions It shall be provided with a lock or locks by which all operation of the registering mechanism can be prevented as soon as the polls of election are closed It shall be provided with a "protective counter" or "protective device" whereby any operating or tampering with the machine before or after the election will be detected It shall be provided with a counter which shall show at all times during an election how many persons have voted It shall be provided with a mechanical model illustrating the manner of voting on the machine suitable for the instruction of voters It may also be provided with one device for each party for voting for all the presidential electors of that party by one operating and a ballot label thereof containing only the words "Presidential electors" proceeded by the name of that party and followed by the names of the candidates thereof for the offices of President and Vice-President and a registering device therefor which shall register the vote cast for said electors when thus voted for collectively provided however that means shall be furnished whereby the voter can cast a vote in part for the candidates for Presidental electors of one party and in part for those of one or more other parties or in part or in whole for persons not nominated by any party

Section 6 PAYING FOR VOTING MACHINES The county commissioners may purchase the machines required by this act for cash or by issue of negotiable obligations which shall be a charge on the proper county The obligations may be made payable at such time or times as may be fixed by the commissioners subject to the limitations imposed by the constitution and laws of this Commonwealth

Section 7 PRINTED MATTER AND SUPPLIES Not later than forty days before each election at which voting machines are to be used the Secretary of the Commonwealth shall prepare samples of the printed matter and supplies named in this section and shall furnish one of each thereof to the county commissioners of each county in which the machines are to be used such samples to meet the requirements of the election to be held and to suit the construction of the machines to be used

The county commissioners shall provide for each voting machine for each election the following printed matter and supplies suitable printed or written directions to the custodian for testing and preparing the voting machines for the election one certificate on which the custodian can certify that he has properly tested and prepared the voting machine for the election one certificate on which some person other than the custodian can certify that the voting machine has been examined and found to have been properly prepared for the election one certificate on which the party representatives can certify that they have witnessed the testing and preparation of the machines one certificate on which the deliverer of the machines can certify that he has delivered the machines to the polling places in good order one card stating the penalty for tampering with or injuring a voting machine two seals for sealing the voting machine one envelope in which the keys to the voting machine can be sealed and delivered to the election officers said envelope to have printed or written thereon the designation and location of the election district in which the machine is to be used the number of the machine the number shown on the protective counter thereof after the machine has been prepared for the election and the number or other designation on each seal as the machine is sealed with said envelope to have attached to it a detachable receipt for the delivery of the keys of the voting machine to the judge of election one envelope in which the keys to the voting machine can be returned by the election officers after the election one card stating the name and telephone address of the custodian on the day of election two statements of canvass on which the election officers can report the canvass of the votes as shown on the voting machine together with other necessary information relating to the election said statements of canvass to take the place of all tally papers statements and returns as provided heretofore three complete sets of ballot labels two diagrams five suitable printed instructions to judges and inspectors of election three notices to judges and inspectors of election to attend the instruction meeting three certificates that the judges and inspectors of election have attended the instruction meeting have received the necessary instruction and are qualified to conduct the election with the machine The ballot labels shall be printed in black ink on clear white material of such size and arrangement as to suit the construction of the machine provided however the ballot labels for questions may contain a condensed statement of each question to be voted on accompanied by the words "yes" and "no" the titles of the officers on the ballot labels shall be printed in type as large as the space for such office will reasonably permit and where more than one candidate can be voted for any office there shall be printed below the office title the words "vote for any two" or such number as the voter is lawfully entitled to vote for out of the whole number of candidates nominated

If the election be one at which all the candidates for the office of Presidential electors are to be voted for with one device the county commissioners shall furnish for each machine twenty-five ballots for each political party each ballo containing names of the candidates for the office of Presidential electors of such party and a suitable space for writing in names so that the voter can vote thereon for part of the candidates for the office of Presidential electors of one party For election districts in which voting machines are to be used no paper ballots shall be furnished to any offices to be voted for on the machine

Section 8 INSTRUCTION TO VOTERS BEFORE ELECTION Before each election at which voting machines are to be used the custodian shall place on public exhibition a suitable number of machines for the proper instruction of voters Such machines shall be so arranged and so equipped with ballot labels as to best illustrate the method of voting at that election and so far as practicable shall contain the names of the offices to be filled the names of the candidates to be voted for together with their proper party designations and statements of the questions to be voted on Not more than ten or less than three days before each election at which voting machines are to be used the board or officials charged with the duty of providing ballots shall publish in newspapers representing at least two political parties a diagram of reduced size showing the face of the voting machine after the official ballot labels are arranged thereon together with the illustrated instructions how to vote and a statement of the locations of such voting machines as shall be on public exhibitions

Section 9 INSTRUCTION OF JUDGES AND INSPECTORS OF ELECTION Where more than one machine is to be used in an election district one additional inspector shall be appointed for each additional machine Before each election at which voting machines are to be used the custodian shall instruct all judges and inspectors of election that are to serve thereat in the use of the machine and their duties in connection therewith and he shall give to each judge and inspector that has received such instruction and is fully qualified to conduct the election with the machine a certificate to that effect For the purpose of giving such instruction the custodian shall call such meeting or meetings of the judges and inspectors as shall be necessary Each judge and inspector shall attend such meeting or meetings and receive such instructions as shall be necessary for the proper conduct of the elections with the machine and as compensation for the time spent in receiving such instruction each judge and inspector that shall qualify for and serve in the election shall receive the sum of one dollar to be paid to him at the same time and in the same manner as compensation is paid to him for his services on election day No judge or inspector of election shall serve in any election at which a voting machine is used unless he shall have received such instruction and is fully qualified to perform his duties in connection with the machine and has received a certificate to that effect from the custodian of the machines Provided however That this shall not prevent the appointment of a judge or inspector of election to fill a vacancy in an emergency

Section 10 TESTING AND PREPARING VOTING MACHINES FOR ELECTION The county commissioners shall cause the machines to be properly prepared prior to any election where at the same are to be used and for that purpose shall employ competent persons who shall be known as voting machine custodians who shall be sworn to perform their duties faithfully according to law and who shall receive each the sum of five dollars per day out of the county funds for each day actually employed under the provisions of this act One custodian shall be employed for each twenty machines One-half of the custodians shall be selected as nearly as may be from the party casting the largest vote at the election preceding the appointment The remainder shall be selected from the party casting the next highest vote All appointments to fill vacancies shall be made in like manner The custodians shall be appointed for the term of two years

In preparing a voting machine for an election the custodian shall according to the written or printed directions furnished by the county commissioners arrange the machine and the ballot labels therefor so that they will in every particular meet the requirements for voting and counting at such election The custodian shall thereupon test the machine and certify accordingly to the county commissioners The names of candidates shall be arranged on the machine in the manner prescribed by law for their arrangement upon ballots

Before preparing the voting machine for any election the custodian shall give written notice to at least three of the principal political parties stating the time and place where machines will be prepared at which time one representative appointed by the county chairman of each of such political parties shall be afforded an opportunity to see that the machines are in proper condition for use in the election Such representatives shall be sworn to faithfully perform their duties and shall be regarded as election officials but shall not interfere with the custodians or assume any of their duties When a machine has been so examined by such representative it shall be sealed with a numbered metal seal and such representative shall certify to the number of the machine that the public counter and all the candidate and questions counters register 000 the number registered on the protective counter and the number or other designating mark on the seal After being prepared for the election each machine shall be examined by some person other than the custodian preparing it and a certificate thereof filed with the county commissioners The custodian shall cause all voting machines to be delivered to the polling places in charge of an authorized official who shall certify to their delivery in good order on the certificate furnished therefor After such delivery the county commissioners shall provide proper protection therefor The county commissioners shall provide a light for every machine which shall be in good order and give sufficient light to enable voters while in the booth to read the ballot labels and suitable for use by the election officers in examining the counters

Section 11 DELIVERY OF ELECTION SUPPLIES AND KEYS The county commissioners shall cause to be delivered to the judge of election not later than the day before the election the keys for the voting machine which shall be delivered in a sealed envelope on which shall be written the designation and location of the election district the number of the voting machine the number or other designating mark on the seal and the number registered on the protective counter as reported by the custodian for which a receipt shall be taken on the blank attached thereto two diagrams one extra set of ballot labels one envelope containing seal for sealing the machine after the polls are closed one envelope for the return of the keys two statements of canvass and all other supplies necessary for conducting the election

Section 12 OPENING THE POLLS The election officers of each election district in which a voting machine is to be used shall meet at the polling place thereof at least forty-five minutes before the time set for opening the polls and before unlocking the machine for voting shall proceed as follows They shall see that the voting machine is placed where it can be conveniently attended by the election officers and conveniently operated by the voters and where unless its construction requires otherwise the ballot labels thereon can be plainly seen by the election officers and the public when not being voted on They shall see that the model is placed where each voter can conveniently operate it and receive instruction thereon as to the manner of voting before entering the machine They shall post one diagram inside the polling room and one outside in places where the voters can conveniently examine them They shall see that the lantern or other means provided for giving light is in such condition that the voting machine is sufficiently lighted to enable the voters to readily read the names on the ballot labels They shall see that the ballot labels are in their proper places on the machine They shall see if the number or other designated mark on the seal sealing the machine also the numbers registered on the protective counter agree with the number written on the envelope containing the keys and if the same do not agree they shall at once notify the custodian and delay unlocking the machine and opening the polls until he shall have re-examined the machine If such numbers or marks do so agree the election officers shall then proceed to see if the public counter and all the candidate and question counters register 000 if any of such counters shall be found to register some number other than 000 the judge of election shall at once notify the custodian who shall set such number at 000 After performing their duties as provided in this section the election officers shall certify thereto in the appropriate places on the statement of canvass as provided thereon When the polls are declared open the judge or an inspector of election shall break the seal and unlock the machine for voting

Section 13 CONDUCTING THE ELECTION Before each voter enters the voting machine each clerk shall insert in his list of voters opposite the voter's name the letter V and the number of his vote The election officers shall so far as possible inform him how to operate the machine and allustrate same upon the model and call his attention to the diagram No voter shall remain within the voting machine booth longer than one minute and if he shall refuse to leave at the end of that time he shall be removed by the election officers Provided however That they may grant him a longer time if other voters are not waiting to vote Whenever a voter who has the right to vote only in a certain party or on certain offices or certain questions shall enter the machine the election officer shall so adjust same that such voter can vote in such party or on such offices or questions but no others If any voter shall in the presence of the election officers declare that he is by reason of physical disability unable to register or record his vote upon the machine two election officers of opposite political parties shall enter the voting machine with him and indicate and register his vote for such candidates and for or against such questions as he shall designate If any voter shall after entering the voting machine ask for information regarding its operation the election officers shall give him such necessary information Any election officer who shall deceive any voter in registering or recording his vote under this section or who shall register or record such vote in any other way than as designated by such voter or who shall give information to any person as to what candidates or for or against what question such voter voted or shall seek to suggest or persuade any voter to vote for any party or for any candidate or for or against any question shall be guilty of a felony and shall be sentenced to pay a fine of not more than five hundred dollars or to undergo an imprisonment by separate or solitary confinement at labor for a period not to exceed two years Except as herein provided for in cases of physical disabled voters and voters unable to read the English language the operation of voting shall be secret The election officers shall occasionally examine the face of the machine and the ballot labels to determine if same have been injured or tampered with No voter shall be permitted to enter the machine or move the operating lever more than once

Section 14 CANVASSING THE VOTE At the hour for closing the polls the judge of election shall declare the polls of the election closed and shall not permit any further operation of the machine except provided as follows namely that such voters as shall at the hour of closing be within the polling room and awaiting their turn to vote shall be considered as having begun the act of voting and shall be permitted to cast their votes upon the machine As soon as such voters have voted the election officers shall lock and seal the machine unlock and open the doors of the counter compartment and canvass the votes registered on the counters herein and the votes recorded on or in the device or devices for voting for persons not nominated and shall make two statements of canvass thereof in the following manner One election officer shall call the designating number and letter of each candidate's counter in the order given on the statements of canvass and another election officer under the scrutiny of one of a different political party shall repeat such number and letter as it is read and announce the vote registered on such counter which vote shall thereupon be entered in ink on each of the statements of canvass The canvass of each office shall be completed before proceeding to the next The vote on each question shall be canvassed in the same manner The votes cast on the irregular ballots shall then be canvassed All votes for persons whose names do not appear on the ballot labels must be cast in the proper places on or in the device for irregular ballots and all votes for persons whose names do appear upon the ballot labels must be cast on the counters therefor and any votes not so cast shall not be counted provided however that at all elections at which Presidential electors are voted for with one device the voter may vote on or in the device for irregular ballots in part for the Presidential electors of one party and in part for those of one or more other parties or in part or in whole for persons not nominated by any party After completing and writing down the canvass of the votes cast the election officers shall verify same by comparing the figures on the statements of canvass with the figures on the counters in the machine and the names recorded on or in the device for voting for persons not nominated and shall then certify in the appropriate place on each of the statements of canvass as to the number of voters that voted at the election as shown by the poll list and by the number registered on the public counter the number registered on the protective counter and the number of other disignating mark on the seal with which the machine has been sealed

After completing and certifying to the statements of canvass the judge or an inspector shall read therefrom in a district voice the name of each candidate the designating number and letter of his counter as stated thereon and the vote entered for each also the vote for and against each question During the canvassing and announcing of the vote the counter compartment shall remain open and opportunity shall be given to any person lawfully present to examine the counters to determine the correctness of the vote as announced The counter compartment shall then be locked and all keys of the machine shall be delivered forthwith in a sealed envelope to the county commissioners The statements of canvass shall be delivered forthwith as provided by law for the delivery of election returns

Section 15 PRESERVING THE RECORD OF THE MACHINE The registering mechanism of each voting machine used in an election shall remain locked and sealed against operation until required for the next succeeding election unless released by order of court

Section 16 PENALTY FOR INJURING OR TAMPERING WITH A VOTING MACHINE Any person who shall tamper with or injure or attempt to injure any voting machine to be used or being used in an election or who shall prevent or attempt to prevent the correct operation of such machine or any unauthorized person who shall make or have in his possession a key to a voting mchine to be used or being used in an election shall be guilty of a felony and upon conviction shall be punished by a fine not exceeding five hundred dollars or imprisonment not exceeding five years or both at the discretion of the court

Section 17 DEFINITION OF THE WORDS "ELECTION" AND "ELECTIONS" The words "election" and "elections" whenever used in this act shall be held to include and mean all elections and primary elections

Section 18 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. DAVIS. Mr. President, I move that Senate Bill No. 77, the bill just read, be recommitted to the Committee on Law and Order for the purpose of ascertaining whether or not it is a constitutional bill.

Mr. JONES. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 163, entitled

An Act relating to the organization maintenance and operation of the Banking Department and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing the Banking Department Act of nineteen hundred and nineteen with table of contents

The first section of the bill was read as follows:

Section 1 Short Title

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this Act shall be known and may be cited as "The Banking Act of 1923"

On the question,

Will the Senate agree to the section?

Mr. BROWN. Mr. President, I move to amend section 1, page 4, line 1 by striking out "Section one;" also line 5 by striking out the word "of".

Mr. SMITH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to.

Section 2 Definitions

Except as otherwise expressly indicated the following words wherever used in this Act shall be taken and construed to have the following meaning

"Commissioner" means the Commissioner of Banking

"Person" means an individual a partnership or an unincorporated association

"Court" means the Court of Common Pleas of the County where the banking house or other place of business of the corporation or person in question is located

"Prothonotary" means the prothonotary of such court

The third section of the bill was read as follows:

Section 3 Adertisements Notices and Fees

(a) Advertisements Whenever under any of the provisions of this act advertisements is required to be made in a newspaper such advertisement shall unless otherwise provided be made in a newspaper of general circulation in the county published in the city borough or township where the banking house or other place of business of the corporation or person in question is located If there be no newspaper published in such city borough or township then the advertisement shall be made in a newspaper of general circulation in the county published at the county-seat or if none be there published in the newspaper published nearest to said city borough or township within the county If there be no newspaper published in the county then the advertisement shall be made in the newspaper published nearest to such city borough or township in an adjoining county

(b) Notices Except as otherwise expressly provided all written or printed notices required by this act shall be served either in the manner now or hereafter provided by law for the service of writs of summons save that service need not be made by the sheriff or by mailing such notice by registered mail return receipt requested to any person required to be notified at his last known place of business or residence and to any corporation at its principal office or if a foreign corporation at the office of its duly authorized agent

(c) Fees Whenever under any of the provisions of this act certificates or other documents are required to be filed or recorded in the office of the prothonotary of any court of common pleas or in the office of any public official other than the Commissioner of Banking such prothonotary or other official shall be entitled to receive therefor the same fees as are provided by law for similar services

On the question,

Will the Senate agree to the section?

Mr. BROWN. Mr. President, I move to amend section 3, page 5, line 16 by inserting after the word "made" and inserting in lieu thereof the following:— "once a week for three weeks."

Mr. SMITH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourth section of the bill was read as follows:

Section 4 Banking Department Scope of Supervision Powers Duties There shall continue to be separate and distinct department known as the Banking Department charged with the supervision of all the corporations and persons hereinafter described and with the duty of taking care that the laws of this Commonwealth in relation thereto shall be faithfully executed and that the greatest safety to depositors therein or therewith and to other interested persons shall be afforded

The said supervision duties and powers shall extend and apply to the following corporations now or hereafter incorporated under the laws of this State or under the laws of any other state and authorized to transact business in this state namely all such corporations having power to receive and receiving money on deposit or for safe-keeping otherwise than as bailee including all banks banking companies co-operative banking associations trust safe deposit real estate mortgage title insurance guarantee surety and indemnity companies savings institutions savings banks and provident institutions The said supervision duties and powers shall also extend and apply to mutual savings funds building and loan associations and corporations doing a safe-deposit business only

The said supervision duties and powers shall also extend and apply to all national banking associations located in this State now or hereafter incorporated under the laws of the United States which shall in pursuance of Federal law or regulation be granted a permit to act or shall act as trustee execution administrator registrarof stocks and bonds guardian of estates assignee receiver committee of estates of lunatics or in any other fiduciary capacity

The said supervision duties and powers shall also extend and apply to all unincorporated banks except such as are or shall be exempted by law and to all such individuals partnerships and unincorporated associations as are or shall be by law made subject to the supervision of said department and to any individuals or associations of individuals doing the business of co-operative banks or of building and loan associations or a business in the nature of either whether under the guise of a deed of trust or otherwise

On the question,

Will the Senate agree to the section?

Mr. BROWN. Mr. President, I move to amend section 4, page 7, line 23 by inserting after the word "all" the following: "private or."

Mr. SMITH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fifth section of the bill was read as follows:

Section 5 Commissioner Deputies and Employes (a) Commissioner The chief officer of the Banking Department shall continue to be known as the Commissioner of Banking He shall be appointed by the Governor by and with the advice and consent of the Senate and shall hold office for the term of four years and until his successor is duly qualified Within fifteen days from the time of notice of his appointment he shall take and subscribe the oath of office prescribed by the constitution and file the same in the office of the Secretary of the Commonwealth a bond in the penalty of fifty thousand dollars with two or more individual sureties or a corporate surety to be approved by the Governor conditioned for the faithful performance of all his duties He shall receive an annual salary of ten thousand dollars

(b) Deputies The Commissioner shall appoint a first deputy whose salary shall be six thousand dollars per annum and may appoint a second and a third deputy whose salaries shall be respectively five thousand and four thousand dollars per annum The duties of all such deputies shall be such as may be assigned to them by the Commissioner and each of them shall take subscribe and file the oath of office as herein prescribed for the Commissioner and shall whenever required by the Commissioner give bond in such amount and with such surety as may be prescribed by the Commissioner conditioned for the faithful performance of the duties of such deputy

(c) Deputy Acting in Place of Commissioner Whenever the Commissioner by reason of absence or incapacity is unable to perform the duties of his office or if a vacancy in the office of Commissioner occurs the duties of the Commissioner shall be performed by the deputy next in authority until such disability is removed or the vacancy filled

Any deputy before entering upon the performance of such duties shall give to the Commonwealth a bond in the penalty of fifty thousand dollars with two or more individual sureties or a corporate surety to be approved by the Governor conditioned for the faithful performance of such duties while he is acting as Commissioner

(d) Clerks Examiners and other Employees The Commissioner with the approval of the Governor shall employ from time to time such clerks examiners special agents and other employees as he may need to discharge in a proper manner the duties imposed upon him by law They shall perform such duties as the Commissioner shall assign to them and their compensation shall be fixed by him with approval of the Governor Each of such employees shall take subscribe and file the oath of office as herein prescribed for the Commissioner and deputy commissioners Bonds shall be given to the Commonwealth by such of said employees in such amounts and with such surety as may be determined by the Commissioner conditioned for the faithful performance of their duties

(e) Cost of Bonds The cost of all bonds required by this section to be given by the Commissioner the deputy commissioners or any of the clerks examiners or other employees of the Banking Department shall constitute expenses of the department and shall be paid as hereinafter provided for such expenses

(f) Prohibitions Neither the Commissioner nor any of his deputies clerks examiners or other employees shall be interested as officer director trustee manager or stockholder in any corporation subject to the supervision of the Banking Department nor interested in any way in the business of any person subject to such supervision

No deputy commissioner or examiner shall be appointed special deputy to assist in the liquidation of any corporation or person whose books papers and affairs he shall have examined within one year previous to the taking of possession by the Commissioner under the provisions of section twenty-one of this act

No examiner shall receive a loan nor shall the Commissioner or any of his deputies clerks examiners or other employees receive a gift directly or indirectly of any sum of money or other valuable thing from any corporation or person to whom this act applies or from any director officer or employee thereof and a violation of this prohibition shall constitute ground for the removal of such Commissioner deputy clerk examiner or other employee

On the question,

Will the Senate agree to the section?

Mr. BROWN. Mr. President, I move to amend section 5, page 9, line 11 by striking out the word "penalty" and inserting in lieu thereof the following: "penal sum": also page 10 by striking out the whole of lines 13, 14, 15, 16, 17 and 18.

Mr. SMITH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixth section of the bill was read as follows:

Section 6 Transfer of Powers and Duties to Commissioner All powers rights privileges and duties hertofore by any law of this Commonwealth conferred or imposed upon the Auditor-General or the Secretary of the Commonwealth in relation to any of the corporations or persons who under the provisions of this act are subject to the supervisions of the Banking Department are hereby transferred to and conferred and imposed upon the Commissioner so far as the same relate to the supervision of such corporations and persons for the purposes of this act

On the question,

Will the Senate agree to the section?

Mr. BROWN. Mr. President, I move to amend section 6, page 11, line 6 by inserting after the word "persons" the words "which or"; also line 7 by striking out the word "supervisions' and inserting in lieu thereof the word "supervision."

Mr. SMITH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The seventh and eigth sections of the bill were read as follows and agreed to.

Section 7 Records and Securities to Remain in Custody of Commissioner All books papers records and securities which were formerly in the office of the Superintendent of Banking and in the office of the Auditor-General relating to the business of corporations and persons subject to the supervision of the Commissioner and which were delivered and transferred to the Commissioner shall be and remain in his charge and custody

Section 8 Rooms at Capitol Furniture There shall be assigned to the Commissioner by the Commissioners of Public Grounds and Buildings a suitable room or rooms at the capitol of the state for conducting the business of the Banking Department and the Commissioner shall from time to time with the approval of the commissioners aforesaid procure the necessary furniture and other proper conveniences for the transacting of the said business the expenses of which shall be paid on the certificate of the Commissioner and the warrant of the Auditor-General out of the funds appropriated to the Commissioners of Public Grounds and Buildings

The ninth section of the bill was read as follows:

Section 9 Maintenance of Banking Department (a) Expenses All moneys derived by the Banking Department from fees assessments charges penalties and otherwise shall be paid by the Commissioner into the state treasury for safekeeping and shall by the State Treasurer be placed in a separate fund to be available for the use of the Banking Department upon requisition of the Commissioner All such moneys so paid into the state treasury are hereby specifically appropriated to the Banking Department for the purpose of paying the salaries of the Commissioner the deputy commissioners the examiners and the other employees of the department and the expenses of the department including the rental and furniture of such rooms or quarters as the Commissioner may deem necessary outside of the capitol

The Auditor-General shall upon requisition of the Commissioner from time to time draw warrants upon the State Treasurer for the amounts specified in such requisitions not exceeding however the amount in such fund at the time of the making of any such requisition

(b) Assessment of Expenses upon Corporations and Individuals All the expenses incurred in and about the conduct of the business of the Banking Department including the cost of the regular examinations of corporations and persons under the supervision of the department the compensation of the Commissioner deputy commissioners examiners and other employees of the department (but excluding the furniture and conveniences mentioned in section eight of this act) together with all other general or overhead expenses of the department shall be charged to and paid by the corporations and persons subject to the supervision of the department in equitable proportions at such times and in such manner as the Commissioner shall by general rule or regulation annually prescribe

The expenses incurred in connection with any special examination or investigation of any corporation or person including a proportionate part of the salary of any examiner or other employee of the department engaged in such examination or investigation shall be charged to and paid by such corporation or person

On failure or refusal of any such corporation or person after thirty days' written notice to pay any sum lawfully assessed or charged against it or him by the Commissioner under the provisions of this clause the Commissioner may at his option bring an action at law to recover the same or may take possession of the business and property of such corporation or person as provided in section twenty-one of this act

On the question,

Will the Senate agree to the section?

Mr. BROWN, Mr. President, I move to amend section 9, page 13, by inserting between lines 8 and 9 the following:—

"Provided, however, That building and loan associations shall not be examined more than once in each year, unless the condition of any building and loan association shall be such that in the opinion of the Commissioner of Banking an additional examination is necessary. And provided further that the Commissioner of Banking may, upon the request of any building and loan association appoint a certified public accountant to make at the expense of the association the annual examination instead of an examiner of the Banking Department and the building and loan association making such request shall be entitled to and furnished with a copy of the report of the examination.

Provided however, That the charge for examination of building and loan associations shall not exceed the sum of fifteen dollars for the first one hundred thousand dollars or fraction thereof of assets of said building and loan association and ten dollars for each additional one hundred thousand dollars or fraction thereof of assets"; also line 20 by striking out "or may take possession of the"; also by striking out the whole of lines 21 and 22.

Mr. SMITH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, and nineteenth sections of the bill were read as follows and agreed to.

Section 10 Seal The seal now in use by the Commissioner shall continue to be the seal of the office of the Commissioner of Banking and may be renewed when necessary a description of the seal with the impression thereof and a certificate of approval of the Governor shall remain on file in the office of the Secretary of the Commonwealth

Section 11 Copies of Documents (a) Admissibility of Contents Copies of all books accounts reports and other papers or documents filed in the office of the Banking Department certified under the hand and seal of the Commissioner shall be admitted to be read in evidence in all courts of law and elsewhere in this Commonwealth in all cases where the originals would be admitted in evidence Provided That in any proceeding the court having jurisdiction may on cause shown require the production of the originals

(b) Fees For every copy of any paper filed in the Banking Department and for the certification thereof except when such copy or certification is made for the benefit of a corporation or person subject to the supervision of the department under the provisions of this act the Commissioner may charge such fees as he may by general rule or regulation prescribe

(c) Prima Facie Evidence of Contents In any proceedings under the provisions of this act a copy duly certified by the Commissioner of a duly instituted examination of the corporation or person involved in such proceeding shall be prima facie evidence of the facts therein stated

Section 12 Disclosure of Information Forbidden Exceptions Neither the Commissioner nor any deputy examiner or employee of the Banking Department shall directly or indirectly wilfully exhibit publish divulge or make known to any person or persons any record report statement letter or other matter fact or thing contained in said department or ascertained from any of the same or from any examination made under the provisions of this act excepting in such manner as is expressly authorized by this act and excepting when the production of such information in a proceeding in any court is duly required by subpoena issued by special order of the court or other legal process and any violation of the provisions of this section shall be a misdemeanor upon conviction whereof the person so offending shall be sentenced to pay a fine not exceeding one thousand dollars and shall shall be dismissed from his employment in said department Provided however That the Commissioner on the written request or consent of any corporation authorized by resolution of its board of directors or on written request or consent of any person under the supervision of the Banking Department may discuss with an advisory committee selected by the Commissioner or selected by such corporation or person and acceptable to the Commissioner such matters relating to the financial condition of such corporation or person as the Commissioner may deem pertinent to the rehabilitation thereof And provided further That the Commissioner may on like request or consent furnish to the Federal Reserve Board or to the Federal Reserve Bank of the district in which the banking house or other place of business of any corporation is located copies of any reports or parts thereof or any information in his possession relating to such corporation for the use of said board or bank

Section 13 Department's Power to Examine and Inspect Every corporation and person included within the supervision of the Banking Department as set forth in section four of this act together with all the property assets and resources of such corporation or person shall be subject to inspection and examination by the Commissioner or his deputies or any qualified examiner of the said department when such examiner is authorized in writing under the official seal of the department by the Commissioner or a deputy commissioner to make such examination and inspection

Section 14 Examinations

(a) In General It shall be the duty of the Commissioner at least once in each year to examine or cause to be examined the books papers and affairs of each and every corporation and persons subject to the supervision of the Banking Department The Commissioner may also at any time make such special investigations or examinations as in his opinion the exigencies of any case may require Whenever he shall deem it necessary or proper he shall assign a qualified examiner or examiners to make any such examination or investigation which examiner or examiners shall have power to make a thorought examination into all the business and affairs of the corporation or person in all departments and of all property assets and resources wherever situated and in so doing to examine under oath or otherwise any of the officers agents employees or members of the corporation or person or any corporation or person in possession of any assets of the corporation or person under examination The examiner or examiners shall make a full and detailed report of the condition of the corporation or person under examination or such special report as may be directed by the Commissioner

Provided That whenever any bank shall by becoming a member of a Federal Reserve Bank be subject to the examinations required by the Federal Reserve Act the Commissioner may in his discretion accept such examinations in lieu of the examinations required by this section or by the laws of this Commonwealth

(b) Examinations under Oath The Commissioner and his deputies and any qualified examiner appointed by the Commissioner are hereby authorized and empowered to administer oaths or affirmations to any of the officers agents employees or members enumerated in clause (a) of this section and any wilful false swearing in any inquiry thereunder shall be perjury and subject upon conviction thereof to the same punishment as is or may be provided by law for the punishment of perjury Upon failure of any of the individuals aforesaid to make answer to any such inquiry the attorney general upon the request of the Commissioner shall make information thereof to the court whereupon said court after hearing shall make such order as the occasion requires

Section 15 Reports to Commissioner

(a) In General Every corporation and person subject to the supervision of the Banking Department except building and loan associations doing business exclusively within this state shall make and render to the Commissioner not less than two or more than five reports of its or his condition during each year The number form and manner of such reports shall be prescribed by the Commissioner by general rule or regulation Every such report shall be verified by the oath or affirmation of the president cashier treasurer or other managing officer in the case of a corporation or association by a member of the firm in the case of a partnership and by an individual banker in person It shall be attested as correct by the signatures of at least three of the directors trustees or other managers of a corporation or association and by the signatures of at least two of the members of a partnership

Each such report shall exhibit in detail and under appropriate heads the recources and liabilities of the corporation or person at the close of business on any past day specified by the Commissioner and shall be transmitted to him within five days or such further time as he may in his discretion allow after the receipt of a request or requisition thereof from him

Abstract summaries of two of said reports designated by the Commissioner in each year except the reports of building and loan associations doing business exclusively within this state shall forthwith be published by the corporation or person in a newspaper and proof of such publication verified by affidavit shall be furnished to the Commissioner

Building and loan associations doing business exclusively within this state shall in the manner hereinbefore provided make and render one report during each year No abstract summaries of such reports need be published

The Commissioner shall also have power to call for a special report from any corporation or person under the supervision of the Banking Department including building and loan association whenever in his judgment the same may be necessary to a full and complete knowledge of its or his condition

The reports and publications provided for in this clause shall be in lieu of all reports and of all publications for similar purposes heretofore required by law to be made

(b) Failure to Make or Publish Reports Any corporation or person failing to make and transmit any report to publish any report required by this act to be published or to be furnished any proof of publication required by clause (a) of this section shall be subject at the discretion of the Commissioner to a penalty of not more than one hundred dollars payable to the Commissioner for each day after the time or any extension thereof fixed for filing such report making such publication or furnishing such proof In case of failure or refusal to pay such penalty the Commissioner may maintain an action at law to recover the same

Section 16 Commissioner's Report to Governor The Commissioner shall make an annual report to the Governor setting forth

I A summary of the state and condition of every corporation and person from whom reports have been received during the preceding year with such other information in relation to said corporations and persons as in his judgment may be useful

II A statement of the corporations and persons under the supervision of the Banking Department whose business has been closed or taken in possession by the Commissioner during the preceding year with such information relating thereto as he may deem useful

III Suggestions of amendments to the laws relating to corporations and persons under the supervision of the Banking Department by which the condition of such corporations and persons may be improved

IV The names and compensation of the deputies examiners clerks and other employees of the Banking Department during the preceding year the whole amount of the receipts and expenditures of the department during such year and the method and basis of assessing such expenditures adopted by the Commissioner under the provisions of this act

Section 17 Failure to Pay in Capital or Exercise Powers When any corporation under the supervision of the Banking Department (a) has not paid in the capital as required by law (b) has not in any manner exercised the powers conferred upon it by its letters patent within two years after the issuance thereof or (c) has failed to exercise its corporate privileges for two years after having been liquidated such corporation shall be returned by the Commissioner to the Attorney General who shall proceed by quo warranto against such corporation to the end that it may be ousted from its charter rights and its corporations privileges be declared null and void

Section 18 Violation of Charter Whenever it shall appear to the Commissioner from any report of condition of any corporation subject to the supervision of the Banking Department or from any examination made by him of the condition of the affairs of such corporation that such corporation has committed any violation of its charter he shall by an order under his hand and seal of office direct the discontinuance of such illegal practice and direct strict conformity with the provisions of the charter and whenever any such corporation shall refuse or neglect to comply with such order the Commissioner shall communicate the facts to the Attorney General who shall thereupon institute such proceedings as the nature of the case may require for appropriate relief or correction or may proceed by quo warranto for the forfeiture of the charter

The court before which proceedings shall be instituted shall have power to grant such orders and in its discretion from time to time modify or revoke the same and to grant such relief and render such judgment as the facts or evidence in the cast and the situation of the parties and the interests involved shall require or if it shall appear to the said court that the interests of the public so require shall declare a dissolution of such corporation and a distribution of its effects

Section 19 Jurisdiction of Courts Whenever it shall become the right or duty of the Attorney General to proceed against any corporation or person under the supervision of the Banking Department pursuant to the provisions of this act he may in his discretion proceed either in the court of common pleas of Dauphin County or in the court of common pleas of the county where the banking house or other place of business of such corporation or person is located

The twentieth section of the bill was read as follows:

Section 20 Orders by Commissioners Whenever it shall appear to the Commissioner that any corporation or person under the Banking Department has violated any provision of this act or any law regulating the business of such corporation or person or is conducting business in an unauthorized or unsafe manner or that any such corporation has an impairment of capital the Commissioner may issue an order under his hand and seal of office directing such corporation or person to discontinue such violation of law or such unauthorized or unsafe practices or directing such corporation to make good within a time or not less than thirty days after notice to be fixed by the Commissioner any impairment or deficiency of capital

On the question,

Will the Senate agree to the section?

Mr. BROWN. The President, I move to amend section 20, page 22, line 14 by striking out the word "commissioners" and inserting in lieu thereof the word "commissioner"; also line 25 by striking out the word "less" and inserting in lieu thereof the word "more"; also by striking out the word "thirty" and inserting in lieu thereof the word "sixty"; also line 26 by striking out "to be fixed".

Mr. SMITH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-first section of the bill was read as follows:

Section 21 Power of Commissioner to Take Possession The Commissioner may after hearing had upon notice given with the approval and consent of the Attorney General take possession of the business and property of any corporation or person subject to the supervision of the Banking Department whenever it shall appear to him that such corporation or person

I Has violated any law regulating its or his business and has persisted in such violation in disregard of an order duly made by the Commissioner

II Is conducting business in an unauthorized or unsafe manner and has persisted in disregard of an order duly made by the Commissioner

III Is in an unsafe or unsound condition to continue business Provided in such case That the Commissioner may forthwith without such hearing and consent of the Attorney General take possession of the business and property of any such corporation or person receiving moneys on deposit when and if in his opinion the protection of depositors and the public requires such peremptory action

IV Has an impairment of capital which has not been restored or made good within the time fixed by order of the Commissioner

V Has suspended payment of obligations

VI Has neglected or refused to comply with the terms of any lawfully issued order of the Commissioner

VII Has refused upon proper demand to submit the records and affairs of the business of the Commissioner a deputy commissioner or any duly authorized examiner or agent of the Banking Department

VIII Has refused to be examined upon oath or affirmation regarding such affairs

IX Has failed or refused after thirty days' notice to pay any assessment or charge as provided in this act or

X Is in the hands of a receiver appointed by any court or in any bankruptcy proceeding or of an assignee or trustee for creditors appointed by such corporation or person

The Commissioner may in like manner take possession of the business and property of any unincorporated bank otherwise exempt from the supervision of the Banking Department whenever such unincorporated bank shall have made an assignment for the benefit of creditors or confessed its insolvency.

On the question,

Will the Senate agree to the section?

Mr. BROWN. Mr. President, I move to amend Section 21, page 24, lines 5 and 6 and 7 by striking out "Has failed or refused after thirty days notice to pay any assessment or charge as provided in this act or X"; also, line 12 by inserting after the word "any" the following: "private or"; also line 14 by inserting after the word "such" the following: "private or."

Mr. SMITH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-second section of the bill was read as follows and agreed to.

Section 22 Certificate of Taking Possession When the Commissioner shall have duly taken possession of the business and property of a corporation or person as provided in section twenty-one of this act he shall forthwith make under his hand and official seal a certificate setting forth that he has so taken possession and shall file such certificate in his office and cause a certified copy thereof to be filed in the office of the prothonotary who shall index the same in the judgment index under the name of the corporation or person as defendant and the name of the Commissioner as plaintiff

From and after the filing of such certified copy in the office of the prothonotary the Commissioner shall supersede any receiver previously appointed by any court for or any assignee or trustee for creditors appointed by such corporation or person

Such superseded receiver assignee or trustee shall forthwith file his account in the court having jurisdiction thereof and pay over and deliver to the Commissioner all moneys securities assets and property of such corporation or person in his custody possession or control Said court shall allow credit for expenses and for the disbursements properly incurred or made prior to the taking possession by the Commissioner and shall allow proper compensation to said receiver assignee or trustee and his counsel which when determined shall be paid out of the funds of said corporation or person in the hands of the Commissioner

The twenty-third section of the bill was read as follows:

Section 23 Injunction to Restrain Commissioner Whenever the Commissioner takes possession of the property and business of any corporation or person such corporation or person may at any time within ten days apply to the court for an order requiring the Commissioner to show cause why he should not be enjoined from continuing such possession The Commissioner may be served personally wherever found within the state by leaving a copy with the deputy in charge of his office or by serving the special deputy appointed by him in such proceeding At the hearing a copy certified by the Commissioner of any report of a duly instituted examination of such corporation or person shall be prima facie evidence of the facts therein stated and if from such report or reports or other evidence there shall appear to be just cause for the taking and continuing of possession by the Commissioner he shall not be enjoined unless such report or reports or other evidence shall be overcome by proper proof produced by such corporation or person in which event the court shall direct the Commissioner to refrain from further proceedings and to surrender such possession

On the question,

Will the Senate agree to the section?

Mr. BROWN. Mr. President, I move to amend section 23, page 25, line 23 by inserting after the word "state" the word "or."

Mr. SMITH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-fourth, twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-fifth, thirty-sixth, thirty-seventh and thirty-eighth sections of the bill were read as follows and agreed to.

Section 24 Special Agents and Assistants The Commissioner may by the certificate of taking possession provided for in section twenty-two of this act or by a subsequent certificate in like manner made and filed appoint one or more special deputies as agent or agents to assist him in continuing or liquidating the business and affairs of any corporation or person in his possession He may from time to time delegate to such special deputy or deputies such duties connected with such continuation or liquidation as he may deem proper He may employ such expert assistants and legal counsel and may retain such of the officers and employees of such corporation or person as he may deem necessary in the continuation of the business or the liquidation and distribution of the assets He shall require such security as he may deem proper from his agents and assistants appointed pursuant to the provisions of this section

Section 25 Notice to Parties Holding Assets When the Commissioner shall have taken possession of the property and business of any such corporation or person he shall forthwith give notice in writing of such fact to all corporations and persons holding any assets thereof No one having such notiec or actual knowledge that the Commissioner has so taken possession shall have a lien or charge against any of the assets of such corporation or person for any payment advance or clearance thereafter made or liability thereafter incurred

Section 26 Inventory of Assets After the Commissioner has taken possession as aforesaid he shall make or cause to be made a complete inventory of the assets of such corporation or person which inventory shall be verified by oath or affirmation of the person or persons making the same and shall forthwith file such inventory in his office

Section 27 Suspension or Continuation of Business The Commissioner is authorized upon taking possession of the property and business of such corporation or person to continue or suspend the business for such period as he may deem necessary to enable him to determine whether to liquidate the affairs of such corporation or person and during such period to take such action as in his judgment is necessary to conserve the assets and business

Section 28 Surrender of Possession by Commissioner The Commissioner may upon conditions approved by him surrender possession for the purpose of permitting such corporation or person to resume business to sell or convey its or his property and franchises or to merge or consolidate its or his business with that of another corporation or person in accordance with the laws of this Commonwealth but he shall not authorize any decrease of capital stock by a corporation except upon compliance by the corporation with the provision of law as to such decrease

Whenever the Commissioner shall surrender possession under the provisions of this section he shall forthwith issue an order under his official seal authorizing such corporation or person to resume business to sell or convey its or his property and franchises or to merge or consolidate as aforesaid and shall file said order in his office and cause a certified copy thereof to be filed in the office of the prothonotary who shall thereupon cause the entries upon the judgment index made pursuant to section twenty-two of this act to be cancelled

Section 29 Status of Commissioner as Receiver Except as herein otherwise provided the Commissioner shall when he has taken possession of the business and property of a corporation or person have all the rights powers and duties of a receiver appointed by any court of equity in this Commonwealth and he shall be vested in his official capacity with all the property of such corporation or person including debts due liens or securities therefor and rights of action or redemption

He shall be the representative of the creditors of the corporation or person and entitled as such to have vacated and set aside for the benefit of the creditors any judgment execution attachment sequestration payment pledge assignment transfer conveyance or incumbrance which could have been avoided by the creditors or any of them or by which it is attempted to give any creditor unlawful preference over another

He may with leave of court obtained on petition after notice to all creditors of whom he has knowledge surrender to the corporation or person any assets including choses in action whether the subject of pending proceeding or not which are burdensome and of no advantage to creditors

Section 30 Power of the Court to Make and Enforce Orders The court having jurisdiction shall have power to make and enforce any and all orders necessary and appropriate to enable the Commissioner to discharge his duties in connection with the business property and affairs of any corporation or person taken into possession by the Commissioner under the provisions of this act

Section 31 Continuance of Possession Exceptions When the Commissioner shall have duly taken possession of the business and property of corporation of person as provided in section twenty-one of this act he shall hold such possession until the affairs of such corporation or person have been liquidated by him unless

I He shall have been directed by order of court to surrender such possession pursuant to the provisions of section twenty-three of this act

II He shall have permitted a resumption of business or a sale or conveyance of property and franchises or a merger or consolidation pursuant to the provisions of section twenty-eight of this act

III The stockholders of such corporation after payment of all creditors in full shall have elected a trustee or trustees to continue the liquidation of such corporation or the court shall have appointed such trustee or trustees pursuant to the provisions of section fifty of this act and such trustee or trustees shall have duly qualified to take possession of the remaining assets of such corporation or

IV The depositors and other creditors of such person and the expenses of such liquidation shall have been paid in full

Section 32 Recording Certificate Sales

(a) Recording Certificate of Possession or Surrender When the Commissioner has taken possession of the business and property of a corporation or person he shall if there be any real property file in the office of the recorder of deeds in each county of this state or with the proper official in any other state or county where any such real property shall be situated a certified copy of the certificate required by section twenty-two of this act which copy shall be recorded in the deed book and indexed in the grantor's index in the name of such corporation or persons and in the grantee's index in the name of the Commissioner and shall also be registered with the proper authority empowered to keep a register of real estate if any there be and when the Commissioner has surrendered possession of the business and property of a corporation or person he shall in the same manner file a certified copy of the order provided for by section twenty-eight of this act which shall be in like manner recorded and shall be indexed in the name of the Commissioner as grantor and in the name of such corporation or person as grantee and shall also be registered as aforesaid

(b) Sales of Real and Personal Property The Commissioner may sell at public sale any or all of the real and personal property of such corporation or person without any order of court He may with leave of court sell either real or personal property at private sale At least ten days' notice of any petition for leaves to sell at private sale shall be given to all stockholders of such corporation or to such person and to all creditors known to the Commissioner and such notice shall also be advertised at least once in a newspaper in the county where the banking house or other place of business is located and when the land is situated in a different county at least once in a newspaper published in the latter county

(c) Sales of Real Estate Outside of the County When any real property of such corporation or person is situated in a county other than that where the banking house or other place of business is located a petition for leave to sell such property at private sale shall be filed in the court having jurisdiction of the liquidation proceedings which court if satisfied of the propriety of such sale shall make an order or decree authorizing the Commissioner to sell such real property or so much thereof as the court may designate Thereupon it shall be the duty of the court of common pleas of the county wherein the real property so designated is situated on petition of the Commissioner to make an order for the sale of said property or so much thereof as the court having jurisdiction of the liquidation proceedings shall have designated and the Commissioner shall in all cases make a return of the sale to the court of the county in which the real property is situated If the same be approved by said court it shall be confirmed and a certified copy of the return and of the decree of confirmation shall be filed in the court having jurisdiction of the liquidation proceedings

(d) Sale of Listed Securities Listed securities may be sold on the stock exchange with leave of court obtained on petition of the Commissioner at such time or times and in such manner as may be determined by the court No notice to creditors of such petition shall be necessary unless required by the court

(e) Effect of Sale upon Liens When any real property of such corporation or person is subjected to liens which under the laws of this Commonwealth would be discharged by a judicial sale the same shall not be affected by a sale by the Commissioner unless such sale be made pursuant to an order of court directing that liens be discharged thereby and after notice to all creditors having or claiming liens and in such event the proceeds of the sale shall take the place of the property sold and be distributed to the parties entitled thereto if such real property is situated in a county other than that where the banking house or other place of business is located a petition for leave to sell discharged of liens shall be filed in the court having jurisdiction of the liquidation proceedings which court if satisfied of the propriety of such sale shall make an order or decree authorizing the same and thereupon it shall be the duty of the court of common pleas of the county where such property is situated to make an order for the sale thereof discharged of liens Return of such sale shall be made to the latter court If the sale be approved by that court it shall be confirmed and a certified copy of the return and of the decree of confirmation shall be filed in the court having jurisdiction of the liquidation proceedings which court shall also make distribution of the proceeds of such sale to the parties entitled thereto

Section 33 Execution of Deeds and Documents The Commissioner may execute acknowledge and deliver any and all deeds assignments bills of sale releases extensions satisfactions and other instruments necesseary and proper to effectuate any sale lease or transfer of real or personal property or to carry into effect any power conferred or duty imposed upon him by this act or by order of court Any instrument executed pursuant to the authority hereby given shall be valid and effectual for all purposes as though the same had been executed by the officers of such corporation by authority of its board of directors or by such person individually

Section 34 Compromise The Commissioner may with leave of court compound or compromise any debt or claim due to the corporation or person and discontinue any action or other proceeding pending therefor if done in good faith and after proper inquiry and upon payment of the amount due may require all mortgages conditional contracts pledges and liens of or upon any real or personal property of such corporation or person to be satisfied cancelled or assigned to him as he may deem best or he may sell the property subject thereto

Section 35 Actions and Suits For the purpose of executing any of the powers and performing any of the duties hereby conferred and imposed upon him the Commissioner may in the name of the corporation or person prosecute and defend any and all actions and proceeding at law in equity or otherwise pending at the time when the Commissioner takes possession of the business and property of such corporation or person

He may by bill of discovery or other legal or equitable proceeding obtain information of and sue for and recover any assets debts or damages which such corporation or person might sue for and recover or which any of the creditors might make available for the payment of their claims

He may at any time while he is in possession of the property and business of a corporation institute and maintain against the directors trustees managers or officers any action or proceeding which is vested in such corporation or in the stockholders or creditors thereof

He shall be liable to suit in his representative capacity by any person seeking to recover specific property if such property could have been recovered as against the creditors of the corporation or person levying an execution thereon

Section 36 Judgments Not to be Liens Stay of Execution A lien shall not attach to any of the property or assets of the corporation or person by reason of the entry of any judgment against such corporation or person after the Commissioner has taken possession of its or his property and business and filed a certificate as required by section twenty-two of this act and so long as such possession continues

During such time no execution or attachment shall issue against such corporation or person nor shall any pending execution or attachment be proceeded with except by special leave of the court

Section 37 Enforcement of Individual Liability of Stockholders Whenever the stockholders of a corporation whereof the Commissioner shall have taken possession are liable in addition to their liability as such stockholders for unpaid subscription to an amount equal to the par value of their stockholdings in such corporation and the Commissioner has determined from his examination of the affairs of the corporation that the reasonable value of its assets is not sufficient to pay its creditors in full he may enforce the individual liability of such stockholders to such extent as may be necessary

If he determines to enforce such liability he shall make demand in writing upon such stockholders by causing the same to be mailed by registered mail to the respective stockholders at their last known places of address as the same appear on the stock ledger of the corporation or at their last known addresses if no addresses appear in such ledger Such demand shall state the total amount assessed by the Commissioner against the stockholders and the pro rata share assessed against the particular stockholder addressed and the total sum to be paid by such stockholder The demand shall also fix a date not less than thirty days after the date of such demand on which the stockholders shall be required to pay such assessment to the Commissioner

If any stockholder shall fail or refuse to pay such assessment within such time the Commissioner shall have a cause of action at law or in equity against such stockholder either severally or jointly with other stockholders for the amount of such assessment together with interest from the date when the same was due and payable In any such action the written statement of the Commissioner under his hand and seal of office reciting his determination to enforce the individual liability or any part thereof of such stockholders and setting forth the value of the assets of the corporation and its liabilities as determined by him after examination and investigation shall be prima facie evidence of such facts as therein stated

Section 38 Inventory and Appraisement Statement of Liabilities When the Commissioner has determined to liquidate the affairs of any such corporation or person he shall forthwith cause an inventory and appraisement of the assets of such corporation or person under oath or affirmation to be made in duplicate by two disinterested appraisers chosen by him and shall file such inventories and appraisements accompanied by a complete statement certified by him of the liabilities of such corporation or person so far as he has been able to ascertain the same one in his office and the other in the office of the prothonotary

The thirty-ninth section of the bill was read as follows:

Section 39 Procedure as to Property in Safe Deposit After taking possession as aforesaid the Commissioner may give written notice to anyone claiming or appearing on the books of the corporation or person to be owner of any personal property left in the possession of such corporation or person as bailee or depository for hire or the lessee of any safe vault or box notifying such bailor or lessee to remove all such personal property within a period of not less than sixty days

At the expiration of such period if such property has not been removed the commissioner may proceed as the corporation or person might have proceeded as provided in the contract of bailment or lease or at his option may cause any such safe vault or box to be opened in his presence or the presence of his special deputy and of a notary public not an officer or employee of the corporation or person or of the Banking Department and the contents if any of such safe vault or box shall be sealed and marked by such notary with the name and address of the bailor or lessee in whose name such safe vault or box stands upon the books of the corporation or person and a list of the property therein shall be attached thereto such package so sealed and addressed shall be removed by the Commissioner to his office and there preserved until delivered to the owner or otherwise disposed of in accordance with law

After the service or mailing of the notiec as aforesaid the contract of bailment or leasing if any shall cease and determine upon the date for removal fixed by said notice and the amount of unearned rent or charges if any paid by the bailor or lessee shall become a debt of the corporation or person all contracts of bailment or lease such as aforesaid made after the date of the approval of this act shall be subject to the provisions of this section

On the question,

Will the Senate agree to the section?

Mr. BROWN. Mr. President, I move to amend Section 39, page 38, line 12 by striking out the word "all" and inserting in lieu thereof the word "All."

Mr. SMITH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fortieth, forty-first, forty-second, forty-third forty-fourth, forty-fifth, forty-sixth, forty-seventh, forty-eighth, forty-ninth, fiftieth, fifty-first and fifty-second sections of the bill were read as follows and agreed to.

Section 40 Trust Funds

(a) Taking Possession by Commissioner Whenever the Commissioner takes possession of the business and property of a corporation or person in accordance with the provisions of this act he shall also take possession of all funds property and investments held by such corporation or person in any fiduciary capacity but shall keep the same separate and apart from the assets thereof

(b) Substituted Fiduciaries Upon determining to liquidate the affairs of such corporation or person the Commissioner shall forthwith give written notice to all parties interested in any such funds property or investments held in a fiduciary capacity so far as such notice is practicable requiring them within thirty days to apply to the proper court or official for the appointment of substituted fiduciaries to take the place of such corporation or person On the failure or neglect of the parties so notified to make such application within the time designated or in case the parties in interest can not be notified the Commissioner shall himself apply for such appointment of substituted fiduciaries

(c) Settlement without Accounting In any instance where there shall be no dispute as to the amount or identity of such funds property or investments and all parties in interest are sui juris and so request in writing the Commisioner may without the filing of an account transfer pay over and deliver to such substituted fiduciary all funds property and investments of the particular trust taking from parties and such substituted fiduciary a receipt and release in full which shall discharge the Commissioner and such corporation or person from any further liability in the premises

(d) Jurisdiction of Disputes as to Identity of Trust Fund In any instance where there shall be a dispute as to the identity of alleged trust funds property or investments either because the same have become or are alleged to have become mingled with other funds property or invstments or otherwise the court having jurisdiction of the liquidation proceedings shall have exclusive jurisdiction to determine such dispute

(e) Accounting In all other instances the Commissioner shall with the least possible delay prepare and file in the courts having jurisdiction thereof the accounts of such corporation or person in such fiduciary capacities and shall transfer pay over and deliver the balances determined upon such accounts to be due in accordance with the orders and decrees of such courts

(f) Deficiences and Surcharges In any instance where it shall be ascertained by such court that there is a deficiency in any such trust funds property or investments for which such corporation or person is liable or that such corporation or person is liable to surcharge in respect thereof the amount thereof shall constitute an unpreferred claim against the general funds in the hands of the Commissioner and the order or decree of such court shall be conclusive subject to appeal as to the amount of such claim Should the existence or amount of any deficiency or surcharge or the liability of the corporation or person thereof be undetermined at the time of any distribution of such general funds it shall be the duty of the court ordering such distribution to set apart and withhold from such distribution a sufficient amount to pay the proportionate dividend upon such undetermined claim until the same shall have been finally adjudicated

Section 41 Notice to Depositors and Creditors When the Commissioner shall have determined to liquidate the affairs of such corporation or person he shall forthwith give written or printed notice to all depositors to produce to him their deposit or pass books for settlement stating in such notice the amount which the books of the corporation or person show to be due to each depositor subject to outstanding checks and notifying such depositors that unless a settlement of the deposit or pass books shall show a different amount to be due or unless a depositor shall within four months from the date of such notice make proof in the matter hereinafter set forth that the amount due him differs from the amount as shown by the books of the corporation or person the amount last mentioned will be conclusive as to the amount of the claim of such depositor subject as aforesaid to any outstanding checks

The Commissioner shall at the same time give written or printed notice to all creditors other than depositors so far as known to him to make proof of their claims in the manner hereinafter set forth within four months from the date of such notice or be debarred from coming in upon the fund

He shall also advertise such notices to depositors and other creditors in a newspaper once a week for four successive weeks

Section 42 Proof of Claims of Creditors No claim other than the claim of a depositor shall be allowed unless the claimant or someone for him if he cannot do so shall furnish to the Commissioner a statement of his claim together with a copy of any book entries pertaining thereto or any note or writing evidencing the same verified by an affidavit in substantially the following form

"I (name of claimant) do solemnly swear (or affirm) that the above is a true statement of my claim against (name of corporation or person) that there are no credits or allowances against the same except as therein set forth that I have not directly or indirectly made or entered into any bargain arrangement or agreement express or implied to take or receive directly or indirectly any money property or consideration whatever to or for myself or to or for any other person firm or corporation whatever other than my dividend as a creditor and that there is no collateral security for said indebtedness or any part thereof held by me or anyone else other than as above set forth"

In case the claimant shall be a partnership or corporation such affidavit shall be made by a member of the partnership or by the treasurer or assistant treasurer of the corporation claimant and the form thereof shall be modified accordingly

The provisions of this section shall not apply to the claims of cestius que trust or others to or against trust funds or property in the custody possession or control of a corporation or person possession of whose business and property is taken by the Commissioner under the provisions of this act

Section 43 Proof of Claims of Depositors When proofs of claims by depositors are necessary under the provisions of section forty-one of this act the same shall be in such form as the Commissioner shall prescribe and shall on request of any such depositor be prepared by the special deputy in charge of the affairs of the corporation or person in question and the affidavits thereto shall be taken by him without charge

Section 44 Allowance of Claims If such claim and affidavit when required are in proper form and if the amount claimed by a depositor or other creditor agrees with the amount shown by the books of the corporation or person or if upon consultation with the claimant and such corporation or person the amount is ascertained to the satisfaction of the Commissioner the claim shall be allowed if presented within the time limited by the notice as aforesaid unless objected to in the manner hereinafter provided

Section 45 Partial or Final Account Objections At the expiration of the time fixed by the notice and advertisement for the presentation of claims prescribed in section forty-one of this act the Commissioner may file a partial or final account consisting of a statement of receipts and expenditures together with a list of the claims which have been allowed and separately a list of the claims which have been objected to or are disputed showing as to all claimants the names addresses and amounts

If no account is filed within a year from the time when the Commissioner takes possession any party interested may petition the court for an order on the Commissioner requiring the filing of an account

Any account filed by the Commissioner shall be duly verified by him under oath or affirmation Upon the filing thereof he shall give written or printed notice to all the depositors and other creditors known to him of such filing and that unless objections shall be filed within thirty days from the date thereof the same will be confirmed absolutely He shall also at the same time advertise such notice in two newspapers once a week for four successive weeks

During such period of thirty days any depositor other creditor stockholder or anyone having any interest may file in the court objections in writing to said account or to the allowance of any said claims a copy of which objections shall forthwith be served upon the claimant whose claim is objected to or his counsel and upon the Commissioner or his counsel or the special deputy appointed by him in such proceeding

Section 46 Distribution If at the expiration of said period of thirty days from the filing of the account no objections shall have been filed thereto the same shall be confirmed absolutely and the Commissioner shall prepare and file a schedule of distribution in accordance with the priorities fixed by law Said schedule shall be subject to the approval of the court and in accordance therewith when so approved a partial or final dividend as the case may be shall be declared and paid by the Commissioner In case there shall be any disputed claim or any claim to which objections shall have been duly filed the dividend shall be calculated as if all claims were valid and approved and after deducting and setting apart such portion of the dividend as represents claims which are disputed or objected to the balance shall be distributed among the other claims If all or any of the claims disputed or objected to shall thereafter be determined to be valid they shall then receive their portions of such dividend If all or any of such claims shall be determined to be invalid the portions of such dividend set apart to them shall be distributed to the valid claims

Section 47 Conclusiveness of Confirmation and Distribution The confirmation of a partial account and distribution thereunder as aforesaid shall be conclusive only as to the fund distributed and shall not prevent the proof and allowance out of the fund involved in any subsequent account of claims not presented in time for allowance out of such previous fund

Section 48 Hearing and Decision of Matters in Controversy If there shall be claims disputed or objected to or if there shall be objections to the account the court shall itself without delay hear and decide the matters in controversy The court shall fix a time and place for the hearing of which three weeks' written notice shall be given to the Commissioner and to the corporation or person and to all depositors and other creditors whose claims have been filed as aforesaid Said notice shall also set forth that all parties whose claims are disputed or objected to must appear at said time and place and prove their claims or be debarred from coming in upon the fund for distribution

Section 49 Expenses to be Paid out of the Fund All assessments charges and penalties due to the Banking Department by such corporation or person all expenses of the taking and maintaining possession of the business and property or the continuing of the business by the Commissioner and all expenses of liquidation under the provisions of this act shall first be payable out of the funds of such corporation or person including the compensation of special deputies assistants and others employed by the Commissioner to assist him in such proceedings the allowance of all such expenses to be subject to the approval of the court

Section 50 Distribution of Balance Liquidating Trustees If after the filing and confirmation of the final account of the Commissioner and the payment of all creditors in full and the return to stockholders who have paid to the Commissioner the amounts demanded pursuant to section thirty-seven of this act of their pro rata shares of any such amounts not necessary to pay creditors in full there shall remain a balance in the hands of the Commissioner he shall call a meeting of the stockholders by serving written or printed notice upon them at least thirty days before the day fixed for the meeting

At such meeting the stockholders shall elect by ballot a trustee or trustees for the purpose of completing the liquidation A majority of the stock present in person or by proxy shall be necessary to elect Should the stockholders fail or refuse to elect the Commissioner or any stockholder may petition the court for the appointment of such trustee or trustees who when appointed shall give bond to the Commonwealth in such amount with such surety and on such conditions as the court may direct

When such trustee or trustees have been duly elected or appointed as aforesaid the Commissioner shall then transfer convey and deliver to such trustee or trustees all the assets of the corporation then remaining in his hands He shall thereupon be discharged from all further liability to such corporation and its creditors and shall file a certified copy of the proceedings of said stockholders' meeting in his office and cause a certified copy thereof to be filed in the office of the prothonotary No powers subject to the provision of the Banking Department shall thereafter be exercised by such corporation except by permission of the Commissioner and after compliance by such corporation with all the requirements of law as to a new corporation desiring to exercise such powers

Section 51 Constitutionality of Act If any section clause sentence paragraph or other part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid such judgment shall not affect impair or invalidate the remainder of this act or any part thereof but shall be confined in its operation to the part thereof directly involved in the controversy in which such judgment shall be rendered it being hereby declared that the legislature would have enacted the remainder of this act without such part adjudged to be invalid

Any section clause or other part of this act so declared to be invalid shall not be considered as having been stricken out from any other portion or portions of this act wherein cross-references thereto are made but shall be taken and construed as having been actually written in full into such other portion or portions from which cross-references are made

Section 52 Repealer Sections one to fifty-two inclusive of The Banking Act of one thousand nine hundred and nineteen approved May twenty-first one thousand nine hundred and nineteen (Pamphlet Laws two hundred and nine) are hereby repealed it being expressly declared that section fifty-three of said act being the repealing section thereof shall remain in full force and effect

All other acts of assembly or parts thereof that are in any way in conflict or inconsistent with this act or any part thereof are hereby repealed

The title of the bill was read as follows and agreed to.

An Act relating to the organization maintenance and operation of Banking Department and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing the Banking Department Act of nineteen hundred and nineteen with table of contents

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 201, as follows:

An Act directing the State Librarian to cause certain old church records of this State to be translated preserved and published and making an appropriation therefor

Whereas The records of the old churches of this State contain much valuable historical information which records by reason of their age and frequent handling are rapidly becoming illegible therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Librarian is hereby directed and authorized to secure the services of a competent person whose duty it shall be under the direction of the State Librarian to transcribe and translate the old Church records of the State prior to the year one thousand eight hundred thirty and the State Librarian is authorized to publish the same in the State Archives

Section 2 The person so selected to transcribe and translate the records shall receive during two years a salary of not to exceed eighteen hundred dollars ($1800) per annum to be paid monthly The State Librarian is authorized to appoint for said work one competent stenographer and typewriter at an annual salary not to exceed seven hundred and twenty dollars ($720)

Section 3 To carry out the purposes of this act the sum of six thousand dollars ($6,000) or so much thereof as may be necessary is hereby specifically appropriated to pay for the said salaries and for expenses actually and necessarily incurred by the said transcriber and translator Payment of the moneys hereby appropriated shall be on order of the State Librarian upon warrant of the Auditor General and shall be subject to such further conditions as may be imposed by the Auditor General

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 505, as follows:

An Act to repeal an act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Appropriation Acts Page two hundred sixty-nine) entitled "An Act making an appropriation to the Washington and Jefferson College Washington Pennsylvania"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Appropriation Acts Page two hundred sixty-nine) entitled "An Act making an appropriation to the Washington and Jefferson College Washington Pennsylvania" be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 508, as follows:

An Act constituting the board of trustees of Washington and Jefferson College a commission to provide a memorial to the memory of the late James A. Beaver

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of trustees of Washington and Jefferson college is hereby constituted a commission to provide for the construction and erection or creation and dedication of a suitable memorial in honor of the memory of the late James A. Beaver a General during the Civil War Governor of this Commonwealth from January the eighteenth one thousand eight hundred and eighty-seven to January the twentieth one thousand nine hundred and ninety-one a Judge of the Superior Court of Pennsylvania and President of the board of trustees of said college until his death

Section 2 The sum of seventy-five thousand dollars ($75,000) or so much thereof as may be necessary is hereby appropriated to the said board of trustees to carry out the purposes of this act Said appropriation shall be available as follows twenty-five thousand dollars during the two fiscal years commencing June first one thousand nine hundred and twenty-three twenty-five thousand dollars during the two fiscal years commencing June first one thousand nine hundred and twenty-five and twenty-five thousand during the two fiscal years commencing June first one thousand nine hundred and twenty-seven

Payments from said appropriation shall be made upon requisition of the President of the said board of trustees by warrant of the Auditor General upon the State Treasurer in the usual manner

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 610, as follows:

An Act providing for the creation of a commission to study the subject of consolidation of the various municipalities to wit cities boroughs and townships in counties of the second class into one municipality and to file with the next General Assembly its report together with an act providing a method for such consolidation prescribing its powers and duties and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor is duly authorized and directed to appoint a commission of twenty-four persons eight of whom shall be residents of cities and sixteen of whom shall be residents of boroughs and townships and at least one of whom shall be a civil engineer to study the subject of consolidation of the various municipalities to wit cities boroughs and townships in counties of the second class into one municipality and to file with the next General Assembly its report together with an act providing a method for such consolidation

Section 2 The members of the commission shall receive no compensation for their services but shall be reimbursed for all expenses necessarily incurred in the performance of their duties

Section 3 The commission may appoint a secretary a stenographer and a draftsman and employ legal counsel at such reasonable compensation as it may determine

Section 4 To carry out the purposes of this act the sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby specifically appropriated to the use of the commission Payment of the money shall be on order of the chairman of the commission and on warrant of the Auditor General

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. HOMSHER. Mr. President, I move that Senate Bill No. 631 on second reading, entitled:

An act authorizing the establishment and maintenance of branches by banks, saving banks and trust companies either within or outside of the State providing penalties and remedies in case of violation and repealing existing laws

be recommitted to the Committee on Banks and Building and Loan Associations for the purpose of a hearing.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and considerattion of Senate Bill No. 656, as follows:

An Act requiring purchasers or receivers of milk or cream for manufacturing purposes or resale to furnish to the producer thereof certain periodical statements of daily deleveries and the average percentum butterfat test of the same providing for the enforcement hereof and fixing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every purchaser or receiver of milk or cream from the producer thereof for manufacturing purposes or for reselling the same shall at each periodical time of payment to such producer for such milk or cream or where the producer of such milk or cream is selling the same to such purchaser or receiver by or through co-operative association or other agency and the payment therefor is being made by such purchaser or receiver to such co-operative association or other agency shall at the time such purchaser or receiver makes each periodical payment to such co-operative association or other agency give each such producer so delivering milk a statement showing the amount delivered daily during the periodical time for which payment is made and the average per centum butterfat test of same provided payment is made on the basis of butterfat content such statement to contain the name or number of the producer or seller of such milk or cream the date of delivery thereof and the amount so delivered such statement to be given in the terms of the unit used as a basis for determining the value thereof Provided however That such purchaser or receiver shall on written request therefor by any such producer or authorized agent state thereafter to such producer or to his agent at the time of delivery of such milk or cream to such puchaser or receiver the amount of milk or cream so received or purchased

Section 2 The Secretary of Agriculture shall be charged with the enforcement of the provisions of this act Nothing contained in this section shall be construed to prevent any individual from prosecuting any one violating any of the provisions of this act

Section 3 Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred dollars ($100) or imprisonment in the county jail for not more than thirty days or both in the discretion of the court

Section 4 All fines and penalties imposed and received for the violation of any of the provisions of this act shall be paid to the Secretary of Agriculture or his agent and shall thereafter be paid into the State Treasury for the use of the Commonwealth

Section 5 This act shall take effect July first one thousand nine hundred and twenty-three

Section 6 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 721, (House Bill No. 782), as follows:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf and Dumb Mount Airy Philadelphia to cover deficiency in maintenance and education of State pupils

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Institution for the Deaf and Dumb at Mount Airy Philadelphia to cover a deficiency in maintenance and education of State pupils for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 734, as follows:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section sixteen

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following is proposed as an amendment to the Constitution of the Commonwealth of Pennsylvania in accordance with the provisions of the eighteenth article thereof

That article nine of the Constitution of the Commonwealth of Pennsylvania be amended by adding thereto section sixteen as follows

Section 16 Laws may be enacted authorizing assessments against all properties which may be specially and particularly benefited by the construction of public improvements or utilities or parts thereof or facilities thereof by the City of Philadelphia whether or not such properties abut on such public improvements or utilities The sums realized from such assessments shall be appropriated toward meeting the cost of such public improvements or utilities or towards the retirement of bonds issued for the construction of the same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 761, as follows:

An Act to amend section two of an act approved the twenty-second day of April one thousand nine hundred and nine (Pamphlet Laws one hundred twenty-one) entitled "An Act restricting the use of the word 'trust' as part of a corporate name forbidding advertising or doing business as a trust company except by corporations under the supervision of the banking department and providing a penalty for violations thereof"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved the twenty-second day of April one thousand nine hundred and nine (Pamphlet Laws one hundred twenty-one) entitled "An Act restricting the use of the word 'trust' as part of a corporate name forbidding advertising or doing business as a trust company except by corporations under the supervision of the banking department and providing a penalty for violations thereof" is hereby amended to read as follows

Section 2 No person copartnership limited copartnership or corporation except only corporations created under the laws of this Commonwealth and reporting to and under the supervision of the Commissioner of Banking (of this Commonwealth) or corporations created under the laws of some other State and reporting to and under the supervision of the Commissioner of Banking of (some other State or Commonwealth) such State shall in this Commonwealth advertise or put forth any sign as a trust company or use the word "trust" as part of its name or title Provided always That this act shall not be held to prevent any individual as such from acting in any trust capacity as heretofore Any violation of any provision of this section shall constitute a misdemeanor and on conviction thereof the offender shall be sentenced to pay a fine of not exceeding five hundred dollars for each offense

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 778 (House Bill No. 232), as follows:

An Act to amend chapter eleven article two of the Act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That chapter eleven article two section seven hundred and fifty of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereo" is hereby amended to read as follows

Section 750 Whenever any highways in townships of the first or second class are so located as to render them liable on account of high winds during the winter season to be so filled with snow as to make them impassable and in the judgment of the supervisors or commissioners as the case may be such drifts of snow can be avoided by the removal of any dry stone wall or fence erected along either side of such highway and replacing the same by a fence constructed of posts and wire such supervisors or commissioners may agree with the owner or owners of such walls or fences upon a plan for the erection of a fence constructed of posts and wire The township may pay the owner or owners of such walls or fences a sum not to exceed the first cost of constructing a fence of posts and wire Barbed wire shall not be used In the event of the failure to agree with the owner or owners of any such dry wall or fence as the supervisors or commissioners may deem necessary to remove in order that the accumulation of snow in a public road may be prevented the supervisors or commissioners as the case may be may remove the same and the compensation to be paid by the owner or owners of any such dry walls or fences shall be determined as authorized in sections six hundred and ninety-six and six hundred and ninety-seven of this act From any award made and entered upon the justice's docket an appeal may be taken by any party aggrieved to the court of common pleas Stone walls laid in lime or cement mortar concrete walls hedge or ornamental fence shall not be removed by the supervisors or commissioners

Section 2 That chapter eleven article two of said act is hereby amended by adding thereto the following section

Section 751 It shall be the duty of all owners of land abutting on the public roads or highways in townships of the first and second class to cut or mow or cause to be cut or mown all small trees excepting trees for ornamental or fruit purposes brush briers and weeds growing between the beaten track of the road and the side of the road within the legal width thereof at least once "between the first day of June and first day of August" of each and every year and to remove the same by burning or hauling away before the first day of October next following so as not to interfere with the flow of water or cause the accumulation of snow Upon the refusal or failure of any owner or owners of land abutting on the public roads to comply with the provisions of this section it shall be the duty of the supervisors or township commissioners of the respective townships to proceed after the first day of September of each year to cut the obstructions outlined in this act All work or expense incident to performing of such duty by the supervisors or township commissioners shall be charged against the abutting lands and may be collected from the owner or owners thereof as debts of like amount are now by law collected

This section shall not apply to any section of road passing through forest or timber lands unless such lands and timber are maintained for growing timber only

Any neglect or refusal on the part of the supervisors or township commissioners of any township to enforce or comply with the provisions of this section shall subject them to such penalty as is now provided by law for neglect of their duties

The provisions of this section shall take effect on the first day of June one thousand nine hundred and twenty-four

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 786, as follows:

A Supplement to an act approved the twenty-first day of March one thousand nine hundred twenty-three entitled "An act for the prevention of fraud and the protection of the public health relating to milk cream or skimmed milk whether or not condensed evaporated concentrated dried powdered or dessicated prohibiting the introduction of foreign fats into them regulating the sale of and defining cendensed concentrated and evaporated milk stipulating penalties for the infraction thereof and providing for the enforcement thereof" defining condensed concentrated and evaporated skimmed milk and compounds thereof regulating the manufacture sale and exchange thereof providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purposes of this act condensed concentrated and evaporated SKIMMED MILK is defined as the product resulting from the evaporation of a considerable portion of the water from skimmed milk and shall contain all tolerances allowed at least twenty per centum (20%) of total milk solids or if sugar has been added at least twenty-eight per centum (28%) of total milk solids and shall include compounds of any kind containing skimmed milk

Section 2 It is unlawful for any person firm or corporation to manufacture sell or exchange or have in possession with intent to sell or exchange any condensed concentrated or evaporated skimmed milk or any compound of any kind containing skimmed milk whether with or without the addition of sugar in hermetically sealed cans or receptaces unless such can or receptacle shall contain at least five pounds net weight and shall have plainly marked printed or indicated thereon the words "CONCENTRATED SKIMMED MILK UNSWEETENED" or "CONCENTRATED SKIMMED MILK SWEETENED" as the case may be and immediately thereunder the words "UNFIT FOR INFANTS" which required words shall be printed in dark block type at least one-half inch in height and one-half in width upon a light colored background which required words shall be within a surrounding line at least one-sixteenth inch in width and no other matter whatsoever shall be printed or appear within such surrounding line and where the size of the can or receptacle will permit the foregoing words within the designated surrounding line are to be shown on the label twice on opposite sides at equidistant points The name and address of the manufacturer or distributor thereof shall also appear but not within the surrounding line

It is unlawful for any person firm or corporation to manufacture or sell or exchange or have in possession with intent to sell or exchange any condensed concentrated or evaporated skimmed milk labeled under any fictitious or coined or trade name whatsoever

It is unlawful for any person firm or corporation to manufacture or sell or exchange or have in possession with intent to sell or exchange any condensed concentrated or evaporated skimmed milk unless the same conforms in all respects with condensed concentrated or evaporated skimmed milk as hereinbefore defined

Section 3 Any violation of the provisions of this act is hereby declared to be a misdemeanor and any firm or corporation or person whether individually or as a member of a firm or a responsible agent or officer of a corporation which or who shall be convicted of such violation shall for every such offense be subject to the penalties provided for in the act to which this is a supplement

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 797, as follows:

An Act relating to the powers and duties of probation officers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter a probation officer of any juvenile court or of any court sitting as a juvenile court may attend any session of the grand jury of the county at which a male minor under the age of sixteen years or any female minor is present unless prohibited by the court having jurisdiction of the case before said grand jury Such probation officer shall be present during the entire examination of such minor by the grand jury and may assist in said examination

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 821, (House Bill No. 681), as follows:

An Act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight) entitled "A supplement to an act 'to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three" as amended by fixing the maximum amount for maintenance weekly per capita

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of a supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight) entitled "A supplement to an act 'to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three" as amended by an act approved the twelfth day of April one thousand nine hundred and seventeen (Pamphlet Laws seventy-two) entitled "An act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine entitled 'A supplement to an act to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three' as amended by fixing the maximum amount for maintenance weekly per capita" which was last amended by an act approved the thirteenth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and thirty-two) entitled "An act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight) entitled 'A supplement to an act" to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane" approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three' as amended by fixing the maximum amount for the maintenance weekly per capita" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the expense of the care and treatment of the indigent insane in the State and semi-State hospitals for the insane is hereby fixed at the uniform rate of two dollars and fifty cents per week for each person including clothing chargeable to the respective counties or poor districts from which such insane shall come and the excess over said two dollars and fifty cents shall be paid by the State but in no case shall said excess exceed two dollars and fifty cents per week for each indigent insane person Provided however That during the period beginning June first one thousand nine hundred and twenty-three and ending May thirty-first one thousand nine hundred and twenty-five the rates aforesaid shall be increased to the sum of three dollars per week

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 857, (House Bill No. 1165), entitled:

An Act authorizing cities boroughs towns and townships to purchase burial plots for certain deceased service men

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 867, (House Bill No. 1357), entitled:

An Act providing for the redemption and cancellation of the Bond issued under the act approved April third one thousand eight hundred and seventy-two Pamphlet Laws thirty-nine entitled "An act directing the sale of the bonds composing the Agricultural College land script fund and authorizing the issue of a new bond in lieu thereof and abolishing the board commissioners created by act of April first one thousand eight hundred and sixty-three" and for the investment of the moneys in the fund resulting from such redemption and the payment of the interest therefrom by the Sinking Fund Commission to Pennsylvania State College

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 891, (House Bill No. 395), entitled:

An Act to regulate the sale of caustic acid or caustic alkali preparations intended for household use and providing penalties for the violation thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. DAIX. Mr. President, I move that Senate Bill No. 904, (House Bill No. 134), on second reading, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section sixteen

be recommitted to the Committee on Appropriations.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 922, (House Bill No. 460), entitled:

A Supplement to the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and sixty-two) entitled "An Act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes or subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof" providing for the auditing of the State Workmen's Insurance Fund and the payment of costs thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 940, (House Bill No. 933), entitled:

An Act authorizing county commissioners to appropriate money from the funds of the county to aid in the planting of trees and the establishment of tree nurseries in aid of the reforestration of wood lots of farms or any other lands denuded of timber trees which it is desired to reforest

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 946, (House Bill No. 1007), entitled:

An Act to amend an act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred and sixty-one) entitled "An Act relating to the maintenance of insane feeble-minded and other persons confined in the various institutions of the Commonwealth fixing liability for their support providing for the collection of moneys due the Commonwealth therefor and for proceedings relating thereto"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 957, (House Bill No. 1208), entitled:

An Act making an appropriation to the Pennsylvania State College to reimburse the said college for loss of interest on a bond of the Commonwealth for the benefit of said college which bond has matured

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 963, (House Bill No. 1254), entitled:

An Act making an appropriation to carry out the provisions of the Act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws eleven hundred ninety) entitled "An Act providing for the refunding of moneys paid to the State Highway Department for registration of motor vehicles and drivers' licenses which motor vehicles and licenses have not been used and to which moneys it appears the Commonwealth has no claim and making an appropriation for such refunds"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 992, as follows:

An Act to amend section three of an act entitled "An Act defining mattresses regulating the making remaking and sale thereof prohibiting the use of unsanitary and unhealthy materials therein requiring that the materials used shall be accurately described and prescribing the manner in which mattresses shall be labelled providing for the enforcement of the provisions of this act making certain acts criminal and punishing the same imposing certain duties upon the Commissioner of Health and the Chief Factory Inspector and repealing legislation inconsistent with this act" approved the first day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred thirty-four) as amended by this act approved the fourteenth day of May one thousand nine hundred fifteen (Pamphlet Laws five hundred ten) so as to provide for additional information on the Official Statement and to provide that in all cases where a mattress is packed shipped delivered or sold in a sealed package carton or container a statement shall be printed or affixed to the outside of the sealed package carton or container and in such cases the name and address of the vendor and successive vendors may be omitted from the official statement sewed to the mattress

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section three of an act entitled "An Act defining mattresses regulating the making remaking and sale thereof prohibiting the use of unsanitary and unhealthy materials therein requiring that the materials used shall be accurately described and prescribing the manner in which mattresses shall be labelled providing for the enforcement of the provisions of this act making certain acts criminal and punishing the same imposing certain duties upon the Commissioner of Health and the Chief Factory Inspector and repealing legislation inconsistent with this act" approved the first day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred thirty-four) as amended by an act approved the fourteenth day of May one thousand nine hundred fifteen (Pamphlet Laws five hundred ten) which reads as follows

Section 3 (1) No person or corporation by himself or by his agents servants or employes shall directly or indirectly at wholesale or retail or otherwise sell lease offer to sell or lease or consign in sale or lease or have in their possession with intent to sell or lease or consign in sale or lease any mattress that shall not have plainly and indelibly written or printed thereon or upon a plain muslin or linen tag securely sewed to the covering thereof a statement in the Engish language setting forth

(a) The materials used in the filling said mattress and whether the same are in whole or in part new or old

(b) The name and address of the maker vendor or successive vendors except as provided in Sub-section three of this section

(c) And upon a mattress of which prior use has been made the words "Second-Hand" together with the date of sterilization and disinfection and the name and address of the person or corporation sterilizing or disinfecting the same

No additional information shall be contained in said statement except a recital that the mattress is also manufactured in compliance with legislation adopted in this or other states and such additional statements as may be required thereby

(2) No person or corporation by himself or by his agents servants or employes shall place upon any mattress the statements required by subsection one (a) and (b) of this section unless said mattress has been made remade or renovated by him in accordance with this act and no person or corporation by himself or his agents servants or employes shall place upon any mattress the statements required by subsection one (c) of this section unless the said mattress has been sterilized and disinfected by him in accordance with this act Provided That the vendor in either case shall insert his name and address in the statement

(3) The official statement sewed to the covering of any mattress packed shipped delivered or sold in a seal-package carton or container need not set forth the name and address of the vendor or successive vendors as required by Subsection one (b) of this section Provided however that in all such cases a statement in the form set forth in Section six of this Act shall be stamped printed or securely affixed to the outside of the sealed package carton or container

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. LESLIE. Mr. President, I move that Senate Bill No. 992, the bill just read, be recommitted to the Committee on Public Health and Sanitation for the purpose of a hearing.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES.

Mr. DAIX. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAIX, from the Committee on Judiciary General, reported as committed, Senate Bill No. 931, (House Bill No. 837), entitled:

An Act to assure to persons within the jurisdiction of every county the equal protection of the laws by providing for their removal from the county and their trial in certain criminal cases by the Superior Court imposing penalties upon the counties and officers thereof for failure to provide proper protection and upon individuals for interfering with or obstructing the carrying out of the provisions of this act giving the Superior Court jurisdiction in all prosecutions arising out of this act.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Corporations, reported as committed, Senate Bill No. 789 entitled:

An Act to amend the act approved May 21st, 1881 (P. L. 30) entitled "An act to enable mining, manufacturing, and trading companies to wind up their affairs, after the expiration of their charters." as amended; by extending the same to include foreign corporations.

Also from the Committee on Corporations reported as committed, Senate Bill No. 868 entitled:

An Act authorizing poor directors of county poor districts to provide for the payment for the preparation of plans and specifications heretofore made for public buildings for such poor districts where no legal or valid contract was entered into as required by law.

Also from the Committee on Corporations, reported as amended, Senate Bill No. 415 (House Bill No. 449) entitled:

An Act to amend paragraph one, section five, of the act approved April 29, 1874 (P. L. 73) entitled "An act to provide for the incorporation and regulation of certain corporations" as amended, changing the effect of the by-laws of corporations.

Mr. CULBERTSON. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CULBERTSON, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 795, entitled:

An Act providing that in all suits against any county process shall be served upon and defense made by county controllers.

Mr. JONES. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JONES, from the Committee on Public Roads and Highways reported as committed, Senate Bill No. 752, entitled:

An Act to amend section seventeen of an act approved May 31, 1911, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the Counties or townships of the Commonwealth certain existing public roads connecting County-seats, principal cities, and towns and extending to the State line; precribing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and, procedure therein providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State providing, aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways, making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads; and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, authorizing the Department to collect fees for permits and making an appropriation thereof.

Also from the Committee on Public Roads and Highways reported as committed, Senate Bill No. 753, entitled:

An act to amend section seven hundred and twenty-seven of an act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An act concerning townships; and revising, amending and consolidating the law relating thereto," as amended; authorizing the State Highway Department to charge permit fees for construction in, over or under township highways and making an appropriation thereof.

Also from the Committee on Public Roads and Highways reported as committed, Senate Bill No. 900, (House Bill No. 957), entitled:

An Act to provide for the laying out altering and vacating roads lying partly in one county and partly in an adjoining county forming or intended to form a continuous highway from one county to another and providing for the location construction of a joint county bridge in said road.

Mr. PHIPPS. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PHIPPS, from the Committee on Military Affairs, reported as amended, Senate Bill No. 937, (House Bill No. 916) entitled:

An Act to amend sections eighteen twenty-six thirty-two thirty-four thirty-eight fifty-four fifty-five fifty-six fifty-seven fifty-nine and sixty-one of an act entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine)

Mr. MANSFIELD. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MANSFIELD, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 872, entitled:

An Act to amend section three, Article seven, of the act approved the twenty-seventh day of June, one thousand nine hundred and thirteen, (P. L. 568), entitled "An Act providing for the incorporation, regulation, and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto."

Mr. WOODWARD. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WOODWARD, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 724, (House Bill No. 798), entitled:

An Act relating to building construction in cities of the first class by prescribing the maximum undivided floor areas permitted and permitting the use of non-fireproof steel roof trusses and purlins in certain cases prescribing limitations on garages automobile service stations and buildings for similar purposes and constructions permitted for curtain and spandrel walls permitting the use of wood furring and stud-partitions in certain cases and repealing inconsistent laws.

Mr. SCHANTZ. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCHANTZ, from the Committee on Appropriations, reported as committed, Senate Bill No. 763, entitled:

An Act relating to the preparation of a new Constitution of the Commonwealth by a convention and its adoption or rejection by the people; and making an appropriation.

Also, from the Committee on Appropriations, reported as amended, Senate Bill No. 772, entitled:

An Act to amend an act approved July 21st, 1919 (P. L. 1057), entitled "An Act to amend section one and to supplement an act, approved July 25, 1917 (P. L. 1202) entitled 'An Act providing for the appointment and expense of a commission of five persons to codify and revise the law relating to banks, private bankers, and trust companies doing business within this Commonwealth, and making an appropriation'; extending the powers and duties of the commission so as to include the codification and revision of the law relating to all corporations, persons, partnerships, and associations under the supervision of the banking Department, and making an appropriation"; extending said commission for a further period of two years; and making an appropriation.

Also, from the Committee on Appropriations, reported as amended, Senate Bill No. 785, entitled:

A Supplement to the act approved the twenty-fifth day of July, one thousand nine hundred and thirteen (P. L. 1270), entitled, "An Act providing for the erection of a dam at the outlet of Pymatuning Swamp, and the establishment of a reservoir to conserve the waters thereof; providing for the taking of land and materials necessary thereto; vesting certain powers and duties in the Water Supply Commission; and making an appropriation," providing for the sale and leasing of property acquired under said act; and making an appropriation of the proceeds thereof.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 126, entitled:

An Act making an appropriation to the Western Pennsylvania School for the Blind located at Pittsburgh, Pennsylvania.

BILL ON THIRD READING.

Mr. PHIPPS. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 613, on third reading, entitled:

An Act amending sections one two and eleven of an act approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred seventy-four) entitled "An Act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such powers may be exercised" providing that the Juvenile Courts in the several counties of this Commonwealth shall have exclusive jurisdiction in all cases of juvenile delinquency

Mr. DAVIS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 613, entitled:

An Act amending sections one two and eleven of an act approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred seventy-four) entitled "An act defining the powers of the several courts of

quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such powers may be exercised" providing that the Juvenile Courts in the several counties of this Commonwealth shall have exclusive jurisdiction in all cases of juvenile delinquency

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. STITES. Mr. President, I ask unanimous consent to amend Section 2 by adding the following words:—"Nothing in this act shall be construed to repeal any of the provisions of an act, approved the fifth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expense thereof," or the amendments thereto; nor to repeal any of the provisions of an act, approved the twelfth day of July, one thousand nine hundred and thirteen, entitled: "An Act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," or the amendments thereto."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS INTRODUCED.

Mr. CHRISTLEY. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHRISTLEY read in his place and presented to the Chair Senate Bill No. 1003, entitled:

An Act to amend Route Two Hundred and Three of Section six of the act approved the thirty-first day of May one thousand nine hundred and eleven, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise; in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act.

Which was committed to the Committee on Public Roads and Highways.

Mr. WOODWARD. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WOODWARD, read in his place and presented to the Chair Senate Bill No. 1004, entitled:

An Act making an appropriation to the Jewish Hospital Association of Philadelphia.

Which was committed to the Committee on Appropriations.

Mr. CULBERTSON. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CULBERTSON. (By request of Mr. Aron), read in his place and presented to the Chair Senate Bill No. 1005, entitled:

An Act to amend part of section four and part of section nine as amended of an act approved July 12, 1913, (P. L. 711) entitled "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," by conferring certain powers heretofore exercised by the president judge upon the Board of Judges of the Municipal Court.

Which was committed to the Committee on Judiciary General.

Mr. PATTON. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PATTON read in his place and presented to the Chair Senate Bill No. 1006, entitled:

An Act exempting in certain cases the net proceeds of life insurance policies or annuities from the claims of creditors.

Which was committed to the Committee on Insurance.

Mr. CRAIG. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CRAIG (By request of Mr. Heaton), read in his place and presented to the Chair Senate Bill No. 1007, entitled:

An Act to amend section 307 of an act approved June 11, 1915, (P. L. 736) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder" as amended, continuing compensation in case of remarriage.

Which was committed to the Committee on Judiciary Special.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, (By request of Mr. Heaton), read in his place and presented to the Chair Senate Bill No. 1008, entitled:

An Act to amend clauses (d), (e) and (f) of section three hundred and six and the last paragraph of section three hundred and seven of the act approved June 2, 1915 (P. L. 736) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment: establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder;" as amended; fixing the time when compensation shall begin and providing for the payment of compensation to dependents or the estate of employes in cases of both.

Which was committed to the Committee on Corporations.

HOUSE MESSAGES.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 449.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, Tuesday, April 23,1923.

Resolved (if the House of Representatives concur). That Senate Bill No. 449, entitled "An act to amend so much of section one of the act approved the tenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five), entitled 'An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution,'" be recalled from the Governor for the purpose of amendment.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 702.

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives,

Resolved (if the Senate concur), That House Bill No. 702, entitled:

An act to amend section three and section four of an act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and seventy-four entitled "An Act providing for the licensing and regulation of corporations copartnerships associations and individuals engaged in the business of receiving payments on contributions to be held or used in any plan of accumulation or investment or of issuing regulating offering for sale or selling any certificates securities contracts or other choses in actions evidenced by writing on the partial payment or installment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payment being made upon installments or single payments under which all or part of the total amount received is to be repaid at some future time with or without profit and imposing penalties."

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE RECEDES FROM AMENDMENTS TO SENATE BILL No. 293.

He also presented communication from the House of Representatives, informing the Senate that the House has receded from its amendments made to Senate Bill No. 293, entitled:

An act to amend section six of the act approved the twenty-seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and three) entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties"

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 337.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate, as follows:

In the Senate, April 23, 1923.

An Act to amend section sixteen of an act approved May thirty-first one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two deputy State Highway Commissioners Chief Engineer Chief draftsman superintendents of the highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State Line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not effected by provisions of this act" as amended by providing for payment of damages for change of grades of highways and for appeals from assessments of damages and authorizing counties to incur indebtedness for the payment of such damages

HOUSE BILLS FOR CONCURRENCE.

He also presented for concurrence bills of the House of Representatives as follows:

House Bill No. 787, (Senate Bill No. 1009), entitled:

An Act making a deficiency appropriation to the Cottage State Hospital at Philipsburg Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 868, (Senate Bill No. 1010) entitled:

An Act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and prescribing penalties

Which was committed to the Committee on Appropriations.

House Bill No. 1078, (Senate Bill No. 1011), entitled:

An Act to amend section twelve of the act approved the third day of June, one thousand nine hundred and eleven, (P. L. 639), entitled, "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction; and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained, and exemptions therefrom, and providing for an appropriation to carry out the provisions of said act; and providing for revocation or suspension of licenses given by said bureau; and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith;" providing for rehearings in cases where licenses have been suspended or revoked and for the reinstatement of licenses in certain cases.

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 1258, (Senate Bill No. 1012), entitled:

An Act to amend section one hundred and six of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue or any parts thereof that are or may be inconsistent therewith" as amended

Which was committed to the Committee on Education.

House Bill No. 667, (Senate Bill No. 1013), entitled:

An Act providing for the return by the Board of Game Commissioners to persons entitled thereto of moneys erroneously paid into the State Treasury

Which was committed to the Committee on Appropriations.

House Bill No. 1159, (Senate Bill No. 1014), entitled:

An Act providing a system of registering titles to motor vehicles for the protection of owners of motor vehicles and to facilitate the recovery of motor vehicles stolen or unlawfully taken regulating the certificate of such titles the purchase sale and transfer of motor vehicles and their registration providing for the collection of fees for the certification of titles and for disposition thereof forbidding the destruction removal alteration covering or defacement of any engine manufacturer's or other distinguishing number or identification mark on motor vehicles and providing for the assignment of special numbers in certain cases imposing duties on the State Highway Commissioner sheriffs constables police officers and other peace officers and providing penalties

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 306, (Senate Bill No. 1015), entitled:

An Act making a deficiency appropriation to the State Hospital for the Criminal Insane at Fairview Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 534, (Senate Bill No. 1016), entitled:

An act to amend route number ninety-one of section six of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistant and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and delivering said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to the complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petition providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and all acts or parts of acts inconsistent herewith and providing that existing contracts are not effected by provisions of this act" as amended

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 1256, (Senate Bill No. 1017), entitled:

An Act imposing a State tax on Liquid Fuels "including all liquids ordinarily practically and commercially useable in internal combustion engines for the generation of power and all distillates of and condensates from petroleum natural gas coal tar and vegetable ferments" to be paid by distributors as herein defined providing for the collection of such tax and for the distribution and use of the revenues derived therefrom providing for the filing of certificates and reports of the sale of such liquid fuels and the collection of such tax and fixing penalties

Which was committed to the Committee on Finance.

MOTION TO READ BILLS THE FIRST TIME.

Mr. SCHANTZ. Mr. President, I move that all bills reported from Committees at to-day's session be read the first time.

Mr. McNICHOL. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 86, entitled:

An Act to further amend the fifth section of an act, entitled "An Act relating to the organization and jurisdiction of orphans' courts, and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants, and to provide for the election of judges thereof," approved May nineteenth, Anno Domini eighteen hundred and seventy-four (Pamphlet Laws, two hundred and six), as amended, by fixing and determining the salaries of the assistant clerks of said court in counties of the first, second, third and fourth class.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 126, entitled:

An Act making an appropriation to the Western Pennsylvania School for the Blind located at Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 381, (House Bill No. 227), entitled:

An Act to further amend the fifth section of an act entitled "An Act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof" approved May nineteenth Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six) as amended by fixing and determining the salaries of the assistant clerks of said court in counties of the first second third and fourth classes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 413, (House Bill No. 389), entitled:

An Act to amend chapter six article twenty section three of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 539, (House Bill No. 588), entitled:

An Act to regulate the allotting or subdividing of land in cities of the second class by requiring the recording in the office of the Recorder of Deeds of a map or plan prior to the sale conveyance or mortgaging of any part thereof and providing penalties for the violation of the act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 714, (House Bill No. 682), entitled:

An Act to amend the forty-first clause of section two article one chapter five of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" as amended.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 724, (House Bill No. 798), entitled:

An Act relating to building construction in cities of the first class by prescribing the maximum undivided floor areas permitted and permitting the use of non-fire-proof steel roof trusses and purlins in certain cases prescribing limitations on garages automobile service stations and buildings for similar purposes and constructions permitted for curtain and spandrel walls permitting the use of wood furring and stud-partitions in certain cases and repealing inconsistent laws.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 752, entitled:

An Act to amend section seventeen of an act approved May 31, 1911, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth, certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by the

State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways, making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads; and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, authorizing the Department to collect fees for permits and making an appropriation thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 753, entitled:

An Act to amend section seven hundred and twenty-seven of an act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto," as amended; authorizing the State Highway Department to charge permit fees for constructions in, over or under township highways and making an appropriation thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 762, entitled:

An Act to safeguard human life and health throughout the Commonwealth by providing for the reporting, quarantining, and control of diseases declared communicable by this act or by regulation of the Department of Health; providing for the prevention of infection therefrom; and prescribing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 763, entitled:

An Act relating to the preparation of a new Constitution of the Commonwealth by a convention and its adoption or rejection by the people; and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 772, entitled:

An Act to amend an act, approved July 21st, 1919 (P. L. 1057) entitled "An Act to amend section one, and to supplement an act, approved July 25, 1917 (P. L. 1202) entitled 'An Act providing for the appointment and expenses of a commission of five persons to codify and revise the law relating to banks, private bankers, and trust companies doing business within this Commonwealth, and making an appropriation'; extending the powers and duties of the commission so as to include the codification and revision of the law relating to all corporations, persons, partnerships, and associations under the supervision of the Banking Department; and making an appropriation"; extending said commission for a further period of two years; and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 785, entitled:

A Supplement to the act approved July 25, 1913 (P. L. 1270) entitled, "An Act providing for the erection of a dam at the outlet of Pymatuning Swamp, and the establishment of a reservoir to conserve the waters thereof; providing for the taking of land and materials necessary thereto; vesting certain powers and duties in the Water Supply Commission; and making an appropriation," providing for the sale and leasing of property acquired under said act; and making an appropriation of the proceeds thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 789, entitled:

An Act to amend the act approved May 21st, 1881 (P. L. 30) entitled "An Act to enable mining, manufacturing, and trading companies to wind up their affairs, after the expiration of their charters," as amended; by extending the same to include foreign corporations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 792, entitled:

An Act to amend section nine hundred six of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended; conferring sole power of supervision over certain schools and institutions supported wholly or partly by the State upon the Council of Education.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 795, entitled:

An Act providing that in all suits against any county process shall be served upon and defense made by county controllers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 820, (House Bill No. 633), entitled:

An Act to amend section one of the act approved the twelfth day of June one thousand nine hundred and one (Pamphlet Laws five hundred and fifty-nine) entitled "An Act to provide for the election of one person to fill the office of prothonotary one person to fill the office of clerk of the courts of general quarter sessions and oyer and terminer one person to fill the office of register of wills and clerk of the orphans' court and one person to fill the office of recorder of deeds in counties containing forty thousand inhabitants and hereafter created separate judicial districts under the Constitution" providing that said act shall be in effect only upon the acceptance thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 823, (House Bill No. 712), entitled:

An Act to amend section six of an act approved the twenty-sixth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred and twenty-seven entitled "An Act to provide for the incorporation of institutions of learning with power to confer degrees in art pure and applied science philosophy literature medicine law and theology and for the supervision and regulation of the same and providing a method by which institutions already incorporated may obtain the power to confer degrees and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources" as amended by prescribing additional requirement for institutions conferring degrees making certain exceptions therefrom and imposing certain duties on the State Council of Education.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 837, (House Bill No. 880), entitled:

An Act to amend section two hundred and seven of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be adminsitered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue, and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 856, (House Bill No. 1163), entitled:

An Act making unlawful the wearing of the discharge button issued by the United States Government by any person not entitled to wear the same.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 864 (House Bill No. 1313), entitled:

An Act to amend section ten of the act approved July 12, 1913, (Pamphlet Laws 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia, regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as amended

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 868, entitled:

An Act authorizing poor directors of county poor districts to provide for the payment for the preparation of plans and specifications heretofore made for public buildings for such poor districts where no legal or valid contract was tendered into as required by law.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 872, entitled:

An Act to amend section three, Article seven, of the act approved the twenty-seventh day of June, one thousand nine hundred and thirteen, (P. L. 568), entitled "An act providing for the incorporation, regulation, and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideratiton of Senate Bill No. 892, (House Bill No. 617), entitled:

An Act to amend clause (b) and (c) of section fifty-six of an act approved June 7, 1917 (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds, rights, powers, duties, liabilities, accounts discharge and removal of executors, administrators, guardians and trustees herein designated as fiduciaries, the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents, rents or real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof, judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase or real estate legacies including legacies charged on land, the discharge of residuary estates and of real estate from the lien of legacies and other charges, the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised,, the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries, the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries, refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia, the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" so as to permit the orphans' court in its discretion to permit a corporation appointed as trustee in the place of an executor or executors trustee or trustees dying renouncing dismissed or refusing to act to give its own bond without surety.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 893, (House Bill No. 678), entitled:

An Act to amend clause three section ten article two of chapter seven and section seven article one of chapter twelve of the act approved May 14, 1915, (P. L. 312) entitled "An act providing a system of government for boroughs and revising, amending and consolidating the law relating to boroughs."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 896 (House Bill No. 1229), entitled:

An Act to further amend section 1210, as amended of an act approved May 18, 1911, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenues and repealing all laws, general, special or local or any parts thereof, that are or may be inconsistent therewith"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 900 (House Bill No. 957), entitled:

An act to provide for the laying out altering and vacating roads lying partly in one county and partly in an adjoining county forming or intended to form a continuous highway from one county to another and providing for the location construction of a joint county bridge on said road.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 902 (House Bill No. 1033), entitled:

An Act providing that any person who was engaged in the military or naval service of the United States during any war in which the United States was engaged and having an honorable discharge therefrom shall receive credit for the experience and training derived from such service in civil service examinations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 916 (House Bill No. 358), entitled:

An Act to amend sections one and eighteen of the act approved May 16, 1921, (P. L. 559), entitled "An act for the better protection of fish, requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth or in the waters bounding or adjacent thereto, and regulating the issuance of such license; providing penalties for the violation of this act, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the penalties recovered and license fees received;" changing the age limit of persons required to procure licenses; and providing for the purchase with surplus moneys of lands and water and the impounding of waters.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 931 (House Bill No. 837), entitled:

An Act to assure to persons within the jurisdiction of every county the equal protection of the laws by providing for their removal from the county and their trial in certain criminal cases by the Superior Court imposing penalties upon the counties and officers thereof for failure to provide proper protection and upon individuals for interfering with or obstructing the carrying out of the provisions of this act giving the Superior Court jurisdiction in all prosecutions arising out of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 937 (House Bill No. 916), entitled:

An Act to amend sections eighteen twenty-six thirty-two thirty-four thirty-eight fifty-four fifty-five fifty-six fifty-seven fifty-nine and sixty-one of an act entitled "An Act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine)

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 966, (House Bill No. 1297), entitled:

An Act to amend section three hundred and three of an act approved May 18, 1911 (P. L. 309) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue, and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith" as amended.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 967, (House Bill No. 1312), entitled:

An Act to amend sections one, two, three and four of an act approved June 18, 1919 (P. L. 498) entitled "An Act defining consolidation of schools, providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 972, entitled:

An Act to preserve the purity of the waters of the Commonwealth by providing for the discontinuance or abatement as nuisances of works hereafter erected constructed or opened and operated, which discharge substances, wastes and waters polluting the waters of the Commonwealth to the detriment of the public health, fish life, or industrial purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. SCHANTZ. Mr. President, I move that the Senate do now adjourn until ten o'clock, tomorrow morning.

Mr. SMITH. Mr. President I second the motion.

The motion was agreed to.

The Senate adjourned at 5:14 P. M., until Wednesday morning, April 25, 1923 at 10 o'clock.

HOUSE OF REPRESENTATIVES

TUESDAY, APRIL 24, 1923.

The House met at 11:00 o'clock A. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Our Heavenly Father, we thank Thee this morning for life and all its blessings; for the degree of health and strength of body and of mind which we enjoy; for all the blessings, social, temporal and spiritual. And whilst we are in the enjoyment of these blessings, we are mindful of those of our number whose hearts are saddened because of the shadows of death that have crossed their thresholds. Others are suffering the pain of affliction; and we pray this morning that Thou wouldst comfort such as are in sorrow, heal such as are sick, guide us to Thy praise, help us to love and serve Thee, and eventually bring us to Thyself through Christ. **Amen.**

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Miss Grimes, the further reading was dispensed with and the Journal approved.

PETITIONS.

PROTESTING AGAINST THE PASSAGE OF HOUSE BILL NO. 514.

The SPEAKER presented a petition from the Philadelphia Board of Trade, protesting against the passage of House Bill No. 514.

Referred to the Committee on Appropriations.

PROTESTING AGAINST THE PASSAGE OF HOUSE BILL NO. 785.

The SPEAKER presented a petition from the Philadelphia Board of Trade, protesting against the passage of House Bill No. 785.

Referred to the Committee on Judiciary Special.

REPORTS FROM COMMITTEES.

Mr. DILSHEIMER, from the Committee on Appropriations, reported as committed House Bill No. 444, entitled:

An Act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

Mr. SOWERS, from the Committee on Judiciary Special, re-reported as amended House Bill No. 558, entitled:

An Act supplementing and amending the act approved the twenty-fifth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, one thousand one hundred and fifty-nine) entitled "An act authorizing certain corporations to issue preferred or common stock of one or more classes; providing for the manner of issuance, restrictions and regulations in the manner of voting thereof and the rights and privileges of the holders thereof; validating certain acts of corporations not participated in by the holders of non-voting stock and repealing all acts and parts of acts inconsistent therewith" further authorizing and empowering such corporations to issue shares of capital stock without nominal or par value and regulating such issuing of said stock

SENATE MESSAGE.

AMENDED SENATE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate had concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 321.

An Act to amend section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An act for the government of cities of the second class"

SENATE BILL No. 457.

An Act to amend section twenty-two of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" authorizing the Governor to confer brevet rank upon certain officers

SENATE MESSAGE.

AMENDMENTS TO HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 411.

An Act to amend section one thousand one hundred and five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the laws relating thereto"

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the House of Representatives and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 600.

An Act making the proceedings of the conventions of the Department of Pennsylvania of the Grand Army of the Republic and the United-Spanish War Veterans a part of the public records of the State and providing for their publication and distribution

HOUSE BILL No. 532.

An Act to provide for the registration and protection of artificial assumed trade or association names titles or designations

HOUSE BILL No. 638.

An Act supplementing an act entitled 'A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March one thousand nine hundred and one authorizing cities of the second class to regulate and limit the height and bulk of buildings and the area of yards courts and open spaces and to regulate and restrict the location of trades and industries and the location of buildings for specified uses and to make regulations for trades and industries and for the use of buildings and for the above purposes to divide the cities into districts and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein and providing the method of adoption of said districts regulations and restrictions and the method of amendment or change thereof' approved the twenty-first day of June Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws five hundred seventy) providing for a board of appeals to review decisions of the officer charged with the enforcement of any zoning ordinance duly adopted by said cities establishing the procedure upon said appeals authorizing appeals from the decision of said board of appeals to the court of common pleas of the respective counties and authorizing said appeals to be advanced

With the information that the Senate has passed the same without amendment.

LEAVES OF ABSENCE.

Mr. McDERMOTT asked and obtained leave of absence for Mr. Horne.

Mr. McDERMOTT asked and obtained leave of absence for Miss Gallaher, on account of illness in the family.

SENATE MESSAGE.

RESOLUTION RECALLING SENATE BILL No. 337 FROM THE GOVERNOR.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

In the Senate, April 23, 1923.

Resolved (if the House of Representatives concur), That Senate Bill No. 337, File Folio 667, entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenanace and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority in the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended by providing for payment of damages for change of grades of highways and for appeals from assessments of damages and authorizing counties to incur indebtedness for the payment of such damages.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 325.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 23, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 325, entitled "An Act to require counties to cause the graves of honorably discharged soldiers sailors and marines to be decorated with flags on Memorial Day".

GIFFORD PINCHOT.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1159, as follows:

An Act providing a system of registering titles to motor vehicles for the protection of owners of motor vehicles and to facilitate the recovery of motor vehicles stolen or unlawfully taken regulating the certification of such titles the purchase sale and transfer of motor vehicles and their registration providing for the collection of fees for the certification of titles and for dispositon thereof forbidding the destruction removal alteration covering or defacement of any engine manufacturer's or other distinguishing number or identification mark on motor vehicles and providing for the assignment of special numbers in certain cases imposing duties on the State Highway Commissioner sheriffs constables police officers and other peace officers and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term 'motor vehicle' as used in this act shall include automobiles motor-cycles trucks tractor trucks and all other vehicles which are self-propelled or designed to be self-propelled by mechanical power except traction engines tractors steam shovels road rollers agricultural machinery and vehicles which move upon or are guided by a track or travel through the air

The term 'person' as herein used shall include the singular and plural numbers and shall embrace all individuals of either sex whether acting on their own behalf or as members officers employes agents or other representatives of any other individual or of any firm copartnership corporation association or artificial body of any kind or character whatsoever

The term 'manufacturer' as used in this act shall mean any person firm association or corporation engaged in the manufacture and sale of new motor vehicles as a regular business

The term 'jobber' as used in this act shall mean any person firm corporation or association engaged in the purchase and sale of new motor vehicles and their resale directly to dealers

The term 'dealer' as used in this act shall mean any person firm corporation or association actively engaged in the purchase and sale of motor vehicles or in the leasing of motor vehicles for a period of thirty (30) or more successive days and who has an established place of business

The term 'Commissioner' as used in this act shall mean the State Highway Commissioner of this Commonwealth

The term 'Department' as used in this act shall refer to the State Highway Department of this Commonwealth

The term 'new motor vehicle' as used in this act shall mean a motor vehicle which has not been sold bargained exchanged given away by or title transferred other than from the manufacturer to his dealer or his agent

The term 'used motor vehicle' as used in this act shall mean a motor vehicle which has been sold bargained leased exchanged given away by or title transferred from the person who first took title to it from the manufacturer or the agent of the manufacturer and is to include all motor vehicles which have been in use in such manner as to have become what are commonly known as 'second hand' motor vehicles or automobiles within such definition

The term 'rebuilt motor vehicle' as used in this act shall mean a motor vehicle which shall have been assembled by using new parts and used parts derived from other motor vehicles of the same make and rebuilt by the manufacturer thereof Such rebuilt motor vehicle for the purpose of this act shall be considered a new motor vehicle

The term 'owners' as used in this act shall include the person or persons having a motor vehicle in his or their possession custody or control under a lease or contract of conditional sale or other like agreement

Section 2 "That no certificate of registration of any motor vehicle or registration number plates therefor shall hereafter be issued by the Commissioner unless the owner thereof shall make application for and be granted an official certificate of title to such motor vehicle or shall present satisfactory evidence that such a certificate of title has been previously issued to the owner covering such motor vehicle Said application shall be made upon a blank form to be furnished by the Commissioner and shall be acknowledged before a notary public or other officer empowered to administer oaths and shall contain a full description of the motor vehicle together with a statement of the owner's title and of any liens or encumbrances upon said motor vehicle and whether possession is held under a lease contract of conditional sale or other like agreement The Commissioner shall use reasonable diligence in ascertaining whether or not the facts stated in said application for a certificate of title are true and if satisfied that the applicant is the lawful owner of such motor vehicle or is otherwise entitled to have the same registered in his name he shall thereupon issue an appropriate certificate of title over his signature and sealed with the seal of his office Said certificate of title shall contain such description and other evidences of identification of said motor vehicle as the Commissioner may deem reasonably necessary and proper together with a statement of any liens or encumbrances which the application may show to be thereon Provided that a corrected Certificate of Title shall be issued upon request of the owner when original certificate of Title is returned with evidence that lien encumbrance or legal claim has been satisfied The charge for each original certificate of title so issued shall be two ($2) dollars except in the case of a jobber or dealer acquiring a new or rebuilt motor vehicle for which no certificate of title has been issued when the charge for each original certificate of title shall be fifty (50) cents and except in case of a dealer acquiring a new or rebuilt motor vehicle from a jobber or other dealer to whom the original certificate of title has been issued and by whom it has been directly assigned to said dealer in which case the charge for the certificate shall likewise be fifty (50) cents and the certificate of title shall be good for the life of the car so long as the same is owned or held by the original holder of such certificate of title and shall not have to be renewed annually or at any other time except as herein provided In the case of motor vehicles now owned or registered in this Commonwealth during and for the year one thousand nine hundred twenty-three an application for a certificate of title accompanied by such evidences of ownership liens and encumbrances or possession under a lease contract or conditional sale of other like agreement as the Commissioner may require shall be made within six (6) months after this act is approved Immediately upon the passage of this act it shall be the duty of the Commissioner to cause to be printed copies of this act and to mail every person to whom he has issued a certificate of registration for the year one thousand nine hundred and twenty-three one of such printed copies accompanied by a specific notice that the title of such motor vehicle must be registered as herein provided together with the necessary prescribed form upon which to make application for an official certificate of title as hereinbefore provided"

Section 3 "It shall be unlawful and a misdemeanor punishable by a fine of not less than fifty ($50) dollars nor more than one thousand ($1,000) dollars for any person to own or operate in this Commonwealth a motor vehicle under a Pennsylvania registration unless such certificate of title shall have been issued as herein provided In the event of the sale or transfer of the ownership of a motor vehicle for which an original certificate of title has been issued as aforesaid the original holder of such certificate of title shall endorse on the back of the same an assignment thereof with warranty of title in a form printed thereon with a statement of all liens encumbrances or legal claims on said motor vehicle and deliver the same to the purchaser or transferee at the time of the delivery to him of such motor vehicle The purchaser or transferee shall within ten (10) days thereafter present such certificate of title assigned as aforesaid to the Commissioner whereupon a new certificate of title shall be issued to the assignee for which the charge shall be two ($2) dollars Certificates of title when so assigned and returned to the Commissioner shall be retained by the Commissioner and appropriately classified and indexed in such a manner as most convenient to trace title to the motor vehicle designated therein"

Section 4 "The owner or any person without the consent of the owner being first obtained who shall operate a motor vehicle in this Commonwealth under a Pennsylvania registration without securing a certificate of title as herein provided within six (6) months after this act is approved shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty ($50) dollars nor more than one thousand ($1,000) dollars Provided however that no prosecution shall be brought or conviction had under the aforesaid clause where it shall appear that any such operation of a motor vehicle was in conformity with the laws of the Commonwealth relating to the registration and operation of motor vehicles After the expiration of six (6) months from the date upon which this act is approved it shall be unlawful and a misremeanor punishable by a fine of not less than one hundred ($100) dollars nor more than one thousand ($1,000) dollars and by imprisonment for not less than two (2) years nor more than ten (10) years for any one to sell convey or transfer pass title to deliver or purchase buy procure or otherwise acquire title within the limits of this Commonwealth to any motor vehicle unless at the time of the sale or delivery thereof there shall pass between the parties such certificate of title with an assignment thereof in the form prescribed by the Commissioner or when that is not possible upon presentation of satisfactory proof to the Commissioner of ownership and right of possession to such motor vehicle if the title has been acquired or registered in any other state than this Commonwealth Any person who shall make any false statement either in his application for certificate of title herein provided for or in any assignment thereof or who with intent to procure or pass title to a motor vehicle which he knows or has reason to believe has been stolen shall accept or transfer title or possession to the same or who shall use operate or occupy any motor vehicle which he knows or has reason to believe has been stolen shall be deemed guilty of a felony and upon conviction thereof shall be punished by a fine of not less than five hundred ($500) dollars nor more than five thousand ($5,000) dollars and by imprisonment for not less than two (2) years nor more than ten (10) years in the discretion of the court This provision shall supplement and be in addition to any other penalties prescribed by law for the theft or unauthorized taking or use of any motor vehicle Any person who shall alter or forge any certificate of title issued by the Commissioner pursuant to the provisions of this act or any assignment thereof or who shall hold or use any such certificate or assignment knowing the same to have been altered or forged shall be deemed guilty of a felony and upon conviction thereof shall be fined not less than one thousand ($1,000) dollars nor more than five thousand ($5,000) dollars and be imprisoned for a period of not less than two (2) years nor more than ten (10) years in the discretion of the court"

Section 5 "In case of a lost certificate of title the loss of which is accounted for to the satisfaction of the Commissioner a duplicate certificate of title may be issued for which the charge shall be fifty (50) cents Provided The fee for a certified copy of a certificate of title shall be one ($1) dollar"

Section 6 "Any person or persons who shall destroy remove cover alter or deface or cause to be removed covered altered or defaced the engine number manufacturer's number or other distinguishing number or identification mark of any motor vehicle in this Commonwealth for any reason whatsoever other than provided herein or who shall give a wrong description in an application for a certificate of title of any motor vehicle in this Commonwealth for the purpose of concealing or hiding the identity of such motor vehicle shall be deemed guilty of a felony and upon conviction thereof shall be fined not less than one hundred ($100) dollars nor more than one thousand ($1,000) dollars and imprisoned for a term of not less than two (2) years nor more than ten (10) years at the discretion of the court"

Section 7 "Any person who thirty (30) days after this act is approved shall sell or offer for sale in this Commonwealth a motor vehicle on which the original engine number or identification of which has been destroyed removed altered covered or defaced with knowledge of said destruction removal alteration covering or defacement shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than two hundred ($200) dollars nor more than five hundred ($500) dollars and by imprisonment for a term of not less than thirty (30) days nor more than one hundred and eighty (180) days in the discretion of the court and upon a second conviction under this section the punishment shall be imprisonment for a term not less than one (1) year nor more than five (5) years in the discretion of the court The selling or offering for sale in this Commonwealth of a motor vehicle on which the original engine number manufacturer's number or other distinguishing number or identification of which has been destroyed removed altered or defaced shall be prima facie evidence of knowledge on the part of the person selling or offering for sale such motor vehicle of said destruction removal alteration covering or defacement of said original engine number manufacturer's number or other distinguishing number or identification Provided however That any person being the owner or custodian of or having possession of a motor vehicle at the time this act is approved the original engine number or manufacturer's number of which has been previously destroyed removed altered covered or defaced shall before the expiration of thirty (30) days after this act is approved apply to the Commissioner on a blank to be prepared and furnished by the Commissioner upon request for a special number plate to be replaced on the motor vehicle and Further provided That should the engine of a motor vehicle be placed by a new or used engine on which the engine number has been destroyed removed covered altered or defaced it shall be the duty of the owner of such motor vehicle to apply to the Commissioner on a blank furnished by the Commissioner for a special number plate to be placed on such engine Such blank shall be accompanied by Certificate of Title issued to said motor vehicle upon receipt of which a Corrected Certificate of Title shall be issued without additional fee The application shall contain a description of such motor vehicle including the make style and year of model of the same as complete a description of the original engine number or manufacturer's number if any part of the same remain as is possible to give any distinguishing marks that may be on the engine or body of such motor vehicle and the name and postoffice address of the applicant the date on which he purchased or procured possession of the same The name and postoffice address of the person from whom he purchased such motor vehicle and such other information as the Commissioner may require all of which description and facts shall be sworn to by said applicant Upon receipt of such application the Commissioner shall issue to said applicant a special number plate and certificate for such motor vehicle and when such special number plate has been placed on the motor vehicle it shall become and thereafter be the lawful engine or manufacturer's number as the case may be of such motor vehicle for the purpose of identification and registration and for all other purposes under the provisions of this act and the owner thereof may sell and transfer the same under said special number and any person or persons who shall destroy remove cover alter or deface any special number plate so issued by the Commissioner shall be deemed guilty of a felony and upon conviction thereof shall be punished by imprisonment for a term of not less than two (2) years nor more than ten (10) years"

Section 8 "In case of the transfer of ownership or possession of a motor vehicle by operation of law as upon inheritance devise or bequest order in bankruptcy insolvency replevin or execution sale or whenever a motor vehicle is sold at public sale to satisfy storage or repair charges or repossession is had upon default in performance of the terms of a lease contract of conditional sale or other like agreement it shall thereupon become the duty of the person from whose possesson such motor vehicle was taken and without prejudice to his rights in the premises immediately to surrender the certificate of title for such motor vehicle to the person to whom possession of such motor vehicle has so passed The Commissioner upon surrender of prior certificate of title or when that is not possible upon presentation of satisfactory proof to the Commissioner of ownership and right of possession to such motor vehicle and upon payment of the fee of two ($2) dollars and presentation of application for certificate of title shall issue to the applicant to whom possession of such motor vehicle has so passed a certificate of title thereto Any person failing to comply with the provisions of this section shall be deemed guilty of a misdemeanor may be prosecuted by the Commissioner and upon conviction shall be punished by a fine of not less than five ($5) dollars nor more than one hundred ($100) dollars"

Section 9 "Any person operating or having the custody of a motor vehicle after thirty (30) days from the time this act is approved on which the engine or manufacturer's number has been removed altered defaced destroyed or so covered as to be concealed and application has not been made to the Commissioner for special number as hereinbefore provided shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than twenty-five ($25) dollars nor more than fifty ($50) dollars

If ownership to such motor vehicle is not established to the satisfaction of the court said motor vehicle shall be confiscated by the court and sold and the proceeds thereof shall be used to pay the fine and costs of prosecution and the balance if any shall be turned into the State Treasury for the use of the State Highway Department as hereinafter provided Provided however That after judgment by the court is rendered thirty (30) days shall elapse and then if such fine and costs have not been paid said court shall proceed to advertise and sell said motor vehicle in the manner provided by law for the sale of personal property under execution If at any time while such motor vehicle remains in the custody of the court or its officers the true owner shall appear and establish his title thereto to the satisfaction of such court the same shall be returned to such owner who shall apply to the Commissioner for a special number as hereinbefore provided and may thereafter use the motor vehicle upon notifying the Commissioner of such facts by a certified copy of such proceedings and obtaining a certificate of title therefor in accordance with this act if he has not such certificate of title In case the said motor vehicle is so returned to the party as such owner before the said motor vehicle can be used again it shall be provided with special number if needed as furnished by the Commissioner and title of ownership and registration number plates shall be propaid" not exceeding ninety (90) days

Section 10 "After the thirty (30) days referred to for procuring special number it shall be the duty of every sheriff deputy sheriff constable chief of police and other peace officer in this Commonwealth having knowledge of a motor vehicle the engine number or manufacture's number of which has been destroyed removed covered altered or defaced to immediately seize and take possession of such motor vehicle provided such party fails to secure certificate of title and arrest the supposed owner and custodian thereof and cause prosecution to be brought in a court of competent jurisdiction It shall be the duty of the court to retain the custody of said motor vehicle pending the prosecution of the person arrested and in case such person shall be found guilty said motor vehicle shall remain in the custody of the court until the fine and costs of prosecution shall be paid" not exceeding ninety (90) days

Section 11 'In designing special number plates for motor vehicles under the provisions of this act the Commissioner shall designate and number the same consecutively preceded by the letter 'S' and followed by the letters 'PA' for each and every make of motor vehicle for which application for special number shall be made and in order of the filing of application therefor Provided That from and after this act is approved the Commissioner shall not issue a certificate of title for any motor vehicle without an engine number or manufacturer's number or issue a registration for the opertion of the same except as specifically provided for herein"

Section 12 "It shall be the duty of the Commissioner Whenever he may receive a report of the theft of a motor vehicle whether the same has been registered or not and whether owned in this or any other State together with the make and manufacturer's number thereof to make a distinctive record thereof and file the same in numerical order of the manufacturer's number with the records of the vehicles of such make already registered In the event of the receipt of an application for a certificate of title of such motor vehicle he shall immediately notify the rightful owner thereof and unless a certificate of title has already been issued shall withhold the issuing of such certificate of title until the proper investigation shall have been made

In the event of the recovering of a stolen motor vehicle of which the Commissioner has been notified it shall be the duty of the owner to notify immediately the Commissioner who shall cause the record of the theft of such vehicle to be removed from the file

It shall be the duty of every sheriff constable police officer member of the State Police Force or designated officer of the Department having knowledge of a stolen car immediately to furnish the Commissioner with full information in connection therewith

The Commissioner shall prepare a report listing motor vehicles stolen and recovered as disclosed by the reports submitted to him to be distributed as he may deem advisable"

Section 13 "The moneys derived under the provisions of this act from certificates of title certified copies of records duplicate copies of certificates of title fines and penalties collected under the provisions of this act for violation of the same bail forfeited and sale of confiscated motor vehicles shall be paid by the State Highway Department into the State Treasury and the same are hereby specifically appropriated to the State Highway Department for the purpose of assisting in the reconstruction improvement maintenance and repairs of State highways and for the payment of salaries traveling expenses and any and all other expenses necessary in the judgment of the State Highway Commissioner to effectually carry on the work of the State Highway Department as described in the Act of Assembly approved May thirty-first one thousand nine hundred and eleven known as the State Highway Act with amendments thereto and to carry out and enforce the provisions of this act and amendments thereto including the penal provisions thereof and for that purpose the Commissioner is hereby authorized to appoint such employes as in his discretion are necessary said moneys to be paid from the State Treasury upon requisition of the State Highway Commissioner and after audit and approval by the Auditor General and State Treasurer in the usual manner"

Section 14 "The Commissioner shall cause to be maintained a record of certificates of title issued and may after five (5) years at his discretion destroy such records"

Any person owning or possessing a motor vehicle shall notify the Commissioner within ten (10) days of the destruction or junking of such motor vehicle Any person failing to notify the Commissioner of the destructon or junking of any motor vehicle as herein provided shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred ($100) dollars nor more than one thousand ($1,000) dollars or to undergo imprisonment not exceeding (2) years or both at the discretion of the court"

Section 15 "The Commissioner is authorized to make requisition on the Department of Public Printing and Binding for the printing of necessary forms certificates of title bulletins and other printed matter required for carrying out the provisions of this act and for the dissemination of information to the public"

Section 16 "No fee shall be charged for a certificate of title of motor vehicles owned and used by the United States the Commonwealth of Pennsylvania or by any city borough incorporated town township or county duly authorized volunteer fire force hospital humane society or anti-cruelty society in this Commonwealth or by the American Red Cross but all such vehicles shall be issued a certificate of title as is provided for privately owned motor vehicles"

Section 17 Any person knowingly making any misstatement of facts in application for Certificate of Title shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than one hundred ($100) dollars or more than one thousand ($1,000) dollars and imprisonment of not less than two (2) years nor more than ten (10) years at the discretion of the court and the Clerk of the Court in which such conviction is had shall forthwith certify such conviction to the Commissioner who shall cancel the certificate of Title issued to such person

Section 18 "If any part or parts of this act be declared unconstitutional the same shall not in any way affect the balance of this act remaining after such decision"

Section 19 "The act approved June thirtieth one thousand nine hundred and nineteen entitled 'An act regulating the sale conveyance transfer or disposition of second hand motor vehicles requiring the making and filing of sworn descriptions thereof and statements in relation thereto regulating the registry of such vehicles imposing certain duties on the State Highway Commissioner relative to such stolen vehicles forbidding the removal defacement alteration destruction obliteration or concealment of the trade-marks indentification numbers serial numbers or other distinguishing marks of motor vehicles or the having possession of motor vehicles or parts thereof on or from which such trade or other distinguished marks or numbers have been removed defaced altered destroyed obliterated or concealed imposing certain duties upon deputy sheriffs constables police officers and proprietors of public garages prohibiting the registration of motor vehicles subject to the provisions of this act unless in compliance with its terms providing for the licensing of the business of dealing in second-hand motor vehicles and fixing penalties for violations of the provisions of this act and providing that the making of a false affidavit under the provisions of this act shall be purjury and shall be punishable as such' and the act approved May sixteenth one thousand nine hundred and twenty-one entitled 'An act regulating the sale conveyance transfer or disposition of used motor vehicles and defining the same requiring the making and filing of sworn descriptions thereof and statements in relation thereto regulating the registry of such vehicles imposing certain duties on the State Highway Commissioner relative to such stolen vehicles forbidding the removal defacement alteration destruction obliteration or concealment of the trade-marks identification numbers serial numbers or other distinguishing marks of motor vehicles or the having possession of motor vehicles or parts thereof on or from which such trade or other distinguishing marks or numbers have been removed defaced altered destroyed obliterated or concealed imposing certain duties upon sheriffs deputy sheriffs constables police officers proprietors of public garages and dealers in used motor vehicles prohibiting the registration of motor vehicles subject to the provisions of this act unless in compliance with its terms providing for the licensing of the business of dealing in used motor vehicles and fixing penalties for violations of the provisions of this act and providing that the making of a false affidavit under the provisions of this act shall be perjury and shall be punishable as such' be and the same are hereby repealed but said repeal shall not take effect as to Section nine thereof until July first one thousand nine hundred and twenty-three and as to the remainder of said act until six months after the approval of this act All other acts or parts of acts inconsistent herewith shall be and the same are hereby repealed"

Section 20 "Except as otherwise provided this act shall take effect immediately upon its passage"

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. KUNKLE. Mr. Speaker, I desire to say a word with reference to this bill which is now up for final passage. My attention was called sometime ago to the law on this particular by a member of the Westmoreland County bar, and in response to his direction I went to the legislative drafting department to have a bill framed so as to protect persons purchasing and using automobiles, and I found that the Department had drafted a bill and that this bill meets the occasion. It requires a certificate of title to be issued and that certificate to show whether it is an absolute title in the owner and whether there are liens against that property.

In other words, it puts the trade of dealing in automoblies in the same position practically as the buying and selling of real estate. The title should be recorded, and recently in the Westmoreland County court we foud a case where a man purchased an automobile from a dealer and paid for it in full. Later on the lessee of that machine replevined the machine and took the machine from him. This act is so drawn as to provide a remedy for just such cases as this, in order to protect owners dealers and individuals purchasing automobiles, and it is very important to my mind that this act should pass for the protection of individuals. There isn't any question in my mind but what it is absolutely necessary. We find automobiles being transferred and at the present time there is no protection, a man cannot protect himself from a lease or an outstanding lien against the property, and as long as our law is as it is here, we ought to have such a law passed as this one, and I therefore ask the members to vote for this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas were taken and were as follows, viz:

YEAS—166.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Behney,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Brenneman,
Brewster,
Bromley,
Brown,
Burns,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kunkle,
Kohler,
Labar,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
Metcalf,
Millar,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Schaeffer,
Schilling,
Schwartz.
Shambach,
Sheridan,
Smith, G. A.
Smith, H. J.
Smith, H.
Smith, J. W.,
Sowers,
Sprowls,
Stark,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—1.

Eaches,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE.

Mr. WONER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. WONER. Mr. Speaker, the members of the Military committee for some time past had arranged for an expedition to Mount Gretna this afternoon. We had arranged for a meeting of the Ways and Means Committee at two o'clock, but in deference to the wishes of a large number who desired to go down to Mount Gretna, I arise at this time to apprise the members of the House and of the Ways and Means Committee especially that the meeting is postponed until four o'clock, and I trust that those who go to Mount Gretna will be back in the House at that time.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 667, entitled:

An Act providing for the return by the Board of Game Commissioners to persons entitled thereto of moneys erroneously paid into the State Treasury

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—161.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hontz,
Howell,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kennedy,
Kohler,
Kunkle,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Malie,
Mangan,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
McBride,
Mathay,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
Metcalf,
Miller,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz.
Shambach,
Sheridan,
Smith, G. A.
Smith, H. J.
Smith, H.
Smith, J. W.,
Sowers,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stoner,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1418, (Senate Bill No. 153), as follows:

An Act providing for and regulating subject to certain restrictions limitations and liabilities assistance to certain aged persons and providing for their burial creating an Old Age Assistance Commission of this Commonwealth and an Old Age Assistance Board in each county defining their powers and duties providing for the appointment and fixing the compensation of an Old Age Assistance Superintendent and assistants and investigators making counties liable for certain expenses providing penalties and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby created an Old Age Assistance Commission hereinafter termed "the Commission" which shall be composed of three citizens of the Commonwealth who shall within ninety days of the approval of this act be appointed by the Governor for a term of four years except that of the members first appointed one shall be appointed for a term of two years and one for a term of three years Each member of the commission shall receive as compensation in addition to the necessary expenses incurred in the performance of his duties ten dollars per diem while actually engaged in the business of the commission Vacancies shall be filled for the unexpired term of the vacant position in the same way as the original appointment

Section 2 The commission shall appoint an old age assistance superintendent hereinafter termed the "superintendent" who shall be qualified by character training and experience The commission shall fix the salary of the superintendent which shall not exceed eighteen hundred dollars per annum The superintendent with the approval of the Commission shall appoint the necessary number of assistants and fix their duties and salaries within the appropriation made by the legislature

Section 3 The commission shall have authority to make such rules and regulations as are necessary to carry out the provisions of this act

Section 4 There shall be established in each county a county old age assistance board hereinafter known as "the board" to consist of three persons domiciled in the county who shall be appointed by the Governor for a term of four years except that of the members first appointed one shall be appointed for a term of two years and one for a term of three years Vacancies shall be filled in the same way in which the original appointment was made The members of the board shall serve without pay except that the necessary expenses incurred while in the performance of their duties shall be paid to them upon proper vouchers therefor

Section 5 The board may appoint one or more local investigators at a salary for each of not to exceed nine hundred dollars per annum

Section 6 The commission and the board shall meet at such times and places as may be fixed by the rules of the commission

Section 7 Subject to the provisions and under the restrictions contained in this act every person while residing in the Commonwealth shall be entitled to assistance in old age

Section 8 The amount of assistance shall be fixed with due regard to the condition in each case but in no case shall it be an amount which when added to the income of the applicant from all other sources shall exceed a total of one dollar a day

Section 9 Old age assistance may be granted only to an applicant who

(a) Has attained the age of seventy years or upwards

(b) Has been a citizen of the United States for at least fifteen years before making application for assistance

(c) Resides in the Commonwealth and (1) has so resided continuously for at least fifteen years immediately preceding the date of application but continuous residence in the State shall not be deemed to have been interrupted by periods of absence therefrom if the total of such periods does not exceed three years or (2) has so resided forty years at least five of which have immediately preceded the application Provided That absence in the service of the Commonwealth or of the United States shall not be deemed to interrupt residence in the State if a domicile be not acquired outside the State

(d) Is not at the date of making application an inmate of any prison jail workhouse insane asylum or any other public reform or correctional institution

(c) For six months or more during the fifteen years preceding the date of application for relief if a husband has not deserted his wife or without just cause failed to support her and his children under the age of fifteen years if a wife has not deserted her husband or without just cause failed to support such of her children as were under age and she was bound to support

(f) Has not within one year preceding such application for assistance been a professional tramp or beggar

(g) Has no child or other person responsible under the law of this State and found by the board or by the commission able to support him

Section 10 Old age assistance shall not be granted to a person if the value of his property exceeds three thousand dollars or if married and not separated from husband or wife if the value of his or her property together with that of such husband or wife exceeds three thousand dollars

The claimant must not have deprived himself directly or indirectly of any property for the purpose of qualifying for old age relief

Section 11 The annual income of any property which does not produce a reasonable income shall be computed at five per centum of its value as determined by the board

The income of the applicant shall be his income for twelve months preceding the date on which his application was made

The property owned at the date of application for relief shall be taken as property of the applicant for the purposes of this act

Section 12 On the death of a person receiving assistance under this act or of the survivor of a married couple both of whom were so assisted the total amount paid as assistance together with simple interest at three per centum annually shall be allowed and deducted from the estate by the court having jurisdiction to settle the estate and paid into the treasury of the Commonwealth

Section 13 If the commission deems it necessary to protect the interest of the Commonwealth it may require as a condition to the grant of assistance a certificate that all or any part of the property of an applicant for assistance be transferred to the Commission Such property shall be managed by the commission which shall pay the net income to the person or persons entitled thereto The commission shall have power to sell lease or transfer such property or defend and prosecute all suits concerning it and to pay all just claims against it and to do all other things necessary for the protection preservation and management of the property

The Attorney General at the request of the commission shall take the necessary proceedings and represent and advise the commission in respect to any matters arising under this section

Section 14 An applicant for assistance shall deliver his claim in writing to the board of the county in which he resides in the manner and form prescribed by the commission

All statements in the application shall be sworn to or affirmed by the applicant setting forth that all facts are true in every material point

Section 15 Whenever an application is made for old age assistance the board directly or through an investigator shall promptly make investigations and after hearing the applicant if he so request if it approve the applications shall make a recommendation of the amount of the assistance to be allowed or if it disapprove make a recommendation that no assistance be allowed. The board shall send a copy of the application its recommendation and the reasons for its decision to the commission with such supporting papers as the commission may require The commission may thereupon make investigation as it sees fit through the superintendent or through the board making the recommendation and may direct a rehearing before the board of which the applicant shall have at least ten days notice and at which he may appear and offer evidence. The commission shall decide upon the application and fix the amount of the pension if any and its decision shall be final. An applicant whose application for assistance has been rejected may not re-apply for assistance until the expiration of twelve months from the date of the previous application

Section 16 For the purpose of any investigation the commission and the board shall have the power to compel by subpoena the attendance and testimony of witnesses and the production of books and papers All witnesses shall be examined on oath and any member of the commission or of the board may administer said oath If any person fails or refuses to obey such subpoena the commission or board may petition the court of common pleas of the county where the hearing is held whereupon the court shall issue its subpoena and enforce compliance with same as in other cases

Section 17 The commission shall issue to each applicant to whom assistance is allowed a certificate for one year stating the amount of each instalment which may be monthly or quarterly as the commission may decide

Section 18 An assistance certificate shall be required for each subsequent year to be issued by the commission after such investigation as it may deem necessary and the amount of the assistance may be changed if the commission finds that the applicant's circumstances have changed

Section 19 The assistance if allowed shall commence on the date named in the certificate which shall be the first day of the calendar month following that on which the petition was received by the board

Section 20 If at any time during the currency or continuance of an old age assistance certificate the recipient or the wife or husband of the recipient becomes possessed of any property or income in excess of the amount allowed by this act in respect to the amount of assistance granted it shall be the duty of the recipient immediately to notify the board of the receipt and possession of any such property or income and the board may on inquiry and with the approval of the commission either cancel the assistance or vary the amount thereof during the period of the certificate Any excess assistance paid shall be returned to the Commonwealth and recoverable as a debt due the State

Section 21 If on the death of any person receiving assistance it is found that he was possessed of property or income in excess of the amount allowed by this act in respect to the amount of the assistance double the total amount of the assistance in excess of that to which the recipient was entitled may be recovered by the commission as a preferred claim from his estate and paid into the treasury of the Commonwealth

Section 22 On the death of any person receiving old age assistance such reasonable funeral expenses for burial shall be paid to such persons as the board directs Provided such expenses do not exceed one hundred dollars and the estate of the deceased is insufficient to defray the same

Section 23 While any person receiving assistance is an inmate of any charitable benevolent or fraternal institution the amount of assistance shall be paid to the governing authorities of that institution and shall be applied toward defraying the actual expenses of such person in such institution Provided That the commission has approved and that it and its agents are permitted freely to visit and inspect said institution Any moneys remaining after defraying such costs shall be paid to the recipient It shall not be lawful for the authorities of any charitable institution receiving public moneys to refuse admission as an inmate of such institution or to refuse relief on the ground that the person is receiving assistance under this act

Section 24 No peron receiving assistance under this act shall at the same time receive any other relief from the Commonwealth or from any political sub-division thereof except for medical and surgical assistance

Section 25 If the person receiving assistance is on the testimony of reputable witnesses found incapable of taking care of himself or his money the board may direct the payment of the instalments of the assistance to any responsible person or corporation for his benefit It shall be within the power of the commission to suspend payment for such period as the board shall recommend

Section 26 All rights to old age assistance shall be absolutely inalienable by any assignment sale execution or otherwise and in case of bankruptcy the assistance shall not pass to or through any trustees or other persons acting on behalf of creditors

Section 27 If at any time the commission has reason to believe that an assistance certificate has been improperly obtained it shall cause special inquiry to be made by the board and may suspend payment of any instalment pendind the inquiry It shall also notify the board of such suspension If on inquiry it appears that the certificate was improperly obtained it shall be cancelled by the commission but if it appears that the certificate was properly obtained the suspended instalments shall be payable in due course

Section 28 Any person who by means of a wilfully false statement or representation or by impersonation or other fraudulent device obtains or attempts to obtain or aids or abets any person to obtain (a) an assistance certificate to which he is not entitled (b) a larger amount of assistance than that to which he is justly entitled (c) Payment of any forfeited instalment grant and any person who buys or aids or abets in buying or in any way disposing of the property of a person receiving assistance without the consent of the commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment not exceeding one year or both

Section 29 Any person who violates any provisions of this act for which no penalty is specifically provided shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment not exceeding one year or both Where a person receiving assistance is convicted of an offense under this section the commission shall cancel the certificate

Section 30 If any person receiving assistance is convicted of any crime or offense and punished by imprisonment for one month or longer the board shall direct that payments shall not be made during the period of imprisonment

Section 31 All payments for assistance allowed under the provisions of this act and all expenses incurred by the commission and the salaries of the superintendent and his assistants shall be paid by the State Treasurer out of moneys specifically appropriated for that purpose upon orders of the superintendent and warrant of the Auditor General

Section 32 All expenses incurred by the county boards in administration investigation and salaries shall be paid by the county treasurer from the moneys of the county in the same way as other expenses of the county

Section 33 Within ninety days after the close of each calendar year the commission shall make a report for the preceding year stating

(a) The total number of recipients
(b) The amount paid in cash
(c) The total number of applications
(d) The number granted
(e) The number denied
(f) The number cancelled during that year and
(g) Such other information as the commission may deem advisable

Section 34 All methods of procedure in hearings investigations recording registration and accounting pertaining to the old age assistance under this act shall be in accordance with the rules and regulations as laid down from time to time by the commission

Section 35 Every assistance granted under the provisions of this act shall be deemed to be granted and shall be held subject to the provisions of any amending or repealing act that may hereafter be passed and no recipient under this act shall have any claim for compensation or otherwise by reason of his assistance being affected in any way by such amending or repealing act

Section 36 The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby specifically appropriated to the Old Age Assistance Commission hereby created for the two fiscal years commencing June first one thousand nine hundred and twenty-three for the purpose of carrying out the provisions of this act

Section 37 Whenever used in this act the singular shall include the plural and the masculine shall include the feminine

Section 38 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LUDLOW. Mr. Speaker, I rise to inquire whether there is any member of the House who can give us some definite information about this bill and the effect it would have upon the State's finances this year and two years hence. Probably there is somebody here who can answer that inquiry.

Mr. STEEDLE. Mr. Speaker and members of the House, in answer to the gentleman from Montgomery, Mr. Ludlow, I would say that while this bill at present does not carry a very large appropriation, which appropriation of $25,000 is for the sole purpose of starting the organization of the so-called old age pension fund for Pennsylvania. It only carries with it an appropriation, as I said, of $25,000. This is very meagre when one stops to think what little may be done with so small an amount. The work of this commission under the $25,000 appropriation, if it becomes a law, will give us opportunity of making an actual and a real survey. At present it is only known from a theoretical standpoint as to what might possibly be the cost in operation of this pension fund for the aged, so in the organization of this body and the various commissioners of the various counties to be appointed by the Governor it would give them an opportunity of receiving applications of those persons who would be desirous of becoming benefactors under this old age pension. Nobody at this time could really say as to the absolute cost of this pension fund so therefore since it is a fact that Pennsylvania at the present time is suffering from a difficult financial entanglement which has not up to this time been ironed out, I being sponsor for this bill in the House and Senator Vare sponsor for it in the Senate, we thought that it was best at this time not to press so much in the amount of money that would be needed to give compensation to the people who would apply, but rather to start the organization of this body and make a survey in the next two years, so that in 1925 the Legislature would have some data at its finger ends and know exactly as to the number of applicants that would apply in the two years for the pension.

Mr. EDMONDS. Mr. Speaker, may I interrogate also the gentleman from Allegheny, Mr. Steedle.

The SPEAKER. Will the gentleman from Allegheny, Mr. Steedle, permit himself to be interrogated?

Mr. STEEDLE. Yes, Mr. Speaker.

Mr. EDMONDS. As I understand it, Mr. Speaker, this bill establishes an old age pension system for the Commonwealth and then appropriates $25,000 to get it started. Is there any definite estimate whatever as to what this system would cost the Commonwealth in the event there is money enough to put it in operation today?

Mr. STEEDLE. There is no definite amount, Mr. Edmonds, owing to the fact that we have only a theoretical construction and there has been no way in which to measure up the approximate cost of this pension.

Mr. EDMONDS. Mr. Speaker, may I then not ask the gentleman from Allegheny f it would not be more logical to appropriate $25,000 for a commission to investigate the pension rather than to put this whole program on the list of the liabilities of the State?

Mr. STEEDLE. In answer to the gentleman from Philadelphia, the commission that took up the study of the old age pension and that gave this subject consideration thought and study, this commission was the result of a bill introduced in the Senate by ex-Governor Sproul when he was a member of the Senate. The first commission was appointed in 1919, and at that time this commission was given an appropriation of $5,000 to investigate and study the old age pension in the various parts of the country that now have it established. In 1921 again this commission was extended and was given an appropriation of $15,000. They made a complete report in 1921 and that commission at that time I think thought it would cost probably in the neighborhood of five or six million of dollars, an estimate of the amount it needed for the biennium in Pennsylvania. That was their report. Of course we all had those reports last year, but like a lot of other reports, they were shoved around and when the time comes we cannot locate them. I think members of the House, that this question has had sufficient study by the Commission, and the bill upon which we are now about to act is the bill recommended by that commission in their report of 1921.

Mr. EDMONDS. May I ask the gentleman further whether that Commission considered the question as to whether there should be any contribution from the individuals who apply for this pension, in the years of their active employment?

Mr. STEEDLE. There are to be no contributions from the individuals.

Mr. EDMONDS. Then the whole thing is to be upon the State.

Mr. STEEDLE. Yes, sir.

Mr. EDMONDS. May I ask the gentleman one last question: Do you think it would not be more logical not to attack the problem of old age pension until we have the facts and the costs before us?

Mr. STEEDLE. I can see no reason why we should delay. This is only a matter of organization, it is the thought of bringing into perfection what we feel that some time we may possibly be able to give the poor unfortunate one some little assistance instead of sending them to some almshouse, and there to be cared for. I hope the members of this House will not delay a so-important, a so-humanitarian piece of legislation. To my mind it is one of the best things that has come before this House from the standpoint of humanity because we have all had in the sessions gone by these reports, but as I said before, like many reports which we receive, they are laid on the shelf and we forget them by the next session. It is unfortunate that we do not have at this time such information on our desks to completely follow the report of this commission. Notwithstanding that we haven't got it, I think it is time we accept this commission's report, act on this bill, start the organization of the old age pension during the next two years, and in 1925 there will be some exact amount shown that will be necessary to carry on this old age pension, and to what extent Pennsylvania may act, under it, for the poor. Now, we know that the Mother's Pension Fund was not a perfect scheme until it was brought into operation. Years have gone by since the operation of this law and it has been made a real law, one that is doing some good. It is the same with this, the enactment into law will bring into perfection the thought of the men who studied this question and in two years hence they will know exactly how much it will cost to operate it.

Mr. DAVID FOWLER. Mr. Speaker, I rise to speak in behalf of this bill, not that I like it as it is at the present time, because I have always hoped that we would soon have a more up to date bill, but I see in this bill a step in the right direction. In the last session of the Legislature we got a report from the commission that had been employed for four years, and we appropriated, I believe, ten thousand for that commission, without results. I feel that with this $25,000 appropriation we will see how the bill will act and at the next session of the Legislature we will be able to give an act that will be satisfactory to all concerned. The rehabilitation program was started on this very theory. In other states on the rehabilitation plan they have spent thousands of dollars for commissions, that have reported back to the legislatures, with the results that nothing was done. In our state we did not do it that way; we appropriated $100,000 and put the act into effect, and it has accomplished wonders. Others will agree that it has been a success and we have been able to amend that act up to the present time.

Now, I have here the report which says, "Pennsylvania, according to the census of 1910, showed a total population past 65 years of age of 325,908; the number of successful applicants for pension would be 108,636, deductions of the number of age dependents who already receive pensions from the government or from private industries means that you could probably figure it at 10,000. The cost of pensions would be, therefore, in Pennsylvania, approximately $15,000,000 and that was based on a $25.00 pension. Now this bill has changed that to seventy years which would greatly cut that down. I want to say to you that I feel that each and every one of you members in this House ought to go on record as placing this humanitarian measure upon the statute books, and we all know that it is impossible for us at this time to explain it, but we do know that with the experience of two years we will be able to come into the House in 1925 and pass upon amendments that will be satisfactory to all concerned. Now I want to say to all of you that we may look at this $25,000 as a wrong amount that may be appropriated to this worthy cause, but you must take into consideration that while you are doing this you are cutting down appropriations to poor houses and the almshouses of this State. I want to say to you members of the House that we can do no better than to take away from the poorhouses the old men and women who have given their lives in industry and are now compelled, due to the fact that they have spent their days in raising large families, and who are now compelled to live with lunatics and other kinds of people. I know the time has come, for other states are passing this very meritorious piece of legislation. I have heard of many a sad case in my time, going through the United States for my own organization, and what I have in mind was well pictured by a speaker at one time. He cited a case in Berks county, this state, of an old man and woman happily wedded for fifty years, and at the end of that time they stood in their house one morning and they realized what they were eating and the money it was taking to clothe them was being taken away from their grandchildren, and John said, "Mary, I think the time has come when you and I should go to the poor farm and relieve the burden on our poor children." Away the poor old people went and when they came to the poorhouse the superintendent met them and said, "John, you go over into this house and Mary, you go over there." The old man said, "Must Mary and I be parted after being happily wedded for fifty years—are we now to be torn asunder?" "Oh," said the superintendent, "we cannot permit the mixture of sexes in our institutions". So poor old John goes into one house, and Mary into another and there he goes to bed at night among strangers, some of them lunatics.

Now, my friends, some weeks later a visitor came to that institution and asked where John was. The answer was, "He is dead." They asked for Mary some weeks later, and she, too had passed away. What was the reason? Old age and complication of diseases? It was not, it was broken hearts and the institutions of this state helped to break two hearts, two loveable old peoples' hearts. They whom God had joined, the state institution tore asunder. We must eliminate that condition. We must make it possible for old men and old women to live happily together. It does not mean digging into the finances, and anyway what do we need to care? We are not running a banking institution; we want the finances of the state so that we can accomplish something, not to say after the session, "We saved "$5,000,000." I would rather say, "The state is broke but we saved five million broken hearts". That is my attitude.

Now I do not want to dwell upon the sympathetic side of this case, for I know that each and every one of you, men and women, feel as I do upon this question. I know that it is useless to appeal to you for attention upon that side of the question because I know that each and every one of you are feeling as I am feeling today, and I trust that this will go over unanimously as it has in other states and we can see how it works in two years and in 1925 we can come back and amend it to the likings of all.

Mr. LUDLOW. Mr. Speaker and members of the House, it is with considerable diffidence and reluctance that I rise to oppose the passage of a bill conceived in such a broad spirit of humanitarianism. I want at this time, personally to express my appreciation both to Mr. Steedle, a member of this House, and Senator Vare, for having taken the trouble they have gone to to prepare this bill and to present it for our consideration, but I wonder whether you and I really know what this thing means. Do you know that however your heart may warm, very creditably in such cases, and I think our brother from Luzerne has clearly stated it from that standpoint, however much our hearts may warm to that subject do you know that when the commission in 1917 when it filed its report with the Legislature, stated that upon the 65 year old basis, taking one-half of those estimated as of that age, that it would cost the state of Pennsylvania in excess of thirty-five millions per year. Now multiply that for the biennium and call it seventy millions of dollars, and then if you please cut it in half again because perhaps half of those people eligible at 65 would not be eligible at the age of 70, as set forth in the bill as now amended. You can't escape the fact that by passing this act at this time you are deliberately running into a problem besides which the troubles of 1923 will fade into insignificance. Why, we have been worrying and looking around from place to place in an honest endeaver to raise the necessary revenue to conduct our schools and to meet our state obligations, and now upon the basis of the 1910 census statistics we are going into program which two years hence, as surely as the fact that you and I are here now, is going to cost this Commonwealth a sum of from twenty-five to fifty millions per biennium—a program which two years hence, as surely as the fact that maybe annually. It is estimated that in New York, with its present population, such a pension would cost the state forty-five million annually.

Are you ready to face that music? Have you read the act? They considered a two million dollar appropriation. Have you figured how many people at $365 per annum, a dollar a day, and it is the purpose of the bill to give them that amount at this time, that amount would cover? With that $25,000 have you figured on a superintendent at $1800.00—and think of getting a competent superintendent for $1800.00—to swing this work? Have you figured on paying $900.00 a year for inspectors in the counties, say one for every county? Why you would use over twice as much as the appropriation now given. If you eliminate all expense and charge against this $25,000 the $365 per person, you could not take care of more than 700 persons between now and the next biennium in 1925. I do not think it is playing the game squarely. If you really believe in the old age pension, then put it on a broad rate; do not do it in this half hearted way. Have you read on page 12, of file folio of the bill, that "All payments for assistance under the provisions of this act and all expenses incurred by the commission and the salaries of the superintendent and his assistants shall be paid by the State Treasurer out of moneys specifically appropriated for that purpose upon orders of the superintendent and warrant of the Auditor General"? And on the opposite page, for that tremendous opportunity to serve a state with a population in excess of eight million people, we appropriate the munificent sum of $25,000, which won't even pay for the organization.

Now, it seems to me that if this thing is right, if the humanitarianism of it is one hundred per cent. and you believe as a matter of fact tnat it is political economy that this government, the State government, should go into this thing, then you are not doing the thing right. Have you looked up the experience of New Zealand? Have you looked up the experience of Australia? Have you studied the experience of Scandinavia? Have you studied the experience of France? For illustration, do you know whether the fraternal organizations that you men belong to believe it is a good thing simply because one of these organizations from its national headquarters has sent out this little booklet to which reference has been made and copy of which I believe every member has received? I took the trouble to go to a State organization, a State organization of working men who their orders for the protection for their own league and their own fraternal body. I did not say how I stood on the question. I asked them what they thought about it. The answer came back, "It discourages thrift, it encourages pauperism, and it encourages fraternalism on the part of the government."

Imagine the thing as run Simon-pure, as an efficient agent of humanity, if those things are humane and we deem that help is needed, is this the way to do it and are we going to get results with $25,000? Personally I am not sold at all to the old age pension scheme and I am like the man from across the Mississippi, I want to be shown, but I cannot be shown by any such act as this.

Mr. JOSEPH C. MARCUS. Mr. Speaker and members of the House, I have listened with considerable interest to the remarks of the gentleman from Montgomery, Mr. Ludlow, wherein the question of human lives and the almighty dollar has been compared. I personally appreciate the fact that he has the interest of the Commonwealth at heart and that we are struggling here for revenue, and that this particular bill that we are discussing may endanger the brilliant program of the Governor. I would ask any member of this House to name me one particular measure that has meant much to the State that has not required many years of study and investigation and expenditure of money in endeavoring to pass through the experimental stage and finding some safe and concrete program wherein a measure of such vital importance can be put on our statute books and for the purpose of making it effective and practical. In 1919 those of us who were members of the House believed that woman suffrage was a step forward, and we placed it on our statute books because it was the thought and ideals of women of years back and yet by its struggles it has reached the stage where it is now on our statute books. We have our child labor act, and we have our workmen's compensation, and when placed on the calendar they did not meet with the approval of all the members, yet by sessions which followed corrections were made to the various legislation which made it practical. The old age pension does not seem to be such an experiment; two states in the union have adopted it, Nevada and Montana. I have heard no criticism of how it operates in those particular states. Evidently those who have introduced in the Senate and in the House their actions evidently were followed in the states of Massachusetts, Michigan, Rhode Island, Connecticut, Wisconsin, Virginia, Indiana and New York. Not a state mentioned has yet found the solution of the problem where it can work out one hundred per cent. efficiently, but if this bill is put on the statute books and is made by amendment capable and efficient, and an appropriation of $25,000, not for the purpose of making it an institution that will be able to pay its way but to give it an opportunity to function and organize and then come back in 1925 and say this is what we have been successful in doing in organization of this particular body and we ask for further assistance from the 1925 session. Defeat this bill now and all the work that has been done in years prior thereto will go to waste, so the only logical conclusion would be to keep up the work and give it this $25,000 and give it an opportunity to function, and I hope that every man and woman in this House will vote for this bill, from a standpoint that those that we love and those that we hold dearest to our hearts may become beneficiaries to this bill and let us look forward to the time when Pennsylvania will play its part in protecting those who have become unfortunate and let us not blush with shame, with a legislative program—with a bill of this kind—let us march forward, not backwards, and let us give this bill an opportunity to see the light of day; and I ask for your approval.

Mr. DAVID FOWLER. Mr. Speaker, just a word in reply to the gentleman from Montgomery; I will state that the Eagles of America are behind this bill. Since that time, the Eagles in various cities throughout the Uunited States organized what they called an Old Age Pension League. That league was organized in one county that I know of and I understand there is one in Pittsburgh, too. Lackawanna County is also in that league. The Knights of Pythias, the Odd Fellows and every fraternal organization in Lackawanna County has a committee of five representing various fraternal organizations in behalf of this bill. It is not now the Eagles' bill but it is a bill made up by the Old Age Pension League, which is composed of all the fraternal organizations in our section, and, I understand, as well in Pittsburgh, and I will also say that every labor organization in the country is behind it.

Mr. EDMONDS. Mr. Speaker, I have no objection to the principal of old age pensions on a sensible, coherent and well thought out plan. Indeed, personally, I have a great deal of sympathy with the desire that is being expressed on this floor by the gentleman from Lackawanna to do away with the poorhouse method of dealing with the indigent. To my mind, however, there are two fundamental difficulties with this bill.

The first is, that it places something on the State program without providing any means for carrying that something into effect. The moment we pass this law, the old age pension for those needing sympathy is excepted as a part of a program of the State. Henceforth, that is expression of the highest legislative body in the State as to what the State of Pennsylvania will do. And then the State of Pennsylvania appropriates $25,000. That isn't relieving distress at all; it is merely fooling distress. It isn't in any way establishing a system that gets you into the poorhouse. It is merely playing with the situation. It does seem to me that the bill that comes before us on this subject ought to be coherent enough to hang together and it ought to come at a time when the State can perform what the State says it is going to perform. Now, at this present time, we have a lot of programs that the State has accepted from time to time, and the State is doing them just half-way well. You take the Mother's Assistance Fund which is so popular at the present time. I doubt if there is a county of the Commonwealth that hasn't got far more mothers applying for assistance than can be supplied from the funds that are given by the State generally. It is another one of those cases in which we have taken on a program without realizing what it is going to cost, and then appropriating only enough money to do it half. Now, it seems to me that the first objection of this bill is that it adopts a program without making any adequate provision for its support, and that is bad finance.

In the second place, I can't help but feel that the principle of old age insurance which is expressed in this bill is bad policy for this reason: If I understand it properly, the principle of old age pensions was first adopted by Bismarck in Germany, and in the German legislation it requires that the worker should contribute to the fund and contribute during the period of his active working life. He contributes to the state, and the result is that there is gradually built up a state-fund which, with a supplementary association takes care of those in old age.

To my mind that is a correct principle that ought to be adopted in this bill. I see no reason why it is entirely fair, if this kind of principle is to be worked out, that a certain proportion should be paid by the individuals themselves. We have had a great many pension plans in this House. In some cases, the recipients of the pension contribute; in other cases they don't contribute. I think, frankly, we ought to be free, that it is the funds in which the recipients themselves contribute that, in the long run, are the best funds. It will encourage thrift and it will encourage industry on the part of the workers when they make a provision for the workers' old age and if there were any chance of a proposition of that kind coming before this House with an appropriation that would be adequate to do the work, personally, I would be glad to support it, but this proposition is not of that kind and, therefore, like the gentleman from Montgomery, I feel compelled to vote against it, although there is a sincere sympathy for the motive that lays back of it.

Mr. GUERIN. Mr. Speaker, I am sure that the sponsor of this bill would appreciate the sympathy of the members who have spoken against it, bue we are not looking for sympathy today; we are looking for votes. I want to answer the statement of the gentleman from Montgomery as to the cost. The estimate of the cost is approximately $35,000,000 to conduct it in the State of New York. Now, while I am a native of New York, I am an adopted son of Pennsylvania, and much to my regret, I must say that a comparison between the people of New York and Pennsylvania doesn't in any degree blend with the comparison made here today on the floor. When you compare the population of the city of New York with that of Pennsylvania's largest city, Philadelphia, you will find that there are a far greater number of people who will be subject to charity in New York City than there are in Philadelphia or any other city in the state of Pennsylvania, so that that comparison I don't think is fair. Another question that was brought up is the question of fraternal organization. I am a member of organizations which number more than two hundred thousand in the state of Pennsylvania, and I am an active officer in at least five of them and have taken the question up with every one of the state officials in the State of Pennsylvania, and in every one of those five fraternal organizations the executive officers are heartily in accord with this bill. Fraternity means humanity and this bill is brought here in the interests of humanity. The question of contributions has been brought up. I want to ask you if it is a fair proposition to ask a man who, starting out in life, practically, with no property, many of them with never an adequate return for their employment, with their employers taking the last drop of blood from their veins in compelling to work and reaping the reward of their work, to say that those men should contribute toward this fund.

There is another side to the question. I have been told in many of the smaller districts in the state of Pennsylvania, the thrift is such that only one or two or a very few people are on the poor farms, and that most of the poor farms cost far in excess of what it would cost to give these people whatever in defence of the assertion that it would be a ridiculous proposition to make an appropriation of $25,000. I would like to cite The Mother's Pension Fund, which was passed with a very small appropriation, and today that fund, or the executive officer of that fund has the money provided by that statute and is keeping hundreds of women out of the poorhouse and in their own homes, looking after their own children. And if this House will vote for this bill today, they will give as much as the House possibly can afford at this time, and the State can afford this $25,000 to start this bill on its way, and two years hence we hope that they will be in a position to report to this House a practical measure that the House will be question of financing has been coming up. We have all in a position to support and maintain thereafter. The been worried as to where we are going to get $18,000,000 or $20,000,000. I don't know what was done in the House, but when I woke up this morning I read in the papers that it is just a small matter of doubling up on our present taxes. Well, now, let's try a few more of these little taxes if necessary and let us, as Mr. Fowler said, when they take old people to the poorhouse, don't let us say, "Mary, go here," and "John, go there." Let us provide, in their own homes, for the last few remaining days of their lives, that they will be able to spend them together. Ladies and gentlemen, I hope you will vote for this bill.

Miss GRIMES. Mr. Speaker, I should like to interrogate the gentleman from Montgomery, Mr. Ludlow.

The SPEAKER. Will the gentleman from Montgomery, Mr. Ludlow, permit himself to be interrogated?

Mr. LUDLOW. With the greatest of pleasure, sir.

Miss GRIMES. Mr. Ludlow, I should like to ask you if you made the statement that about $35,000,000 is required as suggested by the commission, what would you say is the cost to the State of the various old age homes and poorhouses throughout the State?

Mr. LUDLOW. I can't tell that, because that matter is now being investigated by a commission which is studying the whole poor district problem in the State of Pennsylvania. But, if I may say a word further, it is the very investigation which they are making which shows the undesirability of the present system, and you don't have to go far to argue with me because I admit that the present system is wrong, but is this the remedy? That is my own opinion.

Miss GRIMES. Mr. Speaker, and members of the House, on general principles I am opposed to the pension scheme, but there are three kinds of pensions which I believe in. One of those is a pension for soldiers, men who have been drafted into service of this country and have fought for it. The other one is for widows whose husbands have died and who are obliged to support their children. The other for old people who, in the battle of life, are liable to be thrown aside as derelicts and suffer in the last days of their lives with little comfort.

I believe this bill is properly drawn because, as a member of the first Board of Mother's Assistance that was appointed to the State of Pennsylvania from Alleghenly County, I know that we lost about a year in getting organized and I think that the method of establishing this system is a good one, in that it makes a small start and gives the people who shall administer this act time to study the whole situation and start in a small way. I know that under the Mother's Assistance Act we had a small appropriation and we had to study the whole situation. It was a new thing; we didn't know how to tackle it, and we had to go slowly and thrash the thing out. Now, we are asking, in this Legislature, for $2,000,000 to carry that fund, and the same arguments, as Mr. Ludlow, the gentleman from Montgomery, has stated are brought against this pension bill as were brought against the Mother's Assistance Bill, that it would discourage thrift and that it would establish a new class of paupers. It depends entirely upon the Administration of the Mother's Assistance Act whether that happens, and it depends entirely upon the administration of this act. I believe that the way the act tends to work out, it would just obviate that very difficulty, in that it plans for a study of the situation when the State hasn't very much money to make the first steps, with the intention later on of appropriating money for the actual draft of the pension fund. I hope you will vote for this bill.

Mr. DILSHEIMER. Mr. Speaker and members of this House: It is a general saying that every new invention has to have a start. This bill is a new invention for legislators and for the people throughout this Commonwealth. To my estimation, I don't believe there has been a bill presented to us of more importance and more human purpose than this bill. Those who have money don't have to take advantage of this bill, and are fortunate enough in having accumulated such funds to see them through in life. Well and good, they should be glad of it, but those who haven't been so fortunate, Mr. Speaker and members of this House, I think it is our solemn duty to protect and make it as easy as possible for the rest of their days, while they are living. We are voting millions of dollars away for high educational purposes and, especially, I find that those members who are against such purposes don't say a word against voting millions of dollars away for other purposes, and who has the benefit of it? We all know. Therefore, I appeal to you all, ladies and gentlemen, members of this House, to support this bill and give it a start and two years hence we can improve it if it is necessary. But every new invention must have a start, and I think it is not more than right to give this bill a fair start and put it under way. I hope you all will support it.

Mr. STONER. Mr. Speaker, ladies and gentleman, I am for an old age pension and for a proper bill to accomplish it. I believe that it is a proper disposition of public money and pursuant to a settled social obligation, but I can't see any particular reason why any one should be for this bill. I am not one of those who believes that the State is broke, and if you put the $2,000,000 appropriation back into this bill, I will vote for it and be glad to vote for it, but as it stands now, it looks to me like a joke one of two ways. If it is intended merely as a commission to investigate the advisability and the cost of old age pensions as has been suggested, then, providing as it does the machinery for the full administration of such a scheme, it seems to be somewhat of a joke on the Commonwealth. If it is intended to provide all of the machinery to administer the scheme of old age pensions, without providing any funds, then it looks to me to be sort of a joke on those who would otherwise benefit by virtue of the provisions of the act. I do not see what in the world can be accomplished. It certainly doesn't require two years for a commission to organize and open it up, and certainly, under the provisions of this bill, that is all that can be done. I am vastly disappointed. that I didn't know that the amount of this appropriation of $2,000,000 had been taken out of the bill until this morning. That is, probably, because I was ill last week; but nevertheless, I don't see what is to be accomplished by the bill in its present shape.

Mr. EDMONDS. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Albert, Alexander, Armstrong, Aston, Beaver, Bidelspacher, Chaplin, Coldsmith, Colville, Conner, Craig, Dilsheimer, Dunn, Earley, Fratt, Hetrick, Long, Lucas, Metcalf, Orr and others.

The SPEAKER. More than twenty members having joined in moving the previous question,

On the question,
Shall the main question be put?
It was agreed to.
On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—131.

Albert,
Allman,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Behney,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Brownmiller,
Burchinal,
Burns,
Chaplin,
Clutton,
Colville,
Coyne,
Craig,
de Young,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Evans, J.,
Fields,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Grimes,
Guerin,
Haas,
Harer,
Haslett,
Haws,
Heffernan,
Henderson,
Himes,
Hontz,
Hoover,
Howell,
Johnson,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Labar,
Little,
Long,
Lucas,
Lynch,
Mack,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Mathay,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
Moffat,
Moore,
Munley,
Myers, G. C.,
Nolte,
O'Boyle,
Parkinson,
Patterson,
Perry,
Pitts,
Posey,
Price,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Sheridan,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stofflet,
Stoner,
Storer,
Thomas, L. D.,
Weamer,
Wells,
Whitehouse,
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—29.

Alexander,
Anderson,
Beaver,
Brown,
Edmonds,
Evans, B. P.,
Gelder,
Griffith,
Haines,
Harter,
Hetrick,
Hollis,
Irvin,
Ludlow,
Metcalf,
Minehart,
Morrison,
Orr,
Peelor,
Post,
Raymond,
Stark,
Stevens, A. F.,
Thomas, M. G.,
Thompson,
Walker,
Whiteman,
Williams, G. W.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

RESOLUTION EXTENDING SYMPATHY OF THE HOUSE TO HON. CHAS. C. A. BALDI, JR.

Mr. JOSEPH C. MARCUS offered the following resolution which was read and unanimously adopted:

Resolution: Whereas, The Almighty in his infinite wisdom has removed from this life, C. C. A. Baldi, Third, son of our colleague C. C. A. Baldi, and

Whereas, it is with profound regret that we learn of the bereavement of our colleague, therefore

Be It Resolved by the Pennsylvania House of Representatives that we express our deep sympathy for our colleague and the members of his family, upon their loss.

SENATE BILL No. 217 MADE SPECIAL ORDER.

Mr. HAINES. Mr. Speaker, I move that House Bill No. 1141 (Senate Bill No. 217), entitled:

An Act to amend section one of an act approved the thirteenth day of April one thousand eight hundred and eighty-seven (Pamphlet Laws twenty-one) entitled "An Act for the establishment of a uniform standard of time throughout the Commonwealth" prohibiting the adoption of other standards of time

be made a special order of business for Wednesday, April 25th, at 12:00 o'clock noon.

Mr. EDMONDS. Mr. Speaker, I second the motion.

The motion was agreed to.

RESOLUTION RECALLING HOUSE BILL No. 702 FROM THE GOVERNOR.

Mr. LUDLOW offered the following resolution which was twice read and adopted:

In the House of Representatives, April 24, 1923.

Resolved (if the Senate concur), That House Bill No. 702, File Folio 1295, entitled "An Act to amend section three and section four of an act approved the fifth day of May, one thousand nine hundred and twenty one (Pamphlet Laws three hundred and seventy-four), entitled 'An act providing for the licensing and regulation of corporations, copartnerships, associations and individuals engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing, negotiating, offering for sale or selling any certificates, securities, contracts or other choses in actions evidenced by writing on the partial payment or installment plan or of assuming fixed obligations or issuing in connection therewith a contract based upon payments being made upon installments or single payments under which all or part of the total amount received is to be repaid at some future time with or without profit and imposing penalties' ", be recalled from the Governor.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORT OF COMMITTEE ON RULES.

Mr. McVICAR offered a report from the Committee on Rules, which was read as fololws:

Committee on Rules recommends for adoption the following rule to continue in force during the balance of this session:

RULE

Resolved that beginning with the calendar week of Monday, April 30th, 1923, that bills on the postponed calendar may be called up only on Tuesdays of each week.

Nelson McVicar
Chas. F. Bidelspacher
Geo. W. Williams
J. M. Flynn
Chester H. Rhodes.

On the question,

Will the House adopt the report of the Committee on Rules?

Mr. McVICAR. Mr. Speaker, the proposed rule which you have just heard read provides that bills placed upon the postponed calendar may only be called therefrom on Tuesday of each week, beginning with next week, thereby giving an opportunity to the members of the House to call up their bills during this week. The object of the rule is this, to put the members in the position so that they will not have to continuously watch the many bills which are on the postponed calendar and so that they will know that those bills can only be called up or heard on Tuesday of each week. This also will act as a deterrent not to place bills on the postponed calendar.

On the question recurring,

Will the House adopt the report of the Committee on Rules?

It was adopted.

SENATE MESSAGE.

AMENDED SENATE BILL NONCONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

Senate Bill No. 293.

An Act to amend section six of the act approved the twenty-seventh day of June, one thousand eight hundred and ninety-five, (P. L. 403), entitled, "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

Mr. McCURDY. Mr. Speaker, I move that the House do now recede from its amendments.

Mr. WALKER. Mr. Speaker, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

DATE OF FINAL ADJOURNMENT.

In the Senate, Tuesday, April 24, 1923.

Resolved (If the House of Representatives concur), That the General Assembly of the Session of one thousand nine hundred and twenty-three adjourn sine die Thursday, May twenty-fourth, at twelve o'clock noon.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

The SPEAKER. Under the rules, this resolution is referred to the Committee on Rules.

BILLS SIGNED BY SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 321.

An Act to amend section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An act for the government of cities of the second class"

SENATE BILL No. 432.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth, of Pennsylvania by adding thereto section eighteen

SENATE BILL No. 438.

An Act making a deficiency appropriation to the Commissioners of Fairmount Park

SENATE BILL No. 449.

An Act to amend so much of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

SENATE BILL No. 457.

An Act to amend section twenty-two of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" authorizing the Governor to confer brevet rank upon certain officers

SENATE BILL No. 502.

An Act prohibiting the location by cities of the third class of city prisons or lock-ups close to public school buildings

SENATE BILL No. 5.

An Act making an appropriation to the trustees of the State Hospital of the Northern Anthracite Coal Region of Pennsylvania at Scranton Pennsylvania

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE.

AMENDED SENATE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate had concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 96.

An Act making a deficiency appropriation to the trustees of the Pennsylvania State Oral School for the deaf at Scranton Pennsylvania

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 148, entitled:

An Act authorizing cities, boroughs, incorporated towns, to require and permit the laying and constructing of sanitary sewers and sewer pipes, outside the cartway and the curblines thereof, in all streets and highways, and prescribing the uses thereof; and providing for the assessment of the costs and expenses of any such sewer against the abutting property in the front of which the said sewer is laid.

On the question.

Will the House agree to the bill on third reading?

Mr. MOFFAT. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend sec. 3, page 2 line 8 by striking out "shall" and insert in lieu "may"

Amend sec. 3, page 2 line 10 by inserting between the words "and" and "shall" the following: "such costs and expenses when so assessed"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Are there any objections? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 306, entitled

An Act making a deficiency appropriation to the State Hospital for the Criminal Insane at Farview Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—189.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton.
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Geider,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lauver,
Long,
Lucas.
Ludlow,
Lynch,
Mack,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Orr,
Parkinson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wettach,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Wood, N.,
Wood. W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1256, as follows:

An Act imposing a State tax on Liquid Fuels "including all liquids ordinarily practically and commercially useable in internal combustion engines for the generation of power and all distillates of and condensate from petroleum natural gas coal coal tar and vegetable ferments" to be paid by distributors as herein defined providing for the collection of such tax and for the distribution and use of the revenues derived therefrom providing for the filing of certificates and reports of the sale of such liquid fuels and the collection of such tax and fixing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words terms and phrases used in this act are for the purpose hereof defined as follows

(a) The term "liquid fuels" shall mean all liquids ordinarily practically and commercially usable in internal combustion engines for the generation of power and shall include all distillates of and condensates from petroeum natural gas coal coal tar and vegetable ferments said distillates and condensates being ordinarily designated as gasoline naphthabenzol benzine and alcohols but not restricted to such designations

(b) The term "Distributor" shall include any and all person and persons firm co-partnership association or corporation who or which imports or causes to be imported into the State of Pennsylvania from any other State Territory or County liquid fuels as herein defined for sale or distribution in and after the same reaches the State of Pennsylvania also any person persons firm co-partnership association or corporation who or which purchases or procures any liquid fuels as herein defined from any person persons firm co-partnership association or corporation located outside the State of Pennsylvania for sale or distribution in and after the same reaches the State of Pennsylvania and also any person persons firm co-partnership association or corporation who or which produces refines manufactures or compounds any liquid fuels as herein defined in the State of Pennsylvania for sale or distribution in such State

Section 2 All distributors of liquid fuels in the State of Pennsylvania engaged in business at the time this act shall go into effect shall within thirty days thereafter and all distributors of liquid fuels engaging in the transation of such business hereafter shall prior to the commencement of such business file a duly acknowledge certificate with the Auditor General on a form prescribed prepared and furnished by him which shall set forth the name under which such distributor transacts or intends to transact business within the State of Pennsylvania and the place of business of such distributor and if such distributor has more than one place of business within the State the address of the principal place of business within the State if such distributor is a firm co-partnership or association the names and addresses of such persons constituting such firm co-partnership or association and if a corporation the names and addresses of the principal officers thereof No distributor as herein defined shall after the date this act becomes effective sell any liquid fuels until such certificate in filed as required by this act nor shall any distributor engaging in such business subsequent to the passage of this act commence such business without first filing such certificate with the Auditor General and any distributor failing to comply with the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars ($1,000.)

Section 3 In addition to the taxes now provided for by law each and every distributor as defined in this act who is now engaged or may hereafter engage in his on name or in the name of others in the sale of liquid fuels as herein defined in this State shall pay a tax of one cent per gallon on all liquid fuels sold within the State "by such distributor" and every such distributor as defined in this act liable to pay the tax herein defined shall state the amount of such tax separately from the price of the liquid fuels as herein defined "and also any person firm copartnership association or corporation who or which resells or offers for resale liquid fuels as herein defined shall state the amount of the tax due or paid thereon separately from the price of the said liquid fuels and any one failing so to state separately the tax and price of the said liquid fuels shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding two hundred and fifty dollars ($250) for each offense" and for the purpose of ascertaining the amount of the tax it shall be the duty of every such distributor to transmit to the Auditor General upon a form prescribed prepared and furnished by him a statement or return under oath or affirmation of the business conducted by such distributor during the preceding three months ending the last days of March June September and December of each year which statement or return shall be filed with the Auditor General on the last days of January April July and October of each year and shall show the number of gallons of such liquid fuels that was sold within the State during the said periods from the respective places of business of such distributors and such further information as the Auditor General shall prescribe If any such distributor shall neglect or refuse to make said statement or return as herein required and provided an addition of ten per centum of the amount of tax shall be added and collected on an account settled as hereinafter provided Provided however That in all cases where any taxes imposed by this act have accrued on credit sales which taxes have been prepaid by the taxpayer and subsequently prove uncollectible such taxes shall be deducted in the next return of the tax payer after such taxes become uncollectible

Section 4 The Auditor General shall settle all accounts for taxes due under the provisions of this act and upon the settlement of each account he shall transmit to the taxpayer a certified copy thereof showing the amount of the tax as found to be due by him he shall also certify to the State Treasurer the amount of the tax as found to be due by him from the several distributors made taxable by the act Every distributor liable to pay the tax imposed by this act shall pay the same to the State Treasurer within sixty (60) days from the date of the settlement of the account by the Auditor General When any tax is settled by the Auditor General as provided herein it shall bear interest at the rate of twelve per centum per annum from sitxy days after the date of the settlement of the account by the Auditor General In the event however of a resettlement of any account by the Auditor General interest shall be charged at the rate of twelve per centum per annum upon the amount found to be due from sixty (60) days after the date of the original settlement

Section 5 The Auditor General or any agent appointed in writing by him is hereby authorized to examine the books and papers of any distributor pertaining to the business made taxable by this act to verify the accuracy of any statement or return made under the provisions of this act but any information gained by the Auditor General or any other person as a result of the reports investigations or verifications herein required to be made shall be confidential and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars ($1,000) or to undergo imprisonment of not more than one year or both

Section 6 If the Auditor General is not satisfied with the statement or return made by any distributor under the provisions of this act he is hereby authorized and empowered to settle an account against such distributor based upon the facts contained in the statement or return or upon any information within his possession or that shall come into his possession with the right to the distributor dissatisfied with the settlement so made against him to appeal therefrom in the manner now provided by law If any such distibutor shall neglect or refuse to make the statement or return as required by this act the Auditor General may estimate an assessment against such distributor and settle an account for taxes penalty and interest thereon from which settlement there shall be no right of appeal

Section 7 Any distributor or distributors who shall fail neglect or refuse to make the statements or returns and pay tax as herein prescribed or who shall refuse to permit Auditor General or any agent appointed by him in writing to examine the books or papers of any such distributor pertaining to the business made taxable by this act or who makes any incomplete false or fraudulent statement or return hereunder or who does or who attempts to do anything whatsoever to avoid a full disclosure of the amount of business done or to avoid the payment of the whole or any part of the tax due shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) or in the case of an individual to undergo imprisonment not exceeding six months or both Such penalty shall be in addition to the penalty imposed by any other section of the act

Section 8 Fifty per centum of all taxes collected under the provisions of this act shall be credited to the several counties in the same ratio to the total amount of taxes collected in the State for this purpose as the amount paid to each of the respective counties for the year one thousand nine hundred and twenty-two bore to the total amount collected for this purpose in the State during said year one thousand nine hundred and twenty-two and shall be used only for the purpose of the construction reconstruction maintenance and repair of roads and highways and for the payment of the interest on county bonds issued for road purposes and shall be paid over to the counties semi-annually on the first day of April and October of each year

Section 9 It is the purpose of this act to centralize the collection of the tax herein authorized in the hands of those who originally dispose of the liquid fuels as herein described for distribution or consumption within the State but in no case shall there be a duplication of the collection of the tax authorized

Section 10 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not effect or impair any of the remaining provisions of the act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 11 That an act approved the twentieth day of May Anno Domini one thousand nine hundred twenty-one (Pamphlet Laws one thousand twenty-one) entitled "An Act imposing a State tax on gasoline and on all other liquids containing any derivative of petroleum or natural gas produced prepared or compounded or usuable for the purpose of generating power by means of internal combustion and sold in this Commonwealth except for the purpose of resale providing for the collection of such tax and for the distribution and use of revenues derived therefrom making an appropriation and fixing penalties" is hereby repealed Provided however That nothing contained shall be taken or construed to relieve any person or persons co-partnership association company or corporation whatsoever from the payment of any tax interest or penalty due or owing to the Comonwealth under any law in force at the time this act becomes effective

Section 12 This act shall become effective on the first day of July Anno Domini one thousand nine hundred twenty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—124.

Albert,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Boback,
Brewster,
Brown,
Brownmiller,
Chaplin,
Clutton,
Colville,
Conner,
Craig,
de Young,
Diehm,
Driggs,
Dunn,
Gelder,
Gibbon,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Griffith,
Grimes,
Guerin,
Hall,
Harer,
Harter,
Haslett,
Henderson,
Hetrick,
Himes,
Hollis,
Hontz,
Hoover,
Howell,
Irvin,
Johnson,
Jones, D. J.,
Little,
Lucas,
Ludlow,
Mack,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McCurdy,
McDaniel,
McVicar,
Metcalf,
Millar,
Minehart,
Moore,
Munley,
Myers, G. C.,
Nolte,
O'Boyle,
Orr,
Peelor,
Perry,
Pitts,
Posey,
Schleiter,
Schoener,
Schwartz,
Sheridan,
Smith, H.,
Speiser,
Sprowls,
Stark,
Stavitski,
Sterling,
Stevens, A. J.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Wells,
Wheeler,
Whitehouse,
Williams, G. W.,
Woner,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Fields,
Flinchbaugh,
Fowler, A. I.,
Fratt,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lauver,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Schaeffer,
Wood, N.,
Wood, W. P.,
Wright,
Goodnough,
Speaker.

NAYS—12.

Allman,
Burns,
Coyne,
Dietz,
Lynch,
Marcus, J.,
McBride,
Sautter,
Sowers,
Steedle,
Thomas, L. D.,
Williams, J. M.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE.

Mr. JOHN G. MARSHALL. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. JOHN G. MARSHALL. Mr. Speaker, I think I am expressing the sentiment of a majority of the members when I say it is the desire of the members of this House, if possible, to have a session of the House this afternoon in order to expedite the work and get rid of our third reading calendar. I understood it was the plan this morning to have such a session, but owing to the request of the Ways and Means Committee for a meeting of that committee at four o'clock, it will make it impossible to do so. As you know we have a large third reading calendar and unless we have a session this afternoon when we have such an excellent opportunity of having it, it seems a pity that we have to loaf—I don't know of any other word to express it—in order that the Ways and Means Committee may meet for an hour or so. I think in fairness to the members of the House, and I believe the Chairman of the Ways and Means Committee will agree with me, that the committee should hold the meeting at some other time except four o'clock, in order that the House may meet at that time and take up the work on the calendar, if the Speaker and members of the House are willing to have a meeting at that time. I merely bring this before you in order that you may act on it in the way you desire.

Mr. WONER. Mr. Speaker, in reply to my colleague from Beaver I would say that it is entirely agreeable to the members of the Ways and Means Committee that it should have a meeting at some time today. In consideration of what the gentleman has said, I am perfectly willing to put this hearing off until seven thirty, provided the House will not convene before 8:30 or 9:00. In that way we will be more certain that the members will be back from Mount Gretna and we will accomplish the same results from a meeting of the Committee then as we would at four o'clock.

PERMISSION GIVEN WAYS AND MEANS COMMITTEE TO MEET DURING SESSION OF THE HOUSE

Mr. GOLDER. It just occurs to me, Mr. Speaker, that it might be proper to put a motion that the Ways and Means Committee be permitted to hold a meeting during the session of the House any time today. I therefore move, Mr. Speaker, that the Committee on Ways and Means, be permitted to hold a meeting any time during the present day.

Mr. HEFFERNAN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1251, entitled:

An Act to prohibit the obstruction of the view of the interior of soft drink places pool rooms and billiard parlors

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. CHAPLIN. Mr. Speaker, I would like to have the sponsor of this bill explain it.

MOTION TO POSTPONE.

Mr. WONER. Mr. Speaker, I would be very glad to enter into a discussion of the bill at this time, however, at the request of a number of the members of the House who are deeply interested in this bill, I have consented, as a matter of courtesy, to have this bill placed on the postponed calendar owing to its association with other prospective legislation. I therefore move that further consideration of the bill be postponed for the present.

Mr. DAVID J. JONES. Mr. Speaker, I second the motion.

The motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. DILSHEIMER. Mr. Speaker, I would ask the sponsor of the bill to explain its purpose.

Mr. WONER. Mr. Speaker, the reading of the bill is perfectly clear. It provides that where soft drinks are sold and where pool and billiards are played, that there shall be an unobstructed view from the exterior. Now the purpose of this bill may be found by asking a question. Why should there be such an obstruction of view? I assume that the answer to that would be, that they do not desire those walking on the outside to see what is on the inside and what they are doing within. You know that almost without exception in places where drinks were sold in the days of the old-fashioned saloon that there was a painted window or frosted glass or obstruction of some kind. They exist today, why did they exist then? Answer that question in your own mind. It must have been for some reason. Did they do something therein that they didn't want the public to view? Was there someone in there who was ashamed to have someone from the outside look in and see him? Now, with respect to the present status, we find they don't sell anything in these places of course that is in violation of the law. No one who sells soft drinks is selling anything more than one-half of one per cent; of course they are not. Why then should there be any objection to opening up their places to the view of the public? Why should not the public look in and see what they are doing? What kind of a convivial sport are they planning for that they do not wish the public to see? Primarily, however, it is to turn the searchlight on these places. Now, you know light is a greater purifier. If you turn the light of inspection of the public view into a place of that kind you lead to a diminishing of the likelihood of violation of law therein. Now this bill is not new; it is exactly like one of the statute books of the state of Ohio, and is in a similar form in a number of states in the union. I simply see no reason why anyone conducting a soft drinks place should be so ashamed of it that they would not want the public to look in or that they would not want frosted windows, painted windows or obstructions. Secondly, in my opinion the bill is important because it will do away with the violation of the law as there always is behind closed doors. You might ask me, "Why do you want to look into a pool room, or why do you want to look into a billiard parlor?" Why some of the worst cesspools of filth in this Commonwealth are found in the poolrooms and the billiard parlors. Why do our laws state that a boy under a certain age shall not be permitted to play pool or billiards? That is because we have laws to regulate those places. I think we should have a law that permits us to look in and see what they are doing there.

Mr. GOLDER. Mr. Speaker, as I understand it, the sponsor of this bill seems to think that the reason fluids and frosted glass are used is because people on the inside are afraid of the light, that they are necessarily committing some crime. I desire, Mr. Speaker, to ask the gentleman from Butler whether he can give me some logical reason why barber shops hair dressing shops, real estate offices, notaries public offices, and yes even lawyers offices should not have frosted windows so that people cannot see in.

Mr. WONER. Mr. Speaker, I anticipated a query of that kind. There is a likelihood of the violation of the law in places where soft drinks are sold. There is a specific law governing the sale of what the soft drink vendors have to sell, and because of the likelihood that beverages containing more than one-half of one per cent. would be sold in these places because some of these self-same people who are now questioning me know that there was violation of the law, back of the screens and back of the obstructions on the windows. Now if we are honest, we will admit that is made today is that you have closed the doors of the saloon but you have not driven the saloon out. Now I want to tell you, we must go one step further than this, take away the front badge of the saloon, which is the badge of the shadow and darkness and you have gone a great way toward driving the old-fashioned saloon out of the State of Pennsylvania.

Mr. GOLDER. Mr. Speaker, and members of the House, it is amusing at all times to me that those who always sponsor and foster reform measures, those who are holier than thou, seem to know more about crime and criminal violations than those who stand upon their constitutional rights and do those things which they believe are within the law. Mr. Woner has stated that we have closed the saloon. What sophistry is this? Why members of the House, you in your own experience know that more saloons have been opened since the passage and the signing of the so-called enforcing measure than there ever were in Pennsylvania before. I know of delicatessen stores which today are taking orders for beer by the case. I know a drugstore in Harrisburg which is taking orders for beer by the case, and Mr. Earley, I think you know of it too. I think, Mr. Speaker, it is the merest form of sophistry to say we have closed the saloon. Why members of the House, we have opened them wide. The only difference today is there is no badge on the saloon. Everyone who desires to sell less than one half of one percent, can open up the front door and there you have a saloon in effect. I could hardly believe that Mr. Woner was serious on this bill. It looks to me as though it was merely a "busybody's" bill. You know there are a great many people who like to gossip, and there are people who like to stick their noses into other people's business, to find out what is giong on, and they don't just like to let people know what they are trying to find out, and that is the spirit that prompts a bill of this kind. I have been in a pool room, and I do not understand the way people look at a pool room or billiard parlor. They believe that in pool rooms everybody carries a cue in one hand and a knife in the other and a revolver in his pocket, and yet the Commonwealth licenses pool rooms. There is no mystery about a pool room. I have shot kelly pool in pool rooms and have spotted the balls and everything else, and I am relatively as good as a great many other people who are afraid to go into a pool room. When we passed the enforcement bill, or rather when the enforcement bill was passed, we did not pass it, it provided among other things that is was perfectly lawful to sell less than one-half of one per cent. We understood from those who advocated the passage of that bill that just as soon as that bill would pass it would be the panacea for all evil. I have heard those propositions before. I heard it stated on the floor of this House that just as soon as we had the enforcement act that all the prisons would be turned into convents, if you please, and all the almshouses turned into places where the souls will be reclaimed and where every one will be walking up and down singing Hallelujah and giving praise for delivery from this evil. Did that happen? No. Just as soon as they passed that bill it immediately found out that they needed fifty more bills to correct the evil that that one bill has brought about. Isn't that the fact? Who ever heard of these bills closing the front door, and taking off the swinging door, putting up a curtain, taking down a curtain, putting out the wash and taking in the wash. Don't you see that the one bill has brought about a great many other bills that are closing every other door. I prophesy if you pass this bill we will have other bills saying that this door must be taken down and that you must put up another door or that you must use a certain kind of plate glass, and another thing since green has been determined as the best color for the vision they will say that they will paint all of these houses green so the people walking up and down will not have their eye sight affected. It is a most laughable matter. They will say to the man on the corner that he has a perfect right to sell coco-cola or anything with less than one half of one percent, but you object to the arrangement of the room. You will say that he will have to have a chair in that corner, and a counter in the other corner and the curtains must come down so that when Mrs. Jones is coming down from the butcher shop she can look in and see whether Mrs. Murphy's husband is in there buying a drink of soda water. Members of the House, this strikes me as being funnier than Hell. Honestly doesn't it strike you the same way?

It is a ridiculous proposition and we ought to vote it down.

Mr. LORENZO D. THOMAS. Mr. Speaker and members of the House, I am very glad to be classified this morning in the category, and in the midst of those who did not know what they were doing when they passed the enforcement measure of a few weeks ago. I am very glad to stand before you and to tell you that the man who drafted this bill, and the man who introduced this bill is everything other than an imbecile. I desire to add to that I think this is a meritorious measure, because I have seen the pool room from the inside just as well as I have seen it from the outside, and I have been obliged, I am sorry to say, to go into these dens of vice corruption and immorality and bring young boys out of them, take them back to their homes and to their mothers.

We know something about the culture and the refinement of the state of Massachusetts. Other states have been brought under discussion on this floor this morning, and they have been held up to us as a paragon of intelligence, and I know that my experience in the state of Massachusetts leaves me to understand that in the place where this was more than one-half of one per cent, that where there was less than one-half of one per cent the blinds were not drawn, and even such small things, if you please, as the screen door were entirely eliminated and wiped out. Pennsylvania is a good State, and Pennsylvania's population, variously made up as it is, has just as much right to be heard by the men who are trying to uphold the Constitution as it has a right to hear those who will laugh at the laws of the country and grind under their feet every movement of righteousness, virtue and morality. I am going to vote for this bill and not only that, but I will, in the days to come, so long as I am on my feet and able to go forth and look at the pernicious influence of those dens of vice and immorality and I will do more than Carrie Nation ever did to see that the blinds are where they ought to be and that the screen doors are relegated to the back yard.

Mr. SOWERS. Mr. Speaker, I desire to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Butler, Mr. Woner, permit himself to be interrogated?

Mr. WONER. I will Mr. Speaker.

Mr. SOWERS. I would like to know whether or not in your opinion, this is an encouragement to the youth to enter these places by permitting them to look inside.

Mr. WONER. I should answer that question in the negative.

Mr. SOWERS. I would like to know from you how you can determine by sight, whether a beverage has one-half or more than one-half of one per cent alcohol in it.

Mr. WONER. It is not a question of sight, it is a question of the permit. It is a question of the law. The bill says, where soft drinks are sold, soft drinks are supposed to contain less then one-half of one per cent by

Mr. SOWERS. Well, isn't there a distinction between alcoholic beverages and soft drinks?

Mr. WONER. There is no distinction in this particular case. But let me ask, how many places where they sell soda water or soft drinks do they find it necessary to have screens or frosted doors or obstructions in the windows?

Mr. SOWERS. Has the gentleman ever drank soda water?

Mr. WONER. I have.

Mr. SOWERS. Did you ever know that there was no alcohol in it?

Mr. WONER. I did.

Mr. SOWERS. Have you ever drank butter milk?

Mr. WONER. I am very fond of it, thank you.

Mr. SOWERS. Don't you know that there is a great deal of alcohol in it more then one-half of one per cent?

Mr. WONER. I believe there is.

Mr. SOWERS. And you drink it?

Mr. WONER. I don't think that I have taken a drink since we passed the Pinchot Act.

Mr. SOWERS. Mr. Speaker and members of the House, I like to know that my friend has taken a drink of butter milk in order to have an alcoholic beverage. We will, from time to time, have all kinds of bills and attempted legislation in this House, but this bill No. 1251, looks to me as if it contains Puritanism. It looks to me as if it came from some ancient history. Why, the idea; the very bill is really to restrain, to prohibit, to do this, to do that, or do something else. The very bill itself encourages the thing that it seems to do away with. It will encourage the youth to look into the pool rooms, to see the players there, to go in to play and want to play. The bill does not prohibit youths from looking in. It opens the door for you to look in, and if the ire of the youth is aroused, he will go in. Are these bills good or are they harmful? Now, what is the next object of the bill? My friend would have you believe that soft drinks are alcoholic beverages of more than one-half of one per cent. Why take down all the blinds? Why take down all the screens? How are you, by eye sight, going to tell whether there is more than one-half of one per cent or two or three per cent of alcohol in a beverage? Isn't the bill so foolish that it is not worthy of any consideration? I ask you all to vote it down.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—53.

Albert,
Anderson,
Armstrong,
Aston,
Blair,
Brewster,
Clutton,
Fowler, A. I.,
Gilchrist,
Griffith,
Grimes,
Henderson,
Himes,
Hollis,
Hoover,
Irvin,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kunkle,
Lauver,
Long,
Ludlow,
Marshall, J. G.,
Marshall, W. F.
McCurdy,
McKim,
McVicar,
Minehart,
Moffatt,
Peelor,
Pitts,
Post,
Price,
Raymond,
Richards,
Sample,
Schleiter,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Wells,
Wheeler,
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—97.

Alexander,
Allman,
Arthur,
Asbury,
Baker,
Behney,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Bluett,
Boback,
Brenneman,
Brown,
Brownmiller,
Burns,
Chaplin,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flynn,
Fowler, D.,
Fratt,
Gibbon,
Glasgow,
Goehring,
Golder,
Gorham,
Greeby,
Guerin,
Haas,
Haws,
Heffernan,
Hetrick,
Howell,
Johnson,
Keene,
Kennedy,
Labar,
Little,
Lucas,
Lynch,
Mack,
Mangan,
Marcus, J.,
Marcus, J. C.,
Mathay,
McCaig,
McDaniel,
McDermott,
McGowan,
Metcalf,
Moore,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Perry,
Posey,
Rippman,
Sautter,
Schaeffer,
Schoener,
Schwartz,
Sheridan,
Smith, H. J.,
Smith, H.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stofflet,
Stoner,
Storb,
Weamer,
Whitehouse,
Williams, J. M.,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 534, entitled:

An Act to amend Route Number ninety-one of section six of an act approved the thirty-first day of May one thousand nine hundred and eleven, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highway, solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain the certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships boroughs, and incorporated towns with Commonwealth governing same; providing for the minumum width of State highways and State-aid highways and kind of material to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Behney,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Howell,
Huber,
Irvin,
Johnson,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, H. J.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.
Smith, H.,

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE.

AMENDED SENATE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate had concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 513.

An Act to amend section three of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 912), entitled, "An Act to regulate the drilling operating, and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act."

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 494.

An Act validating certain proceedings of counties, cities, boroughs, townships, school districts, and other incorporated districts, or municipalities, had pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled, "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto and validating bonds, certificates of indebtedness and securities issued in pursuance of such proceedings.

HOUSE BILL No. 22.

An Act concerning conditional sales of chattels attached or to be attached to realty and regulating the recording and effect thereof and providing remedies and penalties

HOUSE BILL No. 277.

An Act to validate tax liens filed in the office of the Prothonotary of the various counties by any of the cities of this Commonwealth since the twenty-fourth day of May one thousand nine hundred and twenty-one, under the provisions of an act approved the fourth day of June, one thousand nine hundred and one, entitled: "An Act providing when, how, upon what property and to what extent, liens shall be allowed for taxes and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefore; the methods of preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; and the manner of distributing the proceeds of such sales," and its supplements and amendments thereto; and providing for their collection.

HOUSE BILL NO. 701.

An Act to further amend sections ten and fourteen of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) entitled "An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as amended by requiring all proceedings in civil cases before magistrates that are sought to be reviewed by appeal to be taken only to the Municipal Court transferring original jurisdiction in certain civil cases from the court of common pleas to said court providing that costs in all cases shall follow the judgment and that certain judgments shall be final

HOUSE BILL No. 725.

An Act to amend Article XII of an act approved the third day of June one thousand nine hundred and fifteen (P. L. 797) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto a section to be section twelve hundred and two defining certain terms.

HOUSE BILL No. 759

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section seventeen

HOUSE BILL No. 657.

An Act to amend section two thousand six hundred and twenty-eight of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled, "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by changing the compensation of auditors of the accounts of school districts of the fourth class.

HOUSE BILL No. 773.

An Act making a deficiency appropriation to the Commission of the Soldiers' Orphans Industrial School at Scotland

HOUSE BILL No. 783.

An Act making a deficiency appropriation to the Home for Training in Speech of Deaf Children before they are of School Age at Philadelphia Pennsylvania

HOUSE BILL No. 784.

An Act making a deficiency appropriation to the Eastern State Penitentiary

HOUSE BILL No. 788.

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania located at Blossburg Pennsylvania to cover a deficiency in maintenance for the two fiscal years ending May thirty-first one thousand nine hundred twenty-three

HOUSE BILL No. 874.

An Act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections

HOUSE BILL No. 902.

An Act to amend section ten hundred and twenty-five of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

HOUSE BILL No. 912.

An Act validating the incurring of certain debts or increase of indebtedness of poor districts in counties of the second class by the county commissioners thereof for improvements or alterations of the property of such poor districts and all bonds and other securities issued therefor and also the assessments of annual taxes for the payment of such indebtedness since the twentieth day of April one thousand eight hundred and seventy-four

HOUSE BILL No. 977.

An Act to amend an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and ninety-four) entitled "An Act to amend an act approved the twenty-fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and fifty) entitled 'An Act authorizing the several counties incorporated towns and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans and of the Army of the Philippines and to each post of the American Veterans of Foreign Service in the respective counties boroughs and towns to aid in defraying the expenses of Memorial Day' by authorizing appropriations to each post of the American Legion Veterans of Foreign Wars and to each Naval Association and each post of the Grand Army of the Republic" to include authorization of appropriations to each organization of ex-service men incorporated under the act of April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows

SENATE BILL No. 449 RECALLED FROM THE GOVERNOR.

In the Senate, Tuesday, April 23, 1923.

Resolved (If the House of Representatives concur), That Senate Bill No. 449, entitled "An Act to amend so much of section one of the act approved the tenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five), entiled "An Act to fix the member of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution", be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RECESS.

The SPEAKER. If there are no objections the Chair will declare a recess until 4:00 o'clock P. M. Are there any objections? The Chair hears none.

Whereupon, at 1:31 P. M. the House took a recess until 4:00 o'clock P. M.

AFTER RECESS.

The House reconvened at 4:00 o'clock P. M.

The SPEAKER (C. J. Goodnough) in the Chair.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 1. (HOUSE BILL No. 1433).

An Act relating to the retirement of certain officers and employes of the State Government and their compensation including officers and employes heretofore retired.

Referred to the Committee on Judiciary General.

SENATE BILL No. 685 (HOUSE BILL No. 1434).

An Act to further amend sections one, two, three, five and seven, as amended of the act approved May 1, 1909 (P. L. 321) entitled "An Act to provide for State registration of nurses, to establih a State Board of Examiners in connection therewith, and to provide penalties for the violation of certain provisions regarding such registration;" by providing for a change in membership of the Board, for a change in salary of the secretary, treasurer, educational director and of the members of the Board

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 686 (HOUSE BILL No. 1435).

An Act relating to the registration and re-registration of nurses by the State Board of Examiners for Registration of nurses and the issuance of a license to practice nursing.

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 59 (HOUSE BILL No. 1436).

An Act to repeal an act entitled "An Act to regulate the practice of the profession of engineering and of land surveying, creating a State Board for the registration of Professional Engineers and Land Surveyors, defining its powers and duties, imposing certain duties upon the Commonwealth and political sub-division thereof in connection with public work and providing penalties."

Referred to the Committee on Judiciary Local.

SENATE BILL No. 476. (HOUSE BILL No. 1437).

An Act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in alleys in cities of the first class for the establishment of lines and grades and for the grading paving or repaving of said alleys and the grading of private alleys thereafter laid out and for apportioning the cost and for the filing of liens therefor.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 494. (HOUSE BILL No. 1438).

An Act to exempt from county city borough township county road school and poor taxes real and personal property owned by one or more corporations of purely public charity and use by such owner or owners and other similar associations or corporations exclusively for the purposes of such occupants.

Referred to the Committee on Corporations.

SENATE BILL No. 551. (HOUSE BILL No. 1439).

An Act to amend section one of the act approved the first day of July, 1919 (P. L. 710), entitled "An Act relating to fires and fire prevention; imposing duties; and conferring powers heretofore exercised by the State Fire Marshall, upon the Department of State Police; authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said department, and defining their powers and duties; providing for the investigation of the cause, origin, and circumstance of fires, and the inspection of all and the removal or change of certain buildings; imposing duties on school authorities, and on certain corporations associations, and fire rating agencies; providing for the attendance of witnesses before the department, and the enforcment of its orders; and prescribing penalties;" fixing the powers of the Department of State Police and cities, boroughs and townships relative to the erection and installation of tanks, pumps, drawing off or measuring devices used in connection with inflammable liquids.

Referred to the Committee on Judiciary General.

SENATE BILL No. 557. (HOUSE BILL No. 1440).

An Act authorizing Council in cities of the first class by Ordinance to require the installation of standpipes and sprinkler system in certain buildings in such cities to prescribe the kind and character thereof and regulations therefor and to provide for the enforcement of such Ordinance.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 583. (HOUSE BILL No. 1441).

An Act authorizing the annexation to cities of portions of townships not exceeding one hundred acres in area and totally surrounded by said cities and providing for the division of the assets and liabilities of said townships.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 769. (HOUSE BILL No. 1442).

A Supplement to an act approved March 10, 1921 (App. Acts, page 11) entitled "An act making an appropriation to the State Highway Department for the construction of permanent State Highway for the payment of the Commonwealth's share in the expenses of constructing State-aid highways; for the maintenance and repair of State Highway within the limits of boroughs; for the maintenance and repair of State-aid highways; for the payment of rewards due townships of the second class; for the payment of damages to property caused or occasions in connection with the work of the State Highway Department;" by extending the date for the apportionment of State-aid appropriations made by said act.

Referred to the Committee on Appropriations.

SENATE BILL No. 798. (HOUSE BILL No. 1443).

An Act to amend sections two and twenty of an act approved the seventh day of June, one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and eighty-eight) entitled "An Act regulating through the Commissioner of Labor and Industry the business of assisting employers to obtain employes and persons to secure employment including the business of collecting information to the same end and prescribing penalties."

Referred to the Committee on Judiciary Special.

SENATE BILL No. 787. (HOUSE BILL No. 1444).

An Act creating a Legislative Reference Bureau; providing for the election of a director by the General Assembly; designating the officers and employees of such Bureau; defining their duties; fixing their salaries; abolishing the present Legislative Reference Bureau and making an appropriation.

Referred to Committee on Judiciary Special.

SENATE BILL No. 24. (HOUSE BILL No. 1445).

An Act providing for an industrial State Highway from the city of Chester to the city of Philadelphia.

Referred to Committee on Public Roads.

SENATE BILL No. 285. (HOUSE BILL No. 1446).

An Act making a deficiency appropriation to the Cottage State Hospital, situated in Connellsville, Fayette, County, Pennsylvania.

Referred to Committee on Appropriations.

SENATE BILL No. 338. (HOUSE BILL No. 1447).

An Act to further amend clause four of section three hundred and eighty-six, of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto," as amended, and repealing an additional amendment to said clause, approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 857).

Referred to Committee on Public Roads.

SENATE BILL No. 448. (HOUSE BILL No. 1448).

An Act providing for the transfer to Pennsylvania of the titles to and liens affecting any lands heretofore regarded as being in the State of Delaware but found to be in Pennsylvania in accordance with the interstate boundary run by the joint commission of said States appointed by virtue of the act of Assembly of Pennsylvania approved the fourth day of May, one thousand eight hundred and eighty-nine, (P. L. 81) entitled, "An Act relative to the boundary lines and boundary line monuments."

Referred to Committee on Judiciary General.

SENATE BILL No. 496. (HOUSE BILL No. 1449).

An Act to further amend section two of an act approved the twentieth day of June, one thousand nine hundred and nineteen, (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax and the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," as amended.

Referred to Committee on Judiciary General.

SENATE BILL No. 497. (HOUSE BILL No. 1450).

An Act relating to county bridges, authorizing counties to issue and sell bonds for the erection thereof and providing for the division of the cost of construction and erection of joint county bridges and the collection of tolls thereon.

Referred to Committee on Public Roads.

SENATE BILL No. 629. (HOUSE BILL No. 1451).

An Act to amend part of section three of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An Act to provide for the incorporation of certain corporations" by authorizing certain corporations of the first class to be incorporated by the Governor.

Referred to the Committee on Corporations.

SENATE BILL No. 637. (HOUSE BILL No. 1442).

An Act requiring supervisors and commissioners of townships to apply for county aid in the construction and maintenance of roads upon application therefor by property owners.

Referred to the Committee on Judiciary Special.

SENATE BILL No. 737. (HOUSE BILL No. 1453).

An Act authorizing the State Highway Commissioner to take over as State highways certain roads leading from State institutions to State highways or railroad stations.

Referred to the Committee on Public Roads.

SENATE BILL No. 775. (HOUSE BILL No. 1454).

An Act requiring supervisors and commissioners of townships to apply for county aid in the construction and maintenance of roads upon application therefor by property owners.

Referred to the Committee on Public Roads.

SENATE BILL No. 781. (HOUSE BILL No. 1455).

An Act authorizing the State Highway Commissioner to combine certain State Highways or any part or sections thereof into a route under a common letter name number or other marker or designation or any combination thereof for the purpose of informing and assisting the traveling public in and through the State.

Referred to the Committee on Public Roads.

SENATE BILL No. 570. (HOUSE BILL No. 1456).

An Act providing for the merging of moneys held in certain special funds in the State Treasury with moneys in the general fund, providing for the use of all moneys in the general fund for the payment of appropriations and for the payment from the general fund of moneys appropriated and dedicated for special purposes.

Referred to the Committee on Ways and Means.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 115, entitled:

A Joint Resolution proposing an amendment to article four of the Constitution of Pennsylvania by adding hereto section twenty-three

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

Amend article four of the Constitution of the Commonwealth of Pennsylvania by adding thereto section twenty-three which shall read as follows:

"Section 23 Effective the first Tuesday of May one thousand nine hundred and twenty-seven the office of Secretary of Internal Affairs is hereby abolished and the powers and duties by this article and by law vested in and imposed upon the Secretary of Internal Affairs the Department of Internal Affairs or any bureau officer agent or employe thereof shall on and after January first one thousand nine hundred and twenty-seven be exercised and performed by such officers or departments as may be provided by law

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. HASLETT. Mr. Speaker, I move that this bill be recommitted to the Committee on Constitutional Reform for further hearing.

Mr. BAKER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 797, as follows:

An Act increasing the number of courts of common pleas in the county of Philadelphia establishing therein a distinct and separate court of common pleas designated court of common pleas number six and providing for the election and appointment of judges for said court

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there shall be and hereby is established in the county of Philadelphia a distinct and separate court of common pleas designated court of common pleas number six of Philadelphia county composed of three judges learned in the law who shall hold office for the term and with like powers duties authority and compensation and with like and equal constitution and co-ordinate jurisdiction with the courts of common pleas numbers one two three four and five of said county and the judges thereof respectively

Section 2 Three judges of the said court of common pleas number six of Philadelphia county learned in the law shall be elected by the duly qualified electors of said county at the next general election in November one thousand nine hundred and twenty-three and the three candidates who then receive the highest vote shall be declared elected but no elector may vote for more than two candidates upon one ballot for the said office at the primary or municipal election one of said judges to be designated as required by the Constitution of the Commonwealth shall be president judge of said court Said judges shall be duly commissioned as judges aforesaid and shall enter upon the discharge of their duties respectively on the first Monday of January next following their election The successors of said judges respectively shall be elected or appointed as required by law

Section 3 The Governor is hereby authorized to appoint three competent persons learned in the law as judges of said court until the first Monday of January succeeding the next general election one of whom shall be disignated as president judge for said period

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The house proceeded to the second reading and consideration of House Bill No. 1253, as follows:

An Act permitting service in divorce actions to be made by registered letter upon respondents residing outside of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when the respondent in any action of divorce brought before any court of competent jurisdiction resides outside of the Commonwealth all subpoenas in divorce which may be required by law or by the rules of the respective courts to be served upon the respondent in such cases may be served upon such non-resident respondents by registered letter and such service when proper return is made thereto by the sheriff as hereinafter provided shall be a good and sufficient service

Section 2 When the sheriff of any county shall serve any notice by registered letter as provided by this act he shall request a return receipt for such letter signed by the respondent and when such receipt is returned to him bearing the signature of the respondent to whom the notice has been sent the sheriff shall require the libellant in such divorce action or any other person who is familiar with the signature of the respondent to make affidavit to the effect that the signature upon such receipt is the signature of such respondent The sheriff may then make return of such service in the same manner as returns are made for personal service

Section 3 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1404, (Senate Bill No. 439), entitled:

An Act to amend sections one thousand one hundred five and one thousand one hundred thirty-four of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1416, (Senate Bill No. 634), as follows:

An Act to amend section one of the act approved the tenth ady of July one thousand nine hundred and nine teen- (Pamphlet Laws nine hundred and three) entitled "An act regulating the fees of notaries public"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and three) entitled "An act regulating the fees of notaries public" is hereby amended to read as follows

Section 1 Be it enacted et cetera That from and after the passage of this act the fees of notaries public shall be as follows

Making demand for payment or acceptance of a promissory note bill of exchange draft or check seventy-five cents

Protesting the same seventy-five cents

Registering protest of the same fifty cents

For (all notices) first notice of protest twenty cents and each additional notice five cents

Administering oaths or affidavits writing out and certifying the same with seal fifty cents

Probate to bill or account and certifying the same with seal fifty cents

Every acknowledgment or probate of deed or other instrument of writing for first name fifty cents each additional name after the first twenty-five cents

Taking depositions (first page folio cap) one dollar each additional page seventy-five cents

Marine protest including affidavits certificate seal et cetera ten dollars

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1145, (Senate Bill No. 324), entitled

An Act to amend section two thousand one hundred five of an act, approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith." authorizing other forms of teacher training in lieu of teachers' institutes in districts of the first, second and third classes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 998, entitled

An Act to amend section one of the act approved the twenty-fourth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, one thousand one hundred sixteen), entitled, "An act appropriating to the Department of Health any moneys to be received from the United States Government in the promotion of sanitation, public health, and health education, the protection and care of maternity infancy and old age, and the prevention, treatment, and cure of disease."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 835, entitled

An Act to further amend clause (d) section three hundred and six of an act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1405, (Senate Bill No. 472), entitled

An Act to amend section one of an act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand and seventy-two) entitled "An act providing a method of establishing title to land acquire at a sale for unpaid taxes" extending the provisions of said act to all such sales

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES.

Mr. JOSEPH C. MARCUS, from the Committee on Municipal Corporations, reported as committed, House Bill No. 827, entitled

An Act to amend section six of the act approved the twentieth day of June, one thousand nine hundred and seventeen, (P. L. 618), entitled "An act relating to the appointment of persons to the police department in cities of the third class; providing for and regulating examinations, the manner of appointments, and the manner and power of removal of employes of said department; and providing a method for fixing compensation," as amended.

Mr. JOSEPH C. MARCUS, from the Committee on Municipal Corporations, reported as committed, House Bill No. 819 entitled

An Act to amend section six of the act approved the third day of May, one thousand nine hundred and seventeen, (P. L. 138), entitled "An act relating to the appointment of persons to the fire departments in cities of the third class; constituting a civil service board in relation thereto; providing for and regulating examinations, the manner of appointments, and the manner and power of removal of employes of said departments; and providing for fixing compensation of a secretary."

Mr. McBRIDE, from the Committee on Counties and Townships, reported as committed, House Bill No. 1185, entitled

An act establishing and creating the office of the fire marshall in counties of the second class in the Commonwealth of Pennsylvania, providing for the appointment of fire marshals, deputies and assistant fire marshals in such counties, providing for the fixing and determining of the salaries to be paid such fire marshals, deputies and assistant fire marshals, defining their powers and duties and providing for a review by the courts of common pleas of such counties of all the orders of such fire marshals and providing for the filling of liens for the costs of removal of nuisances and regulating the adjustment of fire losses, authorizing the county commissioners of such counties to provide suitable offices for such fire marshals and the necessary equipment stationery and clerk hire therefor, authorizing the appointment and fixing the salary of a solicitor for such fire marshals, prescribing his duties, and providing fines and penalties for violation of the orders of the fire marshals.

Mr. WILLIAM F. MARSHALL, from the Committee on Public Roads, reported as committed, House Bill No. 1002, entitled

An Act to further amend part of section six of an act, approved the thirty-first day of May, Anno Domini one thousand nine hundred and eleven, entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several township or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes, or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts, or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended.

Mr. HASLETT, from the Committee on Public Roads, reported as committed House Bill No. 578, entitled

An Act to amend route two hundred and forty-eight, of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act."

Mr. IRVIN, from the Committee on Public Roads, reported as amended House Bill No. 149, entitled:

An Act establishing a State highway in the counties of Clarion, Forest, Elk and McKean; providing for its location, construction, improvement and maintenance by the Commonwealth.

Mr. STONER, from the Committee on Municipal Corporations, reported as committed House Bill No. 1112, entitled:

An act to amend section one of an act, approved the twenty-second day of July Anno Domini, One thousand nine hundred and nineteen (Pamphlet Laws, one thousand and ninety-three), entitled, "An act creating, in counties having a population of from eight hundred thousand to one million five hundred thousand, a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; fixing their salaries, payable by the county; defining the powers and duties of such board, and regulating the assessment of property and occupations for State and county purposes; authorizing the appointment of subordinate assessors and clerks, defining their duties and providing for their compensation, payable by such counties; imposing a penalty on subordinate assessors for failure to comply with certain provisions of this act, and abolishing the office of ward, borough, and township assessor, in so far as respects the assessment of property and occupations for State and County purposes," as amended.

Mr. HAAS, from the Committee on Municipal Corporations, reported with a negative recommendation House Bill No. 113, entitled:

An Act to amend article fourteen of the act approved the twenty-seventh day of June, one thousand nine hundred and thirteen, (P. L. 568), entitled "An Act providing for the incorporation, regulation, and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto;" by adding thereto section ten; providing the method of notice to be given when private property is assessed for municipal improvements.

Mr. JERRY M. WILLIAMS, from the Committee on Counties and Townships, reported as amended, House Bill No. 1378, (Senate Bill No. 224), entitled:

An Act providing for the filing of vacancies in the office of tax-collector in boroughs by the council of the borough and repealing certain acts inconsistent therewith.

Mr. LUDLOW, from the Committee on Banks and Banking, reported as committed, House Bill No. 1420, (Senate Bill No. 584), entitled:

An Act extending and enlarging the powers and rights of Trust Companies and Banks organized and incorporated under the laws of the Commonwealth of Pennsylvania.

Mr. STAVITSKI, from the Committee on Banks and Banking, reported as committed, House Bill No. 1414, (Senate Bill No. 587), entitled:

An Act prescribing the effect of the merger of a trust company or a banking company possessed of trust company powers with another trust company or banking company possessed of trust company powers on the estate and property real and personal held by either of such merging corporations in any trust or fiduciary capacity.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1238, entitled:

An act authorizing the Department of Forestry to lease for periods of not more than fifty years on terms conditions and stipulations expressed in each lease any portions of the State forests for dams reservoirs canals pipe lines and other water conduits power houses and transmission lines for the development of water power for steam raising and condensation and for the generation and transmission of electric energy

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—139.

Albert,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Beaver,
Behney,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Blair,
Bluett,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Chaplin,
Coldsmith,
Conner,
Craig,
de Young,
Driggs,
Dunn,
Earley,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Harer,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lauver,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Orr,
Parkinson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Sheridan,
Smith, H. J.,
Smith, H.,
Sowers,
Sprowls,
Stark,
Sterling,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Wettach,
Whitehouse,
Williams, G. W.,
Williams, J. M.,
Woner,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—4.

Dietz,
McDermott,
Stavitski,
Stofflet,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1236, entitled:

An Act providing for a giant power survey; creating a Giant Power Survey Board; defining the powers and duties thereof; requiring officers, Departments, Commissions, and other agencies of the Commonwealth to give information thereto; and making an appropriation.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STOFFLET. Mr. Speaker, it seems to me that these bills referring to our water power in the State of Pennsylvania are an insidious attempt on the part of the water power trust to rob the people of one of the last of the great natural resources. The wonder of wonders is the secrecy with which the water power trust had been working. In this bill they are attempting to lay their hands on our natural resources, on our forest reservations, on our streams. The effectiveness of the development of the water power trust has been great, and few people ever thought that the water power in these United States was worth trustifying until Theodore Roosevelt vetoed the James River Dam Bill. It was not a big bill at that, but in the veto of that bill Theodore Roosevelt sounded the warning to the people of this country for the preservation of the water power that was still a part of the public wealth. This bill afforded occasion for turning loose national contemplation in a detailed report by the Commissioner of Corporations which was made on our water power conditions. I want to sound a warning to the gentlemen of this House that this stupid legislation has taken away our water power all along the Susquehanna River from Towanda down to the Maryland line, which today should belong to the people and which has passed into the hands of private corporations where regulation has become extremely difficult. The country at the time Roosevelt vetoed the James River Dam Bill was just as slow as you are to take that report. Some people thought it was another Roosevelt alarm. Other people found something humorous in the queer notion that our water power was worth trustifying, and still others got the idea and have been keeping it ever since that this combination would result in the most gigantic trust in the history of American manufacturing. Then we have the solemn warning of Senator Burton from Ohio, in 1913, delivered in the United States Senate, saying this, "besides its enormous magnitude, this industry will become fundamental to many other industries which depend upon water power for their operation and success. The possibility of the control of the business of this country through the agency of water is more eminent than any other form of control ever attempted in the history of human endeavor."

And one thing sure Senator Burton did not injure his reputation as a conservatist when he made these remarks. Last August a book entitled "Hydro Electric," written by Steinmetz, came into my possession, and in that book it says this, that the time will come within the next score or two score years when the farmer will operate his tractor with two little uprights and a wire stretched from one to the other. Power will be delivered by wireless, and if we today permit the gigantic water power of this State to pass into the hands of the water power trust, then when that time comes the water power trust will have us by the throat the same as the coal barons have us by the throat today, and there is no getting away from that proposition. It would take too long to relate all that I have prepared on this subject, but I just want to call the attention of the members to this fact that the industrial United States today uses thirty million horsepower to drive all our factories, our railroads, our lighting stations and our trolleys. This is developed by gas, steam and water power. The available minimum horsepower that can be developed by the water power resources east of the Mississippi at the periods of lowest water, either in the midst of winter or in the midst of summer, is placed at 36,906,000 horsepower, and the maximum without construction of reservoirs is placed at 66,447,000 horsepower. W. J. Magee, one of the world's greatest hydro-electric engineers, places the amount of horsepower that can be developed at the maximum east of the Mississippi River at 66,447,000 horsepower. Now only 200,000,000 horsepower is necessary to operate our factories. It exceeds our mechanical power in use, and the surplus would operate every mill, would light every town and borough and would drive every train and trolley car in the country. Now just exactly whether you agree with this or not makes very little difference, but you will be forced to concede that these figures actually amount to something, and that the time will come when ownership, state regulation of the water power of this great Commonwealth, properly conducted, would place this State absolutely tax free. All the revenues required to operate every department in the State could be derived from our water power. I think it is certain that we have come to this point where we want to stop the gigantic trust from robbing the people of this great Commonwealth of that heritage which has come to us. This is the time to do it by voting no on these water power bills. I never thought that a matter of legislation so cleverly conceived could be brought before this House with any intention on the part of anybody to get away with it.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, the five bills appearing on the calendar, bearing my name, I did not prepare, but I am in full accord with the provisions of this bill, and I believe that no bills have been presented to the Legislature that are more far reaching along conservative lines that these bills. If the gentleman from Northampton had carefully read all of the bills he would have come to the conclusion that the water power was clearly protected, and the bills drawn in the interest of the people of the state of Pennsylvania.

The whole thought of the bill now under consideration is to authorize the Governor, the Attorney General, the Commissioner of Forestry, the Secretary of the Water Supply Commission and the Chairman of the Public Service Commission, the Commissioner of Labor and Industry, the Deputy Attorney General hereafter to be designated by the Governor and a competent engineer, hereafter to be designated by the Governor from time to time to make a survey of the possibilities of the water power of this State and the coal resources of this State with a view of protecting future generations on the matter of water and fuel power. One other bill, the bill following this is intended to protect the flow of water in the Delaware River, and I can imagine no question of greater interest to the gentleman from Northampton because the Delaware River flows through that county. Governor Smith of New York is making an attempt to dam the head waters of the Delaware and to divert it to the use of the state of New York. This bill empowers the Governor to appoint a commission of citizens of the state of Pennsylvania to confer with the citizens of the state of New Jersey and New York with a view of handling the water supply of the Delaware River where it would be beneficial to all three states. What more could you look for or expect? The other bill authorizes the Forestry Department to lease for power purposes the water supply on state lands. It does seem to me that the interests of the people of this Commonwealth are safe-guarded in the provisions of these several bills in every particular and no harm can come to the people of the state, but they will be greatly benefitted by the passage of these bills.

Mr. STOFFLET. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Tioga, Mr. Williams, permit himself to be interrogated?

Mr. GEORGE W. WILLIAMS. Yes sir, Mr. Speaker.

Mr. STOFFLET. What terms would these corporations that would lease these water rights make with the people—the rate they are going to charge during the fifty year term of the lease?

Mr. GEORGE W. WILLIAMS. In answer to the gentleman from Northampton I will say that I don't know the rates they will charge. These bills are administration bills and were prepared at the suggestion of the Governor and Attorney General and placed in my hands and I think if the gentleman will study the bills he will see that the interests of the people of the Commonwealth are protected in every particular.

Mr. STOFFLET. The statement that these are administration bills and were handed to you for introduction is correct. You will admit that these are administration bills?

Mr. GEORGE W. WILLIAMS. I do, Mr. Speaker, most emphatically.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—114.

Albert,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Behney,
Bell, W. T.,
Berger,
Blair,
Bluett,
Brenneman,
Brewster,
Brown,
Burns,
Chaplin,
Clutton,
Colville,
Conner,
Evans, J.,
Fields,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Goss.
Greeby,
Guerin,
Haas,
Haslett,
Haws,
Heffernan,
Henderson,
Himes,
Ludlow,
Marcus, J.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCurdy,
McDaniel,
McVicar,
Metcalf,
Miller,
Minehart,
Moffat,
Morrison,
Munley,
Nolte,
O'Boyle,
Ogle,
Orr,
Sautter,
Schilling,
Schwartz,
Smith, H. J.,
Smith, H.,
Spangler,
Speiser,
Sprowls,
Stevens, A. F.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wheeler,

Craig,
de Young,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Hollis,
Huber,
Irvin,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kunkle,
Long,
Lucas,
Parkinson,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Richards,
Rinn,
Sample,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—14.

Coyne,
Dietz,
Donahue
Flinchbaugh,
Harter,
Johnson,
Lynch,
Mack,
Mangan,
Marcus, J. C.,
Myers, G. C.,
Rhodes,
Soffel,
Stavitski,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1235, entitled:

An Act authorizing the Department of Forestry to grant on terms, conditions and stipulations rights to occupy and use any portion of the State Forests for dams, reservoirs, canals, pipe lines and other water conduits for water supply purposes; and providing for forfeiture and other remedies for breach of such terms, conditions and stipulations.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the uestion,

Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker and members of the House, this bill, the bill following and the bill preceding, I want to call your attention to them. These bills are anticipating the happening of another event. In other words the administration code which is now in the Senate, in the Finance Committee, provides for the changing of the Forestry Commission into a Department of Forests and Water. We have at the present time a Water Supply Commission which has all the powers, and should have all the powers, given in this bill. This bill, however, provides that these powers shall now be put under the Forestry Commissioner, and anticipating that the Administration Code is passed then this is a proper bill, but if it is not passed then you are stripping the Water Supply Commission of much of its power and transferring this power to the Department of Forestry. Of course, if you want to mix up things, this is a good way to do it. But if we wish to keep things where they ought to be, that is in the Water Supply Commission, and unless the Administration code is passed in the form it is now in, that is where it should be and not be confused.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—88.

Albert,
Anderson,
Armstrong,
Aston,
Baker,
Behney,
Bell, W. T.,
Berger,
Bidelspacher,
Blair,
Brewster,
Evans, J.,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gilchrist,
Goss,
Griffith,
Grimes,
Haslett,
Haws,
Henderson,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McCurdy,
McDaniel,
McVicar,
Metcalf,
Minehart,
Moffatt,
Moore,
Morrison,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Burns,
Chaplin,
Clutton,
Colville,
Conner,
Coyne,
Craig,
de Young,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Hetrick,
Himes,
Hollis,
Irvin,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kunkle,
Lafferty,
Long,
Ludlow,
Orr,
Parkinson,
Peelor,
Posey,
Price,
Raymond,
Richards,
Sample,
Schwartz,
Smith, H. J.,
Spangler,
Speiser,
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—46.

Alexander,
Allman,
Betts,
Boback,
Brenneman,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Fields,
Gibbon,
Glasgow,
Golder,
Gorham,
Greeby,
Haas,
Harter,
Heffernan,
Hoover,
Howell,
Johnson,
Keene,
Lucas,
Mack,
Mangan,
Marcus, J.,
Marcus, J. C.,
Mathay,
McCaig,
McDermott,
Myers, G. C.,
Nolte,
Perry,
Post,
Rhodes,
Sautter,
Schleiter,
Schoener,
Soffel,
Sowers,
Sprowls,
Stavitski,
Sterling,
Stevens, A. F.,
Stofflet,
Williams, J. M.,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

RECONSIDERATION OF VOTE.

Mr. SOWERS. Mr. Speaker, I move that the vote by which House Bill No. 1238, file folio 4815, entitled:

An Act authorizing the Department of Forestry to lease for periods of not more than fifty years on terms conditions and stipulations expressed in each lease any portions of the State Forests for dams reservoirs canals pipe lines and other water conduits power houses and transmission lines for the development of water power for steam raising and condensation and for the generation and transmission of electric energy

passed finally be reconsidered.

Mr. JOSEPH MARCUS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

QUESTION OF INFORMATION.

Mr. McVICAR. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. McVICAR. Mr. Speaker, is the bill in the possession of the House?

The SPEAKER. For the information of the gentleman from Allegheny, the Chair would state that the bill is in the possession of the House.

Mr. McVICAR. Mr. Speaker, I desire to know how the gentleman who made the motion voted.

Mr. SOWERS. Mr. Speaker, I voted in the affirmative.

Mr. McVICAR. Mr. Speaker, I desire to know how the gentleman who seconded the motion voted.

Mr. JOSEPH MARCUS. Mr. Speaker, I voted in the affirmative.

On the question recurring,

Will the House agree to the motion?

The SPEAKER. The Chair is unable to decide the vote.

Whereupon, A division was called for, and seventy-five members having voted in the affirmative and sixty-five in the negative, the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. EDMONDS. Mr. Speaker, I would like to ask some of the gentlemen who voted for the reconsideration of the vote on this bill what new light they can throw upon the bill, or what is the reason they are opposed to the bill. I wish some of those who have urged that vote would at least tell the House what their reasons are so that we may understand the situation.

Mr. SPANGLER. Mr. Speaker and members of the House, It seems to me that it would be well for those having the bill in charge, and the companion bill, and the bill now under consideration, to give the House some explanation as to what this bill is, what it does, what relation it bears to the code that is now in the Senate. I think that what this House needs in connection with all these bills is enlightment for they are bills of considerable importance and if the bills have merit they should be passed; if they have not merit, they should be defeated. But certainly the House should have some enlightment as to what these bills contain.

Mr. GEORGE W. WILLIAMS. If the gentleman from York has been in his seat when these bills were called up, he would have heard a full explanation of them. I do not care to go into a further discussion of them now.

Mr. EDMONDS. Mr. Speaker, and members of the House, it is well understood that there were a great many members of the House absent attending a committee meeting with the permission of the House when these bills were called up. Now these gentlemen have come back and we have a full attendance, therefore, I hope the gentleman from Tioga, Mr. Williams, will reconsider his position and again see his way clear to repeat his explanation of these bills for the benefit of the members who were absent.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, in response to the suggestion of the gentleman from Philadelphia, for which I thank him, I will say to the gentlemen of the House who were not present when I previously explained the purpose of these bills, that I said they were not my bills, I did not draft them, although I am in full and complete accord with the provisions of these bills. They were prepared by the Attorney General's office and handed to me for introduction, and I am proud to introduce them for I believe they mean a great deal to the people of Pennsylvania, looking to a complete survey of the water possibilities and the water power of the State, and the further possibility of the use of coal in developing power. They are what you might call administration measures, and if the fact that they are administration measures makes them offensive to any members of the House, then you are entitled to vote against them.

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the gentleman from Tioga, Mr. Williams.

The SPEAKER. Will the gentleman from Tioga, Mr. Williams, permit himself to be interrogated?

Mr. GEORGE W. WILLIAMS. I will, Mr. Speaker.

Mr. ALEXANDER. I desire to ask the gentleman, at the present time, if he knows the powers of the Water Supply Commission of Pennsylvania.

Mr. GEORGE W. WILLIAMS. I do, to some extent.

Mr. ALEXANDER. Doesn't the Water Power Supply Commission of Pennsylvania cover everything that is in this bill?

Mr. GEORGE W. WILLIAMS. I don't think so.

Mr. ALEXANDER. Will you tell us wherein the Water Supply Commission doesn't have power to do just what this provides for.

Mr. GEORGE W. WILLIAMS. This bill, No. 1238, is a bill that authorizes the Forestry Department to lease for dam purposes. I assume that is what the gentleman desires to know. He is more interested in water, I take it than anything else.

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the gentleman further.

The SPEAKER. Will the gentleman permit himsilf to be further interrogated.

Mr. GEORGE W. WILLIAMS. I will, Mr. Speaker.

Mr. ALEXANDER. Don't the Water Supply Commission, at the present time, have just that power?

Mr. GEORGE W. WILLIAMS. I won't say that they did over the streams on the State line.

Mr. ALEXANDER. Now, isn't it a fact, Mr. Williams, that the new administrative code makes the Forestry Department the Department of Forest and Waters?

Mr. GEORGE W. WILLIAMS. I am under the impression it does, although I have not read the code.

Mr. ALEXANDER. And isn't it a fact that that takes over the Water Supply Commission as it exists at the present time and places it in the Department of Forests?

Mr. GEORGE W. WILLIAMS. I think it does, in the Forestry Department.

Mr. ALEXANDER. And if, therefore, this bill, should be in the Water Supply Commission, if the administrative code should happen to fail passage, then we are taking away a part of the powers of the Water Supply Commission and placing them in the Department of Forests, are we not, without having a Department of Forests and Waters?

Mr. GEORGE W. WILLIAMS. Well, the Water Supply Commission then would be a Bureau in the Department of Forestry.

Mr. ALEXANDER. And would it co-operate with the Forestry Department in the work of that department?

Mr. GEORGE W. WILLIAMS. I am mistaken about that. If that administrative code does not pass, we will have the Water Supply Commission, but all its powers will be taken over by the Forestry Commission or at least these powers in these bills will be taken over by them.

Mr. ALEXANDER. Why, it won't take them over if the code is not passed.

Mr. GEORGE W. WILLIAMS. Why, this puts it in the Forestry Department.

Mr. ALEXANDER. Oh, with this bill?

Mr. GEORGE W. WILLIAMS. Yes, Surely.

Mr. ALEXANDER. As I say, if this bill passes and the code does not pass, we will have some of the powers of the Water Supply Commission in the Department of Forests instead of the Water Supply Commission.

Mr. GEORGE W. WILLIAMS. It does, so far as leasing State lands for water supply purposes.

Mr. ALEXANDER. Mr. Speaker and members of the it because it is an administration bill. As I say, the Water House, when I vote against this bill, I don't vote against Supply Commission, as the gentleman had admitted, has certain well defined powers at the present time, and I have heard no complaint about the Water Supply Commission functioning as it should function, but anticipating that the administrative code will be passed, they provide here, in the first place, to take the powers of the Water Supply Commission and place them in the Department of Forests and Waters. Now, it seems to me it is a little premature. We shouldn't rob a commission at the present time which is properly functioning until we have the other department inaugurated. In other words, until we have a Department of Forestry and waters, those duties that are now performed by the Water Supply Department should be still kept in the Water Supply Department.

Mr. EDMONDS. Mr. Speaker, ordinarily, when the gentleman from Delaware speaks, personally, I learn something; but this time I confess I have gotten nothing but confusion. I know nothing about these bills except as they appear on the calendar, and as I read them I can't help but feel that the gentleman from Delaware has a misconception as to the nature of what these bills are to provide for. Now, take No. 1238: "be it enacted that the Department of Forestry is hereby authorized in its discretion to lease for periods of not more than fifty years any portion of the State forests for use as a site for dams and other water obstructions, reservoirs, etc." there is nothing there about the Water Supply Commission. I turn, then, to Smull's Hand book, pages 264 and 265, that relate to the Water Supply Commission, and I find nothing there that gives any power. And what is the injustice that this bill proposes to do? It seems to me that what we have here is a misunderstanding. Somebody thinks that it has something to do with the administration code. Somebody don't like the administrative code, and so somebody connects his dislike with this bill. My own feeling is that this is proper legislation. Why shouldn't the Department of Forestry be authorized to make leases of State land, if by so doing they could get hold of appropriate dams for reservoir purposes and I don't understand the criticisms that have been made of it.

Mr. ALEXANDER. Mr. Speaker, I would say further to the House that I asked the gentleman awhile ago if he would postpone these bills in order that we might have a chance to study them. He evidently misunderstood me, because I know that if he had a promise to do it and understood that he had, he would have postponed it, but I think that if there is confusion here, it seems to me that the best plan at the present time, so that we may act properly—I don't want to confuse, nor do I want to mislead any member of this House. That is the last thought that I ever have in my mind, and therefore, I think that there is confusion at the present time, that all of these bills should be placed on the postponed calendar in order that we may be able to make a proper study of those bills, and if the sponsor of the bill will agree to that, I make that motion.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I have no objection to the bills going on the postponed calendar.

Mr. ALEXANDER. Mr. Speaker, I know the gentleman misunderstood me, because I know if he made a promise he would carry it out.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, in all fairness I would ask the gentleman from Delaware to move the reconsideration of the vote by which Bill No. 1235 was defeated, and leave them all go on the postponed calendar. If he will do that, I am agreed to postpone them.

BILL POSTPONED.

Mr. SOWERS. Mr. Speaker, so as to get action, I move that House Bill No. 1238 be placed on the postponed calendar.

Mr. JOSEPH MARCUS. Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. SOWERS. Mr. Speaker, I move you that the vote by which Bill 1236, entitled:

An Act providing for a giant power survey creating a Giant Power Survey Board defining the power and duties thereof requiring officers Departments Commissions and other agencies of the Commonwealth to give information thereto and making an appropriation passed finally be reconsidered.

Mr. BLUETT. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED.

Mr. SOWERS. Mr. Speaker, I move that further consideration of House Bill 1236, be postponed for the present.

Mr. JOSEPH MARCUS. Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. SOWERS. Mr. Speaker, I move that the vote by which House Bill No. 1235, file folio 4831, entitled:

An Act authorizing the Department of Forestry to grant on terms conditions and stipulations rights to occupy and use any portions of the State Forests for dams reservoirs canals pipe lines and other water conduits for water supply purposes and providing for forfeiture and other remedies for breach of such terms conditions and stipulations

was defeated on final passage, be reconsidered.

The motion was agreed to.

On the question recurring.

Shall the bill pass finally?

BILL POSTPONED.

Mr. JOSEPH MARCUS. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

Mr. DILSHEIMER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1234, entitled:

An Act authorizing the creation of a commission to negotiate with the duly constituted agents of the states of New York and New Jersey for the regularization of the flow of the Delaware River, the conservation, apportionment, and utilization of the water resources thereof; providing the method for ratification of such compact by this Commonwealth; and prescribing the conditions of its being in full force and effect.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. CONNER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1237, entitled:

An Act subjecting to terms, conditions and stipulations permits by the Water Supply Commission for the construction of dams and other water obstructions for the supplying of water for certain purposes; authorizing the condemnation of lands and waters; prescribing the condemnation procedure; and providing for revocation and other remedies for breach of such terms, conditions and stipulations.

On the question,

Will the House agree to the bill on third reading?

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 2, page 2, line 12, by striking out the word "and"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

BILL POSTPONED.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I move that House Bill No. 1237, be placed on the postponed calendar.

Mr. CONNER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 831, entitled:

An Act providing punishment for the selling and furnishing of intoxicating liquors or liquids represented as intoxicating liquors contrary to law thereby causing the death of persons drinking the same

On the question,

Will the House agree to the bill on third reading?

Mr. CRAIG. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments at follows:

Amend section 1, page 1, line 11, by striking out the word "furnish" and inserting in lieu thereof: "furnished"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objections? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the **question.**

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON FINAL PASSAGE.

Agreeably to order,

The bill having been up from the postponed calendar by Mr. McDaniel,

The House resumed the consideration on final passage of House Bill No. 556, entitled:

An Act requiring counties of the third and fourth classes to establish a pension fund for the employes of such counties and providing for the administration of such fund and payments therefrom

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. McDANIEL. Mr. Speaker, I move that the vote by which bill passed third reading be reconsidered.

Mr. HENDERSON. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McDANIEL. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title line 1 by striking out the word "requiring" and insert in lieu "enabling"

Amend section 2, page 1, line 10 by striking out the word "shall" where it first occurs in the line, and insert the following: "may by a resolution duly adopted by the county commissioners and approved by the president judge of the court of common pleas of the county"

Amend section 11, page 4, line 25 by striking out the word "fifty" and inserting in lieu thereof "sixty"

Amend section 13, page 5, line 13 by striking out the word "fifty" and inserting in lieu thereof "sixty"

Amend section 13, page 5, line 17 by striking out the word "fifty" and inserting in lieu thereof "sixty"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objections? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1341, entitled:

An Act to amend section one thousand six hundred and one of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended

On the question,

Will the House agree to the bill on third reading?

Mr. LAUVER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend sec. 1, page 3, line 20 by inserting after the word "each" the word "school"

Amend sec. 1, page 3, line 20 by inserting after the word "year" the words "not less than"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objections? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

BILL RECOMMITTED.

Mr. EDMONDS. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Juniata, Mr. Lauver, permit himself to be interrogated?

Mr. LAUVER. Yes, Mr. Speaker.

Mr. EDMONDS. If the sponsor of the bill has no objections, I move Mr. Speaker, that this bill be recommitted to the Committee on Education for the purpose of a hearing.

Mr. LUDLOW. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The Speaker stated the Chair unable to decide the vote.

Whereupon, a division was called for and 80 members having voted in the affirmative and 32 in the negative, the question was determined in the affirmative and the motion was agreed to.

CONSENT TO INTRODUCE BILL REFUSED.

Mr. McCAIG. Mr. Speaker, I ask unanimous consent to introduce a bill at this time.

The SPEAKER. The title of the bill will be read for information.

The title was read as follows:

An Act imposing emergency license fees and charges in addition to the present license fees and charges as provided in the act approved June 30, 1919, P. L. 678, entitled "An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles and the taxing registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof, regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle," as amended, for the several purposes therein named.

The SPEAKER. Are there objections?

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I object.

The SPEAKER. The Chair hears objections.

Mr. McCAIG. Mr. Speaker, I would just state that this is a bill which has been prepared in the Auditor General's Department and is being introduced by request, and it has been favorably considered by the sub-committee. We have been trying to devise ways and means to meet the deficit. This is to meet the deficit for the schools, which now exists By increasing the automobile licenses fifty per cent. The proposition has been discussed in the Ways and Means Committee and is now before them, and I again ask for unanimous consent.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, as Chairman of the Committee on Public Roads, permit me to say that we have in our Committee a bill introduced by the gentleman from Erie, Mr. Blair, which would very easily be amended to carry out the suggestion of this bill, and if the amendments of the gentleman will be turned over to the Chairman of the Committee, I should be very glad to get the Committee together and submit the amendments in connection with Mr. Blair's Bill. Therefore, I renew my objections, hoping that the sponsor of the bill will furnish me with the amendments that can be added to the Blair bill, the committee will be called together promptly and the amendments considered and quick action will be given on the bill, favorably or unfavorably.

Mr. WONER. Mr. Speaker, the Chairman of the Ways and Means Committee will deliver to the Chairman of the Roads Committee the amendments to the said bill with the distinct understanding that action shall be promptly taken.

Mr. McCAIG. Mr. Speaker, in order to put myself right with the Chairman of the Committee on Public Roads, I wish him to fairly understand that there is no discourtesy shown to him. I introduced the bill, feeling that that was the proper method of bringing this matter before the House. Whether I shall be for the bill or not when it comes before the House remains to be seen.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mrs. Speiser.

The House resumed the consideration on third reading of House Bill No. 19, entitled:

An Act to provide for the physical welfare of all persons confined (whether such persons be tried or untried Prisoners) in any Penitentiary or County Prison in this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—112.

Arthur,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Baker,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Blair,
Bluett,
Brewster,
Bromley,
Brownmiller,
Burns,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dilsheimer,
Drinkhouse,
Dunn,
Eaches,
Earley,
Evans, J.,
Fields,
Flynn,
Fowler, A. I.,
Fowler, D.,
Gelder,
Gibbon,
Glasgow,
Golder,
Gorham,
Greeby,
Grimes,
Harer,
Haslett,
Howell,
Huber,
Keene,
Kelly,
Kohler,
Kunkle,
Lafferty,
Lauver,
Long,
Ludlow,
Lynch,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Mathay,
McBride,
McCaig,
McCurdy,
McGowan,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Nolte,
Ogle,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Richards,
Rippman,
Sautter,
Schilling,
Schleiter,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H.,
Sowers,
Spangler,
Speiser,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. F.,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Wells,
Wheeler,
Whiteman,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Goodnough,
Speaker.

NAYS—41.

Beaver,
Boback,
Brenneman,
Brown,
Dietz,
Donahue,
Driggs,
Edmonds,
Evans, B. P.,
Flinchbaugh,
Goehring,
Goss,
Gundy,
Haas,
Harter,
Hetrick,
Himes,
Hollis,
Hoover,
Irvin,
Johnson,
Jones, D. J.,
Jones, E. P.,
Labar,
Lucas,
Mack,
Marshall, W. F.,
Moore,
Morrison,
Myers, G. C.,
Orr,
Parkinson,
Post,
Rhodes,
Schoener,
Stavitski,
Stevens, A. J.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thompson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered that the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mrs. Speiser.

The House resumed the consideration on final passage of House Bill No. 16, entitled:

An Act to provide for the welfare of all persons confined (whether such persons be tried or untried prisoners) in any penitentiary or county prison in this Commonwealth.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—78.

Alexander,
Allman,
Anderson,
Arthur,
Behney,
Bell, W. T.,
Bluett,
Brewster,
Bromley,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Coldsmith,
Colville,
Coyne,
Craig.
de Young,
Diehm,
Dilsheimer,
Dunn,
Eaches,
Earley,
Fields,
Gelder,
Gibbon,
Glasgow,
Golder,
Greeby,
Haas,
Harer,
Haslett,
Haws,
Henderson,
Hetrick,
Howell,
Keene,
Lafferty,
Ludlow,
Lynch,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Mathay,
McBride,
McGowan,
McKim,
Millar,
Nolte,
Ogle,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rippman,
Sautter,
Schilling,
Schleiter,
Schwartz,
Shambach,
Smith, H. J.,
Soffel,
Spangler,
Speiser,
Stark,
Staudenmeier,
Stevens, A. F.,
Stofflet,
Thomas, M. G.,
Van Alen,
Wells,
Wheeler,
Williams, J. M.,
Wood, W. P.,
Wright,
Goodnough,
Speaker.

NAYS—48.

Arthur,
Aston,
Baker,
Beaver,
Bell, F. A.,
Betts,
Blair,
Boback,
Brenneman,
Brown,
Dietz,
Donahue
Driggs,
Edmonds,
Evans, B. P.,
Flinchbaugh,
Gilchrist,
Goss,
Gundy,
Harter,
Hoover,
Irvin,
Johnson,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kunkle,
Labar,
Lauver,
Lucas,
Mack,
Marshall, W. F.,
McCurdy,
Minehart,
Moore,
Myers, G. C.,
Orr,
Peelor,
Post,
Rhodes,
Richards,
Smith, G. A.,
Stoner,
Storb,
Thompson,
Walker,
Zook,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

RESOLUTION EXTENDING SYMPATHY OF THE HOUSE TO HON. ORVILLE C. ESHELMAN.

Mr. SCHOENER offered the following resolution which was read and unanimously adopted:

Resolution: Whereas, The Almighty in his infinite wisdom has removed from this life, the infant son of our colleague Orville C. Eshelman, end

Whereas, it is with profound regret that we learn of the bereavement of our colleague, therefore

Be It Resolved by the Pennsylvania House of Representatives that we express our deep sympathy for our colleague and the members of his family, upon their loss

RECESS.

The SPEAKER. If there are no objections the Chair will declare a recess until 8:30 o'clock P. M. Are there any objections? The Chair hears none.

Whereupon, at 6:07 P. M., the House took a recess until 8:30 o'clock P. M.

AFTER RECESS.

The House reconvened at 8:30 o'clock P. M.

The SPEAKER (C. J. Goodnough) in the Chair

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 885, entitled:

An Act limiting the power of State banks banking companies trust companies savings banks and unincorporated banks to become surety on bonds

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—150.

Albert,
Alexander,
Arthur,
Aston,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bidelspacher,
Blair,
Bluett,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, J.,
Fowler, A. I.,
Fratt,
Frazier,
Gelder,
Gibbon,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Guerin,
Gundy,
Haines,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Lucas.
Ludlow,
Lynch,
Mack,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
Millar,
Miller,
Minehart,
Moffatt,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Richards,
Rippman,
Sample,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Speiser,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Goodnough,
Speaker.

NAYS—2.

Allman,
Williams, J. M.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1120, entitled:

An Act to amend section one of an act approved the seventeenth day of June Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An Act to provide revenue for State and county purposes and in cities co-extensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended

On the question,

Will the House agree to the bill on third reading?

Mr. GOEHRING. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title, page 1, line 12, by striking out the words "as amended" and inserting in lieu thereof "

Amend sec. 1, page 2, line 8, by striking out the words "which reads" and inserting in lieu thereof "is hereby amended to read"

Amend sec. 1, page 4, lines 1 to 29, by striking out lines 9 to 29 both inclusive, and eliminating them from the bill.

Amend sec. 1, page 3, lines 1 to 29, by striking out lines 1 to 29 both inclusive, and eliminating them from the bill.

Amend sec. 1, page 4, lines 1 to 29, by striking out lines 1 to 29 both inclusive, and eliminating them from the bill.

Amend sec. 1, page 5, lines 1 to 27, by striking out line 1 to 27 both inclusive, and eliminating them from the bill.

Amend sec. 1, page 7, line 18, by inserting after the word "that" the word (may)

Amend sec. 1, page 8, line 8, by underscoring the words "or freight"

Amend sec. 1, page 9, line 28 by underscoring all the words in the line.

Amend sec. 1, page 10, lines 1 to 6, by underscoring all the words in said lines, both inclusive.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objections? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 704, entitled:

An Act requiring the filing of plans and specifications for buildings, public works, highways or improvements undertaken by boroughs, townships, poor districts or school districts; in the office of the clerk of the court of quarter sessions, and requiring copies to be furnished by the secretary, architect or engineer of the municipality to applicants therefor.

On the question,

Will the House agreed to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STONER. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Dauphin, Mr. Earley, permit himself to be interrogated?

Mr. EARLEY. Yes, Mr. Speaker.

Mr. STONER. Mr. Earley, I am not opposed to this bill at all but I want to know whether you have considered the question of whether in the event of the filing of these plans and the necessity for subsequently making a change in the manner and mode of construction that the contractor engaged in the work would not possibly have difficulty in obtaining compensation for extra work because he was bound absolutely by the plans and specifications, as filed?

Mr. EARLEY. I do not think so. Do you mean would he have difficulty in getting the plans back?

Mr. STONER. No. As I understand this act, after the plans and specifications are filed as provided under the act, they are not subject to any change whatever.

Mr. EARLEY. They are subject to change, but they are not supposed to be taken away from the Clerk of the Courts by any person signing for them.

Mr. STONER. What provision have you made in the act—maybe I have missed it—regarding any changes which might be made?

Mr. EARLEY. I am not familiar with that, but probably Mr. Ludlow will explain it to you.

Mr. LUDLOW. Mr. Speaker, I, myself, interrogated the sponsor of the bill last evening about certain provisions in it, but they did not have to do with this particular point, so that I cannot answer the question. The township of the first class code has a specific provision for this sort of thing, but what the rule is as to boroughs, I cannot tell, therefore I cannot answer the interrogation of the gentleman. It is not my bill, Mr. Speaker, and I am only interested in it as Mr. Stoner and other members of the House are.

Mr. STONER. Mr. Speaker, I think the bill is a good bill, if properly conceived. I am apprehensive that in view of the fact that we all know that frequently plans have to be changed, that any contractor who makes a bid may be so absolutely bound by the filing of these plans that if subsequently requested to make changes, and having put his money into the changes, he won't be able to get it back again, and unless there is some provision in the act to take care of that, it seems to me that to that extent it would be objectionable.

Mr. LUDLOW. Mr. Speaker, it might be fair to the sponsor of the bill if there is some such defect as Mr. Stoner has urged, to have it laid over until Tuesday so that the sponsor may consult those who asked him to introduce it, and see whether that point can be covered. The point has been well taken, at the same time the bill is meritorious and if the sponsor thinks well of it, a motion to postpone until next Tuesday would be the proper thing.

BILL POSTPONED.

Mr. EARLEY. Mr. Speaker, in order to answer the question of Mr. Stoner, I move that House Bill No. 704, be placed upon the postponed calendar until I can get that information for him.

Mr. HETRICK. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 197, entitled

An Act to amend section two of an act approved the twenty-third day of March, one thousand nine hundred and twenty-one, (P. L. 42), entitled "An Act appropriating to the State Highway Department, for the purpose of assisting in the construction, maintenance, improvement, and repair of State highways and State-aid highways, all moneys derived from registrations and from license fees, for the year one thousand nine hundred and twenty-one and subsequent years, under the provisions of the act of Assembly, approved June thirtieth, one thousand nine hundred and nineteen, relating to and regulating motor vehicles, and amendments thereto; and providing for salaries and other expenses of the department."

On the question,

Will the House agree to the bill on third reading?

Mr. WONER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend sec. 1, page 2, line 12, by striking out the words "which reads" and inserting in lieu thereof "is hereby amended to read."

Amend sec. 1, page 2, lines 13 to 24, by striking out lines 13 to 24 both inclusive, and eliminating them from the bill

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objections? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 230, entitled

An Act to amend Route Three Hundred and Thirty-eight of the act approved the twenty-second day of July one thousand nine hundred and thirteen, (P. L. 948) entitled "An Act establishing certain public roads as State highways, and providing for their construction and maintenance at the expense of the Commonwealth."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haines,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCann,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffat,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. DAVID J. JONES.

The House resumed the consideration on third reading of House Bill No. 686, entitled:

An Act authorizing probation officers of the various counties to attend the annual State Association or Conference of Probation and Parole and providing for the payment of their expenses and membership dues by counties

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison.
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rippman,
Sample,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Stevens, A. F.,
Stevens, A. F.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whitehouse,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. EDMONDS.

The House resumed the consideration on third reading of

House Bill No. 531, entitled:

An Act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in alleys in cities of the first class for the establishment of lines and grades for and the grading paving or repaving of said alleys and the grading of private alleys hereafter laid out and for apportioning the cost and for the filing of liens therefor

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. EDMONDS. Mr. Speaker, may I say a word in reference to this bill? It relates to cities of the first class alone, and provides where there is a nuisance in the alleys it shall be certified to the department of Public Works, and then the Department of Public Works may proceed to correct the nuisance, and then the Board of Health is required to make repairs. In the city of Philadelphia our Board of Health has no engineering department, and hence there seems to be a better functioning than if the authority to correct the error is given to the Department of Public Works.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Betts,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hontz,
Hoover,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kunkle,
Labar,
Lafferty,
Little,
Long,
Ludlow,
Lynch,
Mack,
Malie,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McCurdy,
McDermott,
McGowan,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—2.

Haws,
Lucas,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Orered, that the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CON CURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 777.

An Act making a deficiency appropriation to the Pennsylvania Institution for the Instruction of the Blind

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 1, line 7, by striking out after the word "Blind" the words "to meet the" and inserting in lieu thereof the word "for"; and after the word "the" strike out the words "cost of".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Fields,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gelder,
Gibbon,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hoover,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Lucas,
Ludlow,
Lynch,
Mack,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McDaniel,
McDermott,
McGowan,
McKim,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,

Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 22.

An Act concerning conditional sales of chattels attached or to be attacehed to realty and regulating the recording and effect thereof and providing remedies and penalties

HOUSE BILL No. 277.

An Act to validate tax liens filed in the office of the Prothonotary of the various counties by any of the cities of this Commonwealth since the twenty-fourth day of May one thousand nine hundred and twenty-one under the provisions of an act approved the fourth day of June one thousand nine hundred and one entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefore the methods of preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales and its supplements and amendments thereto and providing for their collection

HOUSE BILL No. 411.

An Act to amend section one thousand one hundred and five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the laws relating thereto"

HOUSE BILL No. 494.

An Act validating certain proceedings of counties cities boroughs townships school districts and other incorporated districts or municipalities had pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds certificates of indebtedness and securities issued in pursuance of such proceedings

HOUSE BILL No. 532.

An Act to provide for the registration and protection of artificial assumed trade or association names titles or designations

HOUSE BILL No. 600.

An Act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United-Spanish War Veterans a part of the public records of the State and providing for their publication and distribution

HOUSE BILL No. 638.

An Act supplementing an act entitled "A supplement to an act entitled 'An Act for the government of cities of the second class' approved the seventh day of March one thousand nine hundred and one authorizing cities of the second class to regulate and limit the height and bulk of buildings and the area of yards courts and open spaces and to regulate and restrict the location of trades and industries and the location of buildings for specified uses and to make regulations for trades and industries and for the use of buildings and for the above purposes to divide the cities into districts and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein and providing the method of adoption of said districts regulations and restrictions and the method of amendment or change thereof" approved the twenty-first day of June Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws five hundred seventy) providing for a board of appeals to review decisions of the officer charged with the enforcement of any zoning ordinance duly adopted by said cities establishing the procedure upon said appeals authorizing appeals from the decision of said board of appeals to the court of common pleas of the respective counties and authorizing said appeals to be advanced

HOUSE BILL No. 657.

An Act to amend section two thousand six hundred and twenty-eight of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the compensation of auditors of the accounts of school districts of the fourth class

HOUSE BILL No. 701.

An Act to further amend sections ten and fourteen of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) entitled "An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as amended by requiring all proceedings in civil cases before magistrates that are sought to be reviewed by appeal to be taken only to the Municipal Court transferring original jurisdiction in certain civil cases from the court of common pleas to said court providing that costs in all cases shall follow the judgment and that certain judgments shall be final

HOUSE BILL No. 759.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section seventeen

HOUSE BILL No. 773.

An Act making a deficiency appropriation to the Commission of the Soldiers' Orphans Industrial School at Scotland

HOUSE BILL No. 783.

An Act making a deficiency appropriation to the Home for Training in Speech of Deaf Children before They are of School Age at Philadelphia Pennsylvania

HOUSE BILL No. 784.

An Act making a deficiency appropriation to the Eastern State Penitentiary

HOUSE BILL No. 788.

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania located at Blossburg Pennsylvania to cover a deficiency in maintenance for the two fiscal years ending May thirty-first one thousand nine hundred twenty-three

HOUSE BILL No. 874.

An Act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections

HOUSE BILL No. 902.

An Act to amend section ten hundred and twenty-five of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eigth hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

HOUSE BILL No. 912.

An act validating the incurring of certain debts or increase of indebtedness of poor districts in counties of the second class by the county commissioners thereof for improvements or alterations of the property of such poor districts and all bonds and other securities issued therefor and also the assessments of annual taxes for the payment of such indebtedness since the twentieth day of April one thousand eight hundred and seventy-four

HOUSE BILL No. 977.

An Act to amend an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and ninety-four) entitled "An act to amend an act approved the twenty-fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and fifty) entitled 'An act authorizing the several counties incorporated towns and boroughs to appropriate annually sums of moneys to each camp of the United Spanish War Veterans and of the Army of the Philippines and to each post of the American Veterans of Foreign Service in the respective counties boroughs and towns to aid in defraying the expenses of Memorial Day' by authorizing appropriations to each post of the American Legion Veterans of Foreign Wars and to each Naval Association and each post of the Grand Army of the Republic" to include authorization of appropriations to each organization of ex-service men incorporated under the act of April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto

HOUSE BILL No. 725.

An Act to amend Article XII of an act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto a section to be section twelve hundred and two defining certain terms

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE.

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 24, 1923.

Resolved (if the Senate concur), That House Bill No. 702, file folio 1295, entitled:

An Act to amend section 3 and section 4 of an act approved the fifth day of May, one thousand nine hundred and twenty-one, (Pamphlet Laws 374) entitled "An act providing for the licensing and regulation or corporations, co-partnerships, associations, and individuals, engaged in the business of receiving payments or contributions to be held or used in any plan of accumulation or investment or of issuing, negotiating offering for sale, or selling any certificates, securities, contracts, or other choses in actions evidenced by writing on the partial payment or installment plan, or of assuming fixed obligations, or issuing, in connection therewith a contract based upon payments, being made upon installments or single payments, under which all or part of the total amount received is to be repaid at some future time, with or without profit; and imposing penalties."

be recalled from the Governor.

REPORTS FROM COMMITTEES.

Mr. GIBBON, from the Committee on Municipal Corporations, reported as committed House Bill No. 1275, entitled

An Act abolishing the office of high constable in the boroughs of this Commonwealth and authorizing and directing the borough councils to designate the police or a constable of the borough to perform the duties now by law imposed on high constables.

Mrs. SPEISER, from the Committee on Insurance, reported as committed House Bill No. 956, entitled

An Act to amend section one of the act approved the twenty-fifth day of June, one thousand eight hundred and eighty-five (Pamphlet Laws, one hundred eighty-one), entitled "An act to authorize certain corporations to become sole surety for the faithful performance of any trust or duty, and to authorize certain officers to approve the same" by requiring the approval thereof when the certificates issued by the Insurance Department to said corporations have been filed in the prothonotary's office.

Mr. WILLIAM T. BELL, from the Committee on Counties and Townships, reported as committed House Bill No. 1084, entitled

A Supplement to an act approved the twenty-third-day-of June, one thousand nine hundred eleven, Pamphlet Laws one thousand one hundred twenty-three, entitled "An act establishing in each county a Board of Viewers, prescribing their duties, providing for their appointment as viewers road juries, juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" as the same was amended and supplemented by subsequent acts, by providing for the compensation to be paid to the members of the Board of Viewers in counties of the second class.

Mr. GOSS, from the Committee on Municipal Corporations reported as amended House Bill No. 435, entitled

An Act to amend clause forty-six of section three of article five of the act approved the twenty-seventh day of June, one thousand nine hundred and thirteen, (P. L. 568), entitled "An Act providing for the incorporation, regulation and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto," as amended; giving to said cities the right to exercise the power and authority of local self-government in municipal affairs.

Mr. MILLER from the Committee on Corporations, reported as committed House Bill No. 1004, entitled

An Act to amend the act approved the fourth day of April, one thousand eight hundred and seventy-two (P. L. 40), entitled "An act supplemental to an act, entitled 'A supplement to acts relating to incorporations by the courts of common pleas,' approved on the ninth day of April, Anno Domini one thousand eight hundred and fifty-six;" providing for the publication of notice and the mailing of notices to stockholders in case of dissolution proceedings.

Mr. HEFFERNAN from the Committee on Ways and Means, reported as amended, House Bill No. 1041, entitled

An Act to amend sections one and two of an act approved the twentieth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, one thousand twenty-one), entitled "An act imposing a State tax on gasoline, and on all other liquids containing any derivative of petroleum or natural gas, produced, prepared, or compounded or usable for the purpose of generating power by means of internal combustion and sold in this Commonwealth, except for the purpose of resale; providing for the collection of such tax and for the distribution and use of the revenues derived therefrom; making an appropriation; and fixing penalties;" by increasing the amount of said tax and providing for the use of the revenues thereof for State highway purposes.

Mr. WHITEHOUSE from the Committee on Municipal Corporations, reported as committed, House Bill No. 1134, entitled

An act fixing the perdiem compensation of assistant or registry assessors or boroughs and second class townships for attendance at elections.

Mr. ALFRED IRVING FOWLER, from the Committee on Counties and Townships, reported as committed, House Bill No. 894, entitled

An Act to repeal an act, approved the eighth day of June, one thousand nine hundred and fifteen (Pamphlet Laws, nine hundred fifteen), entitled, "An Act to fix the salaries of the deputies in the offices of the clerk of the courts, county controller, recorder of deeds, county treasurer, chief deputy sheriff, and chief clerk to the county commissioners, in counties of this Commonwealth having over two hundred and fifty thousand population and less than four hundred thousand population."

Mr. HAWS from the Committee on Appropriations reported as committed, House Bill No. 1401, (Senate Bill No. 640), entitled

An Act to amend section three of an act approved the twenty-fifth day of July, one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and nine) entitled "An Act to authorize the acquisition by purchase or condemnation of lands for a park and the erection of a monument commemorative of Washington crossing the river Delaware, and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act."

Mr. BREWSTER, from the Committee on Judiciary Special, reported as committed House Bill No. 1429 (Senate Bill No. 746), entitled

An Act relative to the disposition of fines and forfeitures in counties of this Commonwealth of the fourth class, and authorizing the expenditure of a portion of all of said fines for the support and maintenance of a law library in said counties.

Mr. WALKER, from the Committee on Counties and Townships, reported as committed House Bill No. 1402 (Senate Bill No. 258), entitled

An Act to amend section three hundred and twenty-five of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising, amending and consolidating the law relating thereto," fixing the compensation of township auditors.

Mr. CRAIG, from the Committee on Judiciary Special, re-reported as amended House Bill No. 275, entitled

An Act providing for the recovery and collection of taxes assessed on either real or personal property by action of assumpsit against the owner or owners of the real or personal property upon which or against the owner of which the said taxes have been assessed.

Mr. POST, from the Committee on Law and Order, re-reported as amended House Bill No. 936, entitled

An Act for the repression of prostitution and assignation, making it unlawful to solicit aid or permit prostitution or to use or permit the use of any place for the purpose of prostitution or assignation, making certain evidence admissible in proceedings under this act, authorizing the commitment of prostitutes to private institutions, providing for their parole and prescribing penalties.

Mr. PRICE, from the Committee on Ways and Means, re-reported as committed House Bill No. 926, entitled:

An Act to amend section twenty-three of an act approved the first day of June, Anno Domini one thousand eight hundred and eighty-nine (Pamphlet Laws, four hundred and twenty), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June, Anno Domini, one thousand eight hundred and seventy-nine."

Mr. PRICE, from the Committee on Municipal Corporations, re-reported as amended House Bill No. 235, entitled:

An Act to validate certain municipal claims and municipal liens in the several boroughs of the Commonwealth providing for the filing of claims therefor and the proceedings for the collection of such claims.

Mr. GOEHRING, from the Committee on Judiciary Special, reported as committed House Bill No. 1425 (Senate Bill No. 598), entitled:

An Act authorizing cities of the third class to sell certain real estate and prescribing the procedure to be followed.

Mr. BLUETT, from the Committee on Judiciary Special, reported as committed, House Bill No. 1444 (Senate Bill No. 787), entitled:

An Act creating a Legislative Reference Bureau; providing for the election of a Director by the General Assembly; designating the officers and employees of such Bureau; defining their duties; fixing their salaries; abolishing the present Legislative Reference Bureau and making an appropriation.

Mr. WALKER, from the Committee on Counties and Townships, reported with a negative recommendation House Bill No. 805, entitled:

An Act providing for the valuation and assessment in counties of the second class of all property of every kind and description and all occupations taxable for county, city, school, borough and township purposes; creating a County Assessment Board for that purpose, providing for the payment of the entire expense thereof by such counties, prescribing the duties of the several county officers in respect thereto, and abolishing all existing offices, boards, or departments having to do with the valuation and assessment of such taxable properties in such counties, cities, school districts, boroughs and townships.

BILLS ON FIRST READING.

Mr. GOEHRING asked and obtained unanimous consent to have House Bill No. 1425, (Senate Bill No. 598) read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1425, (Senate Bill No. 598), entitled:

An Act authorizing cities of the third class to sell certain real estate and prescribing the procedure to be followed

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. BLEUTT asked and obtained unanimous consent to have House Bill No. 1444, (Senate Bill No. 787) read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1444 (Senate Bill No. 787), entitled:

An Act creating a Legislative Reference Bureau providing for the election of a Director by the General Assembly designating the officers and employees of such Bureau defining their duties fixing their salaries abolishing the present Legislative Reference Bureau and making an appropriation

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

COMMITTEE ON PUBLIC ROADS DISCHARGED FROM FURTHER CONSIDERATION OF HOUSE No. 1118.

Mr. WONER. Mr. Speaker, I desire to interrogate the Chairman of the Public Roads Committee, Mr. Williams of Tioga.

The SPEAKER. The gentleman from Butler, Mr. Woner, desires to interrogate the gentleman from Tioga, Mr. Williams.

Will the gentleman permit himself to be interrogated?

Mr. GEORGE W. WILLIAMS. I will Mr. Speaker.

Mr. WONER. I suggest to the Chairman of the Public Roads Committee that he return to the Speaker, House Bill No. 1118, in order that it may be re-referred to the Committee on Ways and Means.

Mr. GEORGE W. WILLIAMS. Is that meant as a suggestion or a request?

Mr. WONER. I make that as a request.

Mr. WILLIAMS. That request will be granted when a majority of the Committee on Public Roads shall so instruct.

Mr. WONER. Mr. Speaker, I move that the Committee on Public Roads be discharged from further consideration of House Bill No. 1118, entitled:

An Act to further amend sections three, nine and twenty-four of an act approved the thirtieth day of June, one thousand nine hundred and nineteen, (P. L. 678), entitled "An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof, and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle," as amended; changing the fees upon trucks, limiting the weight of trucks and the number of trailers

Mr. GOSS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. WONER. Mr. Speaker and members of the House, in making this motion I have in mind btaining possession for the Ways and Means Committee of a bill which we believe logically belongs to that Committee. This afternoon I made a courteous, kindly, personal request of the Chairman of the Public Roads Committee that that bill be turned over to us without any sort of a contest. I did that because it is logically a measure for the carrying out of certain plans which have been developed by the Ways and Means Committee. The Chairman of the Public Roads Committee being averse to such action advised me that a meeting would be held this afternoon. That meeting was held, I understand, and the committee considered the amendments which I asked should be given. Such amendments were rejected and the bill was not acted upon. I submit in all fairness, whether you are for or whether you are against any proposal that will be incorporated in this bill as we proposed to amend it. That is not the consideration. We believe that you will agree with us that this House has a right to obtain possession of this proposal, which proposal is for a 50 per cent increase in the license fees of all motor cars. I repeat that it is not a question which should be with the Roads Committee; it should not be with anyone as to whether you are for or against that. It is a question of fair play; it is a question of right. I suspect that the Chairman of the Roads Committee, desiring that he in his own committee might have opportunity to squelch the proposition because he has displyed towards it personal antagonism. He has had his opportunity, and now you shall have your opportunity to determine whether or not the Ways and Means Committee shall have the opportunity to wrestle with the problem of amending this bill, and then report for your action either for or against it.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, at the close of the afternoon session the question of reporting out Bill No. 1118, introduced by the gentleman from Erie, Mr. Blair, was considered. I then stated that if the amendments offered by the gentleman from Butler, Mr. Woner, were handed to me, as Chairman of the Public Roads Committee I would call a meeting of the committee at once and we would consider these amendments. As promptly as possible, I called the committee together at 7:30 o'clock and we went over the amendments, section by section, and by a unanimous vote the Committee decided not to accept the amendments The gentleman is clearly within his rights, under the rules of the House, in moving to discharge the Committee on Public Roads from further consideration of this bill, and if, in the judgment of the House, the Committee shall be discharged from further consideration of the bill, the bill will, in accordance with the action of the House, be returned to the House. The Speaker, in his wisdom, when this bill was introduced referred it to the Committee on Public Roads, and every bill suggesting an increase in the motor license law was referred to that Committee. There are two other bills in that Committee besides this one. Possibly the gentleman from Butler, Mr. Woner, has overlooked that fact, and his resolution shoud be that the Public Roads Committee be discharged from consideration of all such bills that they may be turned over to the Ways and Means Committee.

Mr. WONER. Mr. Speaker, in reply to that suggestion, I wish to remind the House that the chairman of the Public Roads Committee has confessed to you that they have acted upon that bill in the way of having rejected the amendments. Therefore, in moving the discharge of that committee, I really move simply to get out a bill they have taken final action on, and there is no discourtesy whatever to that committee.

Mr. SPANGLER. Mr. Speaker and members of the House, I am not a member of the Ways and Means Committee, but probably if the Speaker, in referring this measure had deliberated thoroughly upon the question, the bill would have been referred to the Committee on Ways and Means, where it belonged. The mere fact that by reason of an indiscretion or by reason of an oversight, a bill of the importance of this bill was referred to a committee that it should not have been referred to, is no reason in the world why that Committee should not be discharged from further consideration of this bill, or if that fails why it should not be referred to the Committee on Ways and Means for consideration. It certainly is a proper request on the part of the Chairman of the Ways and Means Committee and I can see no reason why a reasonable request of the Chairman of Ways and Means should not be strictly adhered to in this particular instance, and the request of the gentleman from Butler complied with.

Mr. GELDER. Mr. Speaker, the gentleman from Butler says that the admission of the chairman of the Roads Committee that it acted this evening upon the amendments shows that it has no further use for the bill. That bill at the present time is in the hands of a sub-committee, with a dozen other bills, in conference with a sub-committee of the Senate to consider the general highway program, the general highway bill known as the Williams bill, No. 1179. There are increases in that general bill of some of the license fees just as there are in the bill that the gentleman from Butler would like to get, and it seems to me that the bill should remain in the Roads Committee until such time as the conference committee is through with it.

Mr. GOLDER. Mr. Speaker and members of the House, if I were asked to select one member of this House that I admire for his courage, his honesty, his sincerity, and absolute level-headedness and fairness, I would select the gentleman from Tioga, Mr. Williams. I see several reasons why the bill referred to should have been referred to his committee, and I say that, with due respect to the chairman of the Ways and Means Committee and the chairman of every other committee in this House, if I wanted a bill thoroughly discussed, honestly discussed, and seriously considered, I would be glad to refer that bill, no matter what the question might be, to that committee. There is another reason why the bill should be referred to that committee, and that is, that ordinarily the money collected from automobiles is used for the highway program, and in that committee is largely placed the policy of the highway program. The question now before us is not whether the bill should remain in one committee or not. We all know the history of tax-raising legislation during this session of the legislature, and I say again, with due respect to the Ways and Means Committee, that it is rather a late time to suddenly discover, after three months of so-called study, with the assistance of sub-committees, with the assistance from Washington, and with assistance from wherenot and whatnot, that they should suddenly conceive at this late day that only one bill of all the bills introduced in the House is the bill they must have to bring out. But there is, on the other hand, it seems to me, a very good reason why this bill should be referred, not to the Ways and Means Committee particularly, but back to this House. It would check much newspaper criticism and much comment from all sides which has been directed against the Legislature because we have raised money—for what? The only thing I have heard is the failure to raise money for school purposes; and I say, as I have said in other session, the fault in the delay is not in the legislative department, but in another department that tells us, "I ask for no further taxation; we have sufficient; we need no more money;" and we have been led to believe from time to time that no more was needed. Now, I like every school teacher in Pennsylvania. I would like Pennsylvania to have the finest educational system in the United States, and I am for it. I love everyone of the girls that comes here to look after the interests of the school program; but I say this, that I would refuse to vote one dolar of tax, if that money was not to be used for educational purposes. I shall refuse to vote on any tax measure unless I know it is for educational purposes. On the other hand, we have to take care, better care, more decent care, real care, of the hospitals and institution for those persons who are unable to take care of themselves. In order to solve this problem all of the bills that have been introduced looking toward raising money should be referred to the Ways and Means committee, the committee which is supposed to have those bills and digest them and find means of raising money. They say, "We have studied these bills for months and months; there is one which can be revised; one which can assist, and that is in the Public Roads Committee. There is one bill we can revive, resuscitate and breathe life into, and there we will find money for all purposes." Now, I say there is no disrespect to the Publc Roads Committee. There is no man in the House who could better handle the problem than the chairman of the Public Roads Committee, and I say this most sincerely; and my colleague knows that if I had myself a question which had to be solved by a single member of the House, I would be glad to put my entire faith and salvation in him. But if the committee on Ways and Means feels that it has so far solved the problem, and the only thing needed is this bill from the Ppulic Roads Committee, in order that we may get home some time, then I say let us take the entire bill and present it to the Speaker, and if the Speaker, in his wisdom, sees fit and decides that the turning over of the bill to the Committee, with assistance or without assistance, is going to give us a panacea for all our ills and for all our troubles, let us give it to him.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Spangler and Mr. Lafferty and were as follows:

YEAS—79.

Allman,
Arthur,
Berger,
Blair,
Brewster,
Bromley,
Burns,
Chaplin,
Colville,
Coyne,
de Young,
Donahue
Drinkhouse,
Earley,
Edmonds,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fratt,
Gibbon,
Glasgow,
Goehring,
Golder,
Goss,
Greeby,
Grimes,
Haws,
Heffernan,
Huber,
Johnson,
Jones, D. J.,
Keene,
Kennedy,
Kohler,
Little,
Lucas,
Ludlow,
Lynch,
Mack,
Marcus, J.,
Marcus, J. C.,
Mathay,
McBride,
McCaig,
McDaniel,
McGowan,
McVicar,
Myers, P. M.,
Nolte,
Patterson,
Perry,
Pitts,
Price,
Rinn,
Sautter,
Schaeffer,
Schilling,
Schwartz,
Smith, H.,
Sowers,
Spangler,
Speiser,
Steedle,
Sterling,
Stevens, A. F.,
Stoner,
Storb.
Storer,
Thomas, L. D.,
Thomas, M. G.,
Vickerman,
Walker,
Williams, J. M.
Woner,
Wood, W. P.,
Wright,
Goodnough,
Speaker.

NAYS—96.

Albert,
Alexander,
Anderson,
Armstrong,
Aston,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Betts,
Bidelspacher,
Bluett,
Brown,
Bush,
Clutton,
Coldsmith,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Dunn,
Eaches,
Evans, B. P.,
Frazier,
Gelder,
Griffith,
Gundy,
Haas,
Haines,
Harer,
Haslett,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Irvin,
Jones, C. B.,
Jones, E. P.,
Kelly,
Kunkle,
Labar,
Lafferty,
Lauver,
Long,
Mangan,
Marshall, J. G.,
Marshall, W. F.
McCurdy,
McDermott,
Metcalf,
Millar,
Miller.
Minehart,
Morrison,
Munley,
Myers, G. C.,
O'Boyle,
Ogle,
Orr,
Parkinson,
Peelor,
Posey,
Post,
Raymond,
Rhodes,
Richards,
Rippman,
Sample,
Schleiter,
Schoener,
Shambach,
Sheridan,
Smith, H. J.,
Smith, J. W.,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Stevens, A. J.,
Thompson,
Van Alen,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Wood, N.,
Zook,

The SPEAKER. Seventy-nine members having voted in the affirmative and ninety-six in the negative, more than sixty members having voted in the affirmative, the motion is agreed to and the Committee on Public Roads is discharged from further consideration of House Bill No. 1118.

BILL RETURNED TO THE HOUSE.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I return to the House from the Committee on Public Roads House Bill No. 1118, entitled:

An Act to further amend section three nine and twenty-four of an act approved the thirtieth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred and seventy-eight) entitled "An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by or trailing after motor vehicles requiring the registration of the same and the licensing of all operators thereof providing the fees therefor and the disposition of such fees prohibiting the unauthorized use of and tampering with motor vehicles limiting and defining the powers of cities boroughs incorporated towns townships and counties as to the regulation of the use and equipment of motor vehicles and the taxing registration or licensing thereof imposing certain duties on the State Highway Commisioner and on proprietors of public garages providing procedure and penalties for violations thereof and the disposition of fines collected and regulating the service of process and preceedings in actions for damages arising from the use of any motor vehicle" as amended changing the fees upon trucks limiting the weight of trucks and the number of trailers

BILL RE-REFERRED.

The SPEAKER. This bill is now re-referred to the Committee on Ways and Means.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 980, entitled:

An Act to amend section eleven of an act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred seventy) entitled "An Act creating a Division of Township Highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter session and providing penalties" requiring clerks of the court to certify lists of township auditors to the State Highway Commissioner

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183.

Alexander,
Allman,
Anderson,
Armstrong,
Asbury,
Aston,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gibbon,
Glasgow,
Goehring
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. HARER.

The House resumed the consideration on third reading of House Bill No. 187, entitled:

An Act relating to pistols and revolvers; regulating the sale, possession and use thereof; defining "pistol or revolver;" imposing additional penalties for crimes committed while unlawfully armed; prohibiting the ownership or possession of a pistol or revolver by any unnaturalized foreign-born person and by persons convicted of certain felonies; providing for licenses to carry and licenses to sell pistols and revolvers; prohibiting the disposing thereof to minors or to persons not entitled to own or possess the same; and prescribing penalties.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. HARER. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of amendment.

Mr. LUCAS. Mr. Speaker, I second the motion.

The motion was agreed to.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. BURNS.

The House resumed the consideration on third reading of House Bill No. 566, entitled:

An Act to amend article one, section one, of the act approved the twenty-sixth day of July, one thousand nine hundred and thirteen, (P. L. 1374), entitled "An Act defining public service companies; and providing for their regulation by prescribing and defining their duties and liabilities; prescribing, defining, and limiting their powers, and regulating their incorporation, and, to a limited extent, regulating municipal corporations engaged or about to engage in the business of public service companies; creating and establishing a Public Service Commission for the regulation aforesaid; prescribing and defining the powers and duties of such Commission and its officers, including the exclusive power to regulate the construction, alteration, relocation, or abolition of the crossings of railroad corporations, street railway cor-

porations, or other public service companies, and of public highways by the tracks or other facilities of said companies; providing for the ascertainment by the Commission of the expense and damages resulting from such construction, alteration, relocation or abolition, and for the payment of such expense and damages, severally or proportionately, by the public service companies interested, the State, or municipal corporation concerned, and giving persons whose property is thereby taken, injured, or destroyed, authority to sue the Commonwealth for damages in such cases; providing for the terms, salaries, and compensation of the members of the Commission, its officers, counsel, and employes; prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determination by the courts of common pleas; and giving the court of common pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases, and of all injunctions, mandamus, or other appropriate proceedings to enforce the provisions of this act and the orders of the commission, and to restrain such orders, subject to an appeal to the Supreme Court; prescribing penalties, fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission; making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June, one thousand nine hundred and eleven, entitled 'An Act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains', by amending section nine thereof; repealing the act approved the thirty-first day of May one thousand nine hundred and seven, which provided for the appointment of the Pennsylvania State Railroad Commission; and sections one and two of the act, approved the fourth day of June, one thousand eight hundred and eighty-three, entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution, relative to railroads and canals,' and an act, entitled 'To provide the maximum car service charges, including car storage charges, that railroad companies and corporations, or associations, may charge and collect on each car loading, and not unloaded within the free time for unloading cars, and fixing the free time that shall be allowed for unloading cars,' approved twenty-fourth day of May, Anno Domini one thousand nine hundred and seven; and the proviso of clause three and the provisos of clause seven and section thirty-four of the act, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, and all other legislation inconsistent with or supplied by this act;" extending the provisions of said act to corporations, joint-stock companies or associations, domestic or foreign, their lessees, assignees, trustees and receivers, and to individuals, partnerships and associations engaged in the production, sale or distribution of coal, and defining and declaring the same to be public service companies.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WHITEMAN. Mr. Speaker, this bill, as I understand it, is a bill that would place the anthracite and bituminous coal interests under the authority of the Public Service Commission

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—55.

Alexander,
Allman,
Arthur,
Bidelspacher,
Bluett,
Bromley,
Burns,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Drinkhouse,
Evans, J.,
Fields,
Frazier,
Glasgow,
Golder,
Greeby,
Harer,
Haws,
Heffernan,
Hetrick,
Heyburn,
Keene,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
McGowan,
Millar,
Myers, P. M.,
Nolte,
Orr,
Perry,
Pitts,
Sautter,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Steedle,
Sterling,
Stevens, A. F.,
Thomas, M. G.,
Williams, G. W.,
Goodnough,
Speaker.

NAYS—110.

Albert,
Anderson,
Armstrong,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Brenneman,
Brewster,
Brown,
Bush,
Chaplin,
Clutton,
Coldsmith,
Driggs,
Earley,
Edmonds,
Flinchbaugh,
Fowler, A. I.,
Gelder,
Gibbon,
Goehring,
Goss,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Harter,
Haslett,
Henderson,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lynch,
Marshall, W. F.,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Morrison,
Munley,
Myers, G. C.,
Ogle,
Parkinson,
Patterson,
Peelor,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Sample,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Stevens, A. J.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wheeler,
Whitehouse,
Whiteman,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REASONS FOR VOTE.

Mr. BURNS. Mr. Speaker, I believe this measure is the only one that so far has been presented that provides for the future relief of the public in the matter of a coal supply.

The bill provides for the placing of coal on the same business par, as Water, Gas and Electric.

I am the last man that wants to interfere in any way with the business man, or the business interest of the State, as there are already to much legislation affecting the business interest of the Country.

The intent of this bill was not to interfere with the Owner, Operator, Miner, Railroad, Wholesale or Retail coal dealers.

My thought in framing bill, was to eliminate the man who has no money invested in the coal conditions.

When coal passes throught 14 or 15 brokers hands before it is sold to the Retailer, it is time they should be eliminated.

People have been educated to-day in business to know, that no business can show a profit, until the overhead, is added to the actual cost of production.

The bill provides that the Public Service Commission, will have jurisdiction of the coal from the time it leaves the mines to the Consumer.

The coal situation is a vital question, and I believe this bill provides for a step in the right direction.

That the coal people have gone too far this past winter in their treatment of the Public: they crowded it too closely into a corner; the people responsible for the high price of coal, have become so bold, that it is about time, the coal industry was subject to some regulation. Shipments, quality and price effected most everyone. I find that Boston dealers were advertising anthracite coal at $15.00 a ton. Considering the additional freight bill from the mines to Boston, it looks as if the Railroads carry coal for 300 miles free of cost.

There should have been no coal shortage last winter as the coal mined, was on the average for a number of years past as to tonnage, viz:—

1909— 81 Millions.
1911— 90 "
1912— 73 "
1913— 91 "
1914— 90 "

And so on up to 1922 of 90 Millions in the State of Pennsylvania.

A great deal has been said before this House, also printed in the newspapers, about the Dry Enforcements Act, also a Daylight Saving Bill, which comes before this House in the near future, these two bills perhaps satisfy a certain per centage of the Public. This bill provides 100 per cent for the Public and I can't see why it should not have the entire support of this House, as it does not injure any one except the non-producer

The Public are looking to this body to help relieve conditions if we don't do something we are depriving the homes of warmth, on account of the lack of supply and the excessive charges.

The United States Fuel Commission acknowledges that it is unable to cope with the present coal situation. Congress has appropriated in the last two sessions, $900,000 to investigate coal conditions. Another Commission, always Commission, with no results ever to the Public.

If any Commission would only start, and investigate all those connected with the Coal Industry from the Owners down, they would place their finger upon the people responsible for all past conditions.

As I have said before I did not want to interfere with any one'e business, had I, would have introduced a bill that the National Commission reported as follows, viz:

May and June 1917, Senate reported on Anthracite and the House on Bituminous, both houses recommended, That coal and coke be conducted through a pool in the hands of a Government Agency. That coal and coke by rail and water be conducted through a pool in the hands of a Government Agency.

The cause of the rise of coal and be placed at the door of the Owners, Operators, Railroads and Brokers.

Under a will left by a doner, by which the City of Philadelphia became Trustee of the Estate, for the care and education of poor and orphaned children, and free supply of coal for the winter; this same Trusteeship is enacting the highest royalties obtainable from the operators of the Collieries owned by such Trustees of said estate.

The price of coal mined, as to the cost of production has reached an alarming rate.

The greatest amount of coal was shipped to the West and Canade by water. It is generaly known that shipping by water is 20 times less than rail. This was one cause of the shortage of coal shipped to the East. What was deliverel to the East, was by rail.

In buying coal through some brokers, the Retailers were compelled to take what was shipped in many cases the consignment consists of 33 1/3 per cent. of unburnable stuff, Consignments such as above mentioned, was sold at a loss by the Retailer.

All the trouble in the past has been put up to the Miners, when conditions warranted and in all such cases, the miners have suffered due to the fact that the Coal Industries, and others, saw fit to place the Miners in the middle and put them up to stand the criticism of the general public for the lack of coal, and exorbitant charges for same.

I cannot see any reason why any one would oppose this bill as it is well known that the $900,000 mentioned for investigation by the Federal Government is almost wasted money and that this body is in a position to take a decided step towards the relief of conditions spoken of.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCURDY.

The House resumed the consideration on third reading of House Bill No. 1335, entitled:

> An Act relating to certain county officers in counties of the fifth class providing for their salaries and the compensation of deputies and clerks in the respective county offices establishing a salary board and defining its powers and duties placing certain duties on the county commissioners county controllers and county auditors requiring the payment into the respective county treasury of the fees of such county officer and providing penalties for violation of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fratt,
Frazier,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Griffith,
Grimes,
Guerin,
Gundy,
Haines,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storer,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—1.

Haas,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. MOFFATT.

The House resumed the consideration on final passage of House Bill No. 654, entitled:

An Act providing that in all cases of prosecutions for any crime or misdemeanor where the defendant has been discharged by any justice of the peace alderman burgess mayor or other committing magistrate and in all cases of summary proceedings before said officers the county shall not be liable for the costs unless the same are approved by the county controller in counties having a county controller or by the county solicitor in counties not having a county controller

On the question,
Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. MOFFATT. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCURDY. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,
Will the House agree to the bill on third reading?

Mr. MOFFATT. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title, lines 8, 9 and 10 by striking out the following: "or by the county solicitor in counties having no county controller or by the solicitor in counties not having a county controller."

Amend bill, sec. 1, page 2, lines 8, 9 and 10, by striking out the following: "or by the county solicitor in all counties where there is not a county controller"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objections? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,
Will the House agree to the bill on third reading as amended?

It was agreed to.

The SPEAKER. This amendment being a strike out the bill is before the House for consideration.

On the question,
Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Lawrence, Mr. Moffatt, permit himself to be interrogated?

Mr. MOFFATT. Yes, Mr. Speaker.

Mr. ALEXANDER. Will the gentleman state the purpose of this bill.

Mr. MOFFATT. Mr. Speaker, the purpose of this bill is to provide a method for the approval of costs in cases before justice of the peace and aldermen where those officers have discharged the defendant. In some cases, the costs are paid by the county. At present under the law, there is no method provided for the approval of the payment of these costs. This bill provides a method and the requirement that before the county shall pay those costs, they shall be approved by the county comptroller. As originally introduced this bill provided for the approval either by the county controller in counties where there was a controller, and where there was no comptroller, by the county solicitor. The amendment offered this evening struck out the part providing for the approval by the county solicitor, and the bill only applies to those counties having a county controller, and provides that before the commissioners shall pay the costs in these cases that those costs must be approved by the county controller.

Mr. ALEXANDER. At the preent time where the case is heard before a magistrate or a justice of the peace and the defendant is discharged, the county pays the cost, is that not true?

Mr. MOFFAT. Yes.

Mr. ALEXANDER. This provides that before the county shall pay the costs, they shall be approved by the county controller?

Mr. MOFFATT. Yes.

Mr. ALEXANDER. Not only of the amount but as to the right to receive?

Mr. MOFFATT. Yes.

Mr. ALEXANDER. This is certainly an unfair bill. Magistrates and constables and justices of the peace are public officers. A man or woman comes before them and tells them that something has happened. They give their tale of woe and they swear out a warrant. That magistrate has no way to tell whether the man or woman is telling the truth at that time, or not until after he has heard the case. The constable of the country districts is bound to serve that warrant. When he takes the warrant perhaps he must hire an automobile to go into the country four or five or ten miles to get the defendant and arrest him. Whatever service he has done, he has done it in good faith. He comes in and a hearing is had and the justice of the peace rightfully decides that the defendant should be discharged, that there is not a prima facie case made out against him, and the defendant is discharged. He has no right under the law to place the costs on the defendant, and he has no right to place them in the prosecutor and under this bill he has to go and submit his costs to the controller to see whether or not he shall be paid. If the controller happens to have a bad morning, if he ate too much breakfast and it didn't agree with him, he is liable to say, "You cannot have anything." And the constable who has properly served his summons and warrant is compelled to do that work for nothing. The purpose of this is to save costs, but what will be the result? When a man or woman is brought before the justice of the peace or magistrate and that justice of the peace or magistrate hears the case, and there is not a prima facie case, that magistrate or justice will say, "Well, the Legislature has said that I have to take my chance now with the controller to see whether or not I shall be paid. I will take no chance, but will bind you over in $500 for court." Then, you go to court and you go before the grand jury, and that cost will be twice as much as it was originally.

Very seldom we have a magistrate or justice of the peace who is not honest in the manner or the reason for discharging him, and the county is saved the costs. It is a big saving to the county, and the magistrates and justices of the peace are honest with us and therefore we should be honest with them.

Mr. SPANGLER. Mr. Speaker I know that the county of York is very much interested in the passage of this bill. The question in many counties of this Commonwealth has to do with the trumped up charges that constables, unscrupulous and aldermen bring for the sole purpose of securing the cost. It is very pronounced. The county of York pays out about $15,000 a year on these discharged cases. For many years not only York county but also many other counties have been looking for a solution to the problem of trumped up cases. In other words, there should be a relief somewhere. After a most thorough consideration of the question, the bill that Mr. Moffatt has presented was agreed upon. Several years ago we established county controllers in the county for the purpose of looking out for the county funds, for the purpose of seeing that money was not paid out of the county treasury that was unjust and unwarranted. Now we believe that of all officers in the county the county controller is the man who should investigate the question of discharged cases, and if the county controller is worth his salt, he will be able to discover whether cases are merely trumped up cases or whether they have merit. The power must be reposed somewhere and a great scandal must be overcome. Where and how can you correct this situation unless you repose the power upon the public officer who is elected for that very purpose. If the county controller abuses his authority then surely we should elect another county controller, but certainly the county should have some control over the method of payment for discharged cases to see that the matter of bringing prosecutions is not the basis of a public scandal, and that is all this bill does. It places the authority where the authority belongs, and I sincerely trust that the House will pass this bill.

Mr. ALEXANDER. Mr. Speaker there is an answer to the gentleman's problem from York. I am very sorry that they have such a corrupt county down there. Delaware county elects all honest men, and most counties throughout the State do the same. Down in Delaware county we elect magistrates and constables and other officials that are honest. When we find a man that isn't honest we put him out and put another man in. I do not think it is right for them to ask us to pass laws particular for York county in order to save that county $15,000 a year. But you gentlemen who have honest men want to protect them just the same as you want to save money. They have their remedy, they can elect honest men to these offices, the same as you and I do, and they won't have any trouble about having the money taken. I do not like to doubt the statement of the gentleman from York, but $15,000 is a good bit of money. I certainly think that they have the remedy for this. If the man is dishonest they can remove him. Let them act on that remedy and not come here and ask us to pass laws for the purpose of remedying a condition in York because of dishonest magistrates and constables. It in not right to ask us who have honest men in office who are honestly doing their duty to pass a law against them just to help York clean up its mess.

Mr. MOFFATT. Mr. Speaker, I am glad to hear of the kind of officials that they have in Delaware county, and if that is true, and I have no doubt it is, because Mr. Alexander says it is, they don't need to be afraid of this bill at all, it won't hurt them. This bill is intended to stop the abuse where officials are unscrupulous in bringing cases and receiving information without proper consideration, and then discharging them and collecting the costs. For instance, on an information for stealing a fountain pen worth one dollar there was a bill of cost of fourteen or fifteen dollars, as stated in a letter on my desk of a case occuring in one of the counties of this state. Thousands of dollars are taken every year illegally in the counties for this kind of business. There isn't any question of the abuse which this bill is intended to reach, and it must be reached in some way. The county commissioner's association have tried to reach it through this bill. The right of approval of these costs is put with the proper officer of the county, and if this bill is passed it won't hurt a single honest official or justice of the peace, or constable, but will prevent the abuse that has existed in Pennsylvania too long.

Mr. RHODES. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Lawrence, Mr. Moffatt, permit himself to be interrogated?

Mr. MOFFATT. Yes, Mr. Speaker.

Mr. RHODES. You say that the controller or the solicitor is to determine whether or not the defendant is properly or improperly discharged?

Mr. MOFFATT. That is a question on which the controller would have to be a ministerial officer to some extent, but he could reach the abuse by acting to some extent in an arbitary manner.

Mr. RHODES. In order for the controller or solicitor to act intelligently, he would be obliged to hear the testimony before the justice of the peace or alderman.

Mr. MOFFATT. I do not believe he would, but if such a check was introduced he would not be required to pass on cases to any great extent. This would put a conscience into the justice of the peace to a large extent.

Mr. RHODES. Mr. Speaker, it may be absolutely true that there are many unscrupulous aldermen and justices of the peace who return cases that should not be returned, in fact there are many men of that type who receive cases that never should be received, but there is more in this than just merely the fact of saving dollars for the counties. It seems to me that the defendants in these cases are to be considered more than the county's dollars. In my opinion more cases come into court at the present time than should ever reach the court, but if you eliminate the right of the alderman or justice of the peace to discharge these cases, you will have the courts clogged more than they are to-day, because these men will hesitate to discharge a prisoner and they wll bind the man over to court, and the defendant must go into court and defend himself. If he is acquitted, or in case the grand jury ignores the bill, the county has a bill for forty or fifty dollars instead of ten dollars. Therefore I would always oppose this kind of a bill.

Mr. WHITEHOUSE. Mr. Speaker, I desire to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Lawrence, Mr. Moffatt, permit himself to be interrogated?

Mr. MOFFATT. Yes sir, Mr. Speaker.

Mr. WHITEHOUSE. Will you tell me of what use the justice of the peace is going to be if the controller is to have the say of whether or not the defendant is rightly discharged?

Mr. MOFFATT. Yes, I will tell you. He is to use his judgment in receiving cases, and he is to quit receiving cases or going out and getting the defendant in that case to bring a prosecution against the prosecutor in the other case and having cross suits so that he can get the costs in two cases. He is to exercise some degree of discretion in receiving cases and is to make some investigation of the case and see that the information is properly brought before he receives it.

Mr. WHITEHOUSE. Would you say it is proper for a justice of the peace to ask the controller whether or not it is proper to take a case?

Mr. MOFFATT. Absolutely not, he should use his judgment, and if he does that honestly and fairly the controller will treat him fairly.

Mr. WHITEHOUSE. Don't you know that under this act as you have it drawn, that the justice of the peace could mandamus the controller and compel him to pay the money, according to your bill?

Mr. MOFFATT. I am not sure of that.

Mr. WHITEHOUSE. You read your act and you will see that it is so.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—40.

Beaver,
Betts,
Boback,
Bush,
Coldsmith,
Diehm,
Flinchbaugh,
Grimes,
Haslett,
Hetrick,
Holcombe,
Jones, D. J.,
Kelly,
Kunkle,
Long,
Ludlow,
Marshall, J. G.,
McBride,
McKim,
McVicar,
Moffatt,
Morrison,
Ogle,
Parkinson,
Peelor,
Price,
Smith, G. A.,
Spangler,
Sprowls,
Stoner,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Wheeler,
Whiteman,
Woner,
Wood, W. P.,
Zook,
Goodnough,
Speaker.

NAYS—104.

Albert,
Alexander,
Allman,
Anderson,
Arthur,
Baker,
Behney,
Bell, W. T.,
Berger,
Bluett,
Brewster,
Bromley,
Brown,
Colville,
Conner,
Coyne,
Craig,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, J.,
Fields,
Flynn,
Fowler, A. I.,
Fratt,
Gelder,
Gibbon,
Glasgow,
Goehring,
Goss,
Greeby,
Gundy,
Harter,
Haws,
Heffernan,
Henderson,
Heyburn,
Hollis,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, E. P.,
Keene,
Kennedy,
Kohler,
Lafferty,
Lauver,
Little,
Lucas,
Lynch,
Mangan,
Marcus, J. C.,
Marshall, W. F.,
McCaig,
McClure,
McDaniel,
McDermott,
McGowan,
Metcalf,
Miller,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Orr,
Patterson,
Perry,
Posey,
Post,
Raymond,
Rhodes,
Rinn,
Rippman,
Sautter,
Schaeffer,
Schilling,
Schoener,
Shambach,
Sheridan,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Wells,
Whitehouse,
Williams, J. M.,
Wood, N.,
Wright,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and bill falls.

Mr. MATHAY asked and received unanimous consent to call up out of order House Bill No. 850.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 850, entitled:

An Act to amend section three of an act approved the twenty-fifth day of July, one thousand nine hundred and thirteen (Pamphlet Laws one thousand twenty-four) entitled "An Act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to the hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry, and others, by prescribing penalties for violations thereof, by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof," as amended.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. MATHAY. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. STERLING. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1323, entitled:

An Act prescribing the manner in which certain persons municipalities partnerships associations or corporations may intervene in appeals to the Superior Court from findings determinations or order of The Public Service Commission of the Commonwealth of Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—170.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Blair,
Bluett,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
de Young,
Diehm,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Evans, B. P.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gelder,
Gibbon,
Glasgow,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Harer,
Harer,
Haws,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hontz,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Malle,
Mangan,
Marcus, J.,
Marshall, J. G.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
Metcalf,
Millar,
Millar,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson.
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Stevens, A. F.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Weamer,
Wells,
Wheeler,
Whitehouse,
Williams, G. W.,
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 705, entitled:

An Act to amend articles one, four and five, as amended of chapter seven, and sections four and six of article six of chapter seven of an act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled "An Act providing a system of government for boroughs, and revising amending and consolidating the law relating to boroughs."

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. EARLEY. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. HETRICK. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1034, entitled:

An Act to promote the health and efficiency of firemen in cities of the first class by providing for a two-platoon system for the certain officers of the uniformed fire force of the Department of Public Safety of such cities

On the question,
Will the House agree to the bill on third reading?

Mr. DUNN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend Title, page 1, line 3, by striking out the word "the" before the word "certain"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objections? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,
Will the House agree to the bill on third reading as amended?

It was agreed to.

The SPEAKER. This amendment being a strike out the bill is before the House for consideration.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Dilsheimer,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Fowler, A. I.,
Fratt,
Frazier,
Gelder,
Gibbon,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Richards,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Vickerman,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 955, entitled:

An Act making an appropriation to the legal representative of the estate of Honorable Samuel A. Whitaker deceased elected a Representative in the General Assembly of the Commonwealth from Chester county

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—193.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Miller,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,

Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Wettach,
Wheeler,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Wood, N.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1024, entitled:

An Act to amend section one of an act approved the seventeenth day of July one thousand nine hundred and nineteen (Pamphlet Laws oe thousand twenty-one) entitled "An Act to exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit and instructions of purely charity and repealing prior acts relating thereto" as amended

And said bill having been read at length the third time, considered and agreed.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Gorham,
Goss.
Greeby.
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Little,
Long,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Stofflet,
Stoner,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 973, entitled:

An Act to amend section three of the act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred and seventy-five) entitled "An act to provide for the appointment of county and city inspectors of weights and measurers providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" as amended providing for the disposition of certain fines and imposing additional penalties

On the question,

Will the House agree to the bill on third reading?

Mr. McCAIG. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, page 2, line 3, by striking out the word "which"

Amend section 1, page 2, line 15, by striking out the word "reads" and inserting in lieu thereof is hereby amended to read

Amend section 1, page 2, lines 16 to 20, by striking out lines 16 to 20 both inclusive, and eliminating them from the bill

Amend section 1, page 3, lines 1 to 18, by striking out lines 1 to 18 both inclusive, and eliminating them from the bill

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objections? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1399, (Senate Bill No. 500), entitled:

An Act to amend section one of the act approved the twenty-second day of April, one thousand nine hundred and fifteen, (P. L. 167), entitled "An Act authorizing the Commissioner of Labor and Industry to appoint additional officers and employes in the Department of Labor and Industry; fixing their duties and salaries, and increasing the salaries of the chief medical inspector, chief of the bureau of statistics and information, and the chief clerk;" by providing for additional supervising inspectors.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Albert,
Alexander,
Allman,
Evans, B. P.,
Evans, J.,
Fields,
Lauver,
Little,
Long,
Rippman,
Sarig,
Sautter,

Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Bentley,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Gelder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Harer,
Haws,
Haslett,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hontz,
Hoover,
Howell,
Huber,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kunkle,
Lafferty,
Lucas,
Lynch,
Mack,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McDaniel,
McDermott,
McGowan,
McKim,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rhodes,
Rinn,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Walker,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Wood, N.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—6.

Hollis,
Johnson,
McCurdy,
Moore,
Post,
Williams, J. M.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

QUESTION OF PERSONAL PRIVILLEGE.

Mr. WONER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. WONER. Mr. Speaker, I wish to announce that the Ways and Means Committee will meet at 10:00 o'clock tomorrow morning instead of 2:00 o'clock in the afternoon as was previously announced. All revenue measures before that committee will be promptly and thoroughly considered.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1417, (Senate Bill No. 645), entitled:

A Supplement to an act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Appropriation Act page one hundred and forty-two) entitled "An act making an appropriation to the State Industrial Home for Women at Muncy" reappropriating certain appropriations heretofore made to the State Industrial Home for Women at Muncy

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Fields,
Flinchbaugh,
Fowler, A. I.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Gelder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Mack,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Stavitski,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1390, (Senate Bill No. 461), as follows:

An Act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof

Section 1 Be it enacted by the Senate and house of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person co-partnership association or corporation shall erect construct maintain or operate any dry cleaning or dyeing establishment or business except in accordance with the provisions of this act

For the purposes of this act dry cleaning and dyeing shall be construed to mean the business of cleaning sponging or dyeing cloth feathers any kind of fabrics or textiles by the use of any inflammable volatile liquid or product

Section 2 No person co-partnership association or corporation shall erect maintain construct or operate any dry cleaning or dyeing establishment or business without first obtaining approval from the Bureau of Fire Protection Department of State Police Application for such purpose shall be made upon form prescribed by said Department and shall be accompanied by plans and specifications showing compliance with the requirements of this act as it relates to the construction maintenance and equipment and operation of the dry cleaning and dyeing establishment or business to be erected constructed maintained or operated

No building used for dry cleaning purposes shall be located within ten feet of any other building unless separated therefrom by an unpierced fire wall all rooms or structures used or to be used for the purpose of dry cleaning or dyeing as above defined shall be non-combustible material and construction shall not exceed one story in height shall be without basement cellar or open space below the ground floor No dry cleaning building shall be used for any purpose or occupancy other than dry cleaning dyeing and reclaiming gasoline

Section 3 All walls of such dry cleaning and dyeing rooms or structures shall be of brick laid in cement-mortar or of reinforced concrete not less than twelve inches in thickness or of stone laid in cement-mortar not less than sixteen inches in thickness or of other noncombustible material constructed of a thickness of not less than twelve inches The roof of such building shall be of fire-resistive construction No combustible material shall be permitted in the construction of dry rooms or racks

All windows doors or other openings in dry rooms or dry cleaning buildings shall be protected by wire glass in metal frames or fireproof shutters doors or covers Intercommunicating openings shall be provided with standard self-closing fire doors and there shall be no direct openings between dry cleaning rooms and dry rooms

Venting apertures shall be provided in wash rooms and dry rooms kept clear of obstruction covered by suitable galvanized wire web and in such numbers so as to provide free circulation of air

Sparkless exhaust fan of sufficient size to properly vent room and flue of non-combustible material shall be built into the wall or securely fastened thereto so as to change volume of air every five minutes

All discharge outlets or vent apertures shall be provided with suitable wire screen or equivalent and located without hazard to surrounding property

There shall be no direct sewer connections with dry cleaning or dry rooms or structures and floor of such rooms shall be of concrete construction not lower than surface of earth surrounding wall

Section 4 No steam boiler furnace or steam generator or heating device exposed fire or other spark emitting device shall be permitted in any washing drying or distilling room or in line with vapor travel therefrom

Heating of such buildings or rooms shall be by steam or hot water system or equivalent in safety

Electrical wiring and equipment including motors shall conform to National Electrical Code All artificial lighting shall be by incandescent electric lights of approved type

Transfer of all liquids shall be through continuous piping pipe connections or threaded joints shall be made up litharged and glycerined and all outlets or drain lines shall be drained by gravity to setting or storage tanks No dry cleaning liquid shall be settled in any open or unprotected vessels or tanks provided that nothing in this section shall prohibit scrubbing and brushing in dry cleaning rooms but not more than three gallons of volatile fluid shall be used in any one container and shall be so used in metallic pan or container and such volatile liquid or substance shall be returned to settling or storage tanks as soon as operation is completed

Storage tanks for volatile inflammable liquids shall conform to the standards of the Bureau of Fire Protection Department of State Police and no such tanks shall be installed without approval from said Bureau

Section 5 Fire extinguishers of approved type shall be provided for each two hundred square feet of floor space or when seperate rooms are maintained one extinguisher for each room

As a means of fire extinguishment in any such room or structures the same shall be equipped with steam pipes separate and other than pipes used for heating or power located near the ceiling In these pipes there shall be not less than two openings all of which shall point toward the ceiling The steam supply for such pipes shall be continually available for service while the plant is in operation and shall be sufficient to completely fill the room space in less than one minute An outside screw and yoke valve shall be placed in the steam service line or lines outside of the buildings and shall be accessible for operation in case of fire Where feasible such fire protection system shall be extended and connected to extractors washers and tumblers so that the fire extinguishing agent may be admitted to the interior of such machines An approved system using a fire deterrent chemical or gas may be installed in lieu of a steam extinguishing system

Section 6 Nothing in this act shall be construed so as to restrict or limit the location of any building actually being used for dry cleaning purposes prior to passage of this act except where the fire hazard is in the opinion of the Bureau of Fire Protection of such character as would menance or endanger surrounding property

Nor shall the provisions of this act be held to apply to any building business or establishments now in use so as to cause the same to be rebuilt but should any dry cleaning room or part thereof be reconstructed rebuilt or repaired the same shall as to new work be so reconstructed rebuilt or repaired in conformity with the provisions of this act

Section 7 Any building inspector fire chief or fireman of any community inspector of the Commonweatlh of Pennsylvania or Department of State Police shall be permitted to enter any building or buildings at any reasonable hour for purpose of inspection

Section 8 Any violation of this act shall be deemed a misdemeanor and any person or any member or officer of any co-partnership association or corporation found responsible therefor shall upon conviction be sentenced for the first offense to pay a fine of not less than ten dollars nor more than fifty dollars and for any subsequent offense to pay a fine of not less than one hundred dollars nor more than five hundred dollars or to imprisonment in the county prison for a period not exceeding sixty days or both at the discretion of the court

Section 9 This act shall not be construed to repeal an act of General Assembly approved the eighteenth day of April one thousand eight hundred and sixty-four (Pamphlet Laws four hundred and sixty-five) entitled "An act to provide for the appointment of a Fire Marshal for Allegheny County" nor to repeal an act of General Assembly approved the eighth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred and five) entitled "An act creating the office of Fire Marshal to be attached to the Department of Public Safety in cities of the first class prescribing his duties and powers and providing penalties for violation of the provisions of the act and providing for the method of appointment compensation and for the maintenance of his office"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Albert,
Alexander,
Allman,
Anderson,
Arthur,
Aston,
Baker,
Beaver,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Brown,
Brownmiller,
Burchinal,
Burns,
Chaplin,
Clutton,
Coldsmith,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Gilchrist,
Glasgow,
Goehring,
Gorham,
Goss,
Greeby,
Griffith,
Griffith,
Guerin,
Haas,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
Metcalf,
Millar,
Miller,
Minehart.
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,

Dietz,
Dilsheimer,
Donahue,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gibbon,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Malie,
Mangan,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—3.

Armstrong,
Eaches,
Gelder,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1339, as follows:

An Act prescribing the fees for the office of Secretary of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fees of the Secretary of the Commonwealth for the use of the State shall be as follows

For cerificates with great seal two dollars

Certificate with Secretary's seal one dollar

Taking or filing bond of any public officer two dollars

Taking or filing recognizance of any public officer two dollars

Commission for any state officer who receives salary five dollars

Writ of assistance including great seal five dollars

Commission for any city county or district officer who receives emoluments and pays no taxes on commission five dollars (coroners are by law excepted from this fee)

Commission to take acknowledgment of deeds or other instruments ten dollars

Each search twenty-five cents

Certified copies for each page twenty-five cents

Each commission for justice of the peace or alderman to be collected and paid over to the recorder of deeds three dollars

Requisition for criminals three dollars

Warrants on requisition for criminal three dollars

Approving plans of prisons including certificate and great seal three dollars

Each commission for railroad mining or other police five dollars

Mailing advance sheets of pamphlet laws three dollars

Registering assumed or fictitious names under act of assembly six dollars

Filing statements of cancellation or withdrawal of assumed or fictitious names under act of assembly six dollars

Registering trade marks labels et cetera under act of assembly five dollars

Description of bottles under act of assembly six dollars

Registering union lables under act of assembly six dollars

Filing power of attorney and statement by foreign corporations ten dollars

Filing statement of revocation of agent by foreign corporations five dollars

Filing certificate of change of corporate title by foreign corporation five dollars

Filing statement of change of Pennsylvania office by foreign corporation five dollars

Receiving service of process on foreign corporations two dollars

Letters patent or instrument incorporating any corporation or association thirty dollars

Filing articles of association for railroad or street railway companies and recording the same fifty dollars

Letters Patent or instrument incorporating any insurance company thirty-seven dollars

Filing acceptance of provisions of act of assembly or constitution ten dollars

Filing application for change of name and issuance of certificate twenty dollars

Filing articles of association by cooperative associations including copies twenty-six dollars

Filing proceedings in extension of route by street railway companies twenty dollars

Filing election return authorizing increase or decrease of capital stock or indebtedness or sale of franchises and recording same thirty dollars

Filing report of actual increase or decrease of capital stock or indebtedness or sale of franchises five dollars

Filing each waiver of sixty days' notice five dollars

Filing certificate of change of location of office or date of annual meeting ten dollars

Filing certificate of change of par value of shares ten dollars

Filing agreement of merger or consolidation fifty-five dollars

Filing each Secretary's certificate relating thereto five dollars

Filing proceedings in reorganization thirty dollars

Filing copy of decree of dissolution ten dollars

Filing Treasurer's affidavit of paid up capital stock ten dollars

Filing copy of articles of association limited partnership ten dollars

And equivalent fees for any like services though not herein specified

The Secretary of the Commonwealth shall not be required to receive or file any papers unless the same shall be in accordance with law and accompanied by the proper fee

Section 2 That all fees due the Commonwealth on commissions and bonds forwarded through the offices of the recorders of deeds shall be collected and transmitted by said recorder of deeds for the use of the Commonwealth no commission for such collections shall be allowed

Section 3 That from and after the passage of this act so much of the acts of the General Assembly entitled "An Act prescribing the fees for the office of the Secretary of the Commonwealth" approved April twenty-seventh one thousand eight hundred seventy-one "An Act amending an act entitled 'An Act prescribing the fees for the office of the Secretary of the Commonwealth' approved April twenty-seventh Anno Domini one thousand eight hundred seventy-one providing for the increase of certain fees therein specified" approved twenty-eighth March one thousand eight hundred and seventy-three and that part of section three of the act entitled "An Act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred seventy-four which reads as follows "The Secretary of the Commonwealth shall charge and receive a fee of five dollars upon every paper relating to a corporation filed or recorded in his office and any other acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156.

Albert,
Alexander,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Perry,
Pitts,
Posey,
Raymond,
Richards,
Schilling,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Speiser,

Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Gibbon,
Gilchrist,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Lucas,
Ludlow,
Lynch,
Mack,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
Metcalf,
Moffatt,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
O'Boyle,
Orr,
Parkinson,
Peelor,
Stark,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whiteman,
Williams, G. W.
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—12.

Allman,
Fields,
Glasgow,
Gundy,
Johnson,
Miller,
Post,
Rhodes,
Rippman,
Sautter,
Sheridan,
Stavitski,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 345, as follows:

An Act imposing a State license tax upon public slot machines used for vending weighing telephone or other service amusement entertainment or any other purpose imposing certain powers and duties upon the Auditor General prescribing penalties for the violation of the provisions of this act and providing for the confiscation of certain machines

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "public slot machine" as used in this act shall mean all machines and mechanical devices for vending goods of any kind for determining the weight of persons or things for rendering telephone service or any other service for furnishing amusement or entertainment or for any other object or purpose whatsoever which is set in motion automatically so as to perform its function or the fastening device of which is released so that it may be operated by hand or otherwise by depositing a coin or other article in a slot or other receptacle provided for that purpose or in which the depositing of a coin or other article is the signal for an operator to permit the use of the service desired and which are placed in any place within this Commonwealth to which the public have access

Section 2 An annual State license tax is hereby imposed upon all public slot machines except such as are maintained without profit to the owner lessee or possessor thereof as follows (a) On all public slot machines in which coins of the denomination of one cent or of five cents or both can be dropped or inserted the sum of one dollar (b) On all public slot machines in which coins of the denomination of five cents and over can be dropped or inserted or in which only coins of a denomination greater than five cents can be dropped or inserted the sum of two dollars

Section 3 After December thirty-first one thousand nine hundred and twenty-three it shall be unlawful for any owner lessee or possessor of any public slot machine to maintain or permit to be maintained any such public slot machine or to place or have in any place or position where the same may be operated any such public slot machine unless there is securely attached thereto a license from the Auditor General as hereinafter provided

Section 4 Before January first one thousand nine hundred and twenty-four and before the first day of January of each succeeding year every owner lessee or possessor of every public slot machine shall make application to the Auditor General for a license for each such public slot machine maintained by him which application shall be accompanied by the proper fee such license shall be made of metal and shall have stamped thereon the words "Licensed public slot machine" together with the year for which issued and shall be securely attached in a conspicuous place to the public slot machine for which issued All licenses shall expire on the thirty-first day of December of the year for which issued

Section 5 The application for a license for each public slot machine shall be made separately on a blank to be provided for that purpose by the Auditor General In cases however where application is made by any one person for licenses for a number of public slot machines of the same make and charter and devoted to the same purposes one application shall be considered sufficient for any number of such public slot machines or devices Such application shall in each case specify the character of the public slot machine for which the license is requested together with the purpose to which it is devoted.

Section 6 All moneys collected or received by the Auditor General for such licenses shall be immediately covered into the State Treasury

Section 7 Every owner lessee or possessor of any public slot machine who shall maintain or permit any such public slot machine to be maintained or who shall place or have in any position or place where the same may be operated any such public slot machine without the license required ceeding be sentenced to pay a fine not exceeding twenty-five by this act shall upon conviction thereof in a summary proceeding be sentenced to pay a fine not exceeding twenty-five dollars for each offense Each public slot machine maintained contrary to the provisions of this act shall constitute a separate offense

Section 8 This act shall not be construed to permit the licensing or operation of any gambling machine or device or any other machine or device the use of which is now prohibited by law

Section 9 All public slot machines maintained contrary to the provisions of this act shall be confiscated by the local police authorities or constable

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. JEFFERSON W. SMITH. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. HOWARD SMITH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1226, entitled:

An act to amend section three hundred and three of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting revenue and repealing all laws general special or local or parts thereof that are or may be "inconsistent therewith" as amended

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163.

Albert,
Alexander,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, J.,
Flinchbaugh,
Fowler, A. I.,
Fratt,
Frazier,
Gibbon,
Gilchrist,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haines,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
McVicar,
Metcalf,
Miller,
Minehart,
Moffat,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Soffel,
Sowers,
Spangler,
Speiser,
Stark,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 428, entitled:

An Act to amend section one of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred and sixty-eight) entitled "An act relating to police pension funds in cities of the third class and directing such cities to appropriate certain moneys thereto"

On the question.

Will the House agree to the bill on third reading?

Mr. BIDELSPACHER, Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend page 2, line 1, by striking out the words "equal to"

Amend page 2, line 2, by inserting after the word "centum" and before the word "of" the words "nor more than one percentum"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objections? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 967, entitled

An Act to amend on act approved the twentieth day of April one thousand nine hundred and five (Pamphlet Laws two hundred thirty-seven) entitled "An Act to provide for the repair and maintenance or improvement by the proper county city or borough of turnpikes hertofore or hereafter appropriated or condemned or any part thereof for public use free tolls" as amended providing for the maintenance and repair of abandoned turnpikes of dissolved companies by the several townships cities and bor ughs

And said bill having been read at length the third time, considered and agreed to.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Gorham,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haines,
Harter,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
McKim,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Sample,
Sarig,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Walker,
Weamer,
Wettach,
Wheeler,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1058, entitled

An Act authorizing cities and boroughs to appropriate moneys to organizations of veterans to assist in paying rent

And said bill having been read at length the third time, considered and agreed to.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—170.

Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Brenneman,
Brewster,
Bromley,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Fowler, A. I.,
Fratt,
Frazier,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Gundy,
Haas,
Haines,
Harter,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Lynch,
Mack,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.
Mathay,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Conner,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Fields,
Flinchbaugh,
Flynn,
Hontz,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Schaeffer,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

ADJOURNMENT.

Mr. LUDLOW. Mr. Speaker, I move that this House do now adjourn until 11:00 o'clock tomorrow morning.

The motion was agreed to, and (at 11:20 o'clock P. M.) the House adjourned until tomorrow morning at 11:00 o'clock

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

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Vol. 7. HARRISBURG, PA., WEDNESDAY, APRIL 25, 1923. No. 46.

SENATE

WEDNESDAY, APRIL 25, 1923.

The Senate met at 10:00 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the Chair.

PRAYER.

The Acting Chaplain, Rev. Robert Bagnell, D. D., offered the following prayer:

Almighty and most merciful God, unto whom all hearts are open and all desires known, and from whom no secrets are hid, cleanse the thoughts of our hearts by the inspiration of Thy Holy Spirit that we may perfectly love Thee and worthily magnify Thy holy name. We thank Thee for Thy mercy and loving kindness; we thank Thee for the opportunity that is ours, that the men who lived and labored before have made possible our day. They have bequeathed to us great responsibilities, they have bequeathed great opportunities. We are weak and in our own strength are unable to measure up. Grant, O God, our Father, to help us to see things through the long perspective, help us to get the point of view of Calvary and Sinai, and help us to realize that God Almighty is profoundly interested in what we are undertaking to do. Bless this Legislative body, this body of men, bless the other House, bless our Governor, bless our State, help us to be a people whose God is the Lord. We ask in Jesus name. Amen.

JOURNAL APPROVED.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal was approved.

REPORTS FROM COMMITTEES.

Mr. SCHANTZ, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 390, entitled:

An Act creating the "Anthracite Mine Cave Fund" appropriating a portion of the State Tax on anthracite coal to the use of the Pennsylvania State Anthracite Mine Cave Commission and imposing duties upon the State Treasurer and Auditor General.

Also from the Committee on Appropriations, re-reported as amended, Senate Bill No. 391, entitled:

An Act creating the "Anthracite Municipalities Fund" appropriating pro rata according to population a portion of the tax on anthracite coal to the use of the cities boroughs and townships from which the anthracite coal tax was removed in course of mining and imposing duties upon the State Treasurer and Auditor General.

Also from the Committee on Appropriations, re-reported as amended, Senate Bill No. 699, (House Bill No. 857), entitled:

An Act providing for the lapsing of unexpended or unencumbered balances of appropriations.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 921, (House Bill No. 454) entitled:

An Act providing for the examination of the Locust Mountain Memorial Hospital of Shehandoah Pennsylvania, providing for the transfer thereof to the Commonwealth and for its management thereafter and making an appropriation.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1009, (House Bill No. 787), entitled:

An Act making a deficiency appropriation to the Cottage State Hospital of Philipsburg Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1015, (House Bill No. 306), entitled:

An Act making a deficiency appropriation to the State Hospital for the Criminal Insane at Farview, Pennsylvania.

Mr. MILLER, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 1011, (House Bill No. 1078), entitled:

An Act to amend section twelve of the act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and thirty-nine) entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" providing for re-hearings in cases where licenses have been suspended or revoked and for the reinstatement of licensees in certain cases.

Mr. CLARK, from the Committee on Banks and Building and Loan Associations, reported as amended, Senate Bill No. 101, entitled:

An Act for the registration and regulation of certain individuals and entities selling, offering for sale or delivery soliciting subscriptions to or orders for disposing or undertaking to dispose of inviting offers for or inquiries about or dealing in any manner in securities defined herein conferring powers and imposing duties on the Commission of Banking and otherwise providing for the administration of this act, prescribing penalties and making an appropriation.

Mr. MANSFIELD, from the Committee on Public Health and Sanitation, reported as amended, Senate Bill No. 515, entitled:

An Act to regulate and standardize the manufacture and sale of clinical thermometers and to provide a penalty.

Mr. NORTON, from the Committee on Legislative Apportionment, reported as committed, (Senate Bill No. 844, (House Bill No. 924), entitled:

An Act to amend part of section one of an act aproved the the tenth day of May, 1921, (P. L. 455), entitled "An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representatives districts as provided by the Constitution."

Mr. BROWN, from the Committee on Public Health and Sanitation reported as committed, Senate Bill No. 554, entitled:

An Act to amend section twelve of the act approved the third day of June, one thousand nine hundred and eleven, (P. L. 639), entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction; and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act; and providing for revocation or suspension of licenses given by said bureau; and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith;" providing for the reinstatement of licensees in certain cases.

Mr. BETTS, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 929, (House Bill No. 715), entitled:

An Act to amend section eighteen of an act approved the seventh day of June Anno Domini one thousand nine hundred and fifteen (P. L. 900) entitled "An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvanoa by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicines and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" by requiring that parents be notified of the registration of birth certificates

Mr. BUCKMAN, from the Committee on Corporations, re-reported as amended, Senate Bill No. 355, (House Bill No. 206), entitled:

An act to further amend section three of the act approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued" as amended providing for the impounding of property where an affidavit is filed before issuing of the writ

Mr. HARRIS, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 990, entitled:

An Act to preserve the purity of the sources of public water supplies hereafter approved authorizing the Advisory Board of the Department of Health to make orders and regulations therefor and the Commissioner of Health to enforce the same providing penalties for violation thereof and for abatement of nuisances by injunction.

Mr. BALDWIN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 547, (House Bill No. 652), entitled:

An Act relating to suits against and services of process upon corporations organized and existing under the laws of the Commonwealth of Pennsylvania ceasing to do business or ceasing to maintain an office within the Commonwealth and the effect of such service.

Mr. MacDADE, from the Committee on Exposition Affairs reported as committed, Senate Bill No. 504, entitled:

An Act making an appropriation to the Sesqui-Centennial Exhibition Association, situated in the City of Philadelphia, State of Pennsylvania.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 738, entitled:

An Act to amend sections one, four, eight, thirteen and fifteen, and to repeal sections five and six of the act approved the seventh day of June, 1887, (P. L. 365), entitled "An act to encourage and authorize the formation of cooperative associations, productive and distributive, by farmers, mechanics, laborers, or other persons;" providing for the formation of such associations by five or more natural or legal persons; eliminating the provisions with regard to the giving of credit and the sale and leasing of real estate, and the clause requiring the keeping posted of a balance sheets for three months.

Mr. BARR, (By request of Mr. Salus), from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 520, (House Bill No. 212), entitled:

An Act to amend sections fourteen and sixteen of article six chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs."

Mr. LONG, from the Committee on Public Printing, reported as amended, Resolution of the House of Representatives, authorizing the printing of additional copies of Senate Bill No. 99.

Also from the Committee on Education, reported as committed, Senate Bill No. 702, entitled:

An Act to amend section twelve of the act approved the eighteenth day of July, one thousand nine hundred and seventeen, (P. L. 1043), entitled "An Act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," as amended.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 664, (House Bill No. 540), entitled:

An act prohibiting persons from concealing changing or destroying manufacturers' serial numbers or identification marks upon machines or apparatus or from knowingly having any such machine in the possession and prescribing penalties for violation thereof.

Mr. WOODWARD, from the Committee on Judiciary General, reported as committed, Senate Bill No. 973, entitled:

An Act creating the office of controller in counties of the sixth class; prescribing his powers and duties imposing certain duties upon county commissioners and county treasurers; and abolishing the office of county auditor, and the office of auditor appointed by the Court of Common Pleas to audit accounts of certain county officers.

Mr. CULBERTSON, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 393, entitled:

An act to amend sections forty-three, forty-four, forty-five and fifty of article seventeen, chapter six of the act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled "An act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

Mr. MacDADE, from the Committee on Municipal Affairs, reported as amended, Senate Bill No. 639, entitled:

An Act to further amend the act approved the twenty-seventh day of April one thousand nine hundred and nine (Pamphlet Laws two hundred and fifty-eight) entitled "An act authorizing the employment of stenographers by the district attorney of certain counties" as amended extending said act to counties of the fourth class and fixing the salaries of said tsenographers.

Mr. BARR, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 855, (House Bill No. 1153), entitled:

An act to relieve life tenants of land from the payment of taxes on the underlying veins of coal which they have no right to operate and providing that such coal shall be assessed to and the taxes thereon paid by the owner of said veins of coal.

BILLS INTRODUCED.

Mr. BARR, read in his place and presented to the Chair Senate Bill No. 1018, entitled:

A Joint Resolution proposing an amendment to section seven of article three of the Constitution of Pennsylvania.

Which was committed to the Committee on Judiciary General.

Mr. WOODWARD, read in his place and presented to the Chair Senate Bill No. 1019, entitled:

An act to amend section two of the act approved the twenty-eighth day of June, one thousand eight hundred and ninety-five, (P. L. 408), entitled "A Supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance Companies to the treasurers of the several cities and boroughs within this Commonwealth," as amended.

Which was committed to the Committee on Insurance.

Mr. BALDWIN read in his place and presented to the Chair Senate Bill No. 1020, entitled:

An act to amend an act approved 1923, entitled "An Act imposing a state tax on Liquid Fuels, including all liquids, ordinarily, practically and commercially useable in internal combustion engines for the generation of power, and all distillates of and condensates from petroleum, natural gas, coal, coal tar and vegetable ferments, to be paid by distributors as herein defined providing for the collection of such tax and for the distribution and use of the revenues derived therefrom providing for the filing of certificates and reports of the sale of such liquid fuels and the collection of such tax and fixing penalties."

Which was committed to the Committee on Finance.

BILL OVER IN ORDER.

Mr. SCHANTZ. Mr. President, I ask that Senate Bill No. 267, on final passage, entitled:

An Act relating to the collection of city county school poor and other taxes in the several cities of the third class in this Commonwealth providing that the city treasurer of each of said cities shall be the collector of the said several taxes prescribing his duties providing for his compensation authorizing him to appoint deputy collectors and clerks and providing for their compensation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 495, as follows:

An Act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties

Definitions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

(1) "Retirement System" shall mean the arrangement for the payment of retirement allowances under the provisions of this act

(2) "Retirement Association" shall mean the State employes' retirement association provided for in section three of this act

(3) "Retirement Board" shall mean the State employes' retirement board provided for in section four of this act

(4) "Secretary of State" shall mean the Secretary of State of the Commonwealth of Pennsylvania

(5) "Treasurer" shall mean the Treasurer of the Commonwealth of Pennsylvania

(6) "State employe" shall mean any person holding a State office under the Commonwealth of Pennsylvania or employed by the State government of the Commonwealth of Pennsylvania in any capacity whatsoever But the term "State employe" shall not include judges and it also shall not include those persons defined as employes in section one paragraph seven of the act approved the eighteenth day of July nineteen hundred seventeen (Pamphlet Laws one thousand forty-three) entitled An Act Establishing a Public School Employes' Retirement System as amended by section one paragraph seven of the act approved the twenty-first day of April nineteen hundred twenty-one (Pamphlet Laws two hundred fifty-five) In all cases of doubt the retirement board shall determine whether any person is a State employe as defined in this paragraph and its decision shall be final

7 "Head of the department" as applied to State employes shall mean the head of the department or branch of service not a department of the Commonwealth of Pennsylvania of which the State employe is a member

8 "Member" of the retirement association shall mean a State employe who shall be a member of the retirement association established by this Act

9 "Original member" of the retirement association shall mean a State employe who shall have become a member of the retirement association on or before the thirty-first day of December nineteen hundred twenty-four But the retirement board may in its discretion extend the time during which a State employe may become an original member to a period not exceeding two years from the date of the establishment of the retirement system

10 "New member" of the retirement association shall mean a State employe who shall have become a State employe and member of the retirement association at a date subsequent to the thirty-first day of December nineteen hundred twenty-four

11 "Contributor" shall mean any person who has an account in the annuity savings fund

12 "Beneficiary" shall mean any person in receipt of a retirement allowance or other benefit as provided in this act

13 "Prior service" shall mean all service completed not later than the thirty-first day of December nineteen hundred twenty-three

14 "Disability Retirement" shall mean retirement as defined in section twelve of this act

15 "Superannuation Retirement" shall mean retirement as defined in section thirteen of this act

16 "Superannuation Retirement Age" shall mean as applied to State employes sixty-two years of age

17 "Final Salary" shall mean the average annual salary earnable by a contributor as a State employe for the ten years of service immediately preceding retirement

18 "Accumulated Deductions" shall mean the total of the amounts deducted from the salary of a contributor and credited to his or her individual account in the annuity savings fund together with the regular interest thereon

19 "Regular Interest" shall mean interest at four per cent per annum compounded annually

20 "State Annuity" shall mean payments for life derived from contributions made by the Commonwealth of Pennsylvania as provided in this act

21 "Member's Annuity" shall mean payments for life derived from contributions made by the contributor as provided in this act

22 "Retirement Allowance" shall mean the State annuity plus the member's annuity

23 "State Annuity Reserve" shall mean the present value computed on the basis of such mortality tables as shall be adopted by the retirement board with regular interest of the future payments to be made on account of any State annuity granted and based on contributions made by the Commonwealth of Pennsylvania

24 "Member's Annuity Reserve" shall mean the present value computed on the basis of such mortality tables as shall be adopted by the retirement board with regular interest of the future payments to be made on account of any member's annuity granted and based on the accumulated deductions of the contributor

25 "Expense Fund" shall mean the fund provided for in paragraph number two in section eight of this act

26 "Contingent Reserve Fund" shall mean the fund provided for in paragraph number three in section eight of this act

27 "State Annuity Reserve Fund" shall mean the fund provided for in paragraph number four in section eight of this act

28 "State Annuity Reserve Fund Number Two" shall mean the fund provided for in paragraph number five in section eight of this act

29 "Member's Annuity Savings Fund" shall mean the fund provided for in paragraph number six in section eight of this act

30 "Member's Annuity Reserve Fund" shall mean the fund provided for in paragraph number seven in section eight of this act

Retirement System

Section 2 The retirement system shall be established on the first day of January nineteen hundred twenty-four

State Employes' Retirement Association

Section 3 A State employes' retirement association is hereby organized the membership of which shall consist of all State employes as defined in paragraph six of section one of this act who by written application to the retirement board shall either as an original member or a new member elect to be covered by the retirement system

The Retirement Board

Section 4 (1) Within sixty days following the enactment of this law a retirement board shall be constituted which shall consist of the following

(a) The Secretary of State
(b) The Treasurer of the Commonwealth
(c) One member who shall be appointed by the Governor of the Commonwealth of Pennsylvania who shall serve until his successor is appointed
(d) Two members of the retirement association elected from among their number in a manner to be approved by those persons named in paragraphs (a) (b) and (c) of this section—one to serve for one year one for two years and whose successors shall be elected for a term of three years from among the members of the retirement association in a manner to be approved by the retirement board

A vacancy occuring during a term shall be filled for the unexpired term by the appointment of a successor in the same manner as his or her predecessor Until the establishment of the retirement association and the election of two representatives therefrom the persons named in paragraphs (a) (b) and (c) of this section are empowered to perform the duties of the retirement board

(2) The members of the retirement board shall serve without compensation but shall be reimbursed from the expense fund for any necessary expenditures and no contributor shall suffer loss of salary or wages through serving on the retirement board

(3) The retirement board shall elect from its membership a chairman and shall appoint a secretary an actuary and such medical clerical and other employes as may be necessary

(4) The compensation of all persons employed by the retirement board shall be fixed by said retirement board

(5) Subject to the limitations of this act and of law the retirement board shall from time to time establish rules and regulations for the administration of the funds created by this act and for the transaction of its business

(6) The retirement board shall keep in convenient form such data as shall be necessary for actuarial valuation of the various funds created by this act

(7) In the years nineteen hundred twenty-seven and nineteen hundred thirty and in every fifth year thereafter the actuary of the retirement board shall make an actuarial investigation into the mortality and service experience of the contributors and beneficiaries as defined in this act and shall make a valuation of the various funds created by this act and on the basis of such investigations and valuation the retirement board shall—

(a) Adopt for the retirement system one or more mortality tables and such other tables as shall be deemed necessary

(b) Certify the rates of deduction from salary necessary to pay the annuities authorized under the provisions of this act and

(c) Certify the rates of contribution expressed as a percentage of salary of new members at various ages which shall be made by the Commonwealth to the contingent reserve fund

(8) Immediately after the passage of this act the actuary of the retirement board shall make such investigation of the mortality service and salary experience of the State employes as he shall recommend and the retirement board shall authorize for the purpose of determining upon the proper tables to be prepared and submitted to the retirement board for adoption On the basis of such investigation and recommendation the retirement board shall adopt such tables and certify such rates as are required in subsections (a) (b) and (c) of paragraph seven immediately preceding On the basis of such tables the actuary of the retirement board shall immediately after the first day of January nineteen hundred twenty-four make a valuation of the various funds created by this act

(9) The retirement board shall publish annually a report showing the condition of the various funds created by this act and setting forth such other facts recommendations and data as may be of use in the advancement of knowledge concerning State employes' pensions and annuities and said retirement board shall submit said report to the Governor of the Commonwealth of Pennsylvania and shall file copies in the offices of the Secretary of State of the State Insurance Department and of the head of each department for use of the State employes and the public

(10) Each member of the retirement board shall take an oath of office that he or she will so far as it devolves upon him diligently and honestly administer the affairs of said retirement board and that he or she will not knowingly violate or wilfully permit to be violated any of the provisions of law applicable to this act Such oath shall be subscribed by the member making it and certi-

fied by the officer before whom it is taken and shall be immediately filed in the office of the Secretary of State

(11) The retirement board shall keep a record of all its proceedings which shall be open to inspection by the public

(12) The retirement board shall perform such other functions as are required for the execution of the provisions of this act

Corporate Powers

Section 5 For the purpose of this act the retirement board shall possess the powers and privileges of a corporation The Attorney General of the Commonwealth of Pennsylvania shall be the legal adviser of said retirement board

Management of Funds

Section 6 (1) The members of the retirement board shall be the trustees of the several funds created by this act and shall have exclusive control and management of the said funds and full power to invest the same subject however to all the terms conditions limitations and retrictions imposed by this act upon the making of investments and subject also to the terms conditions limitations and restrictions imposed by law upon savings-banks in the making and disposing of their investments and subject to like terms conditions limitations and restrictions said trustees shall have full power to hold purchase sell assign transfer or dispose of any of the securities and investments in which any of the funds created by this act shall have been invested as well as of the proceeds of said investments and of any moneys belonging to said funds

(2) The retirement board shall annually allow regular interest on the mean amount for the preceding year in each of the funds created in accordance with the provisions of this act with the exception of the expense fund The amount so allowed shall be due and payable to such funds and shall be annually credited thereto by the retirement board

(3) The Treasurer of the Commonwealth shall be the custodian of the several funds created by this act

(4) All payments from the funds created by this act shall be made by the Treasurer of the Commonwealth only upon warrant signed by the chairman of the retirement board and countersigned by the secretary of the retirement board and no warrant shall be drawn except by order of the retirement board duly entered in the record of its proceedings

(5) For the purpose of meeting disbursements for annuities and other payments in excess of the receipts there may be kept an available fund not exceeding ten per centum of the total amount in the several funds created by this act on deposit in any bank or banks in this Commonwealth organized under the laws thereof or under the laws of the United States or with any trust company or companies incorporated by any law of this Commonwealth provided said bank or trust company or companies shall furnish adequate security for said funds and provided that the sum so deposited in any one bank or trust company shall not exceed twenty-five per centum of the paid-up capital and surplus of said bank or trust company

(6) Except as herein provided no trustee or any person connected with the retirement board shall have any interest direct or indirect in the gains or profits of any investments made by the retirement board nor as such directly or indirectly receive any pay or emoluments for his or her services and no trustee or person connected with said retirement board directly or indirectly for himself or herself or as an agent or partner of others shall borrow any of its funds or deposits or in any manner use the same except to make such current and necessary payments as are authorized by the retirement board nor shall any trustee or person connected with said retirement board become an endorser or surety or become in any manner an obligor for moneys loaned by or borrowed of said retirement board

(7) By the name of "The State Employes' Retirement System" all of the business of the system shall be transacted all of its funds invested all warrants for money drawn and payments made and all of its cash and securities and other property shall be held

Duties of Heads of Departments

Section 7 (1) Within four months after this bill becomes a law the head of each department shall submit to the retirement board a statement showing the name sex title compensation duties date of birth and length of service as a State employe of every State employe under his department

(2) The head of each department shall upon the employment or entering into office of any State employe inform such person of the retirement system hereby established and of his opportunity to become a member of the retirement association

(3) The head of each department shall on the first day of each calendar month notify the retirement board of the employment or the entering into office of new State employes and shall submit to the board a statement showing the name sex title compensation duties and date of birth of each of such new State employes and shall also notify the board at the same time of all removals withdrawals and changes in salary of any members of the retirement association which shall have occurred during the preceding month But this system of monthly notification need not be begun until after the submission by the head of the department of the statement provided for in paragraph one of this section

(4) Under the direction of the retirement board the head of each department shall funrish such other information and shall keep such records as the board may require in the discharge of its duties

(5) The head of each department shall cause to be deducted on each and every pay-roll of a contributor for each and every pay-roll period subsequent to December thirty-first nineteen hundred twenty-three such percentum of the total amount of salary earnable by the contributor in such pay-roll period as shall be certified to the head of each department by the retirement board as proper in accordance with the provisions of this act In determining the amount earnable by a contributor the retirement board may consider the rate of salary payable to such contributor on the first day of each regular pay-roll period as continuing throughout such pay-roll period and it may omit salary deductions for any period less than a full payroll period in cases where the member was not a contributor on the first day of the regular pay-roll period and to faciliate the making of the deductions it may modify the deduction required of any contributor by such amount as shall not exceed one-tenth of one per centum of the salary upon the basis of which the deduction is to be made The deduction provided herein shall be made notwithstanding that minimum salaries or other compensation provided for by the laws rules or regulations of the Commonwealth shall be thereby reduced The head of each department shall certify to the Treasurer of the Commonwealth on account of each and every pay-roll of a contributor a statement as voucher for the amounts so deducted and shall send a duplicate of such statement to the Secretary of the retirement board

(6) The Treasurer of the Commonwealth on receipt from the heads of the departments of the vouchers for deductions from the salaries of members provided for in paragraph five of this section shall pay each of the amounts so deducted into the members' annuity savings fund and he shall transmit to the secretary of the retirement board monthly or at such less frequent intervals as the retirement board shall designate a detailed statement of all amounts so paid in and credited by him to the members' annuity savings fund The secretary of the retirement board shall cause each of such amounts so deducted to be credited in the members' annuity savings fund together with regular interest to an individual account of the member from whose compensation the deduction was made

Funds

Section 8 (1) The funds created hereby are—the expense fund the contingent reserve fund State annuity reserve fund State annuity reserve fund number two the members' annuity savings fund and the members' annuity reserve fund

(2) The expense fund shall consist of such amounts as shall be paid by the Commonwealth on the basis of estimates submitted by the retirement board to defray the expenses of the administration of this act exclusive of the payment of retirement allowance and of the other benefits provided for in this act

(3) In the month of January nineteen hundred and twenty-six for a period covering the twelve months next

preceding and semi-annually thereafter covering the six months next preceding the Commonwealth of Pennsylvania shall pay into a fund to be known as the contingent reserve fund on account of each new member of the retirement association who was a contributor for one or more months of such respective periods such amount as shall be certified by the retirement board as necessary to provide by such method of payment during the prospective service as State employe of such new member the State annuity reserve required at the time of retirement for the disability or superannuation State annuity allowable by the said Commonwealth under the provisions of this act or required at the time of discontinuance of service under paragraph four of section eleven of this act and the sums due from the State to meet payments as provided for in paragraph five of section eleven of this act to widows and minor children of deceased contributors who were new members The amount so certified by the retirement board shall be computed to bear a ratio to the salary earnable by such new member during the period for which the amount is certified which shall remain constant during his or her entire period of prospective active service and shall be based on such mortality and other tables as shall be adopted by the retirement board and on regular interest

(4) Upon the retirement of a new member an amount equal to his or her State annuity reserve shall be transferred from the contingent reserve fund into a fund to be known as State annuity reserve fund His or her State annuity shall be paid from said State annuity reserve fund Should said new member be subsequently restored to active service his or her State annuity reserve shall thereupon be transferred from State annuity reserve fund to the contingent reserve fund Should the State annuity of any such new member be otherwise reduced or discontinued in accordance with the provisions of this act his or her State annuity reserve or such proportionate part of his or her State annuity reserve as corresponds to the amount of the reduction of his or her State annuity shall be transferred from State annuity reserve fund to the contingent reserve fund

(5) The actuary after making the first valuation required shall determine the present value of the liability on account of all State annuities payable to original members and on account of the sums which shall be due from the State to meet payments as provided for in paragraph five of section eleven of this act to widows and minor children of deceased contributors who were original members and the percentage of the total compensation paid to all members during the preceding year which is equivalent to one twenty-fifth of the said liability The Treasurer shall pay into a fund to be known as State annuity reserve fund number two annually beginning with the month of June nineteen hundred twenty-five and until the accumulated reserve equals the present value of said liability the amount as certified to him by the retirement board which shall be equal to the percentum determined in accordance with this section of the total compensation paid to all members for service during the preceding year Each annual payment shall be at least three percentum greater than the preceding annual payment Provided That in every case the amount shall be sufficient when combined with that in the fund to provide the pensions payable by the Commonwealth during the year then current to original members then retired or to be retired as provided in this act Upon the retirement of an original member his or her State annuity shall be paid from State annuity reserve fund number two

(6) The members' annuity savings fund shall consist of the accumulated deductions from the salaries of contributors made under such rules and regulations as the retirement board shall prescribe as follows

From the salary of each member who is a contributor there shall be deducted such per centum of his or her earnable salary as shall be computed to be sufficient with regular interest to procure for him or her on superannuation retirement a member's annuity equal to one one-hundred-sixtieth (1-160) of his or her final salary for each year of service after the thirty-first day of December nineteen hundred twenty-three except that if the deduction so computed shall exceed five per centum of his or her earnable salary and the member shall so elect there shall be deducted five per centum of his or her earnable salary And further provided That a beneficiary restored to service shall not be required to contribute at a per centum rate of his or her earnable salary which is greater than the per centum thereof which he or she was required to contribute prior to his or her retirement The rate per centum of said deduction from salary shall be based on such mortality and other tables as the retirement board shall adopt together with regular interest and shall be computed to remain constant during the prospective service of the contributor

(7) Upon the retirement of a contributor his or her accumulated deductions shall be transferred from the members' annuity savings fund to a fund to be known as the members' annuity reserve fund His or her member's annuity shall be paid out of said members' annuity reserve fund Should said contributor be subsequently restored to active service his or her member's annuity reserve shall thereupon be transferred from the members' reserve fund to the members' annuity savings fund

(8) No contributor shall be required to continue to contribute to the members' annuity savings fund after he or she shall have become eligible for superannuation retirement if he or she shall have already completed ten years of service all contributions made thereafter to said fund shall be voluntary

State Guaranty

Section 9 Regular interest charges payable the creation and maintenance of reserves in the contingent reserve fund and the maintenance of members' annuity reserves and State annuity reserves as provided for in this act and the payment of all retirement allowances and other benefits granted by the retirement board under the provisions of this act are hereby made obligations of the Commonwealth of Pennsylvania All income interest and dividends derived from deposits and investments authorized by this act shall be used for the payment of the said obligations of the Commonwealth The retirement board shall prepare and submit to the Legislature on or before the thirty-first day of January in each odd numbered year an itemized estimate of the amounts necessary to be appropriated by the Commonwealth to the various funds to complete the payment of the said obligations of said Commonwealth accruing during the biennium beginning June first of the same year and it shall be the duty of said Legislature to make an appropriation sufficient to provide for such obligations of the Commonwealth and the mounts so appropriated shall be included in the general appropriation bill and shall be paid by the Treasurer of the Commonwealth into the various funds created by this act For the biennium beginning June first nineteen hundred twenty-three there is hereby appropriated to the expense fund created by section eight paragraph two of this act such sum not to exceed fifty thousand dollars as shall be certified to the Treasurer of the Commonwealth by the retirement board as necessary to meet the expense of establishing the retirement system constituted by the provisions of this act

Service Allowance

Section 10 In computing the length of service of a contributor for retirement purposes under the provisions of this act full credit shall be given to each original member by the retirement board for each year of prior service as a State employe as defined in section paragraph six and thirteen of this act As soon as practicable after each original member shall have joined the retirement association the retirement board shall issue to him or her a certificate certifying to the aggregate length of his or her prior service Such certificate shall be final and conclusive as to his or her prior service unless thereafter modified by the retirement board within two years from its issue either upon application by the member or upon its own initiative The time during which a State employe is absent without pay shall not be counted in computing the prior service or the average salary of a contributor unless allowed by the head of the department in which said contributor served at the time said leave of absence was granted and further unless said allowance shall be approved by the retirement board

Withdrawal

Section 11 (1) Should a contributor by resignation or dismissal or for any other reason than death or retirement upon disability under section twelve or for superannuation under section thirteen cease to be a State employe or should such contributor legally withdraw from the retirement system he or she shall be paid on demand (a) the full amount of the accumulated deductions standing to the credit of his or her individual account in the annuity savings fund or in lieu thereof should he or she so elect (b) an annuity or a deferred annuity which shall be the actuarial equivalent of said accumulated deduction His or her membership in the retirement association shall thereupon cease

(2) A contributor shall be considered as legally withdrawing from the retirement association within the meaning of this act when he shall notify the retirement board by written communication of his intention to withdraw

(3) Should a State employe so separated from his service as State employe return within three years and restore to the annuity savings fund his or her accumulated deductions as they were at the time of his or her separation the annuity rights forfeited by him or her at that time shall be restored and his obligations as a member of the retirement association shall begin again

(4) Should a member be discontinued from service not voluntarily after having completed ten years of total service he shall be paid as he may elect as follows

(a) The full amount of the accumulated deductions standing to the credit of his or her individual account in the annuity savings fund or

(b) An annuity of equivalent actuarial value to his accumulated contributions and in addition a State annuity beginning immediately having a value equal to the present value of a State annuity beginning at the retirement age of one-one hundred sixtieth (1-160) of his final salary multiplied by the number of years of prior service plus one-one hundred sixtieth (1-160) of his final salary multiplied by the number of his years of service as a member

(5) Should a contributor die before retirement his or her accumulated deductions shall be paid to his or her estate or to such person as he or she shall have nominated by written designation duly executed and filed with the retirement board If a contributor so dying before retirement shall have completed at least five years of service as State employe the retirement board shall in addition pay to his widow a sum equal to one-half (1-2) of the salary earnable by the contributor during his final year of service and in addition the retirement board shall pay to the widow an additional sum equal to one-fifth (1-5) of the salary so earnable by the contributor for each of his children under the age of eighteen years If the contributor shall leave no widow an equivalent sum shall be paid to the children under the age of eighteen years But the whole sum so paid to the widow or to the children shall not be greater than the whole salary earnable by the contributor during his final year of service

Disability Retirement

Section 12 Retirement upon disability shall be made and discontinued as follows:

(1) Upon the application of a contributor or of one acting in his or her behalf or upon the application of the head of his department the retirement board shall retire said contributor on a disability allowance if he or she is under the superannuation retirement age and on a superannuation allowance if he or she has attained or passed such age provided the physician or physicians designated by the retirement board after a medical examination of said contributor made at the place of residence of such contributor or at a place mutually agreed upon shall certify to the retirement board that said contributor is physically or mentally incapacitated for the performance of duty and that said contributor ought to be retired and Provided further That said contributor has had five or more years of service as a State employe

(2) Once each year the retirement board may require any disability annuitant while still under the superannuation retirement age to undergo medical examination by a physician or physicians designated by the retirement board said examination to be made at the place of residence of said beneficiary or other place mutually agreed upon Should such physician or physicians thereupon report and certify to the retirement board that such disability beneficiary is no longer physically or mentally incapacitated for the performance of duty or that such disability beneficiary is able to engage in a gainful occupation and should the retirement board concur in such report then the amount of the State annuity shall be discontinued or reduced to an amount that shall not be in excess of the amount by which the amount of last year's salary of the beneficiary as a State employe exceeds his present earning capacity

(3) Should any disability annuitant while under the superannuation retirement age refuse to submit to at least one medical examination in any year by a physician or physicians designated by the retirement board his or her State annuity shall be discontinued until the withdrawal of such refusal and should such refusal continue for one year all his or her rights in and to the State annuity constituted by this act shall be forfeited

(4) Upon the application of any beneficiary under the superannuation retirement age drawing a disability retirement allowance under the provisions of this act said beneficiary may be restored to active service by the head of the department in which he or she served at the time of his or her retirement Upon the restoration of a beneficiary to active service his or her retirement allowance shall cease and he or she shall resume membership in the retirement association

Allowance on Disability Retirement

(5) On retirement for disability a contributor shall receive a retirement allowance which shall consist of

(a) A member's annuity which shall be the actuarial equivalent of his or her accumulated deductions and

(b) A State annuity which together with the member's annuity shall be sufficient to produce a retirement allowance of one-ninetieth (1-90) of his or her final salary multiplied by the number of his or her years of service but in any case not less than thirty per centum of said final salary unless said thirty per centum shall exceed eight-ninths of the rate of retirement allowance to which the member might have been entitled had retirement been deferred until the superannuation retirement age then the State annuity granted shall be such as to make the rate of the total retirement allowance equal to eight-ninths of the rate of allowance to which the member might have been entitled had retirement been deferred until the superannuation retirement age

Superannuation Retirement

Section 13 1 Retirement for superannuation shall be as follows

(1) Any contributor who has reached the superannuation retirement age may retire for superannuation by filing with the retirement board a written statement duly attested setting forth at what time subsequent to the execution of said application he or she desires to be retired Said application shall retire said contributor at the time so specified or in the discretion of the retirement board at the end of the year in which the time so specified occurs

(2) Each and every contributor who is a State employe who has attained or shall attain the age of seventy years shall be retired by the retirement board for superannuation forthwith or at the end of the year during which said age of seventy years is attained

Allowance on Superannuation Retirement

(3) On retirement for superannuation a contributor shall receive a retirement allowance which shall consist of

(a) A member's annuity which shall be the actuarial equivalent to his or her accumulated deductions and

(b) A State annuity of one one-hundred-sixtieth (1/160) of his or her salary for each year of total service and

(c) In addition thereto if an original member of the retirement association a further State annuity of one-hundred-sixtieth (1/160) of his or her final salary for each year of prior service as certified to said original member in the certificate issued to him or her by the retirement board under the provisions of section ten of this act but in no event shall the total State annuity exceed fifty per centum of his or her final salary

Options

Section 14 At the time of his or her retirement any contributor may elect to receive his or her benefits in a retirement allowance payable throughout life or he or she may on retirement elect to receive the actuarial equivilent at that time of his or her member's annuity State annuity or retirement allowance in a lesser member's annuity or a lesser State annuity or a lesser retirement allowance payable throughout life with the provisions that

Option 1 If he or she die before receiving in payments the present value of his or her member's annuity State annuity or retirement allowance as it was at the time of his or her retirement the balance shall be paid to his or her legal representatives or to such person having an insurable interest in his or her life as he or she shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his or her retirement

Option 2 Upon his or her death his or her member's annuity State annuity or retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his or her life as he or she shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his or her retirement

Option 3 Upon his or her death one half of his or her member's annuity State annuity or retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his or her life as he or she shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his or her retirement

Option 4 Some other benefit or benefits shall be paid to either the contributor or such other person or persons as he or she shall nominate provided such other benefit or benefits shall together with such lesser member's annuity or lesser State annuity or lesser retirement allowance be certified by the actuary of the retirement board to be of equivalent actuarial value and shall be approved by the retirement board

Monthly Payments

Section 15 A member's annuity a State annuity or a retirement allowance granted under the provisions of this act shall be paid in equal monthly instalments and shall not be increased decreased revoked or repealed except as otherwise provided in this act

State Supervision

Section 16 The various funds created by this act shall be subject to the supervision of the State Department of Insurance

Exemption from Execution

Section 17 The right of a person to a member's annuity a State annuity or retirement allowance to the return of contributions any benefits or right accrued or accruing to any person under the provisions of this act and the moneys in the various funds created under this act are hereby exempt from any State or municipal tax and exempt from levy and sale garnishment attachment or any other process whatsoever and shall be unassignable except as in this act specifically otherwise provided

Protection Against Fraud

Section 18 Any person who shall knowingly make any false statement or shall falsify or permit to be falsified any record or records of this retirement system in any attempt to defraud such system as a result of such act shall be guilty of a misdemeanor and shall be punishable therefor under the laws of the Commonwealth of Pennsylvania Should any such change in records or any mistake in records result in any member or beneficiary receiving from the retirement system more or less than he or she would have been entitled to receive had the records been correct then on the discovery of any such error the retirement board shall correct such error and so far as practicable shall adjust the payments which may be made for and to such person in such a manner that the actuarial equivalent of the benefit to which he or she was correctly entitled shall be paid

Section 20 Any State employe who at the date of the enactment of this law shall be receiving benefits under the provisions of the act approved the fourteenth day of June nineteen hundred fifteen (Pamphlet Laws nine hundred seventy-three) as amended by the act approved the seventh day of June nineteen hundred seventeen (Pamphlet Laws five hundred fifty-nine) and the act approved the twenty-first day of April nineteen hundred twenty-one (Pamphlet Laws one thousand ninety-seven) shall not and his rights to those benefits shall not be in any way affected by the provisions of this act But any State employe who at the date of the enactment of this law shall not be receiving such benefits shall hereafter be ineligible to receive them

Section 21 The several provisions of this act are hereby declared to be severable and if any provisions of this act shall be held by any court to be unconstitutional it is the legislative intent that such judgment shall not affect any other section or provision thereof

Section 22 This act shall take effect immediately

And the amendments made thereto having been printed as required by the Constitution,

On the question.

Shall the bill pass finally?

Mr. WOODWARD. Mr. President, this is the pension bill. When the bill was drawn the error was committed of lining up the Judges with the janitors and the judges have now been deleted in the bill. The bill was drawn originally by a young man, Mr. Gordon, who is now serving a thirty days sentence in the Jefferson County jail for contempt of court, not on account of this bill but because he would not testify against his client. That is by the way, but rather interesting. Young Mr. Gordon was consulted for the actuary features of this bill and also the man who helped to draw the Teachers Retirement Bill, Mr. Paul Studenski. We have had also the thoughts of Mr. Baker, our distinguished Secretary of the Senate and Dr. Baish and Mr. Forster, the Actuary of the Insurance Department. Finally one judge was overlooked and was discovered day before yesterday by my distinguished colleague, Senator Norton, and therefore the judges are completely deleted in this bill. It is a pension bill on actuary principles, which I do not personally understand. I know there was a mistake made which would give a man more money if he retired at 52 or 62, but that has been corrected also. The cost to the state no one can tell. There are only seventy employees on the pension roll and there are only five thousand employees to be pensioned some day, and therefore I think certainly it would save money to the State.

Mr. SCHANTZ. Mr. President, I desire to interrogate the Senator from Philadelphia, Mr. Woodward.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Woodward, permit himself to be interrogated?

Mr. WOODWARD. I will.

Mr. SCHANTZ. Mr. President, I would like to ask the Senator from Philadelphia, whether the bill includes members of the Legisature?

Mr. WOODWARD. Mr. President, unfortunately, it does not.

Mr. SCHANTZ. Mr. President, I did not under stand what the Senator said in connection with the judges. Did he say they were eliminated? What I would like to know is whether the bill as it is now written included the judges of the state, or whether it does not include the judges.

Mr. WOODWARD. Mr. President, the judges are not included in this pension bill.

Mr. WEAVER. Mr. President, I would like to interrogate the Senator from Philadelphia, Mr. Woodward.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Woodward, permit himself to be interrogated.

Mr. WOODWARD. Mr. President, I will.

Mr. WEAVER. Mr. President, I cannot understand the Senator's reference to somebody who is in jail in connection with this bill; what has that to do with this bill?

Mr. WOODWARD. Mr. President, it has nothing to do with the bill, but Mr. Gordon is a Yale friend of mine. I think he is in jail unjustly and I wanted to say so.

And the question recurring,

Will the Senate agree to the bill?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—21.

Baldwin,
Brown,
Buckman,
Clark,
Davis,
Harris,
Heaton,
Homsher,
Krause,
Leslie,
MacDade,
McNichol,
Miller,
Norton,
Sisson,
Smith,
Snyder,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—15.

Barr,
Betts,
Christley,
Craig,
Derrick,
DeWitt,
Huffman,
Joyce,
Kutz,
Lanius,
Long,
Mansfield,
Schantz,
Sones,
Sprowls.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. Mac DADE. Mr. President, In the absence of the sponsor, I ask that Senate Bill No. 613, on final passage, entitled

An Act amending sections one two and eleven of an act approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred seventy-four) entitled "An Act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such powers may be exercised" providing that the Juvenile Courts in the several counties of this Commonwealth shall have exclusive jurisdiction in all cases of juvenile delinquency

go over in its order.

The PRESIDENT. Is there objection? The Chair heras none.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 657, as follows:

An Act empowering school districts to employ a police force

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any School district may apply to any Judge of the Court of Common Pleas of the county within which said School District may be situate to appoint such person or persons as the said School District may designate to act as policemen for said School District

Section 2 The said Judge upon such application may appoint such person or so many of them as he may deem proper to be policemen and shall note the fact of such appointment to be entered upon the records of the said Court

Section 3 Every policeman so appointed shall before entering upon the duties of his office take and subscribe the oath required by the seventh article of the Constitution before an alderman or justice of the peace or prothonotary which oath shall be filed by the said justice of the peace alderman or prothonotary among his papers and a note made upon his docket of the fact of said oath having been taken

Section 4 Such policemen so appointed shall severally possess and exercise all the powers of a constable in this Commonwealth in enforcing the school laws of the Commonwealth at their respective districts and policing the grounds belonging to said School Districts and protecting the property thereof and the keeper of jails or lock-ups or station house in any of the said counties are required to receive all persons arrested by such policemen for the commission of any offence against the laws of this Commonwealth upon or near to the ground occupied by said School District to be dealt with according to law

Section 5 Such policemen shall when on duty severally wear a metallic shield or badge with the words "School Police" and the name of the District for which appointed shall be subscribed thereon and such shield shall always be worn in plain view when on duty except when employed as detective

Section 6 The compensation of such policemen shall be paid by the School District for which the policemen are respectively appointed as may be agreed upon between them

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Baldwin,
Barr,
Betts,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Kutz,
Leslie,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—3.

Buckman,
Lanius,
Schantz,

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 690, as follows:

An Act authorizing and empowering counties of the second class in this Commonwealth to acquire by lease purchase or condemnation proceedings any land within the county for the purpose of establishing and maintaining airdromes or aviation landing fields providing for the procedure in case of condemnation and the extent of title acquired authorizing the lease by the county of portions of said land to individuals or corporations upon such terms as may be fixed and the lease thereof to the Government of the United States upon nominal rental authorizing and empowering the county to use land now owned by it for such purposes and authorizing joint operation by said county and any city within the county of airdromes or aviation landing fields where such city is authorized to establish and maintain the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any county of the second class in this Commonwealth is hereby authorized and empowered to acquire by lease purchase or condemnation proceedings any land within the limits of the country for the purpose of establishing and maintaining thereon airdromes or aviation landing fields whenever the county commissioners of the county by resolution duly adopted deem it advisable so to do

Section 2 Proceedings for the condemnation of lands under the provisions of this act and for the assessment of damages for property taken injured or destroyed thereby shall be conducted in the same manner as now provided by law for the condemnation of lands for buildings for county purposes in said county The title acquired by virtue of any such condemnation shall be a title in fee simple

Section 3 Any county acquiring land hereunder is authorized and empowered to lease the same or part thereof to any individual or corporation desiring to use the same for the purpose of landing or starting aeroplanes or other aviation purposes upon such terms and conditions and subject to such regulations as the county commissioners thereof may provide and any such county may enter into a contract in the form of a lease providing for the use of said land or any part thereof by the Government of the United States for the use by said Government of such land for aviation mail service or other aviation purposes upon nominal rental or without consideration

Section 4 Any such county shall have the right and authority to use any land within the county now owned by it for any of the purposes provided in this act when in the judgment of the county commissioners thereof such use may be necessary for such purposes

Section 5 Any county acquiring land hereunder is authorized and empowered to enter into a contract with any city within the limits of said county where such city is authorized to establish and maintain a municipal airdrome or aviation landing field for the operation of any land acquired by the county or owned by it as a joint city and county aviation field or airdrome upon such terms and conditions as may be agreed upon in writing between the corporate authorities of the city and the county commissioners of the county and such land may be leased as herein provided by the joint action of the corporate authorities of the city and the said county commissioners

Section 6 All acts or parts of acts inconsistent herewith are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 691, as follows:

An Act authorizing and empowering the cities of the second class in this Commonwealth to acquire by lease purchase or condemnation proceedings any land within or without the limits of said cities but within the limits of the counties in which such cities are located for the purpose of establishing and maintaining municipal airdromes or aviation landing fields providing for the procedure in case of condemnation and the extent of title acquired authorizing the lease by the cities of portions thereof to individuals or corporatons upon such terms as may be fixed and the lease thereof to the Government of the United State upon nominal rental and empowering said cities to operate and maintain said fields jointly with any county within which said city is situate where the county is empowered to operate and maintain an airdrome or aviation landing field

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it hereby enacted by the authority of the same That all cities of the second class within this Commonwealth are hereby authorized and empowered to acquire by lease purchase or condemnation proceedings any land lying either within or without the limitations of said city but within the limitations of the county in which such city is located which in the judgment of the corporate authorities therof may be necessary and desirable for the purpose of establishing and maintaining municipal airdromes or aviation landing fields

Section 2 The proceedings for the condemnation of lands under the provisions of this act and for the assessment of damages for property taken injured or destroyed shall be conducted in the manner provided by an act entitled "An act authorizing and empowering the several cities of this Commonwealth to purchase or acquire by condemnation proceedings such real estate within the city limits as they may need upon which to erect or construct municipal buildings fire engine houses gas and electric light works and within or without the city limits upon which to erect hospitals water works and poor houses and for the purposes of a poor farm" approved twenty-sixth day of March Anno Domini one thousand nine hundred and three (Pamphlet Laws sixty-three) as amended by the act approved the fourteenth day of March one thousand nine hundred and seven (Pamphlet Laws twelve) The title acquired by the city exercising the power of condemnation shall be a title in fee simple

Section 3 Any city acquiring land under the provisions of this act may lease the same or part thereof to any individual or corporation desiring to use the same for the purpose of landing or starting an aeroplane therefrom or for other aviation purposes on such terms and subject to such conditions and regulations as may be provided and any such city may enter into a contract in the form of a lease providing for the use of said land or any part thereof by the Government of the United States for the use by said Government of said land for aviation mail delivery or other aviation purposes upon nominal rental or without consideration

Section 4 Any city acquiring land thereunder may operate and maintain said municipal airdrome or aviation landing field jointly with any county within which such city is located whenever said county under the authority of any law has the power to use county land or to acquire land ofr the purpose of maintaining an airdrome or aviation landing field upon such terms and conditions as may be agreed upon between the corporate authorities of the city and the county commissioners of the county

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 793, as follows:

An Act to repeal the act approved the tenth day of May one thousand eight hundred and seventy-one (Pamphlet Laws six hundred sixty-seven) entitled "An act to empower the school directors of Tuscarora and Spruce Hill townships in the county of Juniata to annex certain lands in Spruce Hill Township and Tuscarora township in the county of Juniata for school purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the tenth day of May one thousand eight hundred and seventy-one (Pamphlet Laws six hundred sixty-seven) entitled "An act to empower the school directors of Tuscarora and Spruce Hill townships in the county of Juniata to annex certain lands in Spruce Hill township and Tuscarora township in the county of Juniata for school purposes" is hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,
Barr,
Derrick,
DeWitt,
Leslie,
Long,
Smith,
Snyder,

Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Kutz,
Lanius,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Schantz,
Sisson,
Sones,
Sprowls,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. CRAIG. Mr. President, I ask that Senate Bill No. 846, (House Bill No. 928), on final pasage entitled:

An Act providing for and regulating the public printing and binding the editing for publication and the distribution of all documents reports bulletins and other publications for the use of the Commonwealth the several departments boards and commissions and other agencies engaged in the legislative judicial and administrative work of the State government the sale of waste paper the appointment of a Director and other employes and repealing inconsistent and conflicting legislation.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 163, as follows:

An Act relating to the organization maintenance and operation of the Banking Department and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing the Banking Department Act of nineteen hundred and nineteen with table of contents

TABLE OF CONTENTS

Section
1 Short Title
2 Definitions
3 Advertisements Notices and Fees
(a) Advertisements
(b) Notices
(c) Fees
4 Banking Department Scope of Supervision Powers Duties
5 Commissioner Deputies and Employees
(a) Commissioner
(b) Deputies
(c) Deputy Acting in Place of Commissionr
(d) Clerks Examiners and Other Employees
(e) Cost of Bonds
(f) Prohibitions
6 Transfer of Powers and Duties to Commissioner
7 Records and Securities to Remain in Custody of Commissioner
8 Rooms of Capitol Furniture
9 Maintenance of Banking Department
(a) Expenses
(b) Assessment of Expenses upon Corporations and Individuals
10 Seal
11 Copies of Documents
(a) Admissibility of contents
(b) Fees
(c) Prima Facie Evidence of Contents
12 Disclosure of Information Forbidden Exceptions
13 Department's Power to Examine and Inspect
14 Examinations
(a) In General

Section
(b) Examinations under Oath
15 Reports to Commissioner
(a) In General
(b) Failure to Make or Publish Reports
16 Commissioner's Report to Governor
17 Failure to Pay in Capital or Exercise Powers
18 Violations of Charter
19 Jurisdiction of Courts
20 Orders by Commissioner
21 Power of Commissioner to Take Possession
22 Certificate of Taking Possession
23 Injunction to Retain Commissioner
24 Special Agents and Assistants
25 Notice to Parties Holding Assets
26 Inventory of Assets
27 Suspension or Continuation of Business
28 Surrender of Possession by Commissioner
29 Status of Commissioner as Receiver
30 Power of Court to Make and Enforce Orders
31 Continuance of Possession Exceptions
32 Recording Certificate Sales
(a) Recording Certificate of Possession or Surrender
(b) Sales of Real and Personal Property
(c) Sales of Real Estate Outside of the County
(d) Sale of Listed Securities
(e) Effect of Sale upon Liens
33 Execution of Deeds and Documents
34 Compromises
35 Actions and Suits
36 Judgments Not to be Liens Stay of Executions
37 Enforcement of Individual Liability of Stockholders
38 Inventory and Appraisement Statement of Liabilities
39 Procedure as to Property in Safe Deposit
40 Trust Funds
(a) Taking Possession by Commissioner
(b) Substituted Fiduciaries
(c) Settlement without Accounting
(d) Jurisdiction of Disputes as to Identity of Trust Fund
(e) Accounting
(f) Deficiencies and Surcharges
41 Notice to Depositors and Creditors
42 Proof of Claims of Creditors
43 Proof of Claims of Depositors
44 Allowance of Claims
45 Partial or Final Objections
46 Distribution
47 Conclusiveness of Confirmation and Distribution
48 Hearing and Decision of Matters in Controversy
49 Expenses to be Paid out of Fund
50 Distribution of Balance Liquidating Trustees
51 Constitutionality of Act
52 Repealer

Section 1 Short Title

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this Act shall be known and may be cited as "The Banking Act 1923"

Section 2 Definitions

Except as otherwise expressly indicated the following words wherever used in this Act shall be taken and construed to have the following meaning

"Commissioner" means the Commissioner of Banking

"Person" means an individual a partnership or an unincorporated association

"Court" means the Court of Common Pleas of the County where the banking house or other place of business of the corporation or person in question is located

"Prothonotary" means the prothonotary of such court

Section 3 Adertisements Notices and Fees

(a) Advertisements Whenever under any of the provisions of this act advertisements is required to be made in a newspaper such advertisement shall unless otherwise provided be made once a week for three weeks in a newspaper of general circulation in the county published in the city borough or township where the banking house or other place of business of the corporation or person in question is located If there be no newspaper published in such city borough or township then the advertisement shall be made in a newspaper of general circulation in the county published at the county-seat or if none be there published in the newspaper published nearest to said city borough or township within the county If there be no newspaper published in the county then the advertisement shall be made in the newspaper published nearest to such city borough or township in an adjoining county

(b) Notices Except as otherwise expressly provided all written or printed notices required by this act shall be served either in the manner now or hereafter provided by law for the service of writs of summons save that service need not be made by the sheriff or by mailing such notice by registered mail return receipt requested to any person required to be notified at his last known place of business or residence and to any corporation at its principal office or if a foreign corporation at the office of its duly authorized agent

(c) Fees Whenever under any of the provisions of this act certificates or other documents are required to be filed or recorded in the office of the prothonotary of any court of common pleas or in the office of any public official other than the Commissioner of Banking such prothonotary or other official shall be entitled to receive therefor the same fees as are provided by law for similar services

Section 4 Banking Department Scope of Supervision Powers Duties There shall continue to be separate and distinct department known as the Banking Department charged with the supervision of all the corporations and persons hereinafter described and with the duty of taking care that the laws of this Commonwealth in relation thereto shall be faithfully executed and that the greatest safety to depositors therein or therewith and to other interested persons shall be afforded

The said supervision duties and powers shall extend and apply to the following corporations now or hereafter incorporated under the laws of this State or under the laws of any other state and authorized to transact business in this state namely all such corporations having power to receive and receiving money on deposit or for safe-keeping otherwise than as bailee including all banks banking companies co-operative banking associations trust safe deposit real estate mortgage title insurance guarantee surety and indemnity companies savings institutions savings banks and provident institutions The said supervision duties and powers shall also extend and apply to mutual savings funds building and loan associations and corporations doing a safe-deposit business only

The said supervision duties and powers shall also extend and apply to all national banking associations located in this State now or hereafter incorporated under the laws of the United States which shall in pursuance of Federal law or regulation be granted a permit to act or shall act as trustee executor administrator registrar of stocks and bonds guardian of estates assignee receiver committee of estates of lunatics or in any other fiduciary capacity

The said supervision duties and powers shall also extend and apply to all private or unincorporated banks except such as are or shall be exempted by law and to all such individuals partnerships and unincorporated associations as are or shall be by law made subject to the supervision of said department and to any individuals or associations of individuals doing the business of co-operative banks or of building and loan associations or a business in the nature of either whether under the guise of a deed of trust or otherwise

Section 5 Commissioner Deputies and Employes (a) Commissioner The chief officer of the Banking Department shall continue to be known as the Commissioner of Banking He shall be appointed by the Governor by and with the advice and consent of the Senate and shall hold office for the term of four years and until his successor is duly qualified Within fifteen days from the time of notice of his appointment he shall take and subscribe the oath of office prescribed by the constitution and file the same in the office of the Secretary of the Commonwealth a bond in the penalty of fifty thousand dollars with two or more individual sureties or a corporate surety to be approved by the Governor conditioned for the faithful performance of all his duties He shall receive an annual salary of ten thousand dollars

(b) Deputies The Commissioner shall appoint a first deputy whose salary shall be six thousand dollars per annum and may appoint a second and a third deputy whose salaries shall be respectively five thousand and four thousand dollars per annum The duties of all such deputies shall be such as may be assigned to them by the Commissioner and each of them shall take subscribe and file the oath of office as herein prescribed for the Commissioner and shall whenever required by the Commissioner give bond in such amount and with such surety as may be prescribed by the Commissioner conditioned for the faithful performance of the duties of such deputy

(c) Deputy Acting in Place of Commissioner Whenever the Commissioner by reason of absence or incapacity is unable to perform the duties of his office or if a vacancy in the office of Commissioner occurs the duties of the Commissioner shall be performed by the deputy next in authority until such disability is removed or the vacancy filled

Any deputy before entering upon the performance of such duties shall give to the Commonwealth a bond in the sum of fifty thousand dollars with two or more individual sureties or a corporate surety to be approved by the Governor conditioned for the faithful performance of such duties while he is acting as Commissioner

(d) Clerks Examiners and other Employees The Commissioner with the approval of the Governor shall employ from time to time such clerks examiners special agents and other employees as he may need to discharge in a proper manner the duties imposed upon him by law They shall perform such duties as the Commissioner shall assign to them and their compensation shall be fixed by him with approval of the Governor Each of such employees shall take subscribe and file the oath of office as herein prescribed for the Commissioner and deputy commissioners Bonds shall be given to the Commonwealth by such of said employees in such amounts and with such surety as may be determined by the Commissioner conditioned for the faithful performance of their duties

(e) Cost of Bonds The cost of all bonds required by this section to be given by the Commissioner the deputy commissioners or any of the clerks examiners or other employees of the Banking Department shall constitute expenses of the department and shall be paid as hereinafter provided for such expenses

(f) Prohibitions Neither the Commissioner nor any of his deputies clerks examiners or other employees shall be interested as officer director trustee manager or stockholder in any corporation subject to the supervision of the Banking Department nor interested in any way in the business of any person subject to such supervision

No examiner shall receive a loan nor shall the Commissioner or any of his deputies clerks examiners or other employees receive a gift directly or indirectly of any sum of money or other valuable thing from any corporation or person to whom this act applies or from any director officer or employee thereof and a violation of this prohibition shall constitute ground for the removal of such Commissioner deputy clerk examiner or other employee

Section 6 Transfer of Powers and Duties to Commissioner All powers rights privileges and duties hertofore by any law of this Commonwealth conferred or imposed upon the Auditor-General or the Secretary of the Commonwealth in relation to any of the corporations or persons which or who under the provisions of this act are subject to the supervisions of the Banking Department are hereby transferred to and conferred and imposed upon the Commissioner so far as the same relate to the supervision of such corporations and persons for the purposes of this act

Section 7 Records and Securities to Remain in Custody of Commissioner All books papers records and securities which were formerly in the office of the Superintendent of Banking and in the office of the Auditor-General relating to the business of corporations and persons subject to the supervision of the Commissioner and which were delivered and transferred to the Commissioner shall be and remain in his charge and custody

Section 8 Rooms at Capitol Furniture There shall be assigned to the Commissioner by the Commissioners of Public Grounds and Buildings a suitable room or rooms at the capitol of the state for conducting the business of the Banking Department and the Commissioner shall from time to time with the approval of the commissioners aforesaid procure the necessary furniture and other proper conveniences for the transacting of the said business the expenses of which shall be paid on the certificate of the Commissioner and the warrant of the Auditor-General out of the funds appropriated to the Commissioners of Public Grounds and Buildings

Section 9 Maintenance of Banking Department (a) Expenses All moneys derived by the Banking Department from fees assessments charges penalties and otherwise shall be paid by the Commissioner into the state treasury for safekeeping and shall by the State Treasurer be placed in a separate fund to be available for the use of the Banking Department upon requisition of the Commissioner All such moneys so paid into the state treasury are hereby specifically appropriated to the Banking Department for the purpose of paying the salaries of the Commissioner the deputy commissioners the examiners and the other employees of the department and the expenses of the department including the rental and furniture of such rooms or quarters as the Commissioner may deem necessary outside of the capitol

The Auditor-General shall upon requisition of the Commissioner from time to time draw warrants upon the State Treasurer for the amounts specified in such requisitions not exceeding however the amount in such fund at the time of the making of any such requisition

(b) Assessment of Expenses upon Corporations and Individuals All the expenses incurred in and about the conduct of the business of the Banking Department including the cost of the regular examinations of corporations and persons under the supervision of the department the compensation of the Commissioner deputy commissioners examiners and other employees of the department (but including the furniture and conveniences mentioned in section eight of this act) together with all other general or overhead expenses of the department shall be charged to and paid by the corporations and persons subject to the supervision of the department in equitable proportions at such times and in such manner as the Commissioner shall by general rule or regulation annually prescribe

Provided however That building and loan associations shall not be examined more than once in each year unless the condition of any building and loan association shall be such that in the opinion of the Commissioner of Banking an additional examination is necessary And provided further that the Commissioner of Banking may upon the request of any building and loan association appoint a certified public accountant to make at the expense of the association the annual examination instead of an examiner of the Banking Department and the Building and loan association making such request shall be entitled to and furnished with a copy of the report of the examination

Provided however That the charge for examination of building and loan associations shall not exceed the sum of fifteen dollars for the first one hundred thousand dollars or fraction thereof of assets of said building and loan association and ten dollars for each additional one hundred thousand dollars or fraction thereof of assets

The expenses incurred in connection with any special examination or investigation of any corporation or person including a proportionate part of the salary of any examiner or other employee of the department engaged in such examination or investigation shall be charged to and paid by such corporation or person

On failure or refusal of any such corporation or person after thirty days' written notice to pay any sum lawfully assessed or charged against it or him by the Commissioner under the provisions of this clause the Commissioner may at his option bring an action at law to recover the same

Section 10 Seal The seal now in use by the Commissioner shall continue to be the seal of the office of the Commissioner of Banking and may be renewed when necessary a description of the seal with the impression thereof and a certificate of approval of the Governor shall remain on file in the office of the Secretary of the Commonwealth

Section 11 Copies of Documents (a) Admissibility of Contents Copies of all books accounts reports and other papers or documents filed in the office of the Banking Department certified under the hand and seal of the Commissioner shall be admitted to be read in evidence in all courts of law and elsewhere in this Commonwealth in all cases where the originals would be admitted in evidence Provided That in any proceeding the court having jurisdiction may on cause shown require the production of the originals

(b) Fees For every copy of any paper filed in the Banking Department and for the certification thereof except when such copy or certification is made for the benefit of a corporation or person subject to the supervision of the department under the provisions of this act the Commissioner may charge such fees as he may by general rule or regulation prescribe

(c) Prima Facie Evidence of Contents In any proceedings under the provisions of this act a copy duly certified by the Commissioner of a duly instituted examination of the corporation or person involved in such proceeding shall be prima facie evidence of the facts therein stated

Section 12 Disclosure of Information Forbidden Exceptions Neither the Commissioner nor any deputy examiner or employee of the Banking Department shall directly or indirectly wilfully exhibit publish divulge or make known to any person or persons any record report statement letter or other matter fact or thing contained in said department or ascertained from any of the same or from any examination made under the provisions of this act excepting in such manner as is expressly authorized by this act and excepting when the production of such information in a proceeding in any court is duly required by subpoena issued by special order of the court or other legal process and any violation of the provisions of this section shall be a misdemeanor upon conviction whereof the person so offending shall be sentenced to pay a fine not exceeding one thousand dollars and shall be dismissed from his employment in said department Provided however That the Commissioner on the written request or consent of any corporation authorized by resolution of its board of directors or on written request or consent of any person under the supervision of the Banking Department may discuss with an advisory committee selected by the Commissioner or selected by such corporation or person and acceptable to the Commissioner such matters relating to the financial condition of such corporation or person as the Commissioner may deem pertinent to the rehabilitation thereof And provided further That the Commissioner may on like request or consent furnish to the Federal Reserve Board or to the Federal Reserve Bank of the district in which the banking house or other place of business of any corporation is located copies of any reports or parts thereof or any information in his possession relating to such corporation for the use of said board or bank

Section 13 Department's Power to Examine and Inspect Every corporation and person included within the supervision of the Banking Department as set forth in section four of this act together with all the property assets and resources of such corporation or person shall be subject to inspection and examination by the Commissioner or his deputies or any qualified examiner of the said department when such examiner is authorized in writing under the official seal of the department by the Commissioner or a deputy commissioner to make such examination and inspection

Section 14 Examinations

(a) In General It shall be the duty of the Commissioner at least once in each year to examine or cause to be examined the books papers and affairs of each and every corporation and persons subject to the supervision of the Banking Department The Commissioner may also at any time make such special investigations or examinations as in his opinion the exigencies of any case may require Whenever he shall deem it necessary or proper he shall assign a qualified examiner or examiners to make any such examination or investigation which examiner or examiners shall have power to make a thorought examination into all the business and affairs of the corporation or person in all departments and of all property assets and resources wherever situated and in so doing to examine under oath or otherwise any of the officers agents employees or members of the corporation or person or any corporation or person in possession of any assets of the corporation or person under examination The examiner or examiners shall make a full and detailed report of the condition of the corporation or person under examination or such special report as may be directed by the Commissioner

Provided That whenever any bank shall by becoming a member of a Federal Reserve Bank be subject to the examinations required by the Federal Reserve Act the Commissioner may in his discretion accept such examinations in lieu of the examinations required by this section or by the laws of this Commonwealth

(b) Examinations under Oath The Commissioner and his deputies and any qualified examiner appointed by the Commissioner are hereby authorized and empowered to administer oaths or affirmations to any of the officers agents employees or members enumerated in clause (a) of this section and any wilful false swearing in any inquiry thereunder shall be perjury and subject upon conviction thereof to the same punishment as is or may be provided by law for the punishment of perjury Upon failure of any of the individuals aforesaid to make answer to any such inquiry the attorney general upon the request of the Commissioner shall make information thereof to the court whereupon said court after hearing shall make such order as the occasion requires

Section 15 Reports to Commissioner

(a) In General Every corporation and person subject to the supervision of the Banking Department except building and loan associations doing business exclusively within this state shall make and render to the Commissioner not less than two or more than five reports of its or his condition during each year The number form and manner of such reports shall be prescribed by the Commissioner by general rule or regulation Every such report shall be verified by the oath or affirmation of the president cashier treasurer or other managing officer in the case of a corporation or association by a member of the firm in the case of a partnership and by an individual banker in person It shall be attested as correct by the signatures of at least three of the directors trustees or other managers of a corporation or association and by the signatures of at least two of the members of a partnership

Each such report shall exhibit in detail and under appropriate heads the recources and liabilities of the corporation or person at the close of business on any past day specified by the Commissioner and shall be transmitted to him within five days or such further time as he may in his discretion allow after the receipt of a request or requisition thereof from him

Abstract summaries of two of said reports designated by the Commissioner in each year except the reports of building and loan associations doing business exclusively within this state shall forthwith be published by the corporation or person in a newspaper and proof of such publication verified by affidavit shall be furnished to the Commissioner

Building and loan associations doing business exclusively within this state shall in the manner hereinbefore provided make and render one report during each year No abstract summaries of such reports need be published

The Commissioner shall also have power to call for a special report from any corporation or person under the supervision of the Banking Department including building and loan association whenever in his judgment the same may be necessary to a full and complete knowledge of its or his condition

The reports and publications provided for in this clause shall be in lieu of all reports and of all publications for similar purposes heretofore required by law to be made

(b) Failure to Make or Publish Reports Any corporation or person failing to make and transmit any report to publish any report required by this act to be published or to be furnished any proof of publication required by clause (a) of this section shall be subject at the discretion of the Commissioner to a penalty of not more than one hundred dollars payable to the Commissioner for each day after the time or any extension thereof fixed for filing such report making such publication or furnishing such proof In case of failure or refusal to pay such penalty the Commissioner may maintain an action at law to recover the same

Section 16 Commissioner's Report to Governor The Commissioner shall make an annual report to the Governor setting forth

I A summary of the state and condition of every corporation and person from whom reports have been received during the preceding year with such other information in relation to said corporations and persons as in his judgment may be useful

II A statement of the corporations and persons under the supervision of the Banking Department whose business has been closed or taken in possession by the Commissioner during the preceding year with such information relating thereto as he may deem useful

III Suggestions of amendments to the laws relating to corporations and persons under the supervision of the Banking Department by which the condition of such corporations and persons may be improved

IV The names and compensation of the deputies examiners clerks and other employees of the Banking Department during the preceding year the whole amount of the receipts and expenditures of the department during such year and the method and basis of assessing such expenditures adopted by the Commissioner under the provisions of this act

Section 17 Failure to Pay in Capital or Exercise Powers When any corporation under the supervision of the Banking Department (a) has not paid in the capital as required by law (b) has not in any manner exercised the powers conferred upon it by its letters patent within two years after the issuance thereof or (c) has failed to exercise its corporate privileges for two years after having been liquidated such corporation shall be returned by the Commissioner to the Attorney General who shall proceed by quo warranto against such corporation to the end that it may be ousted from its charter rights and its corporations privileges be declared null and void

Section 18 Violation of Charter Whenever it shall appear to the Commissioner from any report of condition of any corporation subject to the supervision of the Banking Department or from any examination made by him of the condition of the affairs of such corporation that such corporation has committed any violation of its charter he shall by an order under his hand and seal of office direct the discontinuance of such illegal practice and direct strict conformity with the provisions of the charter and whenever any such corporation shall refuse or neglect to comply with such order the Commissioner shall communicate the facts to the Attorney General who shall thereupon institute such proceedings as the nature of the case may require for appropriate relief or correction or may proceed by quo warranto for the forfeiture of the charter

The court before which proceedings shall be instituted shall have power to grant such orders and in its discretion from time to time modify or revoke the same and to grant such relief and render such judgment as the facts or evidence in the cast and the situation of the parties and the interests involved shall require or if it shall appear to the said court that the interests of the public so require shall declare a dissolution of such corporation and a distribution of its effects

Section 19 Jurisdiction of Courts Whenever it shall become the right or duty of the Attorney General to proceed against any corporation or person under the supervision of the Banking Department pursuant to the provisions of this act he may in his discretion proceed either in the court of common pleas of Dauphin County or in the court of common pleas of the county where the banking house or other place of business of such corporation or person is located

Section 20 Orders by Commissioners Whenever it shall appear to the Commissioner that any corporation or person under the supervision of the Banking Department has violated any provision of this act or any law regulating the business of such corporation or person or is conducting business in an unauthorized or unsafe manner or that any such corporation has an impairment of capital the Commissioner may issue an order under his hand and seal of office directing such corporation or person to discontinue such violation of law or such unauthorized or unsafe practices or directing such corporation to make good within a time of not more than sixty days after notice by the Commissioner any impairment or deficiency of capital

Section 21 Power of Commissioner to Take Possession The Commissioner may after hearing had upon notice given with the approval and consent of the Attorney General take possession of the business and property of any corporation or person subject to the supervision of the Banking Department whenever it shall appear to him that such corporation or person

I Has violated any law regulating its or his business and has persisted in such violation in disregard of an order duly made by the Commissioner

II Is conducting business in an unauthorized or unsafe manner and has persisted in disregard of an order duly made by the Commissioner

III Is in an unsafe or unsound condition to continue business Provided in such case That the Commissioner may forthwith without such hearing and consent of the Attorney General take possession of the business and property of any such corporation or person receiving moneys on deposit when and if in his opinion the protection of depositors and the public requires such peremptory action

IV Has an impairment of capital which has not been restored or made good within the time fixed by order of the Commissioner

V Has suspended payment of obligations

VI Has neglected or refused to comply with the terms of any lawfully issued order of the Commissioner

VII Has refused upon proper demand to submit the records and affairs of the business of the Commissioner a deputy commissioner or any duly authorized examiner or agent of the Banking Department

VIII Has refused to be examined upon oath or affirmation regarding such affairs

IX Is in the hands of a receiver appointed by any court or in any bankruptcy proceeding or of an assignee or trustee for creditors appointed by such corporation or person

The Commissioner may in like manner take possession of the business and property of any private or unincorporated bank otherwise exempt from the supervision of the Banking Department whenever such private or unincorporated bank shall have made assignment for the benefit of creditors or confessed its insolvency

Section 22 Certificate of Taking Possession When the Commissioner shall have duly taken possession of the business and property of a corporation or person as provided in section twenty-one of this act he shall forthwith make under his hand and official seal a certificate setting forth that he has so taken possession and shall file such certificate in his office and cause a certified copy thereof to be filed in the office of the prothonotary who shall index the same in the judgment index under the name of the corporation or person as defendant and the name of the Commissioner as plaintiff

From and after the filing of such certified copy in the office of the prothonotary the Commissioner shall supersede any receiver previously appointed by any court for or any assignee or trustee for creditors appointed by such corporation or person

Such superseded receiver assignee or trustee shall forthwith file his account in the court having jurisdiction thereof and pay over and deliver to the Commissioner all moneys securities assets and property of such corporation or person in his custody possession or control Said court shall allow credit for expenses and for the disbursements properly incurred or made prior to the taking possession by the Commissioner and shall allow proper compensation to said receiver assignee or trustee and his counsel which when determined shall be paid out of the funds of said corporation or person in the hands of the Commissioner

Section 23 Injunction to Restrain Commissioner Whenever the Commissioner takes possession of the property and business of any corporation or person such corporation or person may at any time within ten days apply to the court for an order requiring the Commissioner to show cause why he should not be enjoined from continuing such possession The Commissioner may be served personally wherever found within the state by leaving a copy with the deputy in charge of his office or by serving the special deputy appointed by him in such proceeding At the hearing a copy certified by the Commissioner of any report of a duly instituted examination of such corporation or person shall be prima facie evidence of the facts therein stated and if from such report or reports or other evidence there shall appear to be just cause for the taking and continuing of possession by the Commissioner he shall not be enjoined unless such report or reports or other evidence shall be overcome by proper proof produced by such corporation or person in which event the court shall direct the Commissioner to refrain from further proceedings and to surrender such possession

Section 24 Special Agents and Assistants The Commissioner may by the certificate of taking possession provided for in section twenty-two of this act or by a subsequent certificate in like manner made and filed appoint one or more special deputies as agent or agents to assist him in continuing or liquidating the business and affairs of any corporation or person in his possession He may from time to time delegate to such special deputy or deputies such duties connected with such continuation or liquidation as he may deem proper He may employ such expert assistants and legal counsel and may retain such of the officers and employees of such corporation or person as he may deem necessary in the continuation of the business or the liquidation and distribution of the assets He shall require such security as he may deem proper from his agents and assistants appointed pursuant to the provisions of this section

Section 25 Notice to Parties Holding Assets When the Commissioner shall have taken possession of the property and business of any such corporation or person he shall forthwith give notice in writing of such fact to all corporations and persons holding any assets thereof No one having such notiec or actual knowledge that the Commissioner has so taken possession shall have a lien or charge against any of the assets of such corporation or person for any payment advance or clearance thereafter made or liability thereafter incurred

Section 26 Inventory of Assets After the Commissioner has taken possession as aforesaid he shall make or cause to be made a complete inventory of the assets of such corporation or person which inventory shall be verified by oath or affirmation of the person or persons making the same and shall forthwith file such inventory in his office

Section 27 Suspension or Continuation of Business The Commissioner is authorized upon taking possession of the property and business of such corporation or person to continue or suspend the business for such period as he may deem necessary to enable him to determine whether to liquidate the affairs of such corporation or person and during such period to take such action as in his judgment is necessary to conserve the assets and business

Section 28 Surrender of Possession by Commissioner The Commissioner may upon conditions approved by him surrender possession for the purpose of permitting such corporation or person to resume business to sell or convey its or his property and franchises or to merge or consolidate its or his business with that of another corporation or person in accordance with the laws of this Commonwealth but he shall not authorize any decrease of capital stock by a corporation except upon compliance by the corporation with the provision of law as to such decrease

Whenever the Commissioner shall surrender possession under the provisions of this section he shall forthwith issue an order under his official seal authorizing such corporation or person to resume business to sell or convey its or his property and franchises or to merge or consolidate as aforesaid and shall file said order in his office and cause a certified copy thereof to be filed in the office of the prothonotary who shall thereupon cause the entries upon the judgment index made pursuant to section twenty-two of this act to be cancelled

Section 29 Status of Commissioner as Receiver Except as herein otherwise provided the Commissioner shall when he has taken possession of the business and property of a corporation or person have all the rights powers and duties of a receiver appointed by any court of equity in this Commonwealth and he shall be vested in his official capacity with all the property of such corporation or person including debts due liens or securities therefor and rights of action or redemption

He shall be the representative of the creditors of the corporation or person and entitled as such to have vacated and set aside for the benefit of the creditors any judgment execution attachment sequestration payment pledge assignment transfer conveyance or incumbrance which could have been avoided by the creditors or any of them or by which it is attempted to give any creditor unlawful preference over another

He may with leave of court obtained on petition after notice to all creditors of whom he has knowledge surrender to the corporation or person any assets including choses in action whether the subject of pending proceeding or not which are burdensome and of no advantage to creditors

Section 30 Power of the Court to Make and Enforce Orders The court having jurisdiction shall have power to make and enforce any and all orders necessary and appropriate to enable the Commissioner to discharge his duties in connection with the business property and affairs of any corporation or person taken into possession by the Commissioner under the provisions of this act

Section 31 Continuance of Possession Exceptions When the Commissioner shall have duly taken possession of the business and property of corporation of person as provided in section twenty-one of this act he shall hold such possession until the affairs of such corporation or person have been liquidated by him unless

I He shall have been directed by order of court to surrender such possession pursuant to the provisions of section twenty-three of this act

II He shall have permitted a resumption of business or a sale or conveyance of property and franchises or a merger or consolidation pursuant to the provisions of section twenty-eight of this act

III The stockholders of such corporation after payment of all creditors in full shall have elected a trustee or trustees to continue the liquidation of such corporation or the court shall have appointed such trustee or trustees pursuant to the provisions of section fifty of this act and such trustee or trustees shall have duly qualified to take possession of the remaining assets of such corporation or

IV The depositors and other creditors of such person and the expenses of such liquidation shall have been paid in full

Section 32 Recording Certificate Sales

(a) Recording Certificate of Possession or Surrender When the Commissioner has taken possession of the business and property of a corporation or person he shall if there be any real property file in the office of the recorder of deeds in each county of this State or with the proper official in any other state or country where any such real property shall be situated a certified copy of the certificate required by section twenty-two of this act which copy shall be recorded in the deed book and indexed in the grantor's index in the name of such corporation or persons and in the grantee's index in the name of the Commissioner and shall also be registered with the proper authority empowered to keep a register of real estate if any there be and when the Commissioner has surrendered possession of the business and property of a corporation or person he shall in the same manner file a certified copy of the order provided for by section twenty-eight of this act which shall be in like manner recorded and shall be indexed in the name of the Commissioner as grantor and in the name of such corporation or person as grantee and shall also be registered as aforesaid

(b) Sales of Real and Personal Property The Commissioner may sell at public sale any or all of the real and personal property of such corporation or person without any order of court He may with leave of court sell either real or personal property at private sale At least ten days' notice of any petition for leaves to sell at private sale shall be given to all stockholders of such corporation or to such person and to all creditors known to the Commissioner and such notice shall also be advertised at least once in a newspaper in the county where the banking house or other place of business is located and when the land is situated in a different county at least once in a newspaper published in the latter county

(c) Sales of Real Estate Outside of the County When any real property of such corporation or person is situated in a county other than that where the banking house or other place of business is located a petition for leave to sell such property at private sale shall be filed in the court having jurisdiction of the liquidation proceedings which court if satisfied of the propriety of such sale shall make an order or decree authorizing the Commissioner to sell such real property or so much thereof as the court may designate Thereupon it shall be the duty of the court of common pleas of the county wherein the real property so designated is situated on petition of the Commissioner to make an order for the sale of said property or so much thereof as the court having jurisdiction of the liquidation proceedings shall have designated and the Commissioner shall in all cases make a return of the sale to the court of the county in which the real property is situated If the same be approved by said court it shall be confirmed and a certified copy of the return and of the decree of confirmation shall be filed in the court having jurisdiction of the liquidation proceedings

(d) Sale of Listed Securities Listed securities may be sold on the stock exchange with leave of court obtained on petition of the Commissioner at such time or times and in such manner as may be determined by the court No notice to creditors of such petition shall be necessary unless required by the court

(e) Effect of Sale upon Liens When any real property of such corporation or person is subjected to liens which under the laws of this Commonwealth would be discharged by a judicial sale the same shall not be affected by a sale by the Commissioner unless such sale be made pursuant to an order of court directing that liens be discharged thereby and after notice to all creditors having or claiming liens and in such event the proceeds of the sale shall take the place of the property sold and be distributed to the parties entitled thereto if such real property is situated in a county other than that where the banking house or other place of business is located a petition for leave to sell discharged of liens shall be filed in the court having jurisdiction of the liquidation proceedings which court if satisfied of the propriety of such sale shall make an order or decree authorizing the same and thereupon it shall be the duty of the court of common pleas of the county where such property is situated to make an order for the sale thereof discharged of liens Return of such sale shall be made to the latter court If the sale be approved by that court it shall be confirmed and a certified copy of the return and of the decree of confirmation shall be filed in the court having jurisdiction of the liquidation proceedings which court shall also make distribution of the proceeds of such sale to the parties entitled thereto

Section 33 Execution of Deeds and Documents The Commissioner may execute acknowledge and deliver any and all deeds assignments bills of sale releases extensions satisfactions and other instruments necesseary and proper to effectuate any sale lease or transfer of real or personal property or to carry into effect any power conferred or duty imposed upon him by this act or by order of court Any instrument executed pursuant to the authority hereby given shall be valid and effectual for all purposes as though the same had been executed by the officers of such corporation by authority of its board of directors or by such person individually

Section 34 Compromise The Commissioner may with leave of court compound or compromise any debt or claim due to the corporation or person and discontinue any action or other proceeding pending therefor if done in good faith and after proper inquiry and upon payment of the amount due may require all mortgages conditional contracts pledges and liens of or upon any real or personal property of such corporation or person to be satisfied cancelled or assigned to him as he may deem best or he may sell the property subject thereto

Section 35 Actions and Suits For the purpose of executing any of the powers and performing any of the duties hereby conferred and imposed upon him the Commissioner may in the name of the corporation or person prosecute and defend any and all actions and proceeding at law in equity or otherwise pending at the time when the Commissioner takes possession of the business and property of such corporation or person

He may by bill of discovery or other legal or equitable proceeding obtain information of and sue for and recover any assets debts or damages which such corporation or person might sue for and recover or which any of the creditors might make available for the payment of their claims

He may at any time while he is in possession of the property and business of a corporation institute and maintain against the directors trustees managers or officers any action or proceeding which is vested in such corporation or in the stockholders or creditors thereof

He shall be liable to suit in his representative capacity by any person seeking to recover specific property if such property could have been recovered as against the creditors of the corporation or person levying an execution thereon

Section 36 Judgments Not to be Liens Stay of Execution A lien shall not attach to any of the property or assets of the corporation or person by reason of the entry of any judgment against such corporation or person after the Commissioner has taken possession of its or his property and business and filed a certificate as required by section twenty-two of this act and so long as such possession continues

During such time no execution or attachment shall issue against such corporation or person nor shall any pending execution or attachment be proceeded with except by special leave of the court

Section 37 Enforcement of Individual Liability of Stockholders Whenever the stockholders of a corporation whereof the Commissioner shall have taken possession are liable in addition to their liability as such stockholders for unpaid subscription to an amount equal to the par value of their stockholdings in such corporation and the Commissioner has determined from his examination of the affairs of the corporation that the reasonable value of its assets is not sufficient to pay its creditors in full he may enforce the individual liability of such stockholders to such extent as may be necessary

If he determines to enforce such liability he shall make demand in writing upon such stockholders by causing the same to be mailed by registered mail to the respective stockholders at their last known places of address as the same appear on the stock ledger of the corporation or at their last known addresses if no addresses appear in such ledger Such demand shall state the total amount assessed by the Commissioner against the stockholders and the pro rata share assessed against the particular stockholder addressed and the total sum to be paid by such stockholder The demand shall also fix a date not less than thirty days after the date of such demand on which the stockholders shall be required to pay such assessment to the Commissioner

If any stockholder shall fail or refuse to pay such assessment within such time the Commissioner shall have a cause of action at law or in equity against such stockholder either severally or jointly with other stockholders for the amount of such assessment together with interest from the date when the same was due and payable In any such action the written statement of the Commissioner under his hand and seal of office reciting his determination to enforce the individual inability or any part thereof of such stockholders and setting forth the value of the assets of the corporation and its liabilities as determined by him after examination and investigation shall be prima facie evidence of such facts as therein stated

Section 38 Inventory and Appraisement Statement of Liabilities When the Commissioner has determined to liquidate the affairs of any such corporation or person he shall forthwith cause an inventory and appraisement of the assets of such corporation or person under oath or affirmation to be made in duplicate by two disinterested appraisers chosen by him and shall file such inventories and appraisements accompanied by a complete statement certified by him of the liabilities of such corporation or person so far as he has been able to ascertain the same one in his office and the other in the office of the prothonotary

Section 39 Procedure as to Property in Safe Deposit After taking possession as aforesaid the Commissioner may give written notice to anyone claiming or appearing on the books of the corporation or person to be owner of any personal property left in the possession of such corporation or person as bailee or depository for hire or the lessee of any safe vault or box notifying such bailor or lessee to remove all such personal property within a period of not less than sixty days

At the expiration of such period if such property has not been removed the commissioner may proceed as the corporation or person might have proceeded as provided in the contract of bailment or lease or at his option may cause any such safe vault or box to be opened in his presence or the presence of his special deputy and of a notary public not an officer or employee of the corporation or person or of the Banking Department and the contents if any of such safe vault or box shall be sealed and marked by such notary with the name and address of the bailor or lessee in whose name such safe vault or box stands upon the books of the corporation or person and a list of the property therein shall be attached thereto such package so sealed and addressed shall be removed by the Commissioner to his office and there preserved until delivered to the owner or otherwise disposed of in accordance with law

After the service or mailing of the notiec as aforesaid the contract of bailment or leasing if any shall cease and determine upon the date for removal fixed by said notice and the amount of unearned rent or charges if any paid by the bailor or lessee shall become a debt of the corporation or person all contracts of bailment or lease such as aforesaid made after the date of the approval of this act shall be subject to the provisions of this section

Section 40 Trust Funds

(a) Taking Possession by Commissioner Whenever the Commissioner takes possession of the business and property of a corporation or person in accordance with the provisions of this act he shall also take possession of all funds property and investments held by such corporation or person in any fiduciary capacity but shall keep the same separate and apart from the assets thereof

(b) Substituted Fiduciaries Upon determining to liquidate the affairs of such corporation or person the Commissioner shall forthwith give written notice to all parties interested in any such funds property or investments held in a fiduciary capacity so far as such notice is practicable requiring them within thirty days to apply to the proper court or official for the appointment of substituted fiduciaries to take the place of such corporation or person On the failure or neglect of the parties so notified to make such application within the time designated or in case the parties in interest can not be notified the Commissioner shall himself apply for such appointment of substituted fiduciaries

(c) Settlement without Accounting In any instance where there shall be no dispute as to the amount or identity of such funds property or investments and all parties in interest are sui juris and so request in writing the Commisioner may without the filing of an account transfer pay over and deliver to such substituted fiduciary all funds property and investments of the particular trust taking from parties and such substituted fiduciary a receipt and release in full which shall discharge the Commissioner and such corporation or person from any further liability in the premises

(d) Jurisdiction of Disputes as to Identity of Trust Fund In any instance where there shall be a dispute as to the identity of alleged trust funds property or investments either because the same have become or are alleged to have become mingled with other funds property or invstments or otherwise the court having jurisdiction of the liquidation proceedings shall have exclusive jurisdiction to determine such dispute

(e) Accounting In all other instances the Commissioner shall with the least possible delay prepare and file in the courts having jurisdiction thereof the accounts of such corporation or person in such fiduciary capacities and shall transfer pay over and deliver the balances determined upon such accounts to be due in accordance with the orders and decrees of such courts

(f) Deficiences and Surcharges In any instance where it shall be ascertained by such court that there is a deficiency in any such trust funds property or investments for which such corporation or person is liable or that such corporation or person is liable to surcharge in respect thereof the amount thereof shall constitute an unpreferred claim against the general funds in the hands of the Commissioner and the order or decree of such court shall be conclusive subject to appeal as to the amount of such claim Should the existence or amount of any deficiency or surcharge or the liability of the corporation or person thereof be undetermined at the time of any distribution of such general funds it shall be the duty of the court ordering such distribution to set apart and withhold from such distribution a sufficient amount to pay the proportionate dividend upon such undetermined claim until the same shall have been finally adjudicated

Section 41 Notice to Depositors and Creditors When the Commissioner shall have determined to liquidate the affairs of such corporation or person he shall forthwith give written or printed notice to all depositors to produce to him their deposit or pass books for settlement stating in such notice the amount which the books of the corporation or person show to be due to each depositor subject to outstanding checks and notifying such depositors that unless a settlement of the deposit or pass books shall show a different amount to be due or unless a depositor shall within four months from the date of such notice make proof in the matter hereinafter set forth that the amount due him differs from the amount as shown by the books of the corporation or person the amount last mentioned will be conclusive as to the amount of the claim of such depositor subject as aforesaid to any outstanding checks

The Commissioner shall at the same time give written or printed notice to all creditors other than depositors so far as known to him to make proof of their claims in the manner hereinafter set forth within four months from the date of such notice or be debarred from coming in upon the fund

He shall also advertise such notices to depositors and other creditors in a newspaper once a week for four successive weeks

Section 42 Proof of Claims of Creditors No claim other than the claim of a depositor shall be allowed unless the claimant or someone for him if he cannot do so shall furnish to the Commissioner a statement of his claim together with a copy of any book entries pertaining thereto or any note or writing evidencing the same verified by an affidavit in substantially the following form

"I (name of claimant) do solemnly swear (or affirm) that the above is a true statement of my claim against (name of corporation or person) that there are no credits or allowances against the same except as therein set forth that I have not directly or indirectly made or entered into any bargain arrangement or agreement express or implied to take or receive directly or indirectly any money property or consideration whatever to or for myself or to or for any other person firm or corporation whatever other than my dividend as a creditor and that there is no collateral security for said indebtedness or any part thereof held by me or anyone else other than as above set forth"

In case the claimant shall be a partnership or corporation such affidavit shall be made by a member of the partnership or by the treasurer or assistant treasurer of the corporation claimant and the form thereof shall be modified accordingly

The provisions of this section shall not apply to the claims of cestius que trust or others to or against trust funds or property in the custody possession or control of a corporation or person possession of whose business and property is taken by the Commissioner under the provisions of this act

Section 43 Proof of Claims of Depositors When proofs of claims by depositors are necessary under the provisions of section forty-one of this act the same shall be in such form as the Commissioner shall prescribe and shall on request of any such depositor be prepared by the special deputy in charge of the affairs of the corporation or person in question and the affidavits thereto shall be taken by him without charge

Section 44 Allowance of Claims If such claim and affidavit when required are in proper form and if the amount claimed by a depositor or other creditor agrees with the amount shown by the books of the corporation or person or if upon consultation with the claimant and such corporation or person the amount is ascertained to the satisfaction of the Commissioner the claim shall be allowed if presented within the time limited by the notice as aforesaid unless objected to in the manner hereinafter provided

Section 45 Partial or Final Account Objections At the expiration of the time fixed by the notice and advertisement for the presentation of claims prescribed in section forty-one of this act the Commissioner may file a partial or final account consisting of a statement of receipts and expenditures together with a list of the claims which have been allowed and separately a list of the claims which have been objected to or are disputed showing as to all claimants the names addresses and amounts

If no account is filed within a year from the time when the Commissioner takes possession any party interested may petition the court for an order on the Commissioner requiring the filing of an account

Any account filed by the Commissioner shall be duly verified by him under oath or affirmation Upon the filing thereof he shall give written or printed notice to all the depositors and other creditors known to him of such filing and that unless objections shall be filed within thirty days from the date thereof the same will be confirmed absolutely He shall also at the same time advertise such notice in two newspapers once a week for four successive weeks

During such period of thirty days any depositor other creditor stockholder or anyone having any interest may file in the court objections in writing to said account or to the allowance of any said claims a copy of which objections shall forthwith be served upon the claimant whose claim is objected to or his counsel and upon the Commissioner or his counsel or the special deputy appointed by him in such proceeding

Section 46 Distribution If at the expiration of said period of thirty days from the filing of the account no objections shall have been filed thereto the same shall be confirmed absolutely and the Commissioner shall prepare and file a schedule of distribution in accordance with the priorities fixed by law Said schedule shall be subject to the approval of the court and in accordance therewith when so approved a partial or final dividend as the case may be shall be declared and paid by the Commissioner In case there shall be any disputed claim or any claim to which objections shall have been duly filed the dividend shall be calculated as if all claims were valid and approved and after deducting and setting apart such portion of the dividend as represents claims which are disputed or objected to the balance shall be distributed among the other claims If all or any of the claims disputed or objected to shall thereafter be determined to be valid they shall then receive their portions of such dividend If all or any of such claims shall be determined to be invalid the portions of such dividend set apart to them shall be distributed to the valid claims

Section 47 Conclusiveness of Confirmation and Distribution The confirmation of a partial account and distribution thereunder as aforesaid shall be conclusive only as to the fund distributed and shall not prevent the proof and allowance out of the fund involved in any subsequent account of claims not presented in time for allowance out of such previous fund

Section 48 Hearing and Decision of Matters in Controversy If there shall be claims disputed or objected to or if there shall be objections to the account the court shall itself without delay hear and decide the matters in controversy The court shall fix a time and place for the hearing of which three weeks' written notice shall be given to the Commissioner and to the corporation or person and to all depositors and other creditors whose claims have been filed as aforesaid Said notice shall also set forth that all parties whose claims are disputed or objected to must appear at said time and place and prove their claims or be debarred from coming in upon the fund for distribution

Section 49 Expenses to be Paid out of the Fund All assessments charges and penalties due to the Banking Department by such corporation or person all expenses of the taking and maintaining possession of the business and property or the continuing of the business by the Commissioner and all expenses of liquidation under the provisions of this act shall first be payable out of the funds of such corporation or person including the compensation of special deputies assistants and others employed by the Commissioner to assist him in such proceedings the allowance of all such expenses to be subject to the approval of the court

Section 50 Distribution of Balance Liquidating Trustees If after the filing and confirmation of the final account of the Commissioner and the payment of all creditors in full and the return to stockholders who have paid to the Commissioner the amounts demanded pursuant to section thirty-seven of this act of their pro rata shares of any such amounts not necessary to pay creditors in full there shall remain a balance in the hands of the Commissioner he shall call a meeting of the stockholders by serving written or printed notice upon them at least thirty days before the day fixed for the meeting

At such meeting the stockholders shall elect by ballot a trustee or trustees for the purpose of completing the liquidation A majority of the stock present in person or by proxy shall be necessary to elect Should the stockholders fail or refuse to elect the Commissioner or any stockholder may petition the court for the appointment of such trustee or trustees who when appointed shall give bond to the Commonwealth in such amount with such surety and on such conditions as the court may direct

When such trustee or trustees have been duly elected or appointed as aforesaid the Commissioner shall then transfer convey and deliver to such trustee or trustees all the assets of the corporation then remaining in his hands He shall thereupon be discharged from all further liability to such corporation and its creditors and shall file a certified copy of the proceedings of said stockholders' meeting in his office and cause a certified copy thereof to be filed in the office of the prothonotary No powers subject to the provision of the Banking Department shall thereafter be exercised by such corporation except by permission of the Commissioner and after compliance by such corporation with all the requirements of law as to a new corporation desiring to exercise such powers

Section 51 Constitutionality of Act If any section clause sentence paragraph or other part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid such judgment shall not affect impair or invalidate the remainder of this act or any part thereof but shall be confined in its operation to the part thereof directly involved in the controversy in which such judgment shall be rendered it being hereby declared that the legislature would have enacted the remainder of this act without such part adjudged to be invalid

Any section clause or other part of this act so declared to be invalid shall not be considered as having been stricken out from any other portion or portions of this act wherein cross-references thereto are made but shall be taken and construed as having been actually written in full into such other portion or portions from which cross-references are made

Section 52 Repealer Sections one to fifty-two inclusive of The Banking Act of one thousand nine hundred and nineteen approved May twenty-first one thousand nine hundred and nineteen (Pamphlet Laws two hundred and nine) are hereby repealed it being expressly declared that section fifty-three of said act being the repealing section thereof shall remain in full force and effect

All other acts of assembly or parts thereof that are in any way in conflict or inconsistent with this act or any part thereof are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Schantz,
Sisson,
Smith,
Sones,
Sprowls,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—1.

Snyder,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 201, entitled:

An Act directing the State Librarian to cause certain old church records of this State to be translated, preserved and published, and making an appropriation thereof.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 228, (House Bill No. 162), entitled:

An Act to amend section one thousand seven hundred and eight of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. SMITH. Mr. President, I move that Senate Bill No. 242, on third reading, entitled:

An act to amend sections ten eleven twelve and fourteen of and to add sections eleven (a) and eleven (b) to an act entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" approved the nineteenth day of March one thousand nine hundred and nine (Pamphlet Laws forty-six) changing the preliminary educational requirements; creating a board to examine and license osteopathic physicians to practice operative surgery; providing for such examination and licensing regulating the practice of the same and requiring additional qualifications therefor defining osteopathy and providing for the effect of reports and certificates made by osteopathic physicians and granting additional powers to the Board of Osteopathic Examiners to revoke licenses.

be recommitted to the Committee on Public Health and Sanitation, for the purpose of amendment and a hearing.

Mr. SCHANTZ. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. SCHANTZ. Mr. President, I ask that Senate Bill No. 266, on third reading, entitled:

An Act providing for only one assessment of all property for taxation in cities of the third class within the Commonwealth directing said assessment to be made by the city assessors of said cities and said city assessors in addition to their duties as such assessors to perform all other duties now performed by the county assessors in said cities and requiring said cities to furnish copies of said assessment to each of the boards of school directors in said cities to each of the boards of county commissioners of the respective counties wherein said cities are located and to all other boards or authorities levying and collecting taxes in said cities and all taxes city school county poor and other taxes to be levied on said assessment

go over in its order.

The PRESIDENT. In there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 505, entitled:

An Act to repeal an act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Appropriation Acts Page 269) entitled "An act making an appropriation to the Washington and Jefferson College Washington Pennsylvania"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 508, on third reading, entitled:

An Act constituting the board of trustees of Washington and Jefferson college a commission to provide a memorial to the memory of the late James A. Beaver

be recommitted to the Committee on Appropriations.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 512, as follows:

An Act to amend section one of an act approved the seventeenth day of March one thousand nine hundred and twenty-one (Pamphlet Laws thirty-two) entitled "An Act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county" by providing for second like proceeding in certain cases and making it the duty of the county commissioners upon favorable result of a second election to erect such hall at some place in the county other than the county seat

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the seventeenth day of March one thousand nine hundred and twenty-one (Pamphlet Laws thirty-two) entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county" is hereby amended to read as follows:

Section 1 Be it enacted et cetera That in any county of the Commonwealth where the petition of at least fifty citizens thereof to the county commissioners of any county for the erection or completion and maintenance of a memorial or monument in honor of the soldiers sailors and marines for such county who served in the Army and Navy of the United States in the War of the Rebellion the Spanish American War the Philippine Insurrection the War with Germany and Austria and all other wars in which the United States has been or may hereafter be engaged has been or may be laid before two successive grand juries and approved by them it shall be the duty of the county commissioners to submit the question of the erection of a memorial hall to the electors of the county at the next general or municipal election and if a majority of the persons voting at such election shall vote in favor of the same it shall be the duty of the county commissioners to erect at the county seat a memorial hall as such memorial or monument and for such purpose to acquire by purchase donation or by condemnation under the right of eminent domain the necessary site and to erect and maintain thereon a suitable and proper memorial hall or buildings in memory of the soldiers sailors and marines of such wars In case said election shall result adversely and a second petition shall be presented the same shall be laid before two successive grand juries and if approved then it shall be the duty of the county commissioners to again in like manner submit the question to vote at the next general or municipal election and if the result shall be favorable then it shall be the duty of the county commissioners to erect such hall at such place in the county as they may designate All proceedings for the condemnation of any property under the provisions of this act shall be in the same manner as now provided by law for the condemnation of property for other county purposes

If the site so secured has a hall or building already erected thereon which can be altered and improved so as to be made suitable for such memorial hall it shall be lawful for such county commissioners to acquire such site in manner aforesaid for the purpose of a memorial hall

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. BALDWIN. Mr. President, I ask unanimous consent to amend title by striking out at the end thereof the following: "in the county other than the county seat", and insert in lieu thereof "designated in the question submitted on the ballot"; also section 1, page 3, line 18, being the last words of the underscoring, by striking out "as they may designate" and insert in lieu thereof "as shall have been designated upon the ballot in the question submitted to the electors".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL RECOMMITTED.

Mr. WOODWARD. Mr. President, I move that Senate Bill No. 565, an third reading, entitled:

An Act creating a Department of Game and Fish, charging the department with the enforcement administration and execution of laws heretofore enforced, administered and executed by or through the Department of Fisheries and the Board of Game Commissioners defining the powers and duties of the department and prescribing penalties abolishing certain departments, boards, commissions and offices providing for the disposition of certain moneys now held by or hereafter paid to the State Treasurer under any statute, the enforcement of which is by this act imposed on the department and making appropriations.

be recommitted to the committee on Finance.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 610, entitled:

An Act providing for the creation of a commission to study the subject of consolidation of the various municipalities to wit cities boroughs and townships in counties of the second class into one municipality and to file with the next General Assembly its report together with an act providing a method for such consolidation prescribing its powers and duties and making an appropriation

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 656, entitled:

An act requiring purchasers or receivers of milk or cream for manufacturing purposes or resale to furnish to the producer thereof certain periodicals statements of daily deliveries and the average percentum butterfat test of the same providing for the enforcement hereof and fixing penalties

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,
Barr,
Betts,
Derrick,
DeWitt,
Harris,
Leslie,
Long,
MacDade,
Smith,
Snyder,
Sones,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Kutz,
Lanius,
Mansfield,
McNichol,
Miller,
Norton,
Schantz,
Sisson,
Sprowls,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 673, (House Bill No. 722), as follows:

An Act to amend clause (h) of section one hundred and two Article one of an act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-seven) entitled "An act to estabilsh a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for the purchase lease building and maintenance of telephone lines for attachment thereto by private parties and appropriating the revenue derived therefrom

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause (h) of section one hundred and two Article one of an act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) etitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" is hereby amended to read as follows

(h) He shall plan and put into effect as rapidly as convenient a system of fire-towers observation stations and a system of telephone lines which shall cover the regions subject to forest fires and for such purposes he may purchase the necessary material and equipment to build and maintain such towers and stations and lines and hire the necessary labor for the istallation of such systems In maintaining systems of telephone lines he is authorized to buy or lease any existing lines He may permit the attachment of telephones of persons firms and corporations on such lines under such conditions and for such rental as may be agreed upon and shall through the Commissioer of Forestry deposit all moneys so received with the State Treasurer which shall be placed into the fund appropriated for forest protection purposes and such moneys shall be available upon requisition of the Commissioner of Forestry for the extension maintenance and upkeep of such telephone lines and for such purposes such moneys are hereby specifically appropriated Provided That there shall be no competition by the Department of Forestry in telephone service with any commercial telephone company

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,
Barr,
Betts,
Brown,
Derrick,
DeWitt,
Harris,
Heaton,
Leslie,
Long,
MacDade,
Mansfield,
Smith,
Snyder,
Sones,
Sprowls,

Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Homsher,
Huffman,
Joyce,
Krause,
Kutz,
Lanius,
McNichol,
Miller,
Norton,
Schantz,
Sisson,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 721, (House Bill No. 782), entitled:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf and Dumb at Mount Airy Philadelphia to cover deficiency in maintenance and education of State pupils

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 734, entitled:

A resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section sixteen

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. BUCKMAN. Mr. President, At the request of the sponsor of this bill, I ask unanimous consent to amend title, line 1, by striking out the word "nine" and inserting in lieu thereof the word "three"; also line 3, after the word "thereto" by inserting the words "an additional"; also by striking out the word "sixteen"; also section 1, line 1, by striking out the word "enacted" and inserting in lieu thereof the word "resolved"; also line 7, by striking out the word "nine" and inserting in lieu thereof the word "three"; also line 8, after the word "thereto" by inserting the words "the following"; also line 9, by striking out the words "sixteen as follows"; also line 10, by striking out the figures "16" after the word "Section" leaving a blank; also line 13, by inserting after the word "or" and before the word "utilities" the word "public"; also in next to the last line of bill by striking out the word "such" before the word "bonds" and inserting in lieu thereof the word "any".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 761, entitled:

An Act to amend section two of an act, approved the twenty-second day of April, one thousand nine hundred and nine (P. L. 121), entitled "An act restricting the use of the word 'trust' as part of a corporate name; forbidding advertising or doing business as a trust company except by corporations under the supervision of the banking department; and providing a penalty for violation thereof."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Curbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 764, as follows:

An Act fixing the salary of court criers in counties of the sixth class

Section 1 Be it enacted by the Senate and House of Reperesentatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the salary of court criers in counties of the sixth class shall be fixed by the court at a rate not exceeding one thousand dollars per annum payable from the county treasury in the same manner as the salary and compensation of county employes

Section 2 All acts and parts parts of acts inconsistent with this act herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 778, (House Bill No. 232), entitled:

An Act to amend chapter eleven article two of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—31.

Baldwin,
Barr,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Kutz,
Leslie,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Schantz,
Smith,
Snyder,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem

NAYS—5.

Betts,
DeWitt,
Lanius,
Sisson,
Sones,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS RECOMMITTED.

Mr. BARR. Mr. President, I move that Senate Bill No. 780, on third reading entitled:

An Act providing that the county treasurers in counties of the second class of this Commonwealth shall add a penalty of five per centum on all taxes in each district of said counties which shall have been assessed against any person or persons or their property in any of the districts of the said county and which shall remain due and unpaid for a period of four months after the date fixed for the payment in the proper district and requiring the county treasurer to receive the whole amount of taxes assessed against any person or persons or their property in any of the districts of the said county with the added penalty of one-half of one per centum per month as provided herein without any other increases or deductions providing that the said penalty of five per centum shall occrue to the revenues of said county and repealing all acts or parts of acts inconsistent herewith

be recommitted to the Committee on Municipal Affairs, for the purpose of a hearing.

Mr. LESLIE. Mr. President, I second the motion.

The motion was agreed to.

Mr. SMITH Mr. President, I move that Senate Bill No. 786, on third reading, entitled:

A Supplement to an act approved the twenty-first day of March, one thousand nine hundred twenty-three entitled "An Act for the prevention of fraud and the protection of the public health; relating to milk, cream or skimmed milk whether or not condensed, evaporated, concentrated, dried, powdered or dessicated; prohibiting the introduction of foreign fats into them; regulating the sale of and defining condensed, concentrated and evaporated milk; stipulating penalties for the infraction thereof; and providing for the enforcement thereof;" defining condensed, and evaporated skimmed milk, and compounds thereof; regulating the manufacture sale and exchange thereof;" and providing penalties.

be recommitted to the Committee on Public Health and Sanitation, for the purpose of a hearing.

Mr. SCHANTZ. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 797, entitled:

An Act relating to the powers and duties of probation officers

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 821, (House Bill No. 681), entitled:

An Act to amend the supplement to an act, approved the twenty-first day of May, one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight,) entitled "A supplement to an act 'to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth, in State hospitals for the insane,' approved the thirteenth day of June, Anno Domini, one thousand eight hundred and eighty-three," as amended, by fixing the maximum amount for maintenance weekly, per capita.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Schantz,
Sisson,
Smith,
Sones,
Sprowls,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—2.

Long,
Snyder,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 857, (House Bill No. 1165), entitled:

An Act authorizing cities boroughs towns and townships to purchase burial plots for certain deceased service men

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 867, (House Bill No. 1357), entitled:

An Act providing for the redemption and cancellation of the Bond issued under the act approved April third one thousand eight hundred and seventy-two (Pamphlet Laws thirty-nine) entitled 'An act directing the sale of bonds composing the Agricultural College land script fund and authorizing the issue of a new bond in lieu thereof and abolishing the board commissioners created by act of April first one thousand eight hundred and sixty-three" and for the investment of the moneys in the fund resulting from such redemption and the payment of the interest therefrom by the Sinking Fund Commission to Pennsylvania State College.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 891, (House Bill No. 395), entitled:

An Act to regulate the sale of caustic acid or caustic alkali preparations intended for household use and providing penalties for the violation thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. BALDWIN. Mr. President, At the request of the Senator from Philadelphia, Mr. Aron, I move that Senate Bill No. 922, (House Bill No. 460), on third reading, entitled:

A Supplement to the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and sixty-two) entitled "An Act providing for

the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by subscribers to be misdemeanors and providing penalties for the violation thereof" providing for the auditing of the State Workmen's Insurance Fund and the payment of the costs thereof

be recommitted to the Committee on Insurance, for the purpose of amendment.

Mr. CULBERTSON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 940, (House Bill No. 933), entitled:

An Act authorizing county commissioners to appropriate money from the funds of the county to aid in the planting of trees and the establishment of tree nurseries in aid of the reforestration of wood lots of farms on any other lands denuded of timber which it is desired to reforest

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 946, (House Bill No. 1007), entitled:

An Act to amend an act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred and sixty-one) entitled "An Act relating to the maintenance of insane feeble-minded and other persons confined in the various institutions of the Commonwealth fixing liability for their support providing for the collection of moneys due the Commonwealth therefor and for proceedings relating thereto"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Leslie,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Weaver,
Clark,
Craig,
Culberston,
Davis,
Joyce,
Krause,
Kutz,
Lanius,
Norton,
Schantz,
Sisson,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 957, (House Bill No. 1208), entitled:

An Act making an appropriation to the Pennsylvania State College to reimburse the said college for loss of interest on a bond of the Commonwealth for the benefit of said college which bond has matured.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 963, (House Bill No. 1254), entitled:

An Act making an appropriation to carry out the provisions of the Act, approved the twenty-seventh day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, eleven hundred ninety), entitled "An Act providing for the refunding of moneys paid to the State Highway Department for registration of motor vehicles and drivers' licenses, which motor vehicles and licenses have not been used and to which moneys it appears the Commonwealth has no claim; and making an appropriation for such refunds."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 86, as follows:

An Act to further amend the fifth section of an act entitled "An act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof" approved May nineteenth Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six) as amended by fixing and determining the salaries of the assistant clerks of said court in counties of the first second third and fourth classes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fifth section of an act entitled "An act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof" approved May nineteenth Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six) which at last amended by an act entitled "An act to further amend the fifth section of an act entitled "An act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof" approved May nineteenth Anno Domini eighteen nundred and seventy-four (Pamphlet Laws two hundred and six) as amended by fixing and determining the salaries of the assistant clerks of said court in counties of the first second third and fourth classes" approved the twenty-fifth day of May Anno Domini one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and eight) reads as follows

"Section 5 The register of wills of each and every county containing over one hundred fifty thousand inhabitants in which a separate orphans court is or may be hereafter established shall be clerk of such orphans' court and subject to its direction in all matters pertaining to his office The judge or judges of said court in counties containing a population of less than seven hundred thousand may appoint the first assistant clerk and the said register of wills may with the consent and approval of said court appoint additional clerks Said clerks shall receive annual salaries payable monthly by the treasurer of said respective counties as follows to wit In counties of the first and second class the first assistant four thousand dollars the second assistant three thousand and the third assistant twenty-three hundred dollars and in counties of the third class the first assistant thirty-five hundred dollars and the second assistant twenty-five hundred dollars and the third assistant eighteen hundred dollars and in counties of the fourth class the first assistant twenty-five hundred dollars the second assistant two thousand dollars and the third assistant fourteen hundred dollars the annual salaries of all other assistants to be fixed by the judge or judges of the said court but said annual salaries not to exceed two thousand dollars each in counties of the first and second class fifteen hundred dollars each in counties of the third class and twelve hundred dollars each in counties of the fourth class which salaries shall be paid out of the fees of said office paid into the treasury of the county upon bills attested by said register and countersigned by a judge of said court But in the event that the fees received in said office of register of wills be not sufficient to fully pay the register and his assistants then payment shall be made in full to the said register of wills but to his assistants in manner as follows namely where there are more than one assistant then the balance of fees remaining to the credit of said office of register of wills shall be divided among each of said assistants in proportion as his salary shall stand to the whole" is amended to read as follows

Section 5 The register of wills of each and every county containing over one hundred fifty thousand inhabitants in which a separate orphans' court is or may be hereafter established shall be clerk of such orphans' court and subject to its directions in all matters pertaining to his office The judge or judges of said court in counties containing a population of less than seven hundred thousand may appoint the first assistant clerk and the said register of wills may with the consent and approval of said court appoint additional assistant clerks Said clerks shall receive annual salaries payable monthly by the treasurer of said respective counties as follows to wit In counties of the first and second class the first assistant four thousand dollars the second assistant three thousand the third assistant twenty-five hundred and the fourth assistant twenty-three hundred dollars and in counties of the third class the first assistant thirty-five hundred dollars the second assistant twenty-five hundred dollars and the third assistant eighteen hundred dollars and in counties of the fourth class the first assistant twenty-five hundred dollars the second assistant two thousand dollars and the third assistant fourteen hundred dollars the annual salaries of all other assistants to be fixed by the judge or judges of the said court but said annual salaries not to exceed two thousand dollars each in counties of the first and second class fifteen hundred dollars each in counties of the third class and twelve hundred dollars each in counties of the fourth class which salaries shall be paid out of the fees of said office paid into the treasury of the county upon bills attested by said register and countersigned by a judge of said court But in the event that the fees received in said office of register of wills be not sufficient to fully pay the register and his assistants then payment shall be made in full to the said register of wills but to his assistants in manner as follows namely where there are more than one assistant then the balance of fees remaining to the credit of said office of register of wills shall be divided among each of said assistants in proportion as his salary shall stand to the whole

Section 2 That all acts and parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 126, as follows:

An Act making an appropriation to the Western Pennsylvania School for the Blind located at Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of Sixteen Thousand Five Hundred ($16,500.00) Dollars or so much thereof as may be necessary is hereby specifically appropriated to the Western Pennsylvania School for the Blind for the purchase and installation of two boilers of ample capacity and approved type

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 381 (House Bill No. 227), entitled:

An Act to further amend the fifth section of an act entitled "An act relating to the organization and jurisdiction of orphans' courts and to stablish a separate orphans' court in and for counties having more than one hundred and fifty thousand inhabitants and to provide for the election of judges thereof" apporved May nineteenth Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six) as amended by fixing and determining the salaries of the assistant clerks of said court in counties of the first second third and fourth clases

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 413 (House Bill No. 389), entitled:

An Act to amend chapter six article twenty section three of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED.

Mr. LONG. Mr. President, I move that Senate Bill No. 415, (House Bill No. 449), on second reading, entitled:

An Act to amend paragraph one section five of the act approved April twenty-nine eighteen hundred seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" as amended changing the effect of the by-laws of corporations

be recommitted to the Committee on Judiciary General.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

Mr. LESLIE. Mr. President, I move that Senate Bill No. 539, (House Bill No. 588), on second reading, entitled:

An act to regulate the alloting or subdividing of land in cities of the second class by requiring the recording in the office of the Recorder of Deeds of a map or plan prior to the sale conveyance or mortgaging of any part thereof and providing penalties for the violation of the act

be recommitted to the Committee on Judiciary General.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of Whole being in this case dispensed with,

The Senate proceeded to the second reading and Consideration of Senate Bill No. 714 (House Bill No. 682), entitled:

An Act to amend the forty-first clause of section two article one chapter five of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" as amended

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of Whole being in this case dispensed with,

The Senate proceeded to the second reading and Consideration of Senate Bill No. 724, (House Bill No. 798), entitled:

An Act relating to building construction in cities of the first class by prescribing the maximum undivided floor areas permitted and the use of non-fireproof steel trusses and purlins in certain cases prescribing limitations on garages automobile service stations and buildings for similar purposes and construction permitted for curtain and spandrel walls permitting the use of wood furing and stud-partitions in certain cases and repealing inconsistent laws

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of Whole being in this case dispensed with,

The Senate proceeded to the second reading and Consideration of Senate Bill No. 752, as follows:

An Act to amend section sventeen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maitenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kinds of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of this act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended authorizing the Department to collect fees for permits and making an appropriation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventeen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a

State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highway solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commisisoner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for the purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" which was amended by an act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and twelve) is hereby further amended to read as follows

Section 17 All State highways under the provisions of this act shall be marked with suitable signs having the words "State Highway" and year-date thereon and signs or distance board giving directions to towns or villages shall be erected at cross or intersecting roads the same to be paid for as part of the cost of the highway The State Highway Commissioner may also cause trees to be planted and maintained along said highways the same to be paid for as a part of the cost of the road No railroad or street railway shall hereafter be constructed upon any State highway nor shall any railroad or street railway crossing nor any gas-pipe water-pipe electric conduits or other piping be laid upon or in nor shall any telephone telegraph or electric light or power poles or any coal tipples or any other obstructions be erected upon or in any portion of the State highway except under such condtions restrictions and regulations and subject to the payment of such fees for permits as may be prescribed and required by the State Highway Department All fees so collected for permits shall be paid into the State Treasury and shall be credited to the special fund in the State Treasury into which motor vehicle registration and license fees are now paid and all such permit fees in said fund from time to time are hereby specifically appropriated to the State Highway Department for expenditure for the same purposes and in like manner as that for which the moneys now in said fund may be expended The State Highway Commissioner is empowered to make reasonable rules and regulations governing the use of all State highways and any person violating such rules or regulations or who shall by the use of rough-locks drag-chains upon wagon wheels or by any other method or device or in any manner willfully or maliciously destroy injure or damage any such highway in this Commonwealth shall be guilty of a misdemeanor and upon arrest and conviction therefor shall pay a fine of not less than ten dollars ($10) nor more than twenty dollars ($20) for each and every offiense together with the cost of prosecution which shall be recovered as in similar cases upon complaint of any person before a magistrate or justice of the peace and the fine or fines so recovered shall be paid into the State Treasury

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 753, as follows:

An Act to amend section seven hundred and twenty-seven of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty) Entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" as amended authorizing the State Highway Department to charge permit fees for construction in over or under township highways and making an appropriation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven hundred and tewnty-seven of an act apporved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" which was amended by an act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and sixty-four) entitled "An Act to amend the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled 'An Act concerning townships and revising amending and consolidating the law relating thereto' " is hereby further amended to read as follows

Section 727 No railroad or street railway shall hereafter be constructed upon any township highway nor shall any railroad or street railway crossing nor any gas-pipe water-pipe electric conduits or other piping be laid upon or in nor shall any telephone telegraph or electric light or power poles or any coal tipples or any other obstructions be erected upon or in any portion of a township highway except under such conditions restrictions and regulations and subject to the payment of such fees for permits as may be prescribed and required by the State Highway Department All fees so collected for permits shall be paid into the State Treasury and shall be credited to the special fund in the State Treasury into which motor vehicle registration and license fees are now paid and all such permit fees in said fund from time to time are hereby specifically appropriated to the State Highway Department for expenditure for the same purpose and in like manner as that for which the moneys now in said fund may be expended

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 762, as follows:

An Act to safe guard human life and health throughout the Commonwealth by providing for the reporting quarantining and control of diseases declared communicable by this act or by regulation of the Department of Health providing for the prevention of infection therform and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following diseases are hereby specifically declared to be communicable to wit

Actinomycosis anterior poliomyelitis (infantile paralysis) anthrax bubonic plague cerebrospinal meningitis (epidemic) (cerebrospinal fever spotted fever) chicken pox Asiatic cholera diptheria ,diptheritic croup membranous croup putrid sore throat) epidemic dysentery (bacillary or ambic dysentery) erysipelas German measles glanders (farcy) rabies (hydrophobia) impetigo contagiosa leprosy malarial fever measles mumps pellagra pneumonia (true) puerperal fever relapsing fever scabies scarlet fever (scarlatina scarlet rash) smallpox (variola varioloid) tetanus trachoma trichiniasis tuberculosis in any form typhoid fever para typhoid fever typhus fever uncinariasis whooping cough or yellow fever

The Department of Health may when it deems it necessary to safeguard human life and health declare as communicable diseases additional to those hereinbefore specifically so declared but only in the following manner that is to say

The Secretary of Health shall call a meeting of the advisory health board five days' written notice of which shall be sent to each member of the board The notice shall state the time and place of meeting and the fact that a proposed regulation will be presented declaring a certain disease or diseases—setting it or them forth by name— to be communicable The notice shall also state such of the diseases as should in the opinion of the Secretary of Health be quarantinable or reportable or both and the quarantine period therefor

Upon the affirmative vote of four members of the advisory health board personally present any disease or disdiseases set forth in the proposed regulation is or are hereby declared communicable with the same force and effect as if expressly enumerated in this act Any such disease is hereby further declared quarantinable or reportable or both as may be provided in the regulation with the force and effect hereinbefore referred to

The regulation may be amended at such meeting so as to eleminate some or any of the diseases set forth in the notice but no disease shall be declared communicable which is not contained in the notice

Every physician practicing in any portion of this Commonwealth who shall treat or examine any person suffering from or affected with any disease herein specifically declared communicable and reportable or by regulation declared communicable and reportable shall if said case shall be located in a township of the first class a borough or a city forthwith make a report in writing to the health authorities of said township city or borough and if said case shall be located in a township of the second class or a city borough or township of the first class not having a board of health or body acting as such to the health officer appointed by the Department of Health for such district upon blanks for that purpose in which report he shall over his or her own signature state the name of the disease and the name age sex color nativity and occupation if any of the person suffering therefrom together with the street and house number of the premises in which said person may be located or otherwise sufficiently designate the same the date of the onset of the disease the name and occupation of the house holder in whose family the disease may have occurred the number of children in said house hold attending school and the name or names of the school or schools so attended together with such information relating to said case as may be required by said health authorities and the Department of Health

Section 2 Upon receipt by the health authorities of any township of the first class borough or city or by the health officer of the Department of Health of a report of the existence of a case of anterior poliomyelitis (infantile paralysis) bubonic plague cerebrospinal meningitis (epidemic) cerebrospinal fever spotted fever) chicken pox Asiatic cholera diptheria (diphtheritic croup membranous croup putrid sore throat) German measles leprosy measles mumps Scarlet fever (scarlatina scarlet rash) smallpox (variola varioloid) typhoid fever para typhoid fever typhus fever whooping cough yellow fever or any disease declared communicable and quarantinable by regulation as hereinbefore provided the said health authorities or health officer or medical representative of the Department of Health as the case may be shall quarantine or cause to be quarantined in the manner prescribed by the rules or regulations of the Department of Health or of the local health authorities the premises in which such disease exists and any person or persons who has or have been exposed thereto or any person or persons who in the opinion of the attending physician health authorities or a medical representative of the Department of Health is or are reasonably suspected of having such disease by quarantining such person or persons either upon the premises in which the disease exists or in a place designated in this State for the isolation control and treatment of communicable disease in the manner prescribed by the rules and regulations both of the said health authorities and the Department of Health and shall post or cause to be posted in a conspicuous place or places upon the premises in which the said disease may be located a placard or placards upon which shall be printed in conspicuous letters the name of the disease from which the person or persons in said house or premises is or are suffering with the warning that said premises are under quarantine that no person or persons other than the attending physician and trained nurse shall enter or leave the said premises except by permission of the health authorities and setting forth the penalties prescribed by this act for violations of quarantine Provided That in the case of a person or persons suspected of suffering from disease or diseases of the generative organs no quarantine shall be established or caused to be established by health officers or representatives of the Department of Health until it is reasonably certain from personal examination or laboratory tests or from evidence which has been furnished to the Department of Health or to any board bureau or department of health that the person or persons is or are suffering from disease of the generative organs but this proviso shall not prevent the quarantine of persons known to be prostitutes and reasonably suspected of suffering from disease of the generative organs and of being a menace to the health of a community Provided further That variola or varioloid shall be placarded as "smallpox" and that diptheritic croup membranous croup and putrid sore throat shall be placarded as "diptheria" that scarlatina and scarlet rash shall be placarded as "scarlet fever" and that para typhoid fever shall be placarded as "typhoid fever" Provided further That in addition to the placarding said health authorities may for the purpose of enforcing quarantive regulations place a guard or guards over the said house or houses or premises

Section 3 That the said placards shall remain in place until the expiration of the quarantine period fixed by the local health authorities and the Department of Health and the recovery death or removal of the person or persons affected and shall only be removed by the health officer after the destruction or disinfection of infected bedding clothing and other articles which have been exposed to infection and the disinfection of rooms premises and inmates as may be prescribed by the regulations of local health authorities of the Department of Health

Section 4 The Department of Health with the consent and approval of the advisory health board shall determine the duration of the quarantine to be imposed for each of the diseases mentioned in section two of this act and for such others as may at any time be declared reportable and quarantinable in accordance with its provisions the period of isolation of those suffering from the communicable diseases and the duration of the quarantine or degree of restraint to be placed upon those who have been exposed to a communicable disease and shall make such further regulations looking to the prevention and the spread of the communicable diseases as may be deemed necessary for the protection of the public health

The call for a meeting of the advisory board to formulate quarantine regulations shall be in writing to each member of the said board The notice shall antedate the meeting by at least five days and it shall contain a copy of the proposed regulations Upon the affirmative vote of four members of the advisory health board personally present the proposed regulations when properly promulgated as now or hereafter provided by law shall become effective with the same force as if expressly set forth in this act

Section 5 The registry of all public private parochial Sunday and other schools shall exhibit the names and residences of all children and persons excluded therefrom or readmitted thereto agreeably to the provisions of the regulations of the Department of Health and local health authorities or any act of Assembly and said register shall be open at all times to the inspection of the city borough or township authorities and the Department of Health and their respective officers and agents

Section 6 Blanks whereon to make the reports and certificates required by this act or the regulations of the Department of Health shall be supplied in cities boroughs and townships of the first class by the health authorities thereof respectively and in townships of the second class and in cities boroughs and townships of the first class not having boards of health or bodies acting as such by the Department of Health

Section 7 It shall be the duty of the health authorities of cities boroughs and townships of the first class respectively to furnish to persons in charge of public private parochial Sunday or other schools a daily notice containing the name location and disease of all persons suffering from any quarantinable disease upon receipt by them of reports of such cases from physicians as required by section one of this act and such notice shall be daily furnished to such persons in charge of such schools in townships of the second class and in cities boroughs and townships of the first class not having boards of health or bodies acting as such by the health officer for the Department of Health

Section 8 The health authorities of the several townships boroughs and cities of this Commonwealth may and they are hereby authorized and empowered to establish additional rules and regulations regarding the isolation and quarantine of persons who may be suffering from any of the diseases comprehended by section one of this act and for the destruction or disinfection of bedding clothing or other infected article and for the disinfection of houses and premises and for the carrying out of the provisions of this act and the regulations of the Department of Health as they may in good faith declare the public safety and health demand which rules and regulations they may from to time alter or amend but in no instance shall such rules abridge in any way the provisions of this act or the regulations of the Department of Health

Section 9 The health authorities of the several cities boroughs and townships of the first class shall at the end of each week and for the fraction of a week occurring at the end of each month report to the Department of Health upon blanks supplied for the purpose a list of all cases of communicable diseases comprehended by section one of this act which have been reported to them during said period which report shall contain the name of each person suffering therefrom respectively and his or her age sex color and nativity together with the name of the disease and the date of the onset thereof and in the event of no reports of any of said diseases having been received by the aforesaid health authorities respectively during any said period that fact shall be reported to the Department of Health

Section 10 Any person who shall remove deface cover up or destroy or cause to be removed defaced covered up or destroyed any placard relating to any of the diseases declared to be quarantinable shall for every such offense upon conviction thereof in a summary proceeding before any magistrate or justice of the peace wherein such offense was committed be sentenced to pay a fine of not more than one hundred ($100) dollars to be paid to the use of said county and costs of prosecution or to be imprisoned in the county jail for a period of not less than ten days or more than thirty days or both at the discretion of the court Any person other than the attending physician or trained nurse who shall enter or leave any quarantined premises without having secured permission from the health authorities or who shall violate any of the quarantine restrictions imposed by the rules and regulations of the health authorities of any city borough or township of the first class or the rules and regulations of the Department of Health or who shall interfere with a health officer or any other duly qualified agent of the Department of Health or of any local board or department of health in the discharge of his official duties in the placarding quarantining disinfecting or releasing from quarantine of any premises or in the investigation of any illeged case of quarantinable disease shall for every such offense upon conviction thereof in a summary proceeding before any magistrate or justice of the peace of the county wherein said offense was committed be sentenced to pay a fine of not more than one hundred ($100) dollars to be paid to the use of the said county and costs of prosecution or to be imprisoned in the couty jail for a period of not less than ten or more than thirty days or both at the discretion of the court

Any physician undertaker teacher of a public school principal of a school superintendent of a Sunday school sexton janitor parent or guardian or any other person or persons who shall fail neglect or refuse to comply with or who shall violate any regulation of the Department of Health or the local health authorities shall for every such offense upon conviction thereof in a summary proceeding before any magistrate or justice of the peace of the county wherein such offense was committed be sentenced to pay a fine of not more than one hundred ($100) dollars to be paid to the use of said county and costs of prosecution or to be imprisoned in the county jail for a period of not less than ten or more than thirty days or both at the discretion of the court

Section 11 The act entitled "An act to safeguard human life and health throughout the Commonwealth by providing for the reporting quarantining and control of diseases declared communicable by this act and by regulation of the Department of Health providing for the prevention of infection therefrom and prescribing penalties" approved July seventeenth one thousand nine hundred and nineteen (Pamphlet Laws page one thousand and ten) and the act entitled "An act to amend an act approved the seventeenth day of July one thousand nine hundred and nineteen entitled 'An act to safeguard human life and health throughout the Commonwealth by providing for the reporting quarantining and control of diseases declared communicable by this act and by regulation of the Department of Health providing for the prevention of infection therefrom and prescribing penalties' by providing for quarantine in places designated for the isolation control and treatment of communicable diseases by providing for the quarantine of communicable diseases upon an opinion of the attending physician health authorities or any medical representatives of the State Department of Health that a reasonable suspicion of such disease exists and granting certain powers to the advisory board" approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws page two hundred and seven) are hereby repealed all acts or parts of acts inconsistent with this one are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 763, as follows:

An Act relating to the preparation of a new Constitution of the Commonwealth by a convention and its adoption or rejection by the people and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at the general election for the year one thousand nine hundred and twenty-four the question "Shall a constitutional convention be held in the year one thousand nine hundred and twenty-six as provided in the act of Assembly approved the ....day of........ one thousand nine hundred and twenty-three" (intersecting the date of the approval of this act) followed by the words "yes" and "no" in appropriate voting blocks shall be printed upon the official ballots to be used at such election as provided by the election laws of the Commonwealth for the submission of questions to the vote of the people Below the said question shall appear the words "voters" favoring the holding of a constitutional convention in the year one thousand nine hundred and twenty-six will mark a cross (X) to the right of the word 'yes' those opposing the holding of a convention will mark a cross (X) to the right of the word 'no' "

Section 2 If a majority of the electors who shall vote upon the aforesaid question shall favor the holding of a constitutional convention the said convention shall convene in the Hall of the House of Representatives in the State Capital in the city of Harrisburg on the second Thursday of January one thousand nine hundred and twenty-six at twelve o'clock noon and shall conclude its sessions not later than August first one thousand nine hundred and twenty-six and delegates to said convention shall be nominated and elected as hereinafter provided

Section 3 The said constitutional convention if authorized by the electors as hereinbefore provided shall consist of three district delegates from each Congressional district within the Commonwealth as said districts are constituted at the time of the election and twenty-five delegates from the Commonwealth at large chosen as hereinafter provided

Section 4 If the electors vote in favor of the convention nominations for district delegates and delegates-at-large to the said constitutional convention shall be made at the primary election for the year one thousand nine hundred and twenty-five The names of candidates for nomination shall be printed upon the official ballot of each political party upon the filing of nomination petitions in their behalf in the office of the Secretary of the Commonwealth at least forty days before the date of the said primary Such nomination petitions for district delegates shall be in the form required by law for the nomination of candidates for the office of Representative in Congress and shall be signed by at least two hundred qualified electors of the Congressional districts within which the respective candidates shall reside as provided by law

Such nomination petitions for delegates-at-large shall be in the form required by law for the nomination of candidates for the office of Governor and shall be signed by at least two hundred qualified electors of the county in at least five counties

The Secretary of the Commonwealth in forwarding to the county commissioners of each county a list of the candidates for the various offices to be nominated at the said primary election shall include the names of the candidates of each party for delegates to be the constitutional convention

Each elector voting at such primary shall be entitled to vote for two candidates for district delegates and fifteen candidates for delegate-at-large to such constitutional convention

The county commissioners or the proper return judges shall make the proper certificates of return of votes cast for the candidates for nomination for the office of delegate to the constitutional convention to the Secretary of the Commonwealth

The two candidates of any political party receiving the largest number of votes at the said primary election shall be the nominees of such party for delegates from the Congressional district within which such candidates reside The fifteen candidates of any political party receiving the largest number of votes at the said primary election shall be the nominees of such party for delegates-at-large

Section 5 Nominations for district delegates and delegates-at-large to said constitutional convention if authorized as hereinbefore provided may also be made by nomination papers in the manner provided by law for the nomination by nomination papers of candidates for representatives in Congress or Governor as the case may be

Section 6 If the electors at the said election for the year one thousand nine hundred and twenty-four shall authorize the holding of a constitutional convention as hereinbefore provided district delegates and delegates-at-large to such convention shall be elected at the municipal election for the year one thousand nine hundred and twenty-five

The ballots for use at such municipal election in the several Congressional districts of the Commonwealth shall contain the names of the candidates for district delegates from such districts nominated as hereinbefore provided The ballots for use at such municipal election in the several counties shall contain the names of the candidates for delegates-at-large for the Commonwealth nominated as hereinbefore provided Each elector voting at such municipal election shall be entitled to vote for two district delegates and fifteen delegates-at-large to such constitutional convention and the three candidates for district delegates in each Congressional district and the twenty-five delegates-at-large receiving the highest vote shall be the district delegates from such district and the delegates-at-large to the constitutional convention

Section 7 Returns of the said election shall be made by the proper prothonotary or return judges to the Secretary of the Commonwealth who shall certify the result to the Governor who shall thereupon declare by proclamation the names of the persons duly elected Any vacancies occurring in the office of district delegate or delegate-at-large to said constitutional convention may be filled by vote of the remaining delegates

Section 8 If a constitutional convention be authorized as hereinbefore provided it shall be called to order by the Governor and it shall immediately organize by electing a president secretary and such other officers as shall be necessary for the transaction of its business It shall have the power to adopt rules of procedure finally to determine the election and qualification of delegates and generally to adjourn to such time or times and such place or places as it shall determine

Section 9 It shall be the duty of such constitutional convention to consider the constitution recommended by "The Commission on Constitutional Amendment and Revision" appointed under the act approved the fourth day of June Anno Domini one thousand nine hundred nineteen

The convention may submit a proposed constitution as a whole or may submit separately such parts thereof as it may determine

The convention shall also frame the question necessary to elicit from the electors their approval or rejection of the said proposed costitution and of any parts to be separately submitted in brief form and so that they can be answered by either the word "yes" or the word "no"

Section 10 Such constitution as may be proposed by the constitutional convention shall be engrossed and signed by the president and secretary of the convention and shall be delivered to the Secretary of the Commonwealth not later than the first Monday of September of the year one thousand nine hundred and twenty-six The Secretary of the Commonwealth shall enter the proposed constitution upon the records of his office He shall publish the said proposed constitution in at least two newspapers in every county of the State wherein said number of newspapers may be published once during the week immediately preceding the election and shall publish the same in convenient form and send a copy thereof to every elector in the Commonwealth making application therefor He shall also cause to be sent through the county commissioners to each polling place in the Commonwealth in sufficient time to be there available to persons voting thereat at least ten copies of the proposed constitution so published for the use of voters desiring to consult the same while in the polling place

The question framed by the convention as aforesaid shall be by said convention certified to the Secretary of the Commonwealth who shall in turn at least thirty days before the general election of one thousand nine hundred and twenty-six certify the same to the county commissioners of the several counties The question so certified shall be printed on the official ballot to be used at such general election followed by the words "yes" and "no" and appropriate voting blocks as provided by the election laws of the Commonwealth for the submission of question to the vote of the people

Section 11 The constitution and any parts thereof to be submitted separately proposed by such constitutional convention shall be submitted to the qualified electors of the Commonwealth for their approval or rejection at the general election in the year one thousand nine hundred and twenty-six A majority of the electors voting upon the adoption or rejection of the proposed constitution shall be necessary for its adoption Such proposed constitution and any parts thereof submitted separately if approved by a majority of the electors voting thereon shall become effective unless the proposed constitution or the schedule thereto shall otherwise provide upon the first day of January one thousand nine hundred and twenty-seven Returns of the vote cast for and against the proposed constitution and for and against any parts thereof submitted separately as hereinbefore provided shall be canvassed as provided by law and shall be certified by the prothonotary of every county to the Secretary of the Commonwealth who shall compute the same and certify the result to the Governor If from said certificate it shall appear that the proposed constitution and any parts thereof submitted separately shall have been adopted by the people the Governor shall immediately make proclamation thereof

Section 12 The members of the constitutional convention if held as provided by this act shall receive a salary of one thousand dollars ($1,000) payable in five equal instalments an allowance for traveling expenses of twenty cents per mile circular for one session and an allowance for postage stationery and contingencies of one hundred dollars ($100) The convention shall have the power to employ and to fix the compensation of a secretary and such officers assistants clerks and other employes as shall be deemed necessary to carry out the provisions of this act

Section 13 It is the intent of this act that the procedure provided for the nomination and election of district delegates and delegates-at-large shall be the same as that provided by law for the nomination and election of Representatives in Congress or Governor as the case may be and matters relating to the nomination and election of delegates not expressly covered by this act shall be governed by the laws relating to the nomination and election of such Representatives or Governor

Section 14 The sum of two hundred eighty-five thousand dollars ($285,000) or so much thereof as may be necessary is hereby appropriated for the payment of the salaries and expenses connected with the said constitutional convention and the advertising connected with the submission thereof and the necessary printing and binding which shall be done by the Department of Public Printing and Binding on the order of the chairman Payment of all money shall be on order of the president of the convention and on warrant of the Auditor General

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 763, the bill just read, be recommitted to the Committee on Appropriations for the purpose of amendment.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 772, as follows:

An Act to amend an act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand fifty-seven) entitled "An act to amend section one and to supplement an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and two) entitled 'An act providing for the appointment and expenses of a commission of five persons to codify and revise the law relating to banks private bankers and trust companies doing business within this Commonwealth and making an appropriation' extending the powers and duties of the commission so as to include the codification and revision of the law relating to all corporations persons partnerships and associations under the supervision of the Banking Department and making an appropriation" extending said commission for a further period of two years and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand fifty-seven) entitled "An act to amend section one and to supplement an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and two) entitled 'An act providing for the appointment and expenses of a commission of five persons to codify and revise the law relating to banks private bankers and trust companies doing business within this Commonwealth and making an appropriation' extending the powers and duties of the commission so as to include the codification and revision of the law relating to all corporations persons partnerships and associations under the supervision of the Banking Department and making an appropriation" which was amended by an act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand two hundred and one) entitled "An act to amend an act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws ten hundred fifty-seven) 'An act to amend section one and to supplement an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and two) entitled "An act providing for the appointment and expenses of a commission of five persons to codify and revise the law relating to banks private bankers and trust companies doing business within this Commonwealth and making an appropriation" extending the powers and duties of the commission so as to include the codification and revision of the law relating to all corporations persons partnerships and associations under the supervision of the Banking Department and making an appropriation' extending said commission for a further period of two years conferring additional power upon such commission and making an appropriation" is hereby further amended to read as follows

Section 1 Be it enacted et cetera That the commission appointed by the Governor under the authority of the act of July twenty-fifth one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and two) entitled "An act providing for the appointment and expenses of a commission of five persons to codify and revise the law relating to banks private bankers and trust companies doing business within this Commonwealth and making an appropriation" and continued by the act to which this is an amendment is hereby continued for a further period of two years The commission shall codify and revise the laws relating to banks private bankers trust companies savings institutions building and loan associations loan brokers and all other corporations persons partnerships and associations under the supervision of the Banking Department as well as all other laws on matters and subjects relating to banking and correlative subjects as may be referred to the commission by the Governor or the Banking Commissioner The commission shall report to the General Assembly at the session of one thousand nine hundred and (twenty-three) twenty-five and shall recommend such changes in the existing law as may to such commission seem desirable

Section 2 The unexpired balance of any appropriations heretofore made to the commission or so much thereof as may be necessary is hereby specifically reappropriated to the use of the commission for the purpose of carrying into effect this act and the act to which this is an amendment Payments from said appropriation shall be made on order of the chairman of said commission by warrant of the Auditor General on the State Treasurer

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 785, as follows:

A Supplement to the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand two hundred and seventy) entitled "An act providing for the erection of a dam at the outlet of Pymatuning Swamp and the establishment of a reservoir to conserve the waters thereof providing for the taking of land and materials necessary thereto vesting certain powers and duties in the Water Supply Commission and making an appropriation" providing for the sale and leasing of property acquired under said act and making an appropriation of the proceeds thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Water Supply Commission of

Pennsylvania may in its discretion sell at public sale and convey title thereto in the name of the Commonwealth of Pennsylvania any land or buildings or both acquired by it in the name of this Commonwealth by the authority of the act to which this is a supplement and which are outside the basin of the Pymatuning Reservoir All deeds for such property shall be approved by the Attorney General and shall be executed in the name of the Commonwealth of Pennsylvania by the Chairman and Secretary of the Water Supply Commission of Pennsylvania or their successors in authority

Section 2 The Water Supply Commission may also on such terms and subject to such conditions as it deems most advantageous to the Commonwealth (a) cut timber on any of the lands so acquired and sell the same (b) sell any improvements on any of such lands (c) rent or lease any part or parts of said lands for farming or other purposes and (d) rent or lease any houses or buildings on said land for dwelling or other purposes

Section 3 All moneys derived from any of the sources authorized by this act are hereby permanently appropriated to the Water Supply Commission of Pennsylvania for use in the purchase of additional lands under the provisions of the act to which this is a supplement and for such other purposes in connection with the Pymatuning Reservoir project as the Commission deems expedient

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 789, as follows:

An Act to amend the act approved the twenty-first day of May one thousand eight hundred and eighty-one (Pamphlet Laws tnirty) entiled "An Act to enable mining manufacturing and trading companies to wind up their affairs after the expiration of their charters" as amended by extending the same to include foreign corporations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the twenty-first day of May one thousand eight hundred and eighty-one (Pamphlet Laws thirty) entitled "An Act to enable mining manufacturing and trading companies to wind up their affairs after the expiration of their charters" which was amended by the act approved the fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws four hundred and forty-nine) entitled "An Act to amend an act entitled "An Act to amend an act entitled "An Act to enable mining manufacturing and trading companies to wind up their affairs after the expiration of their charters" approved the twenty-first day of May Anno Domini eighteen hundred and eighty-one' approved the twenty-third day of May Anno Domini nineteen hundred and seven extending the same so as to include companies for the purcnase and sale of real estate and construction companies" is hereby amended to read as follows

Section 1 That all domestic and duly registered foreign corporations organized for mining manufacturing or trading purposes or for the purchase and sale of real estate and construction companies whether created by general or special (acts of assembly) law or laws whose charters may have expired or may hereafter expire or which may nave dissolved or may hereafter be disolved by any judicial decree may bring suit and maintain and defend suits already brought for the protection and possession of their property and the collection of debts and obligations owing to or by them (and sell convey and dispose of their property and make title therefor as fully and effectually as if their charters had not expired or such decree had not been made and the officers last elected or the survivors of them shall be officers to represent said corporations for such purposes and if no officers survive the stockholders may elect officers under their by-laws Provided That this act shall be construed only to as to enable said corporations to realize and divide their assets and wind up their affairs and not to transact new business)

Section 2 That all domestic corporations and all foreign corporations which have at any time been registered in the Commonwealth of Pennsylvania organized for mining manufacturing or trading purposes or for the purchase and sale of real estate and construction companies whether created by general or special law or laws whose charters have expired or may nereafter expire or which may have been dissolved or may hereafter be dissolved by any judicial decree at the time of the expiration of such charter or dissolution are owners or holders of record of property in this Commonwealth may sell convey and dispose of such property and make title therefor as fully and effectually as if their charters had not expired or such decree had not been made and the officers last elected or the survivors of them shall be officers to represent said corporation for such purpose and if no officers survive stockholders may elect officers under their by-laws Provided That this act shall be construed only so as to enable said corporations to realize and divide their assets and wind up their affairs and not to transact new business

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 792, as follows:

An Act to amend section nine hundred six of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended conferring sole power of supervision over certain schools and institutions wholly or partly by the State upon the Council of Education

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in Geenral Assembly met and it is hereby enacted by the authority of the same That section nine hundred six of the act approved the eighteenth day of May one thuosand nine hundred and eleven (Pamphlet Laws three hundred and nine) "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which was amended by the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand and fourteen) entitled "An act to amend article nine of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' as amended creating a State Council of Education defining its powers and duties and transferring thereto the powers and duties now vested in the State Board of Education" is hereby further amended to read as follows

Section 906 To supervise and inspect to adopt standards for and to require reports financial or otherwise from schools and institutions wholly or partly supported by the State which are not supervised by the public school authorities including schools and institutions for the blind and the deaf and dumb To make recommendations to the Governor and the General Assembly of the amount of appropriations to be made to or for the use of any such school or institution and to supervise the expenditure thereof A copy of the report of the inspection of any such institution which may be made to the State Council of Education shall be sent to the head of such institution The powers conferred by this section shall be vested solely in the State Council of Education and shall not be exercised by any other department or State agency

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill 795, as follows:

An Act providing that in all suits against any county process shall be served upon and defense made by the county controllers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter when any suit shall be brought against any county of this Commonwealth process shall be served upon and defense made by the county controller of the county if such office exists in such county in the same manner as is now provided for county commissioners

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 820, (House Bill No. 833), entitled:

An Act conferring the right on the courts of common pleas of various counties to permit amendment of charters of corporations of the first class so as to permit any institution of learning which shall have been incorporated as a corporation of the first class to confer appropriate degrees to any person who shall have satisfactorily passed a required course of study of such institution of learning

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 823, (House Bill No. 712), entitled:

An Act to amend section six of an act approved the twenty-sixth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred twenty-seven) entitled "An act to provide for the incorporation of institutions of learning with power to confer degrees in art pure and applied science philosophy literature medicine law and theology and for the supervision and regulation of the same and providing a method by which institutions already incorporated may obtain the power to confer degrees and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources" as amended by prescribing additional requirements for institutions conferring degrees making certain exceptions therefrom and imposing certain duties on the State Council of Education

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. STEELE. Mr. President, I move that Senate Bill No. 823, (House Bill No. 712), the bill just read, be recommitted to the Committee on Education.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 837, (House Bill No. 880), entitled:

An Act to amend section two hundred and seven of an act approved the eighteenth day of May, one thousand nine-hundred and eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 856, (House Bill No. 1163), entitled:

An Act making unlawful the wearing of the discharge button issued by the United States Government by any person not entitled to wear the same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 864, (House Bill No. 1313), entitled:

An Act to amend section ten of the act approved the twelfth day of July, one thousand nine hundred and thirteen (Pamphlet Laws, seven hundred eleven), entitled "An Act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," as amended.

And said bill having been read at length the second time and agreed,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 868, as follows:

An Act authorizing poor directors of county poor districts to provide for the payment for the preparation of plans and specifications heretofore made for public buildings for such poor districts where no legal or valid contract was entered into as required by law

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever heretofore any plans or specifications for any county building or improvement for poor purposes have been prepared for any county poor district by any architect or engineer under contract or agreement between such architect or engineer and the board of directors of the poor acting under the presumption that the board entering into such contract had full and complete legal authority to do so and to pay for the preparation of said plans and specifications from poor funds or from funds of the poor district realized from the sale of poor property and invested for the future acquisition of lands and the erection of buildings for poor purposes and such plans or specifications have been submitted to and accepted for the benefit of such county poor district by the board with which the contract or agreement was made the board of directors of the poor of said county poor district may by resolution recognize the moral obligation of the district and provide for the payment of the fees of such architect or engineer for the preparation of such plans or specifications or such part thereof as to them seems just and proper out of the poor funds or out of any funds invested for the benefit of the poor district for the future acquisition of lands and the erection of buildings for poor purposes The Board of Poor Directors is hereby authorized to draw its warrant payable from the funds of the poor district made available for the payment of such claim by this act in favor of the architect or engineer for the amount found to be due by the board

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 872, as follows:

An Act to amend section three article seven of the act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and sixty-eight) entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officer therein and repealing consolidating and extending existing laws in relation thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three article seven of the act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and sixty-eight) entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" is hereby amended to read as follows

Section 3 The mayor shall be the chief executive magistrate of the city It shall be his duty to be vigilant and active in causing the ordinances of the city and the laws of the Commonwealth relating to the government of the city to be executed and enforced therein and in order to enable him effectually to preserve the public peace within the city all the powers which are devolved by the laws of this State upon sheriffs to prevent and suppress mobs riots unlawful and tumultuous assemblies are hereby conferred upon him and he shall have authority upon occasions of threatened public disorder to require and enforce the closing up of bars or any establishments in which liquors are sold during the continuance thereof The mayor as superintendent of public affairs shall have charge of the police force and of the fire department of the city

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third readin.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 892, (House Bill No. 617), entitled:

An Act to amend clauses (b) and (c) of section fifty-six of an act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decendents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" so as to permit the orphans' court in its discretion to permit a corporation appointed as trustee in the place of an executor or executors trustee or trustees dying renouncing dismissed or refusing to act to give its own bond without surety

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 893, (House Bill No. 678), entitled:

An Act to amend clause three, section ten, article two of chapter seven of the act approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 312) entitled, "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. HUFFMAN. Mr. President, I ask that Senate Bill No. 896, (House Bill No. 1229), on second reading, entitled:

An Act to further amend section one thousand two hundred ten as amended, of an act approved the eighteenth day of

May, one thousand nine hundred and eleven (P. L. 309) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 900, (House Bill No. 957), entitled:

An Act to provide for the laying out altering and vacating roads lying partly in one county and partly in an adjoining county forming or intended to form a continuous highway from one county to another and providing for the location construction of a joint county bridge on said road ....

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 902, (House Bill No. 1033), entitled:

An act providing that any person who was engaged in the Military or Naval service of the United States during any war in which the United States was engaged and having an honorable discharge therefrom shall receive credit for the experience and training derived from such service in civil service examinations

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Mr. LESLIE. Mr. President, I ask that Senate Bill No. 916, (House Bill No. 358), on second reading, entitled:

An Act to amend sections one and eighteen of the act approved May 16, 1921, (P. L. 559), entitled "An Act for the better protection of fish, requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth, or in the waters bounding or adjacent thereto, and regulating the issuance of such license providing penalties for the violation of this act, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the penalties recovered and license fees received"; changing the age limit of persons required to procure licenses; and providing for the purchase with surplus moneys of lands and water and the impounding of waters.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 931, (House Bill No. 837), entitled:

An Act to assure to persons within the jurisdiction of every county the equal protection of the laws by providing for their removal from the county and their trial in certain criminal cases by the Superior Court imposing penalties upon the counties and officers thereof for failure to provide proper protection and upon individuals for interfering with or obstructing the carrying out of the provisions of this act giving the Superior Court jurisdiction in all prosecutions arising out of this act

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 937, (House Bill No. 916), as follows:

An Act to amend sections eighteen twenty-six thirty-two thirty-four thirty-eight fifty-four fifty-six fifty-seven fifty-nine and sixty-one of an act entitled "An act providing for the organization governemnt discipline maintenance and regulation of the armed land forces of this Commonwealth" approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine)

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eighteen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" is hereby amended to read as follows

TERM OF OFFICE OF GENERAL FIELD AND LINE OFFICERS.

Section 18 The term of every general field and line officer and department officer other than those provided for in section nineteen shall be permanent or until removed for cause or other reasons provided in this act Provided That commissions now in force and which have been issued for a period of five years shall continue until termination of such period unless such commission be otherwise lawfully determined and annulled

When authorized by the Federal Government warrant officers may be appointed by the Governor under such regulations as may be prescribed by the Federal Government Any person commissioned or warranted as an officer of the Pennsylvania National Guard shall hold his position until he shall have reached the age of sixty-four years unless retired prior to that time by reason of resignation or other (legal) cause

RETIREMENT OF OFFICERS

Section 22 Commissioned officers who shall have served forty years either as an officer or enlisted man or both in the Pennsylvania National Guard shall upon application made to the Adjutant General be retired from active service and placed upon the retired list as of the next higher grade except a major general whose grade upon the retired list shall remain the same and when any commissioned officer is sixty-four years of age he shall be retired from active service and may be placed upon the retired list as of the next higher grade except a major general whose grade on the retired list shall remain the same Provided That service in the volunteer forces of the United States or in the Army Navy or Marine Corps thereof during the War with Spain in Mexican Border Service or in any other Federal service may be included as twice its actual length in computing the forty years of service required for retired Commissioned officers who shall have served as such in the Pennsylvania National Guard or the Pennsylvania Reserve Militia or both may upon application to the Adjutant General be placed upon the retired list as of the highest grade such officers may have held in their service Provided

That he shall have held a commission as an officer of the Pennsylvania National Guard or the Pennsylvania Reserve Militia or both for a period of at least ten years in the aggregate Provided That service in the volunteer forces in the United States Army in the War with Spain in Mexican border service in the World War or in any other Federal service may be computed as of twice its actual length Provided further that where service in the war with Spain or the World War is computed then such retirement shall be of the next higher grade held in the service except in the case of a major general when the grade shall remain the same The Governor as Commander-in-Chief shall have power and is hereby authorized to relieve from active service and place upon the retired list as of the next higher grade any commissioned officer who has served continuously in any one grade for fifteen years The commission of any officer so relieved from active duty and placed upon the retired list shall be considered terminated and the office held by him as vacated When an officer has become incapable from any cause of performing the duties of his office he may be ordered before an efficiency board created as herein provided and sitting as a retiring board If he is found disqualified by reason of physical disability incurred in the line of duty he may be retired as of the next higher grade but if he is found disqualified for any other reason he shall be retired without increase in grade The action of every such board shall be subject to the approval of the Governor as Commander-in-Chief All retired officers shall be entitled to wear the uniform of their grade as retired officers of the Pennsylvania National Guard on all proper military or semi-military occasions

Section 3 That section twenty-two of said act is hereby amended to read as follows:

DISCHARGE OF ENLISTED MEN FORM THE NATIONAL GUARD.

Section 26 An enlisted man discharged from service in the Pennsylvania National Guard shall receive a discharge in writing in such form and with such classification as is or shall be prescribed for the Regular Army and in time of peace discharges may be given prior to the expiration of terms of enlistment under such regulations as the Governor may prescribe subject to the restrictions of the National Defense Act or amendments thereto

On termination of an emergency in which the officers and enlisted men of the Pennsylvania National Guard shall have been drafted into the Federal Service by the President of the United States in accordance with the provisions of the National Defense act such drafted officers and enlisted men shall continue to serve in the National Guard until the dates upon which their commission or enlistment entered into prior to their draft into the Federal service would have expired if uninterrupted

Section 4 That section thirty-two of said act is hereby amended to read as follows

Pay of Officers and Men on Active Duty in State Service

Section 32 When the Pennsylvania National Guard or any part thereof is ordered on active duty by the Governor as Commander-in-Chief and pay is authorized for such duty under the order prescribing the performance thereof the commissioned officers and warrant officers so ordered shall be entitled to the same pay and allowance as officers of like grade and length of service in the Regular Army of the United States Provided That no officer shall receive less than the base pay of his grade as provided by Federal statute The grades of enlisted men shall be such as the Governor as Commander-in-Chief may from time to time direct and shall conform to the grades authorized in tables of organization for the National Guard published by the War Department When enlisted men are ordered on active duty as above prescribed their per diem pay shall be as follows First grade three dollars and fifty cents second grade three dollars third grade three dollars fourth grade two dollars and fifty cents fifth grade two dollars sixth grade one dollar and seventy-five cents seventh grade one dollar and fifty cents Under such regulations as the Governor as Commander-in-Chief may prescribe and conform with tables of organization authorized for the National Guard by the War Department enlisted men of the sixth and seventh grades may be rated as specialists and receive extra pay per diem as follows First class one dollar and twenty-five cents second class one dollar third class seventy-five cents fourth class fifty cents fifth class forty cents sixth class fifteen cents Hereafter enlisted men shall receive an increase of ten per centum of their base pay for every five years of service in the National Guard or in the United States Army Navy or Marine Corps or for any two or more of these services combined Provided That such increase shall not exceed forty per centum of their base pay All payments of per diem pay and service pay shall be made by the Adjutant General in the usual manner No deductions shall be made from the pay of officers or enlisted men in active service for dues or other financial obligations imposed by any by-laws rules or regulations of a civic character

Section 5 That section thirty-four of said act is hereby amended to read as follows

Annual Appropriations

Section 34 Organizations of the Pennsylvania National Guard found upon examination of the reports made by an inspecting officer duly detailed for that purpose to be up to the standard required in strength drill discipline and efficiency shall receive in annual allowance the following money per annum which shall be used and expended solely for military purposes and for the use and benefit of the organization For dismounted troops at the rate of ten dollars ($10) per man per year Provided That no organization shall receive less than a minimum sum of five hundred dollars or more than a maximum sum of seven hundred and fifty dollars per year for mounted or motorized troops at the rate of fifteen dollars ($15) per man per year Provided That no such mounted or motorized organization shall receive less per year than a mimimum sum of seven hundred and fifty dollars and more than a maximum sum of one thousand dollars per year Such allowances shall be computed by the Adjutant General from the strength of the unit as reported on May thirty-first of each year Newly organized units shall receive a pro rata share of the above named allowance for the portion of the fiscal year in which they are in service Provided That such allowance be based on the actual strength of the organization at the time of its entrance into the service the said allowances to be paid by the Adjutant General in the usual manner to the commanding officer of the respective organization but it shall be the duty of the Adjutant General before paying any of the said allowance in money to procure by purchase or otheriwse and issue for each enlisted man not already provided therewith such articles of dress uniform and such articles of service uniform and equipment as are required for field service and also such mess tents kitchen tents and military stores required by the respective organizations not furnished and paid for out of Federal funds and charge the cost of same to the said annual allowance and the balance if any to be paid and disbursed as hereinafter provided Provided however any regiment battalion squadron or company may at its own expense provide itself with other uniforms of such style and pattern as a majority of its officers may select and the Governor as Commander-in-Chief approve which uniform shall be the property of the organization or the individual members thereof No portion of any allowance made by the State to any organization shall be expended in procuring such special uniforms or in repairing or caring for the same No part of the annual allowances paid under the provisions of this act to the several organizations of the Pennsylvania National Guard shall be used in the purchase erection or construction of any armory unless the title thereto be vested in the Commonwealth The commanding officer of each organization shall at such time as the Governor as Commander-in-Chief may direct make a return to the Adjutant General containing an itemized account and statement of all disbursements of the money appropriated and paid to said organization and not previously accounted for which account and statement shall be verified by the proper original vouchers for such disbursements this accounting to be made under and in accordance with such regulations as may be prescribed by the Commander-in-Chief

Section 6 That section thirty-eight of said act is hereby amended to read as follows

Necessary Expenses of Headquarters

Section 38 The necessary military expenses of general division brigade regimental and separate battalion headquarters including clerk hire and other actual outlays shall be paid by the Adjutant General in the usual manner on the usual lawful vouchers to that effect duly sworn to or affirmed to by the commanding officer or the officer charged with the payment of the same such expenses in no event to exceed four thousand dollars ($4,000) per annum for the division five hundred ($500) dollars for each brigade headquarters fifteen hundred dollars ($1,500) for each regimental headquarters five hundred dollars ($500) for each battalion headquarters and headquarters of trains

Section 7 That section fifty-four of said act is hereby amended to read as follows

Section 54 General courts-martial in the Pennsylvania National Guard may be convened by order of the Governor or the Division Commander and such courts shall have the power to impose fines not exceeding two hundred dollars ($200) and such reasonable costs as they may assess to sentence to forfeiture of pay and allowances to reprimand to dismissal or dishonorable discharge from the service to a reduction of non-commissioned officers to the ranks or any two or more of such punishments may be combined in the sentences imposed by such courts Provided That sentence shall not become operative until after the approval thereof by the appointing power

Section 8 That section fifty-five of the said act is hereby amended to read as follows

Section 55 When not in the active service of the United State the commanding officer of each garrison fort post camp or other place brigade detached regiment or separate battalion or other detached or separate command may appoint special courts-martial for his command but such special courts-martial may in any case be appointed by superior authority when by the latter deemed desirable Special courts-martial shall have power to try any person subject to military law except a commissioned officer for any crime or offense made punishable by the military laws of the United States or of the Commonwealth of Pennsylvania and such special courts-martial shall have the same powers of punishment as do general courts-martial except that fines imposed by such special courts-martial shall not exceed one hundred dollars ($100) and such reasonable costs as they may assess Provided That sentence shall not become operative until after the approval thereof by the appointing power

Section 9 That section fifty-six of the said act is hereby amended to read as follows

Section 56 When not in the active service of the United States the commanding officer of each garrison fort post or other place regiment detached or separate battalion or company or other detachment of the Pennsylvania National Guard may appoint for such place or command summary courts-martial to consist of one officer who shall have power to administer oaths and to try the enlisted men of such place or command for breaches of discipline and violations of the laws governing such organizations except civic by-laws and said court when satisfied of the guilt of such soldier may impose fines not exceeding twenty-five dollars ($25.00) and such reasonable costs as they may assess for any single offense may sentence non-commissioned officers to reduction to the ranks may sentence to forfeiture of pay and allowances The proceedings of such summary court shall be informal and the minutes thereof shall be so for as practicable the same as prescribed for summary courts of the Army of the United States Provided That the sentence shall not become operative until after the approval thereof by the appointing power Such summary courts-martial may in any case be appointed by superior authority when by the latter deemed desirable

Section 10. That section fifty-seven of the said act is hereby amended to read as follows:

Section 57 All courts-martial of the Pennsylvania National Guard when not in the active service of the United States shall have power to sentence to confinement in lieu of fines and costs or any part thereof authorized to be imposed Provided That such sentence of confinement shall not exceed one day for each dollar of fine authorized and imposed Provided further That the sentence shall not become operative until after approval thereof by the appointing power

Section 11 That section fifty-nine of said act is hereby amended to read as follows

Section 59 When not in active service of the United States presidents of courts-martial and summary court officers shall have power to issue warrants directed to the sheriff of the proper county or any constable to arrest accused persons and to bring them before the court for trial Whenever such persons shall have disobeyed an order in writing from the convening authority to appear before such court a copy of the charge or charges having been delivered to the accused with such order in the manner provided by law for service of civil process and to issue subpoenas and subpoenas duces tecum and to enforce by attachment attendance of witnesses and the production of books and papers and to sentence for a refusal to be sworn or to answer as provided in actions before civil courts And provided That a president of a court-martial or a summary court officer may issue a proper certificate of commitment to the sheriff of a county or to any constable who may commit such person to any county prison pending trial In all cases the party accused of any crime or misdemeanor against military law shall be admitted to bail by one or more sufficient sureties to be taken before the President of a court martial or before a summary court officer before whom the charges have been preferred and to whom the charges have been referred by higher military authorities The amount of bail will be fixed by the officer before whom the accused is brought for trial or for commitment pending trial

Section 12 That section sixty-one of said act is hereby amended to read as follows

Duties of Jailers

Section 61 The keepers and wardens of all county jails are required to receive and confine all military offenders when delivered by such sheriff or constable under the proper certificate of commitment of a general special or summary court-martial pending trial and for and during the term of sentence as set forth in said commitment

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. HUFFMAN. Mr. President, I ask that Senate Bill No. 966, (House Bill No. 1297), on second reading, entitled:

An Act to amend section three hundred and three of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 967, (House Bill No. 1312), entitled:

An Act to amend sections one two three and four of an act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An act defining consolidating of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the tranportation of pupils to and from consolidated schools"

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 972, as follows:

An Act to preserve the purity of the waters of the Commonwealth by providing for the discontinuance or abatement as nuisances of works hereafter erected constructed or opened and operated which discharges substances wastes and waters polluting the waters of the Commonwealth to the detriment of the Public health fish life or industrial purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any and all works which shall hereafter be erected constructed or opened which in their operation pollute or impair the purity of the waters of the Commonwealth whether such pollution be caused by natural or artificial means or discharges are hereby declared public nuisances and abateable as such and each person association copartnership or corporation who or which shall hereafter erect construct or open any works which in their operation result in a discharge of substances wastes or waters which would flow or be discharged into any of the waters of the Commonwealth and thereby cause a pollution of the same shall when directed by the Commissioner of Health discontinue same or provide proper and adequate facilities for the treatment of such substances wastes and waters so that if and when flowing or discharged into the waters of the Commonwealth the same shall not in any manner be inimical to the public health or to fish life or to the uses of the waters for industrial purposes

Section 2 The prevention of the further discharge of any substances or waters into the waters of the Commonwealth which would pollute the same is hereby declared a matter that affects the public interest and involves the general health and well being of the Commonwealth and whenever such a nuisance shall hereafter be projected erected constructed or opened and operated the prohibition or abatement of the same shall not be construed as a taking of property without just compensation

Section 3 The Department of Health is charged with the enforcement of the provisions of this act

Section 4 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 84, entitled:

An Act relating to the acquisition of land for park purposes by any city in this Commonwealth in sections not entirely built up limiting time for condemnation by councils or condemnation or purchase by park commissioners after same has been placed on city plan for park purposes by ordinance of councils or action of park commissioners and providing for removal from city plan upon failure to condemn or purchase within time specified herein

Senate Bill No. 96, entitled:

An Act making a deficiency appropriattion to the trustees of the Pennsylvania State Oral School for the Deaf at Scranton Pennsylvania

Senate Bill No. 422, entitled:

An Act fixing the compensation of jury commissioners in counties of the seventh class

Senate Bill No. 513, entitled:

An Act to amend section three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and twelve) entitled "An Act to regulate the drilling operating and abandoning of oil and gases and providing a penalty for violation of the provisions of this act"

Senate Bill No. 293, entitled:

An Act to amend section six of the act approved the twenty-seventh day of June, one thousand eight hundred and ninety-five, (P. L. 403), entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

House Bill No. 22, entitled:

An Act concerning conditional sales of chattles attached or to be attached to realty and regulating the recording and effect thereof and providing remedies and penalties

House Bill No. 277, entited:

An Act to validate tax liens filed in the office of the Prothonotary of the various counties by any of the cities of this Commonwealth since the 24th day of May 1921, under the provisions of an act approved the fourth day of June, 1901, entitled: "An Act providing when, how, upon what property and to what extent, liens shall be allowed for taxes and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefore; the methods of preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; and the manner of distributing the proceeds of such sales and its supplements and amendments thereto; and providing for their collection.

House Bill No. 411, entitled:

An Act to amend section one thousand one hundred and five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty entitled "An Act conferring townships and revising amending and consolidating the laws relating thereto"

House Bill No. 494, entitled:

An Act validating certain proceedings of counties cities boroughs townships school districts and other incorporated districts or municipalities had pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds certificates of indebtedness and securities issued in pursuance of such proceedings

House Bill No. 532, entitled:

An Act to provide for the registration and protection of artificial assumed trade or association names titles or designations

House Bill No. 600, entitled:

An Act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic the United-Spanish War Veterans and American Legion a part of the public records of the State and providing for their publication and distribution

House Bill No. 638, entitled:

An Act supplementing an act entitled "An Act amending an act entitled 'A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March one thousand nine hundred and one authorizing cities of the second class to regulate and limit the height and bulk of buildings and the area of yards courts and open spaces and to regulate and restrict the location of trades and industries and the location of buildings for specified uses and to make regulations for trades and industries and for the use of buildings and for the above purposes to divide the cities into districts and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein and providing the method of adoption of said districts regulations and restrictions and the method of amendment or change thereof' approved the twenty-first day of June Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws five hundred seventy)" providing for a board of appeals to review decisions of the officer charged with the enforcement of any zoning ordinance duly adopted by said cities establishing the procedure upon said appeals authorizing appeals from the decision of said board of appeals to the court of common pleas of the respective counties and authorizing said appeals to be advanced

House Bill No. 657, entitled:

An Act to amend section two thousand six hundred and twenty-eight of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the compensation of auditors of the accounts of school districts of the fourth class

House Bill No. 701, entitled:

An Act to further amend sections ten and fourteen of the act approved July 12, 1913 (P. L. 711), entitled "An Act establishing a court for the county of Philadelphia, prescribing its jurisdiction and powers, providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia, regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as amended by requiring all proceedings in civil cases before magistrates that are sought to be reviewed by appeal to be taken only to the Municipal Court transferring original jurisdiction in certain civil cases from the court of common pleas to said court providing that costs in all cases shall follow the judgment and that certain judgments shall be final.

House Bill No. 759, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section seventeen

House Bill No. 773, entitled:

An Act making a deficiency appropriation to the Commission of the Soldiers' Orphans Industrial School at Scotland

House Bil No. 783, entitled:

An Act making a deficiency appropriation to the Home for Training in Speech of Deaf Children before they are of school age at Philadelphia Pennsylvania

House Bil No. 784, entitled:

An Act making a deficiency appropriation to the Eastern State Penitentiary

House Bill No. 788, entitled:

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania located at Bloosburg Pennsylvania to cover a deficiency in maintenance for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-three

House Bill No. 874, entitled:

An Act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved April twentieth one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto, and validating bonds issued or authorized to be issued in pursuance of such elections

House Bill No. 902, entitled:

An Act to amend section ten hundred and twenty-five of an act, approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred forty), entitled, "An Act concerning townships; and revising, amending and consolidating the law relating thereto."

House Bill No. 912, entitled:

An Act validating the incurring of certain debts or increase of indebtedness of poor districts in counties of the second class by the county commissioners thereof for improvements or alterations of the property of such poor districts and all bonds and other securities issued therefor and also the assessment of annual taxes for the payment of such indebtedness since the twentieth day of April one thousand eight hundred and seventy-four

House Bill No. 977, entitled:

An Act to amend an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and ninety-four) entitled "An Act to amend an act approved the twenty-fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and fifty) entitled 'An Act authorizing the several counties incorporated towns and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans and of the Army of the Philippines and to each post of the American Veterans of Foreign Service in the respective counties boroughs and towns to aid in defraying the expenses of Memorial Day' by authorizing appropriations to each post of the American Legion Veterans of Foreign Wars and to each Naval Association and each post of the Grand Army of the Republic" to include authorization of appropriations to each organization of ex-service men incorporated under the act of April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto

House Bill No. 725, entitled:

An Act to amend Article twelve of an act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of forest protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescibing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto a section to be section twelve hundred and two defining certain terms

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the presence of the Senate signed the same.

RESOLUTION AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF SENATE BILL No. 99.

Mr. LONG. Mr. President, I move that Rule 39, which requires concurrent resolutions reported from committee to lie over for one day be suspended and that the Senate do now proceed to the consideration of the resolution reported from Committee on Public Printing at to-day's session.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

The resolution was read as follows:

In the House of Representatives, April 11, 1923.

Resolved (if the Senate concur) That the Superintendent of Public Printing and Binding shall have printed in advance sheet form twenty-five thousand copies of the act aproved the twenty-seventh day of March, one thousand nine hundred and twenty-three entitled "An Act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic laws and alcoholic liquor license laws," to be distributed as follows: Three thousand copies for the use of the Governor; six thousand copies for the use of the Senators; fifteen thousand copies for the use of the members of the House of Representatives; five hundred copies for the use of legislative reference bureau, and five hundred copies for the use of the State Librarian.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

NOMINATIONS BY THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

JUSTICE OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 25, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate H. C. Heffelfinger, of Herndon, as Justice of the Peace, in and for the Borough of Herndon, Northumberland County, vice S. Kniss, resigned, to serve until the first Monday in January 1924.

GIFFORD PINCHOT.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 25, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with the law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

CLINTON COUNTY.

Geo. N. Barner, Avis.

DELAWARE COUNTY.

Richard G. Kelly, Upper Darby.

LEHIGH COUNTY.

Mrs. Sadie S. Shultz, Corning.

PHILADELPHIA COUNTY.

Joseph L. Connors, 1226 Widener Bldg., Philadelphia.
Joseph W. McDawell, 3117 N. Hemberger St., Philadelphia.
Milliard F. Osler, 1715 Gillingham St., Philadelphia.
Griffith R. Ross, N. W. Cor. Broad & York Sts., Philadelphia.

WASHINGTON COUNTY.

J. W. Wintin, Washington.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 25, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with the law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

C. E. Field, Pittsburgh, April 6, 1923.

CAMBRIA COUNTY.

A. W. Evans, Ebensburg, May 7, 1923.

LACKAWANNA COUNTY.

Mrs. Caroline E. Stewart, Old Forge, May 8, 1923.

PHILADELPHIA COUNTY.

Jacob Gable, Philadelphia, April 8, 1923.
William Henry Gross, Philadelphia, May 7, 1923.
U. Gilbert Ruff, Philadelphia, May 7, 1923.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. HOMSHER,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. HOMSHER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. HOMSHER. Mr. President, I move that the Executive Session do now rise.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGES.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 283.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 283, entitled:

An Act to further amend section four of the act approved the twentieth day of May one thousand nine hundred and fifteen (Pamphlet laws five hundred and sixty-six) entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" as amended providing a pension for employes who have not reached the age of sixty years but who have become permanently disabled after eighteen years of service

SENATE BILL No. 461, RETURNED WITH AMENDMENTS.

He also returned to the Senate, Senate Bill No. 461, entitled:

An Act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. SMITH. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution were twice read, as follows:

Amend section 1, page 2, line 27, by striking out the words "fire-restive", and inserting in lieu thereof the word "fire-resistive".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL NO. 500.

He also returned to the Senate, Senate Bill No. 500, entitled:

An Act to amend section one of the act approved the twenty-second day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and sixty-seven) entitled "An Act authorizing the Commissioner of Labor and Industry to appoint additional officers and employes in the Department of Labor and Industry fixing their duties and salaries and increasing the salaries of the chief medical inspector chief of the bureau of statistics and information and the chief clerk" by providing for additional supervising inspectors

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 645.

He also returned to the Senate, Senate Bill No. 645, entitled:

A supplement to an act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Appropriation Acts page 142) entitled "An act making an appropriation to the State Industrial Home for Women at Muncy reappropriating certain appropriations heretofore made to the State Industrial Home for Women at Muncy.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 777.

He also presented communications from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 777, entitled:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Instruction of the Blind.

RECESS.

Mr. HOMSHER. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGES.

HOUSE BILL FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 230, (Senate Bill No. 1021), entitled:

An Act to amend Route Three Hundred and Thirty-eight of the act approved the twenty-second day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred forty-eight) entitled "An Act establishing certain public roads as State highways and providing for their construction and maintenance at the expense of the Commonwealth

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 531, (Senate Bill No. 1022) entitled:

An Act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in alleys in cities of the first class, for the establishment of lines and grades for, and the grading, paving or repaving of said alleys, and the grading of private alleys hereafter laid out, and for apportioning the cost and for the filing of liens therefor.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 686, (Senate Bill No. 1023) entitled:

An Act authorizing probation officers of the various counties to attend the annual State Association or Conference of Probation and Parole and providing for the payment of their expenses and membership dues by counties

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 885, (Senate Bill No. 1024) entitled:

An Act limiting the power of State banks banking companies trust companies savings banks and unincorporated banks to become surety on bonds

Which was committed to the Committee on Banks and Building and Loan Associations

House Bill No. 955, (Senate Bill No. 1025) entitled:

An Act making an appropriation to the legal representative of the estate of Honorable Samuel A. Whitaker deceased elected a Representative in the General Assembly of the Commonwealth from Chester County

Which was committed to the Committee on Appropriations.

House Bill No. 967, (Senate Bill No. 1026) entitled:

An Act to amend an act approved the twentieth day of April, one thousand nine hundred and five, (P. L. 237), entitled "An Act to provide for the repair and maintenance or improvement, by the proper county, city, borough, of turnpikes heretofore or hereafter appropriated or condemned, or any part thereof for public use free of tolls," as amended, providing for the maintenance and repair of abandoned turnpikes and turnpikes of dissolved companies by the several townships, cities and boroughs.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 980, (Senate Bill No. 1027) entitled:

An Act to amend section eleven of an act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred seventy) entitled "An Act creating a Division of Township Highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter session and providing penalties" requiring clerks of the court to certify lists of township auditors to the State Highway Commissioner.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 1024, (Senate Bill No. 1028) entitled:

An Act to amend section one of an act approved the seventeenth day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand twenty-one) entitled "An Act to exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit and institutions of purely public charity and repealing prior acts relating thereo" as amended

Which was committed to the Committee on Finance.

House Bill No. 1034, (Senate Bill No. 1029) entitled:

An Act to promote the health and efficiency of firemen in cities of the first class by providing for a two-platoon system for the certain officers of the uniformed fire force of the Department of Public Safety of such cities

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1058, (Senate Bill No. 1030) entitled:

An Act authorizing cities and boroughs to appropriate moneys to organizations of veterans to assist in paying rent

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1226, (Senate Bill No. 1031) entitled:

An Act to amend section three hundred and three of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

Which was committed to the Committee on Education.

House Bill No. 1323, (Senate Bill No. 1032) entitled:

An Act prescribing the manner in which certain persons municipalities partnerships associations or corporations may intervene in appeals to the Superior Court from findings determinations or orders of the Public Service Commission of the Commonwealth of Pennsylvania

Which was committed to the Committee on Judiciary General.

House Bill No. 1325, (Senate Bill No. 1033) entitled:

An Act relating to certain county officers in counties of the fifth class providing for their salaries and the compensation of deputies and clerks in the respective county offices establishing a salary board and defining its powers and duties placing certain duties on the county commissioners county controllers and county auditors requiring the payment into the respective county treasury of the fees of such county officers and providing penalties for violation of this act

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 1339, (Senate Bill No. 1034) entitled:

An Act prescribing the fees for the office of secretary of the Commonwealth

Which was committed to the Committee on Finance.

House Bill No. 19, (Senate Bill No. 1035) entitled:

An Act to provide for the physical welfare of all persons confined (Whether such persons be tried or untried prisoners) in any penitentiary or county prison in this Commonwealth

Which was committed to the Committee on Judiciary General.

MOTION TO READ BILLS THE FIRST TIME

Mr. BALDWIN. Mr. President, I move that all bills reported from Committees at to-day's session be read the first time.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 101, entitled:

An Act for the registration and regulation of certain individuals and entities selling offering for sale or delivery soliciting subscriptions to or orders for disposing or undertaking to dispose of inviting offers for or inquiries about or dealing in any manner in securities defined herein conferring powers and imposing duties on the Commissioner of Banking and otherwise providing for the administration of this act prescribing penalties and making an appropriation

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 393, entitled:

An Act to amend sections forty-three, forty-four, forty-five and fifty of article seventeen, chapter six of the act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled "An act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 504, entitled:

An Act making appropriation to the Sesqui-Centennial Exhibition Association, situated in the City of Philadelphia, State of Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 504, the bill just read, be recommitted to the Committee on Appropriations.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 515, entitled:

An Act to regulate and standardize the manufacture and sale of clinical thermometers and to provide a penalty.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 520, (House Bill No. 212), entitled:

An Act to amend sections fourteen and sixteen of article six chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 547, (House Bill No. 652), entitled:

An Act relating to suits against and service of process upon corporations organized and existing under the laws of the Commonwealth of Pennsylvania ceasing to do business or ceasing to maintain an office within the Commonwealth and the effect of such service.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 524, entitled:

An Act to amend section twelve of the act approved the third day of June, one thiusand nine hundred and eleven (P. L. 639), entitled "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction; and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act; and providing for revocation or suspension of licenses given by said bureau; and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith;" providing for the reinstatement of licensees in certain cases.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 664, (House Bill No. 540), entitled:

An Act prohibiting persons from concealing changing or destroying manufactures' serial numbers or identification marks upon machines or apparatus or from knowingly having any such machine in the possession and prescribing penalties for violation thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 702, entitled:

An act to amend section twelve of the act approved the eighteenth day of July, one thousand nine hundred and seventeen, (P. L. 1043), entitled "An act establishing a public employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," as amended.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 738 entitled:

An act to amend sections one, four, eight, thirteen and fifteen, and to repeal sections five and six of the act approved the seventh day of June, one thousand eight hundred and eighty-seven, (P. L. 365), entitled "An act to encourage and authorize the formation of cooperative associations, productive and distributive, by farmers, mechanics, laborers, or other persons," providing for the formation of such associations by five or more natural or legal persons; eliminating the provisions with regard to the giving of credit and the sale and leasing of real estate, and clause requiring the keeping posted of a balance sheet for three months.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 844, (House Bill No. 924), entitled:

An Act to amend part of section one of an act approved the tenth day of May, 1921 (P. L. 455) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representatives districts as provided by the Constitution."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 855, (House Bill No. 1153), entitled:

An act to relieve life tenants of land from the payment of taxes on the underlying veins of coal which they have no right to operate and providing that such coal shall be assessed to and the taxes thereon paid by the owner of said veins of coal.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 921, (House Bill No. 454), entitled:

An Act providing for the examination of the Locust Mountain Memorial Hospital of Shehandoah Pennsylvania, providing for the transfer thereof to the Commonwealth and for its management thereafter and mking an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 929, (House Bill No. 715), entitled:

An Act to amend section eighteen of an act approved June 7, A. D., 1915 (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates or births and deaths and burial or removal of Vital Statistics, as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriage, deaths and permits requring prompt returns to the Central Bureau disease of practitioners of medicine and surgery of midwives, nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths, marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved April 27, 1905 and providing penalties for violation of this act" by requiring that parents be notified of the regisration of birth certificates.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 973, entitled:

An Act creating the office of controller in counties of the sixth class; prescribing his powers and duties imposing certain duties upon county commissioners and county treasurers; and abolishing the office of county auditor and the office of auditor appointed by the Court of Common Pleas to audit accounts of certain county officers

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 990, entitled:

An Act to preserve the purity of the sources of public water supplies hereafter approved authorizing the Advisory Board of the Department of Health to make orders and regulations therefor and the Commissioner of Health to enforce the same providing penalties for violation thereof and for abatement of nuisances by injunction.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1009, (House Bill No. 787), entitled:

An Act making a deficiency appropriation to the Cottage State Hospital of Philipsburg, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1011, (House Bill No. 1078) entitled:

An Act to amend section twelve of the act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and thirty-nine) entitled "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" providing for rehearings in cases where licenses have been suspended or revoked and for the reinstatement of licensees in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1015, (House Bill No. 306), entitled:

An Act making an deficiency appropriation to the State Hospital for the Criminal Insane at Farview, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. SMITH. Mr. President, I move that the Senate do now adjourn until Monday evening, April 30, 1923, at nine o'clock.

Mr. MILLER. Mr. President I second the motion.

The motion was agreed to.

The Senate adjourned at 12:20 P. M., until Monday evening, April 30, 1923, at nine o'clock.

HOUSE OF REPRESENTATIVES

WEDNESDAY, APRIL 25, 1923.

The House met at 11:00 o'clock A. M.

The SPEAKER, (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Our Father, we thank Thee for this day, with all its blessings. We pray that Thine own presence will be ours in abundant supply in all things, in doing with wisdom and knowledge and understanding the tasks in hand. May Thy blessings be upon the members of this House and all who have to do with the affairs here. Guide us to Thy praise, and eventually bring us to Thyself, in Thy name's sake. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. McCaig, the further reading was dispensed with and the Journal approved.

PETITION.

FAVORING PASSAGE OF HOUSE BILL No. 986.

The SPEAKER presented a petition from the judges of the courts of Philadelphia, favoring the passage of House Bill No. 986.

Referred to the Committee on Appropriations.

REPORTS FROM COMMITTEES.

Mr. CONNER, from the Committee on Ways and Means, reported as committed, House Bill No. 680, entitled:

An Act imposing a State tax on coal other than anthracite; providing for the assessment and collection thereof; and providing penalties.

Mr. GOSS, from the Committee on Elections, reported as committed, House Bill No. 970, entitled:

An Act to amend section one of an act approved the twenty-first day of July, one thousand nine hundred and nineteen (Pamphlet Laws, one thousand sixty-five), entitled "A further supplement to an act, approved the twenty-fourth day of July, one thousand nine hundred thirteen (Pamphlet Laws, nine hundred seventy-seven), entitled 'An Act to provide for the personal registration of electors, and their enrollment as members of political parties, in cities of the first and second classes of this Commonwealth; to make such registration a condition of the right to vote in such cities, and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities; and providing for the payment of witness fees for persons summoned before the commissioners; to provide penalties for violations of the provisions; and to repeal acts inconsistent herewith."

Mr. WELLS, from the Committee on Ways and Means, reported as committed, House Bill No. 466, entitled:

An Act to further amend section twenty-one of an act approved the first day of June one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred and twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine", as amended, by changing the rate of taxation on capital stock; and removing the exemption granted corporations limited partnerships and joint-stock associations organized for laundering and manufacturing purposes.

Mr. DUNN, from the Committee on Elections, reported as committed, House Bill No. 937, entitled:

An Act to amend section five of an act approved the tenth day of June, one thousand eight hundred and ninety-three (Pamphlet Laws, four hundred nineteen), entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," as amended; providing that nomination papers for the office of representative in the general assembly shall be filed with the county commissioners of the respective counties.

Mr. ARTHUR, from the Committee on Elections, reported as committed, House Bill No. 938, entitled:

An Act to further amend section seven of an act approved the twelfth day of July, one thousand nine hundred and thirteen (Pamphlet Laws, seven hundred nineteen), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation;" as amended, to provide for filing petitions for nomination for Representative in the General Assembly with the county commissioners.

Mr. JERRY M. WILLIAMS, from the Committee on Elections, reported as committed, House Bill No. 1091, entitled:

An Act providing for the safe-keeping of ballot boxes by the Sheriff wherein any vacancies occur in the office of justice of the peace or persons designated by the Court of Common Pleas to receive ballot boxes and making the Sheriff responsible for the safe-keeping of such ballot boxes while in his possession.

Mr. OGLE, from the Committee on Ways and Means, reported as amended, House Bill No. 521, entitled:

An Act imposing an emergency State luxury tax; providing for its collection; restricting the use of the revenue derived therefrom; and fixing penalties.

Mr. ALEXANDER, from the Committee on Ways and Means, reported as committed, House Bill No. 972, entitled:

An Act imposing an emergency State tax in addition to the present taxes on all subjects now taxable for State purposes; providing for its collection; and providing penalties.

Mr. STAUDENMEIER, from the Committee on Ways and Means, reported with a negative recommendation House Bill No. 876, entitled:

An Act to amend section thirty-two of an act approved the twenty-ninth day of April, one thousand eight hundred and forty-four, (P. L. 486), entitled "An Act to reduce the state debt, and to incorporate the Pennsylvania canal and railroad company."

Mr. HAAS, from the Committee on Manufactures, reported as amended, House Bill No. 871, entitled:

An Act relating to pillows, belaters, feather beds, comfortables, cushions and upholstered furniture, regulating the making, remaking, renovating, sterilizing, disinfecting, sale, leasing, delivering, and consigning thereof, and the possession thereof with intent to sell, lease, deliver or consign.

Mr. BLUETT, from the Committee on Judiciary General, reported as committed, House Bill No. 1426, (Senate Bill No. 649), entitled:

An Act to repeal the act approved the sixth day of June, one thousand eight hundred and seventy-three (one thousand eight hundred and seventy-four Pamphlet Laws four hundred and ten) entitled "An Act to provide for the creation of a board of examiners and the appointment of an inspector of steam engines and steam boilers for the county of Allegheny."

Mr. HOWARD SMITH, from the Committee on Ways and Means, reported as committed, House Bill No. 1456, (Senate Bill No. 570), entitled:

An Act providing for the merging of moneys held in certain special funds in the State Treasury with moneys in the general fund, providing for the use of all moneys in the general fund for the payment of appropriations and for the payment from the general fund of moneys appropriated and dedicated for special purposes.

Mr. MOORE, from the Committee on Counties and Townships, reported as committed, House Bill No. 1392, (Senate Bill No. 600), entitled:

An Act to amend section one of the act approved the 8th day of June one thousand nine hundred and fifteen (P. L. 915), entitled "An act to fix the salaries of the deputies in the offices of the clerk of the courts, county controller, recorder of deeds, county treasurer, chief deputy sheriff, and chief clerk to the county commissioners, in counties of this Commonwealth having over two hundred and fifty thousand population and less than four hundred thousand population; by changing the manner of fixing salaries and prescribing the minimum thereof; and making the act apply to counties of the third class.

Mr. BROWN, from the Committee on Judiciary Local, reported as committed, House Bill No. 1436, (Senate Bill No. 59), entitled:

An Act to repeal an act entitled "An Act to regulate the practice of the profession of engineering and of land surveying, creating a State Board for the registration of Professional Engineers and Land Surveyors; defining its powers and duties; imposing certain duties upon the Commonwealth and political sub-divisions thereof in connection with public work and providing penalties."

Mr. MILLAR, from the Committee on Judiciary General, reported as committed, House Bill No. 1379, (Senate Bill No. 282), entitled:

An Act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto.

Mr. JOSHUA EVANS, from the Committee on Judiciary General, re-reported as committed, House Bill No. 603, entitled:

An Act concerning declaratory judgments and decrees and to make uniform the law relating thereto.

Mr. ANDERSON, from the Committee on Agriculture, re-reported as committed, House Bill No. 352, entitled:

An Act to amend section three of the act approved the eleventh day of May, one thousand nine hundred and twenty-one, (P. L. 522), entitled "An Act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected in the State Treasury; and making an appropriation thereof; and providing penalties;" making the county treasurer the agent of the Commonwealth in the issuing of licenses and the collection of fees; and providing his compensation for such services.

Mr. HEFFERNAN, from the Committee on Ways and Means, reported as amended, House Bill No. 1118, entitled:

An Act to further amend sections three, nine and twenty-four of an act approved the thirtieth day of June, one thousand nine hundred and nineteen, (P. L. 678), entitled "An Act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof, and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle," as amended; changing the fees upon trucks, limiting the weight of trucks and the number of trailers.

Mr. JOSEPH MARCUS, from the Committee on Judiciary General, re-reported as amended, House Bill No. 985, entitled:

An Act providing that mortgages shall cease to be a lien upon the real estate described in the mortgage from and after the expiration of fifty years from the date the principal becomes due unless such mortgages are re-recorded or a declaration recorded that the principal or some part thereof remains unpaid and providing further that every mortgage the principal of which is overdue more than fifty years at the time of the approval of this act shall not lose its lien under the provisions of this act if within five years after the approval of this act such mortgage shall be re-recorded or a declaration recorded that the principal or some part thereof remains unpaid

LEAVES OF ABSENCE.

Mr. J. G. MARSHALL asked and obtained leave of absence for himself.

Mr. STAUDENMEIER asked and obtained leave of absence for himself.

Mr. STONER asked and obtained leave of absence for himself.

Mr. ARMSTRONG asked and obtained leave of absence for himself.

Mr. GELDER asked and obtained leave of absence for Mr. Gilchrist.

Mr. PARKINSON asked and obtained leave of absence for himself.

Mr. BIDELSPACHER asked and obtained leave of absence for himself.

Mr. FRAZIER asked and obtained leave of absence for himself.

RESOLUTION TO INVESTIGATE AFFAIRS OF STATE TREASURER UNDER ADMINISTRATION OF HARMON M. KEPHART.

Mr. RHODES offered the following resolution which was twice read and laid over under the rules:

In the House of Representatives, April 25, 1923.

Whereas, The administration of the public funds in the custody of Harmon M. Kephart, a former State Treasurer, has been subject to criticism, investigation and suspicion, which culminated in the prosecution of the former treasurer, and

Whereas, The said investigation instituted by the Auditor General was limited in its scope by act of assembly, and

Whereas, The publicity attending the said accusations and prosecution has awakened in the people of this Commonwealth a keen desire to know all the facts concerning the affairs of the State Treasury under the administration of the said Harmon M. Kephart, and

Whereas, The aforesaid prosecution of the former State treasurer has ended by a plea of nolle contendere on the part of the defendant, and in consequence thereof, the facts have not been disclosed to the public, and

Whereas, The former State Treasurer regardless of his pleas to the indictments has been retained in an important official position, now therefore be it

Resolved, (if the Senate concur) That a commission is hereby created, consisting of four Senators to be appointed by the President pro tempore of the Senate and five members of the House of Representatives to be appointed by the Speaker thereof, to make a full investigation of the affairs of the State treasury under the administration of State treasurer, Harmon M. Kephart:

Resolved, That the commission shall organize by the election of a chairman and secretary. The members of the commision shall not receive any compensation for their services, but shall be allowed their actual and necessary expenses incured in the performance of their duties. The commission is authorized to employ such expert assistants, clerks, and stenographers as may be deemed necessary, and to fix their compensation:

Resolved, That the commision is authorized to hold such meetings and summon and interrogate such witnesses as it deems proper. The committee shall have power to subpoena witnesses and require their attendance, and the production of books and papers. If any person shall refuse to appear before the said commission and testify, or shall refuse to obey any subpoena issued by the commission, the chairman thereof may present his petition to the court of common pleas of Dauphin County, setting forth the facts, whereupon the said court shall issue its subpoena ordering such person to appear before it and to produce such papers, books and documents as it may direct. If any person shall refuse or neglect to obey such subpoena of the said court he or she shall be guilty of a contempt and shall be punished accordingly. The commission shall make a report from time to time to the Attorney General, and a full report of its findings to the General Assembly of 1925 and shall set forth its recommendations with regard to any action that it suggests be taken; and be it further

Resolved, That the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby appropriated to carry into effect the provisions of this resolution.

POINT OF ORDER.

Mr. GOLDER. Mr. Speaker, before any ruling is made on this resolution I desire to raise a point of order. A resolution was adopted by this House that no bill be introduced after a certain date, that date having already passed. This resolution carrying an appropriation is in its very nature the same as a bill; it would necessarily have to be referred to the Appropriation Committee. I therefore, raise the point of order that this resolution cannot be introduced without unanimous consent.

The SPEAKER. The Chair feels that the resolution adopted by this House was intended to cover bills, and joint resolutions which take the course of a bill, the Chair rules, therefore, that he point of order is not well taken.

MOTION TO MAKE HOUSE BILL No. 36 A SPECIAL ORDER.

Mr. VICKERMAN. Mr. Speaker, I move that House Bill No. 936, file folio 5503, entitled:

An Act for the repression of prostitution and assignation making it unlawful to solicit aid or permit prostitution or to use or permit the use of any place for the purpose of prostitution or assignation making certain evidence admissible in proceedings under this act authorizing the commitment of prostitutes to private institutions providing for their parole and prescribing penalties

on page 12 of today's calendar, be made a special order for final passage on Monday evening, April 30, at 10 o'clock.

Mr. McVICAR. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion,

The speaker announced the "ayes" appear to have it,

Whereupon a division was called for, and 52 members having voted in the affirmative, and 75 in the negative, the question was determined in the negative and the motion was not agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 859, as follows:

An Act to amend section thirty-five of the act approved the thirtieth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred and seventy-eight) entitled "An Act relating to and regulating the use and operation of motor vehicles and vehicles propelled by or trailing after motor vehicles requiring the registration of the same and the licensing of all operators thereof providing the fees therefor and the disposition of such fees prohibiting the unauthorized use of and tampering with motor vehicles limiting and defining the powers of cities boroughs incorporated towns townships and counties as to the regulation of the use and equipment of motor vehicles and the taxing registration or licensing thereof imposing certain duties on the State Highway Commissioner and on proprietors of public garages providing procedure and penalties for violations thereof and the disposition of fines collected and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section thirty-five of the act approved the thirtieth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred and seventy-eight) entitled "An Act relating to and regulating the use and operation of motor vehicles and vehicles propelled by or trailing after motor vehicles requiring the registration of the same and the licensing of all operators thereof providing the fees therefor and the disposition of such fees prohibiting the unauthorized use of and tampering with motor vehicles limiting and defining the powers of cities boroughs incorporated towns townships and counties as to the regulation of the use and equipment of motor vehicles and the taxing registration or licensing thereof imposing certain duties on the State Highway Commissioner and on proprietors of public garages providing procedure and penalties for violations thereof and the disposition of fines collected and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle" is hereby amended to read as follows

Section 35 All fines and penalties collected under the provisions of this act for violation of the same and all bail forfeited shall be paid to the treasurer of the city borough town or township wherein the violation occurred to be for the construction repair and maintenance of the highways thereof and sworn statements of all fines and penalties so collected shall also be reported by the burgess magistrate justice of the peace or other officer imposing or receiving the same to the treasurers of the respective cities boroughs towns and townships said reports shall be made monthly not later than the tenth (10th) day of the month any burgess magistrate justice of the peace or other officer who shall fail to make such monthly reports and returns or either of them shall be deemed guilty of a misdemeanor in office and upon conviction thereof shall be subject to a fine of not less than one hundred ($100) dollars or more than five hundred ($500) dollars or imprisonment in the county jail for a period of sixty (60) days or both at the discretion of the court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 998, as follows:

An Act to amend section one of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred sixteen) entitled "An Act appropriating to the Department of Health any moneys to be received from the United States Government in the promotion of sanitation public health and health education the protection and care of maternity infancy and old age and the prevention treatment and cure of disease"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred sixteen) entitled "An Act appropriating to the Department of Health any moneys to be received from the United States Government in the promotion of sanitation public health and health education the promotion and care of maternity infancy and old age and the prevention treatment and cure of disease" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the Commonwealth of Pennsylvania does hereby accept the provisions and benefits of the Act of Congress approved the twenty-third day of November one thousand nine hundred and twenty-one entitled "An Act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes" All moneys hereafter received by the Treasurer of this Commonwealth from the United States Government made available by said act or any other act of Congress for the promotion of sanitation public health and health education preventive medicine the protection and care of maternity infancy and old age and the prevention treatment and cure of diseases now made or to be made is hereby specifically appropriated to said State Department of Health for such prevention control protection cure and promotion Provided That nothing in this act shall be construed as limiting the right of any person to choose the method of treatment he desires or as limiting the powers of a parent or guardian or person standing in loco parentis to determine what treatment shall be provided for a child

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1405, (Senate Bill No. 472), entitled:

An Act to amend section one of an act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand and seventy-two) entitled "An Act providing a method of establishing title to land acquired at a sale for unpaid taxes" extending the provisions of said act to all such sales

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 835, as follows:

An Act to further amend clause (d) section three hundred and six of an act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause (d) section three hundred and six of an act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for determination of liability and compensation thereunder" which was amended by an act approved the twenty-sixth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred and forty-two) entitled "An Act to amend an act approved the second day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled 'An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder' and providing when the same shall become effective" is hereby further amended to read as follows

(d) No compensation shall be allowed for the first seven days after disability begins except as hereinafter provided in clause (e) of this section

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 235, as follows:

An Act to validate certain municipal assessments municipal claims and municipal liens in the several boroughs of the Commonwealth providing for the filing of claims therefor and the proceedings for the collection of such assessments and claims

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever heretofore the council of any incorporated borough of this Commonwealth has required by ordinance and caused to be graded paved curbed or macadamized with brick stone or other suitable material or otherwise improved any public street or thoroughfare or part thereof either cartway or footwalk or has caused sewers to be constructed therein or both pursuant to such ordinance but owing to some defect in the petition action of council notice of publication or other proceeding necessary under existing laws and ordinance to give jurisdiction to such council or because of noncompliance with existing law as to publication of copies of ordinance and posting of handbills prior to the final passage of such ordinance or because the ordinance itself or the official record book containing the same has been lost mislaid or destroyed or has not been transcribed in the official record book or the time for filing said lien or making said claim has expired or claim has not been filed after notice to do so or for any other reason the cost of such improvement or a portion thereof cannot be legally assessed upon the property bounding or abutting upon the street or part thereof improved or owing to some defect in the statement of claim filed to secure the lien or the failure of the borough solicitor to file the lien in the court of common pleas or to sign the same for the cost of such improvement payment thereof cannot be enforced as was contemplated by the act or acts of the General Assembly under which the improvement was attempted to be made and statement of claim filed now by this act such improvements are made valid and binding and the council of such incorporated borough may cause the property bounding or abutting upon the street or part thereof upon which the improvement has been made or is now being made to be assessed in the manner now provided by law with such a portion of the cost of such improvement as is contemplated by the law under which the improvement was made or attempted to be made or is now being made Such assessment or other assessment heretofore made shall be a lien upon the property assessed The lien shall date from the completion of the improvement for which the assesment is made and shall remain a lien until fully paid and satisfied Provided That a writ of scire facies is issued to revive the same during every period of five years after the lien is filed as hereinafter provided

Section 2 The council of any incorporated borough of this Commonwealth entitled to a lien under this act shall file a lien therefor in the office of the prothonotary of the county within which the property lies within six months after the completion of the work where the improvement is now in progress or within six months after the approval of this act where the improvement is now completed and the same shall be entered upon record as other municipal claims such liens shall state the name of the party claimant which shall be the corporate name of the borough making the improvement name of the owner or reputed owner of the property assessed a reasonable description of the property assessed the amount or sum claimed to be due which shall include interest on the assessment from the completion of the improvement for what improvement the claim is made the date of its completion the date of the assessment from which the lien is filed such lien when so filed shall be prima facie evidence of all matters therein set forth and of the right of the borough to recover the amount therein claimed to be due together with interest from the date of the lien or completion of the improvement costs and attorney's commission of five per centum for collecting

Section 3 The claim when so filed shall be proceeded upon for collection by writ of scire facias provided That this act shall not apply to any proceeding suit or lien wherein a final order or judgment of any court of record has already been made or entered

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1425 (Senate Bill No. 589), entitled:

An Act authorizing cities of the third class to sell certain real estate and prescribing the procedure to be followed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1444 (Senate Bill No. 787), entitled:

An Act creating a Legislative Reference Bureau providfor the election of a Director by the General Assembly designating the officers and employees of such Bureau defining their duties fixing their salaries abolishing the present Legislative Reference Bureau and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

The SPEAKER. If there are no objections, the Chair will take up bills on first reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 444, entitled:

An Act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 827, entitled:

An Act to amend section six of the act approved the twentieth day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred and eighteen) entitled "An Act relating to the appointment of persons to the police department in cities of the third class providing for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation" as amended

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 819, entitled:

An Act to amend section six of the act approved the third day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred thirty-eight) entitled "An Act relating to the appointment of persons to the fire departments in cities of the third class constituting a civil service board in relation thereto providing for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing for fixing compensation of a secretary"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1185, entitled:

An Act establishing and creating the office of Fire Marshal in counties of the second class in the Commonwealth of Pennsylvania providing for the appointment of fire marshals deputies and assistant fire marshals in such counties providing for the fixing and determining of the salaries to be paid such fire marshals deputies and assistant fire marshals defining their powers and duties and providing for review by the courts of common pleas of such counties of all the orders of such fire marshals and providing for the filing of liens for the costs of removal of nuisances and regulating the adjustment of fire losses authorizing the county commissioners of such counties to provide suitable offices for such fire marshals and the necessary equipment stationery and clerk hire therefor authorizing the appointment and fixing the salary of a solicitor for such fire marshals prescribing his duties and providing fines and penalties for violations of the orders of the fire marshals

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1002, entitled:

An Act to further amend part of Sectión Six of an act approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by the State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvements of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 578, entitled:

An Act to amend route two hundred and forty-eight of section six of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase of acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by the State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalties for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 149, entitled:

An Act establishing a State highway in the counties of Clarion Forest Elk and McKean providing for its location construction improvement and maintenance by the Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1112, entitled:

An Act to amend section one of an act approved the twenty-second day of July Anno Domini one thousand nine hundred and ninteen (Pamphlet Laws one thousand ninety-three) entitled "An act creating in counties having a population of from eight hundred thousand to one million five hundred thousand a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners fixing their salaries payable by the county defining the powers and duties of such board and regulating the assessment of property and occupations for State and county purposes authorizing the appointment of subordinate assessors and clerks defining their duties and providing for their compensation payable by such counties imposing a penalty on subordinate assessors for failure to comply with certain provisions of this act and abolishing the office of ward borough and township assessor in so far as respects the assessment of property and occupations for State and County purposes" as amended

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1378 (Senate Bill No. 224), entitled:

An Act providing for the filing of vacancies in the office of tax-collector in boroughs by the council of the borough and repealing certain acts inconsistent therewith

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1420 (Senate Bill No. 584), entitled:

An Act extending and enlarging the powers and rights of Trust Companies and Banks organized and incorporated under the laws of the Commonwealth of Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1414 (Senate Bill No. 587), entitled:

An Act prescribing the effect of the merger of a trust company or a banking company possessed of trust company powers with another trust company or banking company possessed of trust company powers on the state and property real and personal held by either of such merging corporations in any trust or fiduciary capacity

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1275 entitled:

An Act abolishing the office of high constable in the boroughs of this Commonwealth and authorizing and directing the borough councils to designate the police or a constable of the borough to perform the duties now by law imposed on high constables

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 956, entitled:

An Act to amend section one of the act approved the twenty-fifth day of June one thousand eight hundred and eigth-five (Pamphlet Laws one hundred eighty-one) entitled "An act to authorize certain corporations to become sole surety for the faithful performance of any trust or duty and to authorize certain officers to approve the same" requiring the approval thereof when the certificates issued by the Insurance Department to said corporations have been filed in the prothonotary's office

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1084, entitled:

A Supplement to an act approved the twenty-third day of June one thousand nine hundred eleven (Pamphlet Laws one thousand one hundred twenty-three) entitled "An act establishing in each county a Board of Viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" as the same was amended and supplemented by subsequent acts by providing for the compensation to be paid to the members of the Board of Viewers in counties of the second class

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 435, entitled:

An Act to amend clause forty-six of section three of article five of the act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred sixty-eight) entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" as amended giving to said cities the right to exercise the power and authority of local self-government in municipal affairs

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1004, entitled:

An Act to amend the act approved the fourth day of April one thousand eight hundred and seventy-two (Pamphlet Laws forty) entitled "An act supplemental to an act entitled 'A supplement to acts relating to incorporations by the courts of common pleas' approved on the ninth day of April Anno Domini one thousand eight hundred and fifty-six" providing for the publication of notice and the mailing of notices to stockholders in case of dissolution proceedings

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1041, entitled:

An Act to amend sections one and two of an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws ten hundred twenty-one) entitled "An act imposing a State tax on gasoline and on all other liquids containing and derivative of petroleum or natural gas produced prepared or compounded or usuable for the purpose of generating power by means of internal combustion and sold in this Commonwealth except for the purpose of resale providing for the collection of such tax and for the distribution and use of the revenues derived therefrom making an appropriation and fixing penalties" by increasing the amount of said tax and providing for the use of the revenues thereof for State highway purposes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1134, entitled:

An Act fixing the per diem compensation of assisstant or registry assessors of boroughs and second class townships for attendance at elections

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 894, entitled:

An Act to repeal an act approved the eighth day of June one thousand nine hundred fifteen (Pamphlet Laws nine hundred fifteen) entitled "An act to fix the salaries of the deputies in the offices of the clerk of the courts county controller recorder of deeds county treasurer chief deputy sheriff and chief clerk to the county commissioners in counties of this Commonwealth having over two hundred and fifty thousand population and less than four hundred thousand population"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1401 (Senate Bill No. 640), entitled:

An Act to amend section three of an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and nine) entitled "An act to authorize the acquisition by purchase or condemnation of lands for a park and the erection of a monument commemorative of Washington Crossing the river Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1429 (Senate Bill No. 746), entitled:

An Act relative to the disposition of fines and forfeitures in counties of this Commonwealth of the fourth class and authorizing the expenditure of a portion of all of said fines for the support and maintenance of a law library in said counties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1402 (Senate Bill No 258), entitled:

An Act to amend section three hundred and twenty-five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto" fixing the compensation of township auditors

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS SIGNED BY SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL NO. 84.

An Act relating to the acquisition of land for park purposes by any city in this Commonwealth in sections not entirely built up limiting time for condemnation by councils, or condemnation or purchase by Park Commissioners after same has been placed on city plan for park purposes by ordinance of councils or action of park commissioners and providing for removal from city plan upon failure to condemn or purchase within time specified herein.

SENATE BILL No. 96.

An Act making a deficiency appropriation to the trustees of the Pennsylvania State Oral School for the deaf at Scranton Pennsylvania

SENATE BILL No. 422.

An Act fixing the compensation of jury commissioners in counties of the seventh class

SENATE BILL No. 513.

An Act to amend section three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and twelve) entitled 'An act to regulate the drilling operating and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act"

SENATE BILL No. 293.

An Act to amend section six of the act approved the twenty-seventh day of June, one thousand eight hundred and ninety-five, (P. L. 403), entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

Whereupon,

The SPEAKER in the presence of the House, signed the same.

SENATE MESSAGE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL NO. 283.

An Act to further amend section four of the act approved the twentieth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred and sixty-six) entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" as amended providing a pension for employes who have not reached the age of sixty years but who have become permanently disabled after twenty years of service and in certain cases of disability fifteen years

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The CLERK read the amendments as follows:

Amend title, page 1, line 13, by striking out the word "eighteen" and inserting in lieu thereof the word "twenty".

Amend title, page 1, line 13, by inserting after the word "service" the following: "and in certain cases of disability fifteen years."

Amend section 1, page 3, line 17, by striking out the word "eighteen" and inserting in lieu thereof the word "twenty."

Amend section 1, page 4, line 2, by striking out the word "eighteen" and inserting in lieu thereof the word "fifteen."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Fowler, A. L.,
Fowler, D.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Malie,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Minehart,
Moffatt,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte.
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rippman,
Sample,
Sautter,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required, by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments are concurred.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL NO. 911.

An Act providing for the erection of new or additional buildings for the maintenance care and treatment of the poor indigent insane and indigent persons afflicted with tuberculosis in poor districts in counties of the second class which now maintain or which shall hereafter maintain a poor house or a hospital or sanitarius for such purposes authorizing the county commissioners to borrow moneys issue and negotiate the sale of bonds and to levy taxes for the payment of the same

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 9, by inserting after the word "counties" the following: "with the approval of the county commisioners or majority thereof."

Amend section 2, page 2, line 14, by striking out the words, "are hereby directed to," and inserting in lieu thereof the word "may."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. JOSEPH C. MARCUS. Mr. Speaker, I move that this do now concur in the amendments of the Senate.

Mr. STEEDLE. Mr. Speaker, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL NO. 606.

An Act to further amend an act approved the third day of June, 1895, (P. L. 130) entitled "An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of assembly where such bridges have been destroyed by flood, fire or other casualty, providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges providing for the rebuilding of decayed and unsafe bridges and certain bridges on State highways.

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend section 2, page 3, line 7, by inserting after the word "act" the following: "as amended by said act of one thousand nine hundred and three (Pamphlet Laws two hundred and thirty)."

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS.—188.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Betts,
Bidelspacher,
Blair,
Bluett,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, D.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Malie,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stoffiet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments are concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SPECIAL ORDER.

THE SPEAKER. The hour of twelve o'clock having arrived, the Speaker lays before the House the special order of the day at this time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1141, (Senate Bill No. 217), entitled:

An Act to amend section one of an act approved the thirteenth day of April one thousand eight hundred and eighty-seven (Pamphlet Laws twenty-one) entitled "An act for the establishment of a uniform standard of time throughout the Commonwealth" prohibiting the adoption of other standards of time

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HAINES. Mr. Speaker and members of the House, there is no question in my mind but that the provisions, as set forth in the bill under consideration are thoroughly understood by all of us, therefore to my mind there can be no reason why debate should be carried on to any great length. However, I feel that some explanation is due the House, but personally I shall be brief.

I believe we all understand the meaning of, and the reasons for what we know as Standard Time. If we should set aside all considerations of the effect of daylight saving on agriculture and the economic results that in the end are sure to be detrimental to the consumer of food products, we must agree that to be workable in the truest sense of the word, daylight saving should be national in its scope. It should be the result of an act of Congress. It would then apply equally on all railway systems, to all financial institutions, postal service, etc. But the history of daylight saving shows that after being tried as a national proposition it was given up. As a war measure, it first appeared in this country in 1918. It became effective by President Wilson's signature on the congressional bill on March 31st of that year, It again became operative in 1919, upon a general order issued by the Director General of the Railroads. In this same year an act for its repeal was passed by both Houses and vetoed by the President, but was promptly passed over his veto. This ended the federal government's connection with this question.

To continue to put into operation the so-called daylight saving practise very decidedly hampers the greatest and most important industry in our state and nation—agriculture— an occupation that (generally speaking) does not yield high profits, and that is not only necessary but indispensable to the welfare of our people. The farmers of Pennsylvania are an intelligent, industrious class of people engaged in the production of the food supply for the people of all other occupations, and to press this daylight saving fad will add to the thousands of abandoned farms in Pennsylvania and with the shortage of farm labor (now above 20% of that required for normal operations of farms) will certainly add to the economic problem confronting agriculture and will make the full dinner pail and the family table more costly than will be comfortable to bear.

There is no question but that the proposed advancing of the clock one hour is particularly disadvantageous to the health of children. Traveling men, railroad workers, street car workers, and especially those classes who actually toil such as Iron and Steel Mill workers, are generally opposed to it. The adoption of daylight saving in the larger cities is a distinct disadvantage to the smaller cities and suburban towns, unless they, too, adopt the plan. This is especially noticeable under the present banking system. Transportation also enters into the question here.

We have no fault to find with the establishments who can well adopt summer schedules for opening and closing business hours, doing so. We have no objections to record against the time people arise, when they start to work, or when they quit, but we firmly believe that personal convenience for any particular class should not enter into a matter that is detrimental to the welfare of the people as a whole. Therefore, I ask you members of the House to see to it that the lawful time for Pennsylvania shall be the United States Standard Time.

Mr. EDMONDS. Mr. Speaker, and members of the House, there is much that my friend from Bucks has said with which personally, I can agree, and I can certainly assent to his opening statement that this question is clearly understood by every member of the House, and therefore, long speeches ought not to be made. There is, however, a change in the attitude of the proponents of this bill, as compared with their attitude two years ago, to which I want to call your attention.

Two years ago, at the request of the American Philosophical Society, I introduced a bill establishing State-wide daylight saving. It is debated and argued most earnestly in this House and was defeated by a two to one vote, and the majority who defeated it at that time said that the vice of that bill was that it forced upon people who didn't want daylight saving,, it forced it upon them by State law. Now, they have completely reversed their decision and they have proposed for your consideration a bill that takes away daylight saving from those that want daylight saving. Now, I submit ladies and gentlemen of the House, is that a fair course for legislation to take? We have an act of Assembly that establishes standard time; we have various localities that have made adjustments with reference to standard time, particularly in the summer season. We have now, a bill which has in it this proviso: "Provided that no county, city, borough, town, township or other municipal sub-division of the Commonwealth shall, by ordinance, resolution or rule adopt a different standard of time for any year or any portion of a year." That means that by adopting this bill we are taking away from the localities the right to settle this question for themselves. Now, I submit that in this session of the House we have had a great deal of discussion on municipal home rule. At the last election the people in this State passed a municipal home rule bill, amending the Constitution and various legislation has been introduced at this session tending to make it effective, the whole idea being that on local questions the people of these localities shall be given a chance to decide. Now, we have this bill coming along. It relates to a question that doesn't concern itself with the legal organization of the State at all. It concerns itself with the habits and the customs of people in a locality. It is fair for one part of the State to say to another part of tthe State, "you sha'n't do this thing you want to do." Now, I put my argument simply and solely upon that ground, because it seems to me that this proposed legislation is vicious from that point of view. It interferes with local freedom; it interferes with municipal home rule, and it takes the argument that was used against daylight saving two years ago, and now makes use of that argument as a weapon to enforce upon people in the localities certain things that they don't like. I submit that from that point of view this bill ought to be defeated.

Mr. SARIG. Mr. Speaker, ladies and gentlemen of the House, in reply to the question of the gentleman from Philadelphia as to home rule, I wish to say that this is no more a question for home rule than is the question of prohibition for home rule. The gentleman from Philadelphia would not stand up here today and say that if the people of Philadelphia don't want prohibition, they should not be obliged to accept it, and I submit to you that the only kind of daylight saving, if there is any justification for daylight saving whatever, then the only kind of daylight saving justifiable is national daylight saving. One hundred years ago our industrial and economic life was such that we in the rural districts were practically separate and apart from the life of the people in the big cities. But we all know that during the last one hundred years our industrial and economic life has become such that it has become impossible to separate the rural sections from the big municipality. We are so interwoven at the present time that we cannot have one kind of time for the rural districts and another kind for the cities, unless we want a great amount of confusion. Now, when this proposition was first brought up it was a national proposition, it was one of the fads that came to us during the war. During the war the people submitted to it out of patriotic motives, but as soon as the war was over this proposition was repealed by our National Congress. By the very fact that the proponents of daylight saving went into the halls of Congress and asked for this legislation, they admitted that it was a proper subject and a proper proposition for federal legislation. But once they were defeated in the federal halls of congress, they said, "No, it is no longer a federal proposition, we are going to make it a state-wide proposition." And they came here two years ago, into this Legislature, and said, "We want state-wide daylight saving." Now between the two of them, state-wide daylight saving was much worse than national daylight saving, because of the condition I explained a few moments ago, because it is simply impossible, under the present complicated and complex condition of our industrial and economic life to separate the two, but after all, it was defeated here in this House two years ago by a two to one vote, but after the proponents of this measure on daylight saving were defeated here, they again played the game in the same way, and they said, "No, it is not a state-wide proposition, it ought to be a local proposition." Now, I submit to you that of the three forms of daylight saving, national, state-wide and local, by far the worst is local daylight saving because of the natural confusion which follows local legislation of this character. Now I believe, as much as any man in this House, in home rule. I believe in local legislation whenever and wherever such local legislation does not interfere with the people beyond the confines of that particular locality that demands home rule and that demands local legislation, but what has been the effect of your local daylight saving? I remember two years ago, I was one of a committee of the Berks County Grange that appeared before the City Council of Reading to protest against the passage of daylight saving. The Council being from the city, said, "Well, we must listen to the sentiment in the city," and they did; and they passed the daylight saving ordinance. But last fall, at the November elections, a referendum was held in Berks County and the result of that referendum was that in the rural districts the vote was about five to one against daylight saving. And even in the city of Reading, where they claim that there was such a strong, overwhelming demand for daylight saving, why, the referendum was two thousand against it, and I submit to you, don't fool yourself. If a referendum were held today in Philadelphia, or if a referendum were held in Pittsburgh, I believe that the results would be somewhat similar to the results in the city of Reading. It so happened that that particular class that wanted daylight saving made themselves felt; they made their influence felt in the halls of the city council, and our city council were deluded into the idea that there was a general and an overwhelming demand for this sort of legislation. But when the question was really enacted and actually submitted by a referendum to the people of that city, the working men and the working women in the city of Reading came to the polls and defeated it by a majority of two thousand agaist it, in spite of the belief of our city fathers that they actually wanted it. Now, why were they against it? I have spoken to a good many of them; I worked under daylight saving last summer; I was an inspector in one of the foundries, inspecting castings, and I, myself, worked under daylight saving; and I worked with hundred of men who, also, were working, the same as I, under daylight saving. And this is the effect of it: They are not in favor of it and they are hot in favor of it for this reason: Nearly ninety out of one hundred will not go to bed any earlier than they will under standard time, but they have to get up earlier in the morning, and the result it that they lose a good hour's sleep. Now, you come here from cities and you say this is a welfare measure, we want to look after the health and the welfare of our children and the welfare of our workers, but I submit to you that if your workers and if your children and if your people in the congested sections of Philadelphia and Pittsburgh need anything, why they need their good night's sleep and their good night's rest. Now, what is the effect of it down at Reading? When they should have gone to bed their room was hot, they couldn't sleep—it doesn't cool off much before midnight in the summer time in the large cities, naturally; the brick walls of the buildings are heated up in the day time and they can't sleep much before midnight. Now, amid the wee hours of the morning, the time when they get their real rest, and the time when they recuperate for the next day's work, why, that is just the time that they have to get out of bed.

Now, how does it affect the farmer? I represent a big dairy section. The East Penn Valley, which I have the honor to represent, is one of the biggest dairy sections in Eastern Pennsylvania. The effect of this daylight saving legislation has been this: While we have not had it in Berks County, just as soon as Philadelphia adopted daylight saving the railroad companies changed their time tables. They gave no consideration to the rural sections. They took their time tables and in blended form they advanced them just one hour. Now, how does that work out? In the rural districts, at the present time, the milk trains, which also carry the commuters, pass through my dairy section at six o'clock in the morning. You all know that farm help is scarce, that the farmer cannot get the help that he should have, and that he needs. Now, then, that means that he must get up at four o'clock in the morning, because the days are from an hour to an hour and a half longer, and that alone, to look after his dairy herd and to get his milk ready for market, and by the time he gets to the station he will have to get up at four o'clock in the morning. Now, if you fail to pass this bill against local daylight saving, if you again advance the time of the trains one hour it will mean that our farmers will have to get up at three o'clock in the morning Now I submit to you I would like to see the gentlemen from Philadelphia Mr. Edmonds take a pail in the morning get up at three o'clock in the morning and enter the cow stable and tramp around there in the cow stable and then let the gentleman from Philadelphia—I can imagine in my mind's eye the gentleman from Philadelphia getting up at three o'clock in the morning and putting on his milking apron and taking his pail and going out and rousing up the old cow I can see him milk there for one hour or an hour and a half and then I see him do that day after day for two months and at the end of two months he will be ready and willing to come back here into the hall of the House here in Harrisburg and say "away with daylight saving we will have no more of it" Now friends there is a very serious proposition connected with this We all know that here in Pennsylvania we have for years and years catered to the big manufacturing interests and to the big business interests I think there is no general denial of that statement The result is that the manufacturers and the business men can pay wages today that are up and above and way beyond anything that the farmer can afford to pay when he is getting $1.00 or $1.25 a bushel for his wheat. Now the result is that our help is draining away from the farm and it is draining to the large cities Now you pass daylight saving legislation in Philadelphia and you are creating a condition where it is almost impossible to retain any hired help on the farm Where is the young man today or where is the young women in Pennsylvania that is willing to go on the farm and get up at three o'clock in the morning every morning and enter into the barn into the milk stable when he or she can get employment in the big city at wages that are twice as high and when he or she can get working conditions of eight nine or ten hours a day where on the farm they are compelled to work ten twelve thirteen and fourteen hours a day during the summer months The result is that if you pass this kind of legislation you are still further going to hamper the farmer and you are going to drive away the hired help You have already crippled the farm situation to some extent that today more than four thousand farms in this great Commonwealth have been deserted How are you going to keep that situation How are you going to keep that class of legislation until you have taken the last farmer off the farm and into the confines of your big cities I submit to you ladies and gentlemen of this House that there is a serious aspect about this matter We must try as we have preached—our best men in the cities have preached our college professors down at the University of Pennsylvania and at the

University of Pittsburgh and everywhere else have been preaching to us for years "back to the farm." They are urging "back to the farm" movements and while they are preaching "back to the farm" you come here and you pass legislation year after year that is just the very opposite of what you are preaching and what the college professors are preaching to us from the cities Now I submit to you ladies and gentlemen that this is a proposition where somebody must yield I realize that there are some people in the city of Philadelphia a good many of them and there are a good many in the city of Pittsburg and in other cities that would like to have this daylight saving but I submit to you that we must have one or the other If you have local daylight saving that means that Philadelphia and Pittsburg are going to dictate to the entire State what the time shall be There is no getting away from it if you pass this local daylight saving legislation the railroad companies will again advance their time tables and we from the rural districts will have to whether we want to or not And for that reason I say it is not a fit and proper subject for local legislation I again say to you as before that this is a question for national legislation It is not a local question and it cannot and should not be made a local question because of the confusion which has resulted from it And then I also submit for your serious consideration that the time is here when we have to quit passing legislation here in this House and in the Senate that still further hampers and cripples the agricultural interests of Pennsylvania Before you cast your vote on this measure today I want you to think of the warning which several hundred yars ago Oliver Goldsmith gave to the wealth class of England when he said

> Ill fares the land, to hastening ills a prey,
> Where wealth accumulates and men decay,
> Princes and lords may flourish, or fade,
> A breath can make them, as a breath has made;
> But if old peasantry, the country's pride
> Be once destroyed, can never be supplied.

Mr. GOEHRING. Mr. Speaker and members of the House, I can readily see our friend from Philadelphia walking out with his milk pail and looking to the east and saying, "Here comes the King of Day and rejoicing in its coming." I can appreciate that not one word I can say will change one vote because I also appreciate that every member of this House has convictions so far as his or her, constituents are concerned and I know that you members will vote according to your convictions but like Abraham Lincoln once said, I may not win, I am not bound to win, but I am bound to be true. I am not bound to succeed but I am bound to serve in the light that God has given. I will stand with a friend so long as he stands right, but I will part with him when he goes wrong. May I ask the members of this House to go one step further than Lincoln. Do not part from your friend when he goes wrong, but steer him right when he goes wrong. There are only two questions here, inconvenience on one side and humanity on the other side. Those are the only two questions. Far be it from me not to have the highest regard for our farmers, but this is a question of inconvenience on one side, and on the other side our men and women, boys and girls, on the other side humanity, one of the greatest shadows of our God in this wicked earth, that is what humanity is. I stood on the floor of this House and introduced four bills, all humanity bills. When this bill cames up I wrote a letter to every department store in Pittsburg, to the Carnegie Steel Company, the Pennsylvania Chocolate Company to take a straw vote of the employes on the question of daylight saving. Ninety-eight percent of them over 40,000 employes wanted daylight saving. Why do they want it? Every one of these men and women, girls and boys, in department stores work under artificial light. You go into one of these stores and you buy a suit of clothes, but you don't know what it looks like. What do you do? You take it over to the window and you look at it to get the right color. They work there from 8:30 to 5:30. Just think what that hour means, now, that is, from the humanitarian standpoint. And, as Mr. Woner said yesterday, light is a purifier to the soul. It is better to get up early in the morning. In the winter time, it is hard to get up, and you don't like to get up, but in the summer time, don't you get awake earlier. In the morning, when the old king of day comes around? Yes, you do, and you like to get up. You don't mind getting up. Now, from the financial standpoint: New York has daylight saving. You go into your bank at five minutes after two to send a draft to New York for $100,000. What is the reply? "Can't do it; it is closed." Am I right? Am I right? Now members of the House, I don't want you men and women to vote contrary to your statements, but if you do, can't you give them an answer? You come in from Butler or Beaver or any other county, into the city of Pittsburgh—and it has been said here in the committee at the public hearing, "Why, we can change our time and they can open up whenever they please." suppose you come in from Beaver and you go in to Kauffman's and you want to buy five hundred dollars worth of goods, and you give your check, and Kauffmans open at 7:30 and the banks don't open until 9:00, you will have to wait until 9:00 o'clock to take your goods with you, because they will want to telephone your bank to see whether it is good or not. Men and women, I say to you right here that if you could go into those department stores and see those young girls and young boys in that artificial light, working there all day long, you would allow them to start work one hour earlier in the morning and let them out one hour earlier in the evening. There are two periods of time during the day, two hours, between 12:00 to 1:00 and between 4:00 to 5:00—am I right or not?—that are the hottest of the day. Men and members, I ask you to vote this bill down.

Mr. SCHOENER. Mr. Speaker and gentlemen of the House, last evening I had the pleasure of visiting one of our country's greatest economists from Philadelphia. He divided the people of this country into three parts, one-third are those who follow after cultural pursuits and one-third of the people are engaged in industrial pursuits, and the other one-third he said are people who follow some sort of business and are exploiters of society. Now, it often happens that the one-third who exploit society have made an attempt to dictate what the other two-thirds are to do. I feel that we have no right to do that. In my county alone, which is an agricultural county and has very little forest land, this year there are going to be seven thousand acres of formerly cultivated land idle. In other words, it means that there are over one hundred farms, and good farms, are going to remain idle and not be worked this year. Now, we know it takes quite some time to develop a good farmer, It takes from two to four years to develop a tradesman. But it takes many years to develop, from practical experience, to develop a good farmer. Last year, over four hundred practical farmers in Berks County quit their jobs and went into some industrial work. Now, that means a great deal and I feel that we should pass no legislation or that we should allow no legislation to be passed that would hamper this group of faithful men, upon whose industry the welfare of the country largely depends. Now, it has been said that the industrial people wanted it. But my colleague, Mr. Sarig, told you that in the city of Reading a poll was taken last fall and it was overwhelmingly defeated, which goes to show that it seems the city people, even the laboring families in the city don't want it. Now, the city of Reading is similar to most of the cities of Pennsylvania. It contains over 100,000 people.

Now, as to the milk trains that have been mentioned, I wish to add this, that when those men have to get up and when they have to put their hired men on the job so early in the morning, it means that they will have to pass two or three hours where they have no real work for those men to do afterwards. You know, there is dew on the ground, and you can't send those men out to put away the crop until the dew has evaporated. Now, then, in the late afternoon, when the whistles begin to blow in the nearby towns and we have this daylight saving and the men begin to quit work there, you have your hired man becoming dissatisfied and he will either quit or his morale will be so impared that he will not render his employer the proper efficiency. I feel, ladies and gentlemen of the House, that we should not take advantage of those men who are tillers of the soil and those men who are engaged in industrial pursuits, the other two-thirds of our country just in order to suit ourselves.

Mr. CRAIG. Mr. Speaker and members of the House, I would indeed be a poor sponsor for home rule if I did not get up at this time and say a few words. I would also be a very poor representative of the greatest industrial district represented in this body if I should not say something. I also represent a town where, in the days of long ago, the courts sat and dispensed justice to the common people, and I appear before you now, asking only justice to the workers of our great industries in this State. I want to say in reply to something said by one of the distinguished gentlemen from Berks that, long before the war, the foreign countries had daylight saving. I also wqant to say that one of the gentlemen from Berks spoke about my colleague from Philadelphia getting up, or not getting up at three o'clock in the morning. I want to say in that connection that for many years I got up at three o'clock in the morning and I made from sixteen to eighteen hours a day, but I was a good deal like the farmer, I made that only in six months of the year. When I was listening to one of the two distinguished gentlemen from Berks, both of whom are, or were teachers, it took me back to my high school days, when one of my teachers in the high school said that I should believe nothing that I heard and only half of what I saw. In regard to this daylight saving, the desire of communities to have daylight saving is merely an attempt to give to the city worker and the suburban dweller in rural communities the same vacation by giving him a chance to enjoy the twilight amusements out of doors that the farmer has for six months in the year. In other words, the present daylight saving system may be called tre workers sumer vacation bill; because, by giving him two to three hours of sunlight after his work is done, it enables him to get out of doors for those two or three hours and get a chance to enjoy God's fresh air in the open and in that way, get rested from the daily grind which he is forced to undergo. This same vacation the farmer gets for six months in the year. After the fall crops are harvested the farmer hasn't much to do. He hunts, enjoys himself, and if any of you have been to Florida, you know as well as I do that down there there are a great number of farmers who are enjoying the southern sunshine while the oldest boy or the son-in-law is home tending to the chores. The farmer would resent any attempt of any city dweller to take from him his hours for hunting or other amusements which nature and his work have afforded him during the winter months. Therefore, the city worker and the people who dwell in the cities and suburbs have the right to resent the attempt of the farmers to interfere with the hours of leisure which the increased sunlight gives them. This act is an attempt to upset the doctrine of home rule, because it is a cardinal principle of home rule that cities should have the right to make all laws touching the immediate government of their inhabitants, without interference of any general legislative body. It necessarily follows that, as the chief reason for city government is for the betterment of the health conditions of our municipalities, cities should not be interfered with in passing health legislation. Nothing in recent years has so increased the general health of municipalities throughout this land as daylight saving, which gets you out into the open during the day. Furthermore, to pass this act would deny the right of the man who lives in the suburbs to have a garden, and thus in his small way cut down the high cost of living. This bill is an attempt to further place on the community the restrictions on their rights and normal desires to have pleasure, which is the answer to all sumptuary legislation; and it is, therefore, sumptuary legislation in its worst form, because all such legislation, up to the present time, has been passed in an attempt to curb the vicious and intemperate habits of the community. Yet this sumptuary legislation is an act to curb and deny the desires, aims, and ambitions of the people of the great municipalities of this State to enjoy health, and thus it defeats the very purpose of municipal government, that is, to increase the health and well being of the community.

And now, just one word to the hundred and seven members who did not agree with me some few weeks ago. You all know that the saloon has been going out of style for a very, very long while. You all know that in the days of long ago, and not so awfully long ago at that, the saloon was the social club, if you please, of the toiler and of the worker. He went there to spend his evenings, and maybe he spent more money than he should of, but he went there to hear the news of the neighborhood and to pass the evening. The saloon has gone; where is the worker to go? What is he to do now for amusement? In the cities we have the ball club on all the sandlots and the workers, the toilers, can go there if we have daylight saving, see his boy or some relation of his playing ball and enjoying the outdoors; or, if he has saved his money, as a good many of them are doing now, he can buy a flivver, and go out and enjoy some of the wonderful country which our dear friends on the other side spoke so much about. Therefore, as this bill is ante-home rule and ante-health legislation, I ask you to vote it down.

Miss GRIMES. Mr. Speaker and members of the House, I am in favor of this bill because of the fact that it does two things. One of the reasons I am in favor of it is that I am opposed to anything that assails established institutions, and this I believe it does. In 1887, the scientists from all over the world met in Washington and established a national and international time on the meridian of Washington and on the meridian of Greenwich. This is one of the early instances of standardizing things resulting in the facilitating of business, steamship travel and railway travel, and brought us into closer contact with the entire world. I believe that any attempt, such as daylight saving, to break down the standardization of an international thing as time leads to disorder and disregard for law and is an aid to the prevalent feeling and disposition to disregard law everywhere. So that is one of the reasons why I believe daylight saving is a bad thing. On its economic side I believe that I am opposed to anything that places upon the farmer an additional burden because we people in the city owe our daily bread, the bread we eat every day, to the farmer. The attitude of the city in insisting that what the cities do does not concern the people out in the country is a narrow and selfish attitude, because the people out on the farms feed the people in the city. Where did you get the milk that you drank this morning? I suppose you think it came out of the milk bottle, which it did, of course, but the miracle of the distribution of milk from the cow to your doorstep every day in the year is one of the miracles of modern efficiency, scientific management and co-operation between the distributor in the city and the farmer out on the farm. Everything that imposes any additional burden upon the farmer in getting his commodities to the city has a bad effect on the people in the city and the farmer as well. Congestion in the cities is one of our major national problems, the trend of the people from the farms into the cities. How to get people back on the farms, is a question that has disturbed sociologists and economists all over the world. We people in the cities, and I live in a city district, should recognize that the problem of the farm is the problem of the city, if the people on the farms keep on coming into the cities we are all going to starve to death. Scientists today claim that is the reason for the fall of the Roman Empire, the crowding of the people into the cities was the reason for the Roman fall, and we surely ought to take a lesson from that great catastrophe of history. Linked up with the problem of the cities is the tenantry of farms. The farmer boy will not stay upon the farm. A large proportion of our farming districts in this country are being taken over by tenants. Not very long ago in a meeting in Pittsburgh, a man, a farmer, got up in the meeting and said, "I cannot keep my boys on the farm. I had three sons, they were all good farmers. I thought I could keep the last boy there, and I made all kinds of rules and all kinds of arrangements for his advantage, but he has left me and gone to the city. I am old, and I am going to have to give over my farm to a tenant and I will have to go into the city and live in the city." For every farmer who goes into the city there is one more person to feed, and one less out on the farm to produce. I claim that we people who live in the city are selfish and narrow and wicked if we fly in the face of our meal ticket, and it is what we are doing if we insist on something which makes it hard for the farmers. The mothers in my district complain about this daylight saving because of the trouble they have in getting their children to go to bed in the evening. In my town we have a curfew, but we do not ring the curfew in the summer, it is disregarded, because the children simply will not go in. The mothers throughout the state, I think, are opposed to daylight saving. Many of the people who work in the mills are not in favor of this. They get up an hour earlier in the morning, and they gain no advantage particularly because the hour they lose in the morning is not made up in the afternoon. However, I am very much in favor of this extra hour for myself. I love daylight for tennis and tramps and I expect to have a front seat in many a boxing bout this summer, if my friend Mr. McBride gives me a pass to these boxing bouts. Personally, I like daylight saving, but what is a pleasure to me I am willing to forego if it means hardship to the people who furnish me with my daily bread.

Mrs. PITTS. Mr. Speaker and members of the House, I regret very much that I cannot agree with my colleague, Miss Grimes of Allegheny, but in voicing my opposition to the bill under discussion, may I just say a few words in answer to the allegation that has been made, that this bill if not passed and daylight saving is put into effect, that it will affect the sleep of the babies and children and for that reason the women of the State are in favor of the bill.

I represent a district of over a hundred thousand assessed voters and I can fairly say that as far as the women of my district are concerned that no such objection has been made by them but that they are instead opposed to this bill.

They know from experience daylight saving would give the children a longer day to enjoy the sunshine and play, which elements are only conducive to good health and in no way effect the health of the children, as the proponents of this bill would have us believe.

For that reason I am opposed to the passage of this bill and in so doing feel that I sense the desire and wishes of the majority of the women of my district.

Mr. HEYBURN. Mr. Speaker and Members of the House, I am inclined to differ a little with both the gentleman from Bucks, Mr. Haines, and the gentleman from Philadelphia, Mr. Edmonds. They tell you that they believe the House thoroughly understands the bill. I am going to say to you that I don't believe they do. If they did there would be no necessity for this bill being here. Now members of the House, I want to say to you that it is not a pleasure for me to stand here and oppose anything that Philadelphia or any of the other cities may think they want, and I recognize the fact that where the opportunity offers for our people that do not rise early in the morning it extends a greater opportunity to them to have pleasure; but what are we going to do with the man or woman who goes to work at seven o'clock in the morning and works ten hours in the day? Now, as a great majority of the people are people engaged in that walk of life, I believe we should try to legislate to do the greatest good for the greatest number of people. It has been rumored through the columns of the papers that there is some sort of a farm bloc here to prevent daylight saving. As a farmer I want to assure you that there is nothing of the kind. I want to say to you frankly and I am not here to deceive you that no one can afford to vote for daylight saving better than the farmer

But I want to say to you, when he does it, he does it from a selfish standpoint. He does it for dollars and not for the good of the people. True, under daylight saving, you will decrease production. True under daylight saving, you will encourage labor to leave the farm. You will not only encourage labor to leave the farm, but you will take our boys and girls from us as well. I assure you so far as daylight saving is concerned, personally, I would be glad to favor it; but I am in a position, I believe, to know, and I recognize that at this present time the granaries of our country are not overflowing. I also note that there is not surplus of meats on our markets and I know that the responsibility to feed your cities and your people in general reverts itself back to your rural districts. Unfortunately, after the war farm products were the first to be hit, and hit hard. Prices dropped and thousands of farmers have gone out of business. In this great Commonwealth of ours today, thousands of our farms are producing nothing. I can take you to farms today, close to where I live, worth anywhere from $50,000 to $75,000, and they are not growing enough to feed the family. Now, it is this proposition that you are going to be brought into contact with. I want you to consider this not from the standpoint of pleasure, but from the standpoint of what our people can afford to have. My father taught me when a boy that my first duty was to my work and my second to my pleasure; but war conditions, through the great upheaval, and the disturbance of the minds of the people and the great prosperity which this war has brought about, has brought about a disposition for pleasure rather than work, and I am going to say to you frankly, with the great prosperity of our industries, they are coming out into rural districts, as they did only last month, and bid fifty cents an hour for common labor, I want to say to you that no man in agriculture can contend and bid for that labor. The result of it is, you will drain our farms of labor, you will decrease production, and the consumer will pay the hight cost of living, if he gets it at all. Now, while you people in your cities believe you want this, while you may think it is a grand thing for you, I want to say to you, "beware of the danger". The production this year will be far less than it has been for many years. Labor is at least forty per cent less, they are at least three weeks late with their work, and I want to say to you that the farm products will be affected so very extensively that, perhaps, it may put you in the same position that you have found yourself in with coal last winter. I would be the last—I would be the last man in this House, while a farmer to oppose daylight saving if I believed that the products of this country at the present time carried a surplus; but when I recognize the fact that the production of this country is limited, when I see your labor drawing from your districts to your cities, becoming consumers instead of producers, then, gentlemen and members of the House, danger stares you in the face. And I would be unfair to you as a farmer if I did not come here to you and stand up and explain this matter as I recognize that you people, living in your cities, are unfamiliar with your rural districts, and ask you to put your confidence in men that will stand for your rights and explain these conditions to you, as justly should be done. I was somewhat surprised here a few moments ago to hear my colleague, a gentleman whom I have the highest regard for, tell you that great industrial city the city of Chester. The gentleman told you correctly; it is, and it is going to be still a greater, but what astonishes me is that a young man living so close to the rural districts didn't know that that country girl, with her tan cheeks and faded gingham pulled his door-bell while he slumbered and served him fresh vegetables for his breakfast. Now, members, I am not goin to take any more of your time, but I want to say to you that the remarks that I have made here to you I felt it my duty to make, because of my experience, my training and my knowledge of conditions in the rural districts, as well as your cities, which I believe qualifies me to speak, and I say to you that, in the interests, not of the farmers, no, but of all the people, I am goin to ask you to vote "aye" on this very bill in order that the rural districts of your country can feed your consumers. I thank you.

Mr. LUDLOW. Mr. Speaker and members of the House, if this bill is passed we are going to change the number of our greetings. When I meet you tomorrow, if we pass this bill today and it is signed by the Governor, I am going to say, "Good morning, Mr. So-and-So, I hope you had a fine standard time yesterday;" or I may say, "I trust you have been having a mean siderial time." It may be, under this thing, that the children in this country or in this city are going to go to the dogs if we don't pass this bill. Had you thought what is happening to the children up in Norway and Sweden, where the sun doesn't go down until ten o'clock in the evening, and oh, what poor, emaciated little waifs they are. This business is awfully disconcerting to most of us. I have a great deal of respect for the farmer. I once had an alarm clock in the earlier days, and it was a curious clock. If this clock was to be set for six o'clock in the morming, I had to set it forward to ten, because it gained so many hours that I had to know the combination. If I wanted to get up at six I would set the time hand at eight and I would set the alarm hand about four hours ahead. I knew—I used a table of trigonometry to work it out. One night a friend of mine, boarding at the same place, who didn't know the mechanism of the clock, borrowed the clock without my permission. He wanted to go to Lancaster and he set the clock as he should set it, for the time he wanted to arise, four o'clock, and at four o'clock face time, not standard time or daylight saving time, but at four o'clock face time, the alarm went off and he got up and dressed and went down to West Philadelphia station and he sat around and he didn't think to look at the clock there, and finally he wandered why there wasn't somebody there to catch that same early train out to Lancaster; and he looked at the clock and he found it was just one o'clock in the morning. He hadn't the combination, and I don't think we have the combination to this question. You can't legislate, you can't set these folks down in the big cities and up here in some of the less populous places because—and they are perfectly right, on the farm there is inconvenience—but these people in the city, and it is there only chance, should have that chance. I remember when Theodore Roosevelt came to Philadelphia at the time that they were building a new central high school. And the very first thing out of the box, the very first thing he said was, you have got a fine building, but you haven't got the time for the boys to play; you have only thought of the time when they work. And by this bill, if you pass it, you are only thinking of the time when you work. Now, there has been a great deal said, and I know properly said, about the times and the hard times and the long days that the farmers have. They do have long days from the time they begin in the spring until the harvests are over in the fall. I have been out on the farm at night by moonlight when they were taking in their wheat for fear of a storm. I know what they go through and I know what it means to their milk schedules, but how about these men and these women in the mills, in the cities and the smaller places who get up early every morning in the year, who have got to work whether the sun gets up later and sets later or sets earlier. It is immaterial to them; they have got to do it. It is a question of give and take. It have had some very interesting times in trying to work out this question of time. You look it up and you find that time is eternal; time is infinite; you can define infinity. One of my friends from Perry County submitted to me some observation about time. He said, "what is standard time, anyhow?" He said, "standard time is sun time. When the sun is on the seventy-fifth meridian, it is noon." Did you ever hear that, at two periods of the year, the sun was fifteen minutes ahead, and then, again, fifteen minutes behind the clock, or mean time. Now, he says he understands that every time you go fifteen degrees west you set your clock ahead an hour. Now get this observation.

"Now," he said, "if you can imagine yourself near the North Pole and could travel around the earth in a westerly direction so that you could run into yesterday, would you ever get any older?" That is an observation that, when you start studying these things, you have got to consider when the standard time starts and when it stops. How about the people out here in Pittsburgh, not withstanding the argument to the contrary you take the standard time, and you have got to set the clock forward an hour. What do the farmers do? They realize they have got a condition that they have got to meet. It is an inconvenience, but how about those traveling salesmen? You cannot always consult your own convenience. You have got to go out and get your customers if you want customers, and some of us are the people that sell. I don't have to be reminded on the first of the month the amount of milk they are buying at my house, but I am only a stock-holder in the farmer. I am quite mindful of their problems. I am quite mindful of the people down in the steel mills in my own district and the children in my own district and the mothers don't say at night..I suppose if this bill passes that the mothers will ask their children to close their little legislative eyes and sing them into their little legislative sleep. You can't do it that way. When the sun goes down it is almost self-evident it is dark, and when it is dark it is time for youngsters to go to bed, and in the summer time, we have a short night and a long day.

Now, you talk about your influx of the farmers to the city. Of course we have had that influx of farmers to the city, but they have had it for years. It has been a problem on the farm for a quarter of a century. It has been acute for the last ten years. It was acute long before we had daylight saving. It was a saving, it was economy in times of war. Why shouldn't we have the economy in times of peace? Those are the kind of things we have got to consider here today. Just a week ago it was my pleasure to attend an anniversary of the battle of Concord and Lexington, and we spoke as we should have spoken of the embattled farmers up there at Concord. We spoke of the shot that was heard round the world. That was done by the farmers, The Minute Men. But I want to tell you that the highest form of civilized life today is a case of give and take. I have got to concede something for you and you have got to concede something for me. The workers down in the mills and in my neighborhood are conceding to the farmers when they work early in the winter time and late in the winter time, which is the farmer's easiest season. When the summer comes, isn't it fair that we should put the reverse on the thing and say we know it is inconvenient, we sympathize with you, but don't take away from us the chance to relieve that very congestion of which the lady from Allegheny spoke. You can talk all you want, you can theorize all you want, you can have all the social you want, but unless you put the earlier part of the day and the later part of the day together, you can philosophize, but you don't help the man in the mill or the girl in the shop, it seems to me. I am not in the big city; I am in a metropolitan district adjacent to a big city. People in my town want this thing if the city near them wants this thing. It throws us into horrible confusion if we have one thing and they the other. It seems to me that this home rule proposition should be let just stay where it is, and let Philadelphia and let Erie and Allegheny and the rest of them assign their problems to themselves, and then lets meet the farmer in the spirit of proper give and take. I think this bill ought to be defeated. It seems to me it is socially, it is economically unfair, and just in conclusion, let me say that you can see just what these figures are. Under the census of 1920 the Urban population in Pennsylvania, and the United States statistician included all places over 2500, the Urban population of Pennsylvania is 65%. Now, there is no reason why, in passing our bills, with all due respect to the folks on the other side, we should allow the tail to wag the dog. I thing this bill ought to be defeated.

Mr. WRIGHT. Mr. Speaker there is to my mind one phase of this question which has not been fully explained. This bill is a measure in the interest of law observance, of law enforcement. It seeks to prohibits the violation of a law which fixes the standard time for the state and nation, and on that ground it for no other it should receive the unanimous support of the members of this House. We are not seeking to interfere with the right or privilege of any man to rise an hour earlier or to quit an hour sooner. We simply content that he shall not thereby virtually compel everybody else in the state of Pennsylvania to arise when he arises and to quit work when he quits. We are seeking to prevent him from disarranging the time and the schedule of every business interest in the state of Pennsylvania simply because he wants to suit himself and his own convenience in the changing of his watch. Now standard time is stable time it is stable because it is the time of the sun. It was fixed by the all wise Creator Himself, when he established the heavens and the earth and set the sun to rule by day and the moon and stars to rule by night. Our statues have been made and wisely made in conformity with that law. We cannot change the law of the universe, and we should not seek to set our clocks in violation of the law but should set them according to that time. I sympathize very deeply with those who are housed up in offices and factories; I sympathize with them in their desire to have an extra hour for recreation and diversion, they deserve it and they should have it especially if they want it, but they should have it by agreement and common understanding between themselves and their employers. I am speaking now in the interest of the Bath Agricultural interest, especially in the interest of agricultural Pennsylvania particularly the central and southern portion. We are asking no concession, we are urging no changes, we have no desire to interfere with the right and privilege of any man, but we do have important appointments to keep. We have pressing business engagements to fulfill, we have important work to do which can be done only in its season, and we have multitudinous business activities to prosecute which can be accomplished only under a uniform standard time. We ask only one thing and that is that the time be allowed to remain truely standard and that we let the clocks alone.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Mr. EDMONDS. Mr. Speaker, I ask for a vertification of the roll.

The roll was verified as follows

YEAS—115.

Albert,
Anderson,
Armstrong,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Berger,
Betts,
Bidelspacher,
Blair.
Boback,
Brenneman,
Brewster,
Brown,
Bush,
Chaplin,
Clutton,
Coldsmith,
Diehm,
Dietz,
Driggs,
Eaches,
Evans, B. P.,
Flinchbaugh,
Flynn,
Fowler, D.,
Frazier,
Gibbon,
Gorham,
Griffith,
Grimes,
Gundy,
Haas,
Haines,
Harcr,
Harter,
Haslett,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Long,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
McCurdy,
McDaniel,
McDermott,
McKim,
Miller,
Minehart,
Moffatt,
Moore,
Myers, G. C.,
Ogle,
Orr,
Parkinson,
Peelor,
Post,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Stevens, A. J.,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Walker,
Weamer,
Wells,
Wheeler,
Whiteman,
Williams, G. W.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—74.

Alexander,
Allman,
Arthur,
Bell, W. T.,
Bluett,
Bromley,
Brownmiller,
Burns,
Colville,
Conner,
Coyne,
Craig,
de Young,
Dilsheimer,
Donahue,
Drinkhouse,
Dunn,
Earley,
Edmonds,
Evans, J.,
Fields,
Fratt,
Gelder,
Glasgow,
Goehring,
Golder,
Goss,
Greeby,
Hall,
Haws,
Heffernan,
Huber,
Keene,
Little,
Lucas,
Ludlow,
Lynch,
Mack,
Mangan,
Marcus, J.,
Mathay,
McBride,
McCaig,
McClure,
McGowan,
McVicar,
Metcalf,
Millar,
Morrison,
Munley,
Myers, P. M.,
Nolte,
O'Boyle,
Patterson,
Perry,
Pitts,
Posey,
Price,
Sautter,
Schilling,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sterling,
Stevens, A. F.,
Stoner,
Storb,
Van Alen,
Vickerman,
Whitehouse,
Williams, J. M.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

REASONS FOR VOTE.

Mr. EACHES. I wish to state my reasons for voting for the Derrick Bill. Last fall, that is, November, 1922, a referendum vote was taken on daylight saving and it was voted down by a very large majority. I am speaking of the City of Reading.

SENATE MESSAGES.

AMENDED HOUSE RESOLUTION RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned resolution from the House of Representatives as follows:

Resolved (if the Senate concur) That the Superintendent of Public Printing and Binding shall have printed in advance sheet form (for the use of the Members and Senators) twenty five thousand copies of the act approved the twenty-seventh day of March, one thousand nine hundred and twenty-three, entitled "An Act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws"

"To be distributed as follows: three thousand copies for the use of the Governor; six thousand copies for the use of the Senators; fifteen thousand copies for the use of the members of the House of Representatives; five hundred copies for the use of the legislative reference bureau, and five hundred copies for the use of the State Librarian."

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

In line 3, after the word "form" strike out the following "for the use of the Members and Senators." underscore the word "three" in line 14, also underscore the word "six" in line 15.

On the question,

Will the House concur in the amendments?

They were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 148, as follows:

An Act authorizing cities boroughs and incorporated towns to require and permit the laying and constructing of sanitary sewers and sewer pipes outside the cartway and the curblines thereof in all streets and highways and prescribing the uses thereof and providing for the assessment of the costs and expenses of any such sewer against the abutting property in the front of which the said sewer is laid

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities boroughs and incorporated towns are hereby authorized to require and permit sanitary sewers and sewer pipes to be laid and constructed outside the cartway and the curblines thereof in any street or highway

Section 2 The said sewers shall be for the service and use of the property abutting thereon on the side of the street or highway in which they are laid

Section 3 The costs and expenses of any sewer laid and constructed as aforesaid may be assessed against the abutting property in front of which the same is laid and such costs and expenses when so assessed shall be assessed and collected in the way and manner as the costs and expenses of other sewers are assessed and collected in the respective city borough and incorporated town in which the same are laid

Section 4 This act shall not affect the laying and construction of sewers under other acts of Assembly

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174.

Alexander,
Allman,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippmah,
Sample,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwarts,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McKIM

The House resumed the consideration on third reading of House Bill No. 639, entitled:

An Act authorizing the sale assignment disposition transfer and conveyance of the franchises and of the property real personal and mixed of any water or power water companies organized prior to the first day of April one thousand nine hundred and five to another water or water power company also organized prior to the first day of April one thousand nine hundred and five and providing the manner in which said sale and puchase shall be effected

On the question,

Will the House agree to the bill on third reading?

Mr. McKIM. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend bill page 2 line 11 by striking out the following: "Section 2. That the said merger shall be effected in"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

The SPEAKER. This amendment being a strike-out, the bill is before the House for consideration.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179.

Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, W. T.,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Gibbon,
Gilchrist,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hoover,
Howell,
Huber,
Mack,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gelder,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 831, as follows:

An Act providing punishment for the selling and furnishing of intoxicating liquors or liquids represented as intoxicating liquors contrary to law thereby causing the death of persons drinking the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any person shall unlawfully and wilfully sell or furnish to another any malt brewed vinous or spirituous liquors contrary to the laws of this Commonwealth or any Act of Congress of the United States or of the Constitution of the United States or shall unlawfully and wilfully sell or furnish to another any intoxicating liquors or any liquid representing the same to be intoxicating liquors and the person to whom the same is sold or furnished or any other person shall drink the same and by reason thereof shall die the person making such sale or furnishing the same shall be guilty of voluntary manslaughter

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. CRAIG. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. ALEXANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1120, as follows:

An Act to amend section one of an act approved the seventeenth day of June Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An Act to provide revenue for State and county purposes and in cities co-extensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the au-

thority of the same That section one of the act approved the seventeenth day of June Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An Act to provide revenue for State and county purposes and in cities co-extensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all personal property of the classes hereinafter enumerate owned held or possessed by any person persons co-partnership or unincorporated association or company resident located or liable to taxation within this Commonwealth or by any joint-stock company or association limited partnership bank or corporation whatsoever formed erected or incorporated by under or in pursuance of any law of this Commonwealth or of the United States or of any other State or government and liable to taxation within this Commonwealth whether such personal property be owned held or possessed by such person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation in his her their or its own right or as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person persons copartnerships unincorporated association company joint-stock company or association limited partnership bank or corporation is hereby made taxable annually for county purposes and in cities coextensive with counties for city and county purposes at the rate of four mills on each dollar of the value thereof and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes by section seventeen hereof all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government including car-trust securities and loans secured by bonds or any other form of certificates or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section seventeen hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government except shares of stock in any bank corporation association company or limited partnership that may be liable to a tax on all of its shares or all its capital stock for State purposes under the laws of this Commonwealth or relieved from the payment of a tax on all of its shares or all its capital stock for State purposes by the laws of this Commonwealth and further where and in the event any bank corporation association company or limited partnership shall be liable to a tax on part of its capital stock for State purposes under the laws of this Commonwealth or relieved from the payment of a tax on part of its capital stock for State purposes by the laws of this Commonwealth except the portion of the value of its shares so liable to a tax for State purposes or relieved from the payment of a tax for State purposes all moneys loaned or invested in other States Territories the District of Columbia or foreign countries all other moneyed capital in the hands of individual citizens of the State all stages omnibuses hacks cabs and other vehicles used in transporting passengers or freight for hire except steam and street passenger railway cars owned used or possessed within this Commonwealth by any person or persons or by any corporate body or bodies all annuities yielding annually over two hundred dollars Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company And provided That the provisions of this act shall not apply to building and loan association or to savings institutions having no capital stock but nothing herein contained shall be construed to relieve or exempt individual depositors in savings institutions having no capital stock from any taxation to which such depositors may be subject and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for county purposes and in cities coextensive with counties for city and county purposes shall be taxed or taxable for any other local purpose or for State purposes under the laws of this Commonwealth

It is the intent of this act that the tax imposed herein upon the value of the classes of property hereinbefore enumerated shall be construed to be a tax on the value of the property or the investment represented thereby and the proportion rule given under the exemption provisions herein is for the purpose of avoiding double taxation

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Asbury,
Aston,
Baker,
Beaver,
Bentley,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Clutton,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dietz,
Donahue,
Driggs,
Drinkhouse,
Eaches,
Flinchbaugh,
Flynn,
Fowler, A. L.,
Fowler, D.,
Frazier,
Gelder,
Gibbon,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haines,
Hall,
Harter,
Haws,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Lucas,
Ludlow,
Lynch,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Mathay,
McBride,
McCann,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Patterson,
Peelor,
Perry,
Posey,
Post,
Price,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stoffiet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Walker,
Wells,
Wettach,
Whitehouse,
Williams, G. W.
Williams, J. M.,
Wood, N.,
Wood, W. P.,

Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Kohler,
Kunkle,
Labar,
Lauver,
Long,
Raymond,
Richards,
Rinn,
Rippman,
Sample,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECESS.

The SPEAKER, If there are no objections, the Chair will declare a recess until 4:00 o'clock, P. M.,

Whereupon at 1:50 o'clock P. M., the House took a recess until 4:00 o'clock P. M.

AFTER RECESS.

The House reconvened at 4:00 o'clock, P. M.

The SPEAKER. (C. J. Goodnough) in the Chair.

SENATE MESSAGES.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 657 (HOUSE BILL No. 1457).

An Act empowering School Districts to employ a Police Force.

Referred to the Committee on Education.

SENATE BILL No. 690 (HOUSE BILL No. 1458).

An Act authorizing and empowering counties of the second class in this Commonwealth to acquire by lease, purchase or condemnation proceedings any land within the county for the purpose of establishing and maintaining airdromes or aviation landing fields; providing for the procedure in case of condemnation and the extent of title acquired; authorizing the lease by the county of portions of said land to individuals or corporations upon such terms as may be fixed and the lease thereof to the Government of the United States upon nominal rental; authorizing and empowering the county to use land now owned by it for such purposes and authorizing joint operation by said county and any city within the county of airdromes or aviation landing fields where such city is authorized to establish and maintain the same.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 691 (HOUSE BILL No. 1459).

An Act authorizing and empowering the cities of the second class in this Commonwealth to acquire by lease, purchase or condemnation proceedings any land within or without the limits of said cities for the purpose of establishing and maintaining municipal airdromes or aviation landing fields; providing for the procedure in cases of condemnation and the extent of title acquired; authorizing the lease by the cities of portions thereof to individuals or corporations upon such terms as may be fixed and the lease thereof to the Government of the United States upon nominal rental; and empowering said cities to operate and maintain said fields jointly with any county within which said city is situate where the county is empowered to operate and maintain an airdrome or aviation landing field.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 793. (HOUSE BILL No. 1460).

An Act to repeal the act approved the tenth day of May, one thousand eight hundred and seventy-one (Pamphlet Laws six hundred sixty-seven) entitled "An act to empower the school directors of Tuscarora and Spruce Hill townships in the county of Juniata to annex certain lands in Spruce Hill township and Tuscarora township in the county of Juniata for school purposes.

Referred to the Committee on Counties and Townships.

SENATE BILL No. 163. (HOUSE BILL No. 1451).

An Act relating to the organization, maintenance and operation of the Banking Department and the scope of its supervision and control over corporations, partnerships, unincorporated associations and individuals and the assets and liabilities thereof, providing penalties for the enforcement of its provisions and repealing the Banking Department Act of nineteen hundred and nineteen with table of contents.

Referred to the Committee on Banks and Banking.

SENATE BILL No. 201. (HOUSE BILL No. 1462).

An Act directing the State Librarian to cause certain old church records of this State to be translated, preserved and published, and making an appropriation therefor.

Referred to the Committee on Appropriations.

SENATE BILL No. 505. (HOUSE BILL No. 1463).

An act to repeal an act approved the twenty-seventh day of May, one thousand nine hunded and twenty-one (Appropriations Acts Page two hundred sixty-nine) entitled "An act making an appropriation to the Washington and Jefferson College, Washington, Pennsylvania."

Referred to the Committee on Appropriations.

SENATE BILL No. 610. (HOUSE BILL No. 1464).

An Act providing for the creation of a commission to study the subject of consolidation of the various municipalities to wit, cities boroughs, and townships, in counties of the second class into one municipality and to file with the next General Assembly its report together with an act providing a method for such consolidation, prescribing its powers and duties, and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 656. (HOUSE BILL No. 1465).

An Act requiring purchasers or receivers of milk or cream for manufacturing purposes or resale to furnish to the producer thereof certain periodical statements of daily deliveries and the average percentum butterfat test of the same, providing for the enforcement hereof and fixing penalties.

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 761. (HOUSE BILL No. 1466).

An Act to amend section two of an act approved the twenty-second of April, one thousand nine hundred and nine (Pamphlet Laws one hundred twenty-one) entitled "An act restricting the use of the word 'trust' as part of a corporate name, forbidding advertising or doing business as a trust company except by corporations under the supervision of the banking department and providing a penalty for violations thereof."

Referred to the Committee on Banks and Banking.

SENATE BILL No. 764. (HOUSE BILL No. 1467).

An Act fixing the salary of court criers in counties of the sixth class.

Referred to the Committee on Judiciary General.

SENATE BILL No. 797. (HOUSE BILL No. 1468).

An Act relating to the powers and duties of probation officers.

Referred to the Committee on Judiciary General.

SENATE MESSAGE.

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate had concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 461.

An Act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 162.

An Act to amend section one thousand seven hundred and eight of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

HOUSE BILL No. 1165.

An Act authorizing cities boroughs towns and townships to purchase burial plots for certain deceased service men

HOUSE BILL No. 1357.

An Act providing for the redemption and cancellation of the bond issued under the act approved April third one thousand eight hundred and seventy-two (Pamphlet Laws thirty-nine) entitled " An act directing the sale of the bonds composing the Agricultural College land script fund and authorizing the issue of a new bond in lieu thereof and abolishing the board commissioners created by act of April first one thousand eight hundred and sixty-three" and for the investment of the moneys in the fund resulting from such redemption and the payment of the interest therefrom by the Sinking Fund Commission to Pennsylvania State College

HOUSE BILL No. 395.

An Act to regulate the sales of caustic acids caustic alkalies and preparations thereof and mineral or chemical salts intended for household and agricultural uses and providing penalties for the violating thereof

HOUSE BILL No. 933.

An Act authorizing county commissioners to appropriate money from the funds of the county to aid in the planting of trees and the establishment of tree nurseries in aid of the reforestration of wood lots of farms or any other lands denuded of timber trees which it is desired to reforest

HOUSE BILL No. 1007.

An Act to amend an act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred and sixty-one) entitled "An Act relating to the maintenance of insane feeble-minded and other persons confined in the various institutions of the Commonwealth fixing liability for their support providing for the collection of the moneys due the Commonwealth thereof and for proceedings relating thereto"

HOUSE BILL No. 1208.

An Act making an appropriation to the Pennsylvania State College to reimburse the said college for loss of interest on a bond of the Commonwealth for the benefit of said college which bond has matured

HOUSE BILL No. 1254.

An Act making an appropriation to carry out the provisions of the act, approved the twenty-seventh day of May, one thousand nine hundred and twenty-one(Pamphlet Laws, eleven hundred ninety), entitled "An Act providing for the refunding of moneys paid to the State Highway Department for registration of motor vehicles and drivers' licenses, which motor vehicles and licenses have not been used and to which moneys it appears the Commonwealth has no claim; and making an appropriation for such refunds."

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 722.

An Act to amend clause (h) of section one hundred and two Article I of an act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act," by providing for the purchase lease building and maintenance of telephone lines or attachments thereto by private parties and appropriating the revenue derived therefrom.

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The Speaker. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend section 1, page 2, line 29, by inserting after the word "appropriated" the following: "provided that no attachment of telephones shall be permitted for commercial purposes."

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—155.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Bentley,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Earley,
Edmonds,
Fields,
Flynn,
Fowler, A. I.,
Frazier;
Gibbon,
Glasgow,
Goehring,
Golder,
Goss,
Griffith,
Grimes,
Guerin,
Haines,
Hall,
Haslett,
Lynch,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison.
Schoener,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. J.,
Stevens, A. F.,

Bluett,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments are concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGES.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 724.

An Act to amend section one thousand and five Article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing further penal provisions for setting fire maliciously or otherwise to any woodlot forest or wild land.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 18, by inserting after the word "or" the following: "to employ an agent to."

Amend section 1, page 2, line 19, by inserting after the word "by" the word "said".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Betts,
Blair,
Bluett,
Brenneman,
Brewster,
Bromley,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, J.,
Fields,
Fowler, A. I.,
Fratt,
Frazier,
Gelder,
Gibbon,
Glasgow,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Guerin,
Gundy,
Haines,
Hall,
Harter,
Haslett,
Haws,
Heffernan,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Richards,
Rinn,
Sample,
Sarig,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Weamer,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments are cuncurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 726.

An Act to amend an Act entitled "An Act to amend sections two thousand seven hundred and one and two thousand seven hundred and two of an Act entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) by providing that all receipts and proceeds derived in any way from or on account of the State forests now or hereafter acquired by this Commonwealth shall belong to and form a part of 'The State School Fund of Pennsylvania' approved the fourth day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and twenty-five)" by providing that net receipts from State forests shall become part of the State School Fund of Pennsylvania

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 18, by striking out the following: "acquired by this Commonwealth shall belong to and form;" and inserting in lieu thereof the following: "that all receipts or proceeds derived in any way from".

Amend section 1, page 2, line 20, by striking out the word "from" and inserting in lieu thereof the word "form".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—150.

Albert,
Alexander,
Allman,
Anderson,
Arthur,
Aston,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Betts,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Conner,
Coyne,
de Young,
Dietz,
Dilsheimer,
Drinkhouse,
Eaches,
Earley,
Evans, J.,
Fields,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas.
Haines,
Hall,
Harter,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Huber,
Johnson,
Jones, C. B.,
Jones, D. J.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Mack,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
McVicar,
Millar,
Minehart,
Moffatt,
Moore,
Munley,
Myers, G. C.,
Myers, P. M.,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Posey,
Price,
Raymond,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Shambach,
Sheridan,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Spangler,
Sprowls,
Stark,
Stavitski,
Steedle,
Stevens, A. J.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Walker,
Wells,
Wheeler,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments are concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

An Act to amend Article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto section one thousand and eight regulating civil actions by and on behalf of persons and the Commonwealth suffering damage from forest fires and making an appropriation.

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend section 1, page 3, line 8, by striking out, after the word "caused" the following: "In an action to recover damage or the cost of extinction it shall not be necessary to prove that the setting or causing of the fire was negligently done."

On the question,

Will the House concur in the amendment made by the Senate?

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Tioga, Mr. George W. Williams, permit himself to be interrogated?

Mr. GEORGE W. WILLIAMS. I will, Mr. Speaker.

Mr. ALEXANDER. Will you give us your idea of what the meaning of that clause is at the present time?

Mr. GEORGE W. WILLIAMS. In reply to the gentleman from Delaware, I will say to him that I introduced these bills at the request of the Forestry Commissioner and the amendments made in the Senate were submitted to the Forestry Commissioner, and he is satisfied with them and so am I.

Mr. ALEXANDER. That does not answer my question. Does this mean now, as it stands, that if a fire is caused by someone, without any negligence on his part, that the man who caused the fire will have to pay the damages?

Mr. GEORGE W. WILLIAMS. I will not attempt to answer that, Mr. Alexander. I would refer you to the Forestry Commissioner to get his thought on it.

Mr. ALEXANDER. Then, at the present time, I move you that this House non-concur in the amendments of the Senate.

Mr. HEYBURN. Mr. Speaker, I second the motion.

The motion was agreed to.

Ordered that the Clerk inform the Senate accordingly.

BILL ON SECOND READING.

The SPEAKER. For the benefit of those who were not present this morning on the second reading calendar, the Chair will again take up the bills that were not called up this morning, so that if the sponsors desire they may call up their bills at this time.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 558, as follows:

An Act supplementing and amending the act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and fifty-nine) entitled "An Act authorizing certain corporations to issue preferred or common stock of one or more classes providing for the manner of issuance restrictions and regulations in the manner of voting thereof and the rights and privileges of the holders thereof validating certain acts of corporations not participated in by the holders of non-voting stock and repealing all acts and uarts of acts inconsistent therewith" further authorizing and empowering such corporations to issue shares of capital stock without nominal or par value and regulating such issuing of said stock

Section 1 Be it enacted by the Senate and House fo Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and fifty-nine) entitled "An Act authorizing certain corporations to issue preferred or common stock of one or more classes providing for the manner of issuance restrictions and regulations in the manner of voting thereof and the rights and privileges of the holders thereof validating certain acts of corporations not participated in by the holders of non-voting stock and repealing all acts and parts of acts inconsistent therewith" is hereby amended to read as follows

Section 1 Be it enacted et cetera That every corporation heretofore or hereafter incorporated under the laws of this Commonwealth excepting those referred to in section two of this act may create (two) one or more kinds of common stock either with nominal or par value or without nominal or par value and (two) one or more kinds of preferred stock with nominal or par value at the time of its incorporation by provisions inserted in the certificate of incorporation or at any later time and in case of corporations heretofore incorporated with the consent of a majority in interest of its stockholders having voting power obtained at a meeting to be called for that purpose Notice of the time place and purpose of such meeting shall be published once a week for sixty (60) days prior to said meeting in a newspaper of general circulation and in the legal journal if any of the county in which the principal office of the corporation in this Commonwealth is located Such classes of stock may from time to time be authorized and issued out of the unissued stock of the corporation Such stock may be issued in one or more classes in such amounts for each class without regard to the amount of any other class or the amount of unqualified common stock and with such designation rights privileges limitations preferences and voting powers or prohibitions restrictions or qualifications of the voting and other rights and powers and upon such terms as to redemption in any class thereof and convertible or not into any other class of stock common or preferred as may be set forth in the original certificate of incorporation or as may be approved and adopted by the stockholders at the time of the authorization or at any time prior to the issuance thereof The rate of preferred dividend for any class of stock shall not exceed ten per centum (10%) per annum Such stock may be issued for cash or property or in exchange for other stock of the corporation or through all or more than one of said methods and the stock so exchanged for such preferred stock and returned to the corporation may be issued again by the corporation

The certificate of incorporation and in the case of corporations heretofore incorporated in lieu of the statements now prescribed by law as to the amount of the corporations capital stock and the number and par value of the shares into which it is divided shall set forth and show

(a) The number of shares with nominal or par value and the number of shares without or par value that may be issued by the corporation and the classes if any into which such shares are divided

(b) The nominal or par value of shares of stock other than shares which it is stated are to have no nominal or par value

(c) In the case of corporations hereafter to be incorporated the amount of the capital with which the corporation will begin business

(d) In the case of corporations heretofore incorporated the amount of the capital stock that the corporation is authorized to issue

Section 2 That said act be and the same is hereby further amended by adding thereto the following sections

Section 7 Every certificate for shares of stock without any nominal or par value shall have plainly stated upon its face the number of shares which it represents and no certificate shall express any par value for shares or any rate of dividend to which it shall be entitled in terms of persentage of any par or other value

Section 8 Any corporation issuing shares in pursuance of this act may increase or reduce the number of shares which it may issue in the manner and subject to the terms and conditions now provided by law for the increase or reduction of the capital stock of a similar corporation having shares with a par value

Section 9 For the purpose of this act the "stated capital" of any corporation hereafter to be incorporated issuing shares without nominal or par value shall be the capital with which the corporation will begin business as stated in the certificate of incorporation or as may thereafter be increased or decreased as provide by law In the case of corporations having outstanding shares with a nominal or par value as well as shares without nominal or par value the portion of "stated capital" applicable to the shares without nominal or par value shall be the excess of the "stated capital" over and above shares having a par value

Section 10 For the purpose of computing the bonus required to be paid under the laws of this Commonwealth and such tax or taxes if any the determination of which is based on the par value of the shares of stock and not on the number of shares or the actual or ascertained value thereof and for the purpose of determining the amount of the liability of stock holders in their individual capacity for work and labor done to carry on the operation of the corporation or for the debts due laborers mechanics and clerks but for no other purpose each share of stock without any nominal or par value under the provisions of this act shall be considered the equivalent of a share having a nominal or par value of one hundred dollars

Section 11 For the purpose of any certificate of notification report return or similar instrument wherein the amount or par value of stock or capital or capital stock paid in outstanding or retired is required to be stated in the case of shares without nominal or par value and with respect to such shares the amount or par value thereof outstanding or paid in prior to the date of such certificate report return or similar instrument shall be considered as the amount of "stated capital" in excess of the total par value of outstanding shares having a par value if any and the amount of par value thereof retired shall be considered as the amount of decrease if any of "stated capital" due to such retirement In the case of shares without nominal or par value presently to be issued in lieu of stating the amount or par value thereof in any such certificate report return or similar instrument an accurate and detailed description of the consideration received or to be received therefor or of the assets received or to be received for which the proceeds from the disposition of the said shares are to be used to pay or reimburse the treasury of the company and the net changes if any in the corporation's "stated capital" due to the receipt of such consideration shall be stated In the case of shares without nominal or par value authorized but unissued and not presently to be issued it shall not be necessary in such certificate report return or similar instrument to show the amount of par value thereof and only the number thereof need be stated

Section 12 For the purpose of any statutory provision limiting the amount of capital stock which a corporation may have or for the purpose of determining the relation between indebtedness and capital stock or prescribing the portion or amount or par value of stock or capital which must be paid in cash or otherwise whether at the time of formation before commencing business or from time to time subsequent thereto the stated capital of a corporation having shares without nominal or par value shall be held and deemed to be its capital stock or the amount thereof

Section 13 Nothing in this act contained shall be construed as excepting or relieving a corporation from any requirement of the law as to the amount in dollars of paid in capital in cash or otherwise which it must have at any time

Section 14 In any investigation or proceeding by the Commonwealth of Pennsylvania or any agency thereof to determine the value of the property assets or capital stock of a corporation having shares without nominal or par value under the provisions of this act neither the stated capital of such corporation or the number of shares of its outstanding stock without a nominal or par value shall be controlling but the same may be disregarded or considered only to such extent as the Commonwealth or its agency shall deem necessary or proper for the purpose of such investigation or proceeding

Section 15 Except as otherwise provided by this act corporations issuing shares without any nominal or par value under the provisions hereof shall be and remain subject to the laws of this Commonwealth now or hereafter in force relating to the formation or regulation rights powers and privileges of such corporations

Section 16 All creations and issues of one or more of any class of stock heretofore made or issued by corporations which would be legal under the provisions of this act are hereby validated and made legal with the same force and effect as if issued under the provisions of this act

Section 17 All acts or parts of acts inconsistent herewith are repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 197, as follows:

An Act to amend section two of an act approved the twenty-third day of March one thousand nine hundred and twenty-one (Pamphlet Laws forty-two) entitled "An Act appropriating to the State Highway Department for the purpose of assisting in the construction maintenance improvement and repair of State highways and State-aid highways all moneys derived from registrations and from license fees for the year one thousand nine hundred and twenty-one and subsequent years under the provisions of the act of Assembly approved June thirtieth one thousand nine hundred and nineteen relating to and regulating motor vehicles and amendments thereto and providing for salaries and other expenses of the department"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pensylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the twenty-third day of March one thousand nine hundred and twenty-one (Pamphlet Laws forty-two) entitled "An Act appropriating to the State Highway Department for the purpose of assisting in the construction maintenance improvement and repair of State highways and State-aid highways all moneys derived from registrations and from license fees for the year one thousand nine hundred and twenty-one and subsequent years under the provisions of the act of Assembly approved June thirtieth one thousand nine hundred and nineteen relating to and regulating motor vehicles and amendments thereto and providing for salaries and other expenses of the department" is hereby amended to read as follows

Section 2 That the motor vehicle fees hereby dedicated to the State Highway Department shall include the payment of any and all expenses necessary to carry out the purpose of the several acts of Assembly pertaining to the operation of the State Highway Department and the construction and maintenance of State highways and State-aid highways the payment of state rewards for the construction and improvement of township roads and the erection and construction of township bridges in townships of the second class and for the payment of salaries and traveling expenses of any employes necessary in the judgment of the State Highway Commissioner to effectually carry on the work of the State Highway Department

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. WONER. Mr. Speaker, I move that this bill be placed on the postponed calendar.

Mr. GOSS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. EARLEY.

The House resumed the consideration on final passage of House Bill No. 704, entitled:

An Act requiring the filing of plans and specifications for buildings public works highways or improvements undertaken by boroughs townships poor districts or school districts in the office of the clerk of the court of quarter sessions and requiring copies to be furnished by the secretary architect or engineer of the municipality to applicants therefor

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—114.

Alexander,
Allman,
Armstrong,
Arthur,
Asbury,
Baker,
Beaver,
Bell, F. A.,
Bell, W. T.,
Berger,
Bidelspacher,
Bluett,
Boback,
Brewster,
Bromley,
Brown,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Diehm,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, J.,
Flynn.
Fowler, A. I.,
Frazier,
Gelder,
Glasgow,
Goehring,
Golder,
Goss.
Grimes,
Hall,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Huber,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kohler,
Lafferty,
Little,
Lucas,
Ludlow,
Malie,
Mangan,
Marcus, J.,
Marshall, J. G.,
McBride,
McCaig,
McCurdy,
McGowan,
Metcalf,
Miller,
Moffatt,
Morrison,
Munley,
Nolte,
O'Boyle,
Ogle,
Perry,
Pitts,
Raymond,
Rinn,
Rippman,
Schaeffer,
Schilling,
Schwartz.
Shambach.
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Speiser,
Sprowls,
Staudenmeier,
Steedle,
Stoner,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Walker,
Wells,
Wettach.
Whitehouse,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,

NAYS—46.

Albert,
Behney,
Betts,
Brenneman,
Dilsheimer,
Driggs,
Evans, B. P.,
Flinchbaugh,
Fratt,
Gibbon,
Griffith,
Gundy,
Harter,
Hollis,
Hontz,
Hoover,
Howell,
Irvin,
Jones, C. B.,
Kennedy,
Kunkle,
Labar,
Marshall, W. F.
McClure,
McDermott,
McKim,
Minehart,
Myers, G. C.,
Orr.
Patterson,
Peelor,
Post,
Rhodes,
Richards,
Schleiter,
Schoener,
Smith, G. A.,
Stavitski,
Stevens, A. J.,
Storb,
Storer,
Thompson,
Vickerman,
Wheeler,
Wright,
Goodnough, Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 973, as follows:

An Act to amend section three of the act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred and seventy-five) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" as amended providing for the disposition of certain fines and imposing additional penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred and seventy-five) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" as amended by the act approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred and sixty-five) entitled "An act to further amend section three of an act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred and seventy-five) entitled 'An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insfficient weights and fixing the penalties for the violation of the provisions hereof' as amended is hereby amended to read as follows

Section 3 Each person who shall directly or indirectly or by his servant or agent or as the servant or agent of another violate any of the provision of this act or give or offer to give any false or insufficient weight or measure or use any weighing device after it shall have been condemned and before it shall have been adjusted and sealed or obstruct or attempt to obstruct any inspector in the performance of his duty shall upon conviction thereof in a summary proceeding before any alderman magistrate or justice of the peace of the proper city or county for the first offense be sentenced to pay a fine not to exceed twenty-five dollars for the second offense shall be sentenced to pay a fine not exceeding fifty dollars and for each subsequent offense shall be sentenced to pay a fine of not more than one hundred dollars or to undergo an imprisonment in the proper county jail for not more than thirty days or both in the discretion of the court In default of the payment of any fine as aforesaid the person convicted shall be sentenced to serve one day in jail of the proper county for each dollar of the fine and costs.... ....All such fines shall be paid to the treasurer of the respective city or county in which the offense was committed

It shall be unlawful for any inspector to use any tests or standards or to attempt to use the same in ascertaining the correctness or accuracy of weights and measures until such comparisons are made and their accuracy established and so stamped or marked It shall be unlawful for any inspector to manufacture sell or offer to sell any weighing or measuring device used in the sale of commodities or to repair or offer to repair any weighing or measuring device other than such adjustments as he may find necessary in the performance of his official duties for which no fees shall be collected Any inspector violating the provisions of this act shall be guilty of a misdemeanor and upon conviction therefor shall be fined not exceeding one thousand ($1,000) dollars or undergo imprisonment for a period not exceeding one year or both or either at the discretion of the court

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—158.

Albert,
Alexander,
Anderson,
Armstrong,
Arthur,
Aston,
Behney,
Bell, F. A.,
Bell, W. T.,
Bergen,
Bidelspacher,
Blair,
Bluett,
Brenneman,
Brewster,
Brown,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flynn,
Frazier,
Gelder,
Gibbon,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Long,
Lucas,
Ludlow,
Lynch,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Rhodes,
Richards,
Rippman,
Sample,
Sautter,
Schleiter,
Schoener,
Schwartz,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Weamer.
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

MOTION TO PLACE BILL ON CALENDAR.

Mr. MOORE. Mr. Speaker, I move that the vote by which House Bill No. 756, file folio 4179, entitled:

> An Act to amend sections one and two of the act approved the eighth day of April one thousand eight hundred and sixty-one (Pamphlet Laws two hundred and seventy) entitled "An act for the Suppression of Fortune Telling and similar purposes"

was defeated on final passage on Tuesday, April 17th, be reconsidered.

Mr. MATHAY. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. LORENZO D. THOMAS, Mr. Speaker and members of the House, I think it would not be wise for us to reconsider that vote. I think it would be a travesty on our intelligence. I think that we decided this question sufficiently positive by our vote a week ago. That is all I have to say just now.

Mr. DUNN Mr. Speaker and members of the House, it is not often that I get up to talk on legislation of this kind. We remember when the Pilgrims landed in this country, they came away from oppression, and for civil and religious liberty. The man who worships in his own home according to the dictates of his conscience has just as much right to be considered if he is doing right as the man who worships in the temple. I think that these people are worthy of some consideration by this House. They are attached to a law of 1854 which takes in fortune tellers, charltans and fakirs, and all they ask is to be relieved from the penalties imposed upon them by that law so that they can worship according to the dictates of their conscience. That is all they ask and we as free people in a free country, where people have come for freedom, as I said, and for religious liberty, we should not question any man's right, or any woman's right to think and worship according to the dictates of their own conscience. These people are worthy of some consideration. Under the law of 1854 they can be prosecuted. The officers of the law have gone into their churches and their places of worship, and arrested them and have taken them before the courts as fakirs or charletans. Let us grant to them the same privilege that we have accorded to the religions that we believe in, according to the teaching which we follow according to the dictates of our own conscience. I did not think so much of this law when it was before us, but accidentally, I met one of those people who believed in this faith in the city of Philadelphia, on Monday morning. I never talked to one before, or I have never been in any one of their places of worship teaching this tenet or creed, but I found that this woman was an educated woman. I found that if she was permitted to come before this House and explain to you what is in her mind and the right that she has tried to do to uphold the faith that she believes in, we would, every one of us, who is not prejudiced against someone who is trying to teach what we do not believe in, would believe that she is right and prevent persecution, I ask the members of this House to give them a chance.

Mr. SPANGLER. Mr. Speaker and members of the House, I am not interested in spiritualism, but I am interested in seeing that these people shall receive fair play. I have looked over this bill very carefully, and I, for the life of me cannot see what objection our good friend, the minister from Luzerne, has to this bill. If he can point out to me one sound reasonable objection I will accept his views upon this subject. This bill merely is an amendment to the act of 1861. It takes a highly respectable sect out of the criminal law. When the act of 1861 was passed spiritualism, as I understand it, was probably not thought of so far as the layman wes concerned, but since that time spiritualists, so I am informed, have been very much harrassed and very much annoyed, and very much persecuted in some instances by ignorant officers of the law who have arrested them, believing that they violated the act of 1861, which is the so-called fortune teller's act. Now, they are as far from fortune teller as the North pole is from the South pole. The ignorant officers apparently have confused their calling or their religion with organizations which come under the act of 1861. If the Unitarians, or if the Christian Scientists, asked for this same thing that the spiritualists are asking for I don't believe that the members of this House would hesitate to grant that reasonable favor. This House and the Senate passed this bill in 1921 and it was vetoed, not because the bill lacked merit, by Governor Sproul, but because it confused one section with the section in the Act of 1861 which would have been embarrassing to the ministers of other sects, Now, they have amended this bill so today that it does not conflict with anybody. It takes a perfectly respectable organization, a law abiding sect, out of the criminal statute, and how any body of reasonable men or tolerant men can be opposed to a measure of this character I should like to know.

Mr. LORENZO D. THOMAS. Mr. Speaker and members of the House, we are not attempting by our action at this time to deny anyone the right to worship God according to the dictates of their own conscience. I am heartily sorry that the religious element has entered into this matter in regard to the separation which our friends the spiritualists desire. I think that that separation will be brought about when they release themselves from the practices of necromancy, wizardy and witchcraft, such as they are today doing. We take from the papers of today, sir, and we read just this, if you please, the answer that was given to one who submitted a question at the seance last night; this is the answer: "M. C. S. Your farther is well. He was a man who regretted his lack of schooling, and he liked his glass of beer, and he says he would not want to come back to this place of foolish prohibition."

Mr. Speaker, these folks who call themselves spiritualists are conducting their business today in the city of Harrisburg, and expressly and particularly in the Penn Harris hotel. They are conducting their business in a wrongful way. They are posing as leaders of religious truth, but until they can change their ways and change their name, I will go down dying with my opposition to such a nefarious cult as that. I stand before you at this time, Mr. Speaker, as one who will safeguard the integrity of the Christian Church, and the church founded upon the faith of the pioneer christians, the primitive christian, for our leader, our commander, and the captain of our faith said, "Upon this rock I will build my church, and the gates of Hell shall not prevail against it." And the faith once committed to the saints has become the ruling passion of my life, and I would be untrue to the fondest sentiment and the fondest emotion of countless thousands of believing ones were I to deny this faith in the face of the spurious opposition that has been engendered here within the last week. We know something about the practice of the members, and we know how our faith has been shattered in man, and we know some of the tactics which have been employed to swing the men of this House for this measure. We have not been asleep. We have even been approached ourself, and that in itself is an evidence to me that they are not measuring up to their own expectations regarding this thing, because when one proves himself to be just so sufficient a fool as to come to me and ask for a change of sentiment on this question, he has already established his standard, which does not measure up to the stature of a man.

Now, we are taking no shot at anything that is worthy of the name of religion. We know why our fathers came to our rock bound shore of New England. We know what they endeavored to get away from in Holland and England; we know all about that, and we know something else. We know it was because those men were true to the faith that had been committed to them that we have such a thing as a church in America today—whether that church be, of the Jewish faith, or whether it be of the Roman Catholic, or whether it be that of any of the various branches of protestantism.

I take from my pocket, gentlemen, a circular that has been put around here by certain people, in which we are given to understand that there are so many churches represented in this convention down here. These people have no business to talk about their organization as being a church, if they don't know that there is only one church. Talk about worship! What do they say about worship? You will observe that it is not with the idea of worshipping God, worshipping the Almighty, it is just to worship we know not what, as we see people today worshipping the sun, and the moon and the stars, and then to have them come before us and have them say that they are a church is the worst piece of foolishness that has ever been given to a people to consider. What do I know about this business? I know that my own community has been shattered, and I know that families and homes in my own neighborhood have been torn asunder, and I know that the very mediums who are working their seances among our people, and that I could not locate them when I was burying the other part of their families. Do you think I do not know what I am talking about? Sure I do, and it is the truth, even as the God is in his heaven, it is the truth, and they are not worthy of the consideration of a Christian communion, and we know that none of the others would have them.

Mr. LUDLOW. Mr. Speaker and members of the House, I am going to overlook the little remark which was made by my friend in the enthusiasm of his talk. I defer to no one, to no member in this House in my right to worship as I see fit; that is not my profession, that is my personal obligation and a duty, and a joyful one, but I believe that I am broad minded enough to read my federal constitution and my state constitution, and to let the other fellow vote as he or she honestly thinks he or she should. I will agree with my friend from Luzerne, I did not want to be drawn into this but I don't agree with these folks at all. What business is it of mine whether I agree with them or not? If you will look at your federal constitution, the very first article of the amendments put in, as you recall, immediately after the constitution was adopted, because they had forgotten that bill of rights; "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." Do you see the word church there? I go to church and I think I am a good member of the church and I am not going to attack the other fellow about what he does. The Pennsylvania constitution in article 1, section 3, says: "No human authority can in any case whatever, control or interfere with the rights of conscience and no preference shall ever be given by a law to any religious establishments or modes of worship." Now, I think really the discussion that is going on is beside the point as to whether it is a church or is not a church. These people were chartered by the court in the state of Pennsylvania, one of our courts, and as I said before I don't agree with the tenets of their faith at all, but I believe in my constitution and no gentleman of the cloth, however sincere he may be, can make me believe that I have to vote for a bill which characterizes somebody who does not believe as I do, as what shall I say, living here contrary to the principles of our religion and our constitution. I think that is all beside the point. I do not regard his remarks as personal and I don't want mine to be regarded as personal. I stand on the rock of these two constitutions.

Mr. ALEXANDER. Mr. Speaker and members of the House, this bill has been pretty fully discussed so far as the principles are concerned. There is just one thought that I have, I believe that a great many members when this bill was before us before misunderstood the bill and believed that it permitted fortune telling. A re-reading of the bill will show you that it is absolutely the opposite. Now, I don't propose to discuss the creed of this church or the principles of the measure, they are already in an argument amongst themselves. The church is split. They argue this creed and the other creed against themselves, and I don't believe any christian church has the right to argue against the other man's belief. We are getting too near to soviet Russia when we do so. We know soviet Russia who believes that its religion is the only religion, persecuting today the Catholic priest who is endeavoring to hold up the same church that my friend from Lycoming is. I think these people have a perfect right to do as they are doing and I am the last one to oppose it.

Mr. OGLE. Mr. Speaker and members of the House, I desire to answer briefly the argument made by the gentleman from Montgomery, Mr. Ludlow. It is true that the Constitution of the United States has that provision in it, and it is a very wise provision, but it is also true that the government of the United States independently of that constitutional provision permits no worship in the United States that infringes upon the penal code of the United States, This country was very much agitated and torn up when Joseph Smith got a communication from Almighty God in an old tree stump up in New York state, some years ago, and he went west into Illinois and violated and outraged christian sentiment in that community by the practice of polygamy. He was driven from there into the wilderness, and he built up the state of Utah. They posed as a great religious body but the United States refused to recognize them as such and said, "You cannot come into the federal union practising plurality of marriage. That is a violation against the public moral sentiment, and it is a violation against the law of Moses and against the law of Jesus Christ. Until you concur with the penal statutes of the United States you cannot have admission." Under such circumstances as these, what was necessary? Another revelation had to be had by the Mormons from Christ after Uncle Sam had spoken in the way he had, and then they were convinced that the first message they had received that the Almighty God was in favor of plurality of wives in this day and generation, was a mistake, and that they must now confine themselves to the taking of a single wife and so the law under the dictates of the Mormon church was so amended and they abolished polygamy, and came into the federal union with that obliterated from their law.

Mr. Speaker, how idle it is to speak about this society as a Christian church. It does not pretend to be a Christian church. Listen, "The provisions of this section shall not apply to certified or licensed ministers, missionaries, or mediums of any denomination or association which is incorporated in the Commonwealth of Pennsylvania, for promoting mutual aid and co-operation in benevolent, charitable, educational, literary, musical, scientific, religious and missionary purposes and enterprises." The world today, as we look at it, has but the one religion, as stated by the gentleman from Luzerne, and that is the Christian religion of which God is God, and Jesus Christ is his son. The church which was organized on the day of Pentecost was not organized as a literary society. Jesus Christ did not come to the world to teach men the art of music, or to teach literature, but to teach them that he was the Son of God, and all we have to do is abide by the Ten Commandments, by the Sermon on the Mount, and by that great sermon preached by the Apostle Peter on the day the church was organized.

POINT OF ORDER.

Mr. DUNN. Mr. Speaker, I rise to a point or order.

The SPEAKER. The gentleman will state his point or order.

Mr. DUNN. The gentleman is not talking on the question before the House.

The SPEAKER. The gentleman will confine himself to the motion before the House.

Mr. OGLE. Yes, I am doing so, and the gentleman from Philadelphia gets up here and advocates all the features that anybody pleases to bring to Harrisburg.

Now, gentlemen, we are plain American citizens; don't let us dethrone the Almighty, and don't let us tear down the Cross, the Cross of protestantism and catholicism alike. This bill, as we had the illustration read by the gentleman from Luzerne, is for the advancement of the spirits who were called up here the other night and showed themselves to be against the administration because they are not prohibitionists, and for that reason, gentlemen, I am opposed to the measure. I can't conscientiously vote for it because I don't feel that in voting for it I would be according anybody the right to worship within the constitutional provision, read there, according to the dictates of conscience. There is no conscience in it. You have got to tear up your conscience. You have got to tear up your religion. You have got to destroy the foundations of this government and this country if you want to foster and promote such a cult as is embraced in this measure.

Mr. STOFFLET. Mr. Speaker and members of the House, I have here a copy of the Harrisburg Telegraph with this inspiring item in it: "Spirit Fond of Beer is Glad he has Passed on". I don't blame him. "No desire to be back on account of foolish prohibition, medium transmits. One got wrong pills. But Slater announces she is happy; predicts voices of dead over radio. A 'spirit' who 'liked his glass of beer' assured some 800 persons in the Penn Harris ball room last night that he 'wouldn't want to be back on account of this foolish prohibition'.

"Whether prohibition is in effect in his present habitation he neglected to mention, but the inference left with the audience was that it is not.

"The 'spirit' did not stalk into the ball room, make a bow and deliver his message. Such, it seems, is not the manner in which 'spirits' work. The anti-Volstead declaration was one of a score of other 'messages' from the 'spirit world' transmitted through John Slater, internationally famed medium."

This bill before this House, should it pass, I honestly believe that the benefits of it are rather more far reaching than any of us at this minute imagine, because if we could by some persuasion get this man Slater to come to this House he might establish spiritual communication between members of this House and the departed Bois Penrose, Matt Quay and Dave Martin who might throw some light on our tenacious taxation problems. The only thing that I do regret is that this bill did not come up before this House before the dry bill came up. We might have consulted some of those old time political warhorses and have gotten some real inspiration as to how to act on that bill. But since it came up a little later, an answer to our tax problems would be greatly appreciated.

Mr. MARCUS. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Dunn, Lucas, Haws, Edmonds, Fratt, Orr, Storb, McCurdy, Moffatt, D. J. Jones, Schwartz, Spangler, Holcombe, Goss, Dilsheimer, Craig, Heyburn, and others.

On the question,

Shall the main question be now put?

The motion was agreed to.

On the question recurring,

Will the House agree to the motion?

The yeas and nayes were required by Mr. Alexander and Mr. Dunn, and were as follows:

YEAS—58.

Alexander,
Arthur,
Aston,
Behney,
Bidelspacher,
Bluett,
Craig,
Diehm,
Dietz,
Dilsheimer,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fratt,
Gelder,
Gibbon,
Golder,
Grimes,
Haines,
Hall,
Harer,
Haslett,
Haws,
Heyburn,
Howell,
Huber,
Jones, D. J.,
Kohler,
Lucas,
Ludlow,
Mack,
Marcus, J.,
Mathay,
McDermott,
Metcalf,
Miller,
Moore,
Nolte,
Orr,
Perry,
Pitts,
Posey,
Price,
Sautter,
Schilling,
Schwartz,
Smith H.,
Sowers,
Spangler,
Sterling,
Stofflet,
Stoner,
Storb,
Weamer,
Goodnough,
Speaker.

NAYS—96.

Anderson,
Armstrong,
Beaver,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Blair,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Burns,
Bush,
Chaplin,
Clutton,
Colville,
Conner,
Donahue,
Driggs,
Flinchbaugh,
Fowler, A. I.,
Frazier,
Goehring,
Goss,
Griffith,
Gundy,
Haas,
Harter,
Henderson,
Hetrick,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Irvin,
Jones, C. B.,
Jones, E. P.,
Kelly,
Kennedy,
Kunkle,
Labar,
Lauver,
Mangan,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McKim,
McVicar,
Minehart,
Moffatt,
Morrison,
Munley,
Ogle,
Parkinson,
Patterson,
Peelor,
Post,
Raymond,
Rhodes,
Richards,
Rippman,
Sample,
Sarig,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Soffel,
Sprowls,
Steedle,
Stevens, A. J.,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the motion was not agreed to.

ADJOURNMENT IN HONOR OF MEMORY OF THE LATE HONORABLE MAYER SULZBERGER.

In the House of Representatives, April 25, 1923.

Whereas, death has called one of Pennsylvania's distinguished citizens, the Honorable Mayer Sulzberger, of Philadelphia, a learned lawyer, a judge of superior qualifications in jurisprudence, an authority on Hebrew and Assyrian texts, and an earnest, influential and generous supporter of every form of philanthropy that contributed to the welfare and uplift of his race, therefore be it

Resolved, that when this House adjourn today, it do so in honor of the memory of the late Honorable Mayer Sulzberger.

CLINTON A. SOWERS,
JOSEPH MARCUS,
THOMAS BLUETT,
WALLACE BROMLEY,
PHILIP STERLING.

QUESTION OF PERSONAL PRIVILEGE.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, Mr. Spangler in discussing the motion yesterday to discharge the Committee on Public Roads from the custody of House Bill No. 1118, the gentleman from York, Mr. Spangler, said:

"I am not a member of the Ways and Means Committee, but probably if the Speaker in referring this measure had deliberated thoroughly upon the question the bill would have been referred to the Committee on Ways and Means, where it belonged. The mere fact that by reason of an indiscretion, or by reason of an oversight, a bill of the importance of this bill was referred to a committee that it should not have been referred to."

In fairness to you, Mr. Speaker, and in justification for your action in referring this bill to the Committee on Public Roads, I desire to say that in this action you pursued the course followed by the gentleman from York, our honored Speaker in the 1919 and 1921 sessions, who in his judgment referred to the Committee on Public Roads, of which he had designated me the chairman, numerous bills affecting the motor traffic of the State; among them in 1919 was the Department bill introduced by Mr. Dithrich, increasing the fees on automobiles and trucks, and the North bill increasing the license fee of the trucks; and in the 1921 session, the Department measure introduced by Mr. Woodruff increasing motor vehicle fees and a bill of similar provision introduced by Mr. Henderson. So I feel, Mr. Speaker, that your reference of the Blair bill to the Committee on Public Roads was entirely proper and in line with the precedent established by your predecessor, Speaker Spangler.

Mr. SPANGLER. Mr. Speaker, I do not deny the accusation of my distinguished friend and colleague, Mr. Williams, but in explanation of what the gentleman so kindly referred to I will say that the Legislature of 1921 had no compunction at all about spending money nor did they have any taxation problem to worry the brains of the House. As Mr. Edmonds has said, nor did they hesitate to discharge a committee and the Speaker.

RESOLUTION.

Mr. STOFFLET offered a resolution which was read as follows:

PROHIBITING THE SALE OF BUTTERMILK.

In the House of Representatives, April 15, 1923.

Whereas, it has been testified on the floor of the House that alcohol is often present in quantity in that harmless product known as buttermilk; and,

Whereas, this evidence comes as a surprise to that portion of the membership of this House which believes in temperance and sobriety; and,

Whereas, it is important that temptation be removed as far as possible from the youth of this sovereign Commonwealth of Pennsylvania—those smiling-faced youths year by year approaching nearer the goal of manhood; and,

Whereas, no restrictions can be deemed harsh which will safeguard the paths of our citizenry; therefore

Be It Resolved, that it is the sense of the House of Representatives of the Commonwealth of Pennsylvania that the public sale of buttermilk be prohibited; that the Superintendent of State Police be directed to search all milk wagons for this nefarious, death-dealing fluid; that the cows which give buttermilk be shot; that the dairy business be declared a menance to the well-being of Pennsylvania; and that all acts or parts of acts in conflict with this resolution be and the same are hereby repealed.

The SPEAKER. This resolution is referred to the Committee on Agriculture.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 428, as follows:

An Act to amend section one of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred and sixty-eight) entitled "An act relating to police pension funds in cities of the third class and directing such cities to appropriate certain moneys thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred and sixty-eight) entitled "An act relating to police pension funds in cities of the third class and directing such cities to appropriate certain moneys thereto" is hereby amended to read as follows

Section 1 Be it enacted et cetera That there shall be paid annually to the organization or association constituting and having in charge the distribution of police pension funds in every city of the third class a sum of money not less than one-half of one per centum nor more one per centum of all city taxes collected by the city other than taxes levied to pay interest on or extinguish the debt of the municipality or any part thereof

On the question,

Shall the bill pass finally?

Mr. STEEDLE. Mr. Speaker, I would like to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Lycoming, Mr. Bidelspacher, permit himself to be interrogated?

Mr. BIDELSPACHER. Yes, sir.

Mr. STEEDLE. At the present time in third class cities do they have a pension fund, a police pension fund?

Mr. BIDELSPACHER. Mr. Speaker, in answer to the gentleman I would say that in some cities of the third class there is an organization that has in charge the pension fund. This bill is so drawn that there will be no payment required of cities of the third class unless such an organization is in existence to which the police contribute regularly.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—158.

Alexander,
Anderson,
Armstrong,
Arthur,
Aston,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Haines,
Hall,
Harter,
Lynch,
Mack,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
Schaeffer,
Schilling,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stavitski,
Sterling,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brownmiller,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm.
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Fowler, A. I.,
Frazier,
Gelder,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Lucas,
Ludlow,
McGowan,
McKim,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Richards,
Rippman,
Sample,
Sarig,
Stevens, A. J.,
Stevens, A. F.,
Stoner,
Storb,
Storer,
Thomas, L. D.
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—3.

Brown,
Rhodes,
Schleiter,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 556, as follows:

An Act enabling counties of the third and fourth classes to establish a pension fund for the employes of such counties and providing for the administration of such fund and payments therefrom

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a county employe for the purposes of this act is any person employed by the county at a wage or salary payable at stated intervals that is to say semimonthly monthly quarterly or annually The term does not include any person elected by the vote of the people

Section 2 Each county of the third and fourth class may by a resolution duly adopted by the county commissioners and approved by the president judge of the court of common pleas of the county provide a pension system for such county and shall establish and regulate a pension fund in connection therewith

Section 3 The pension system shall be under the sole direction of a Pension Board hereinafter designated the Board which shall consist of the county commissioners the treasurer and the controller of the county

Section 4 The county treasurer shall be the treasurer of the Board and shall give such bond for the proper performance of his duties as is required by the Board The premium on said bond shall be paid from the pension fund on warrants of the Board The treasurer shall receive for his services the sum of one hundred dollars ($100.00) per annum from the pension fund payable on warrants of the Board

Section 5 The Board shall keep a register of employes containing the names ages residence nature of employment time of entering the employ of the county and such other information as the Board deems necessary in the performance of its duties The Board may adopt amend revise and abolish in its discretion such regulations not inconsistent with law as it deems necessary in carrying out the intent of this act

Section 6 The head of each department or office of the county shall as soon as practicable after the passage of this act file with the Board a list of all employes of such department or office with the amount of the salary or wage received by each the age of the employe time of entering the county employ and such other information relative to such employes as is required by the Board From time to time and whenever requested by the Board all dismissals appointments resignations transfers changes in salaries or in employment and other information relative to employes shall be furnished to the Board by the head of each such department or office

Section 7 The county commissioners shall annually in January appropriate and pay into the pension fund not less than one-half of one per centum and not more than two per centum of all available moneys received by the county as taxes during the preceeding calendar year All moneys in any pension fund heretobefore established shall be transferred to the pension fund created under this act

Section 8 Each county employe shall each month pay into the pension fund one per centum of the amount received by him as a salary or wages from the county during the preceding calendar month Such amounts shall be collected by the county treasurer and by him paid into the pension fund Such monthly payments by an employe shall cease when such employe is entitled to receive a pension under this act No employe shall be entitled to a pension who does not make the monthly payment herein required

Section 9 The board may in its discretion invest the moneys of the pension fund or any part thereof in obligations of the United States or of this State or of any political division of this State or it may deposit such moneys or any part hereof in one or more banks or trust companies of the county selected by the Board The banks or trust companies offering to pay the highest rate of interest and that have a paid-in capital and surplus of not less than three hundred thousand dollars shall be selected A contract with a depositary shall be for a period covering the term of the county treasurer No moneys shall be paid to a depositary until it shall have executed to the board a bond for the proper safe-guarding of the funds so deposited The bonds shall have such surety as is approved by the court of common pleas No moneys exceeding in the aggregate the amount of the bond shall be paid to any depositary

Section 10 Every person now or hereafter in the employ of the county who has reached the age of sixty years or upwards and who shall have been in the employe of the county during a period of not less than twenty years shall upon application to the Board be retired from service and shall thereafter receive during life a pension under the provisions of this act The time spent in the employ of the county need not necessarily have been continuous

Section 11 Any employe who has been in the county employ for a period of not less than ten years shall be entitled to a pension if he or she becomes totally and permantly disabled even though such employe has not reached the age of sixty years Proof of total and permanent disability shall be by sworn statement of three practicing physicians of the county designated by the Board to the effect that such employe is totally and permanently disabled from performing the duties of his or her position or office

Section 12 The pension paid under the provisions of this act shall equal annually fifty per centum of the average annual amount received by the employe as salary or wages during the two years immediately preceding the date of retirement of the employe receiving the pension No pension shall exceed the sum of one hundred dollars per month Pensions shall be paid in monthly instalments on warrants on the board

Section 13 If any employe after twenty years in the county employ is dismissed or retires voluntarily or is in any other manner deprived of his or her employment before attaining the age of sixty years such employe if he continues to contribute to the pension fund monthly a sum equal to the last monthly contribution paid while in the county employ shall when he or she reaches the age of sixty years be entitled to a pension under this act

Section 14 If any county employe contributing monthly to the pension fund shall for any cause cease to be an employe of the county before the expiration of the twenty year period the total amount of the contributions paid into the pension fund by such employe shall upon demand in writing be repaid to him or her or to his or her personal representative out of the fund

Section 15 Should any county employe who has withdrawn his contributions paid into the pension fund desire to be reinstated and again becomes a beneficiary he or she may do so by the payment in full of the amount withdrawn and by paying the assessments provided for in section eight of this act

Section 16 Any pension herein provided for shall not be subject to execution or to attachment shall be payable only to the beneficiary provided by this act and shall not be subject to assignment or transfer

Section 17 All acts and parts of acts inconsistent with this act are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—67.

Alexander,
Arthur,
Aston,
Behney,
Bell, F. A.,
Bell, W. T.,
Bluett,
Bromley,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Drinkhouse,
Dunn,
Eaches,
Earley,
Flynn,
Fowler, D.,
Gibbon,
Goehring,
Golder,
Goss,
Grimes,
Harer,
Haws,
Heffernan,
Henderson,
Holcombe,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kohler,
Lucas,
Mack,
Marcus, J.,
McBride,
McClure,
McCurdy,
McDaniel,
McVicar,
Miller,
Moffatt,
Nolte,
Ogle,
Parkinson,
Patterson,
Perry,
Pitts,
Sautter,
Smith, H.,
Smith, J. W.,
Sowers,
Sprowls,
Stavitski,
Sterling,
Storer,
Thomas, L. D.,
Van Alen,
Walker,
Wheeler,
Whiteman,
Woner,
Wood, W. P.,
Zook,
Goodnough,
Speaker.

NAYS—60.

Anderson,
Betts,
Blair,
Boback,
Brenneman,
Brewster,
Brown,
Brownmiller,
Coyne,
Craig,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Edmonds,
Evans, B. P.,
Flinchbaugh,
Fowler, A. I.,
Griffith,
Gundy,
Haas,
Harter,
Hetrick,
Heyburn,
Hollis,
Hoover,
Howell,
Huber,
Irvin,
Kennedy,
Kunkle,
Labar,
Lauver,
Ludlow,
Marshall, J. G.,
Marshall, W. F.,
McDermott,
Metcalf,
Minehart,
Moore,
Myers, G. C.,
Orr,
Peelor,
Price,
Raymond,
Richards,
Rippman,
Sample,
Sarig,
Schleiter,
Schoener,
Shambach,
Sheridan,
Smith, H. J.,
Spangler,
Storb,
Thomas, M. G.,
Thompson,
Vickerman,
Williams, G. W.,
Wood, N.,

Less than the majority required by the Constitution having voted in the affirmative, the question wes determined in the negative and the bill falls.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1306, entitled

An Act to amend section seven of an act, entitled "An act to establish a Department of Mines, in Pennsylvania; defining its purposes and authority; providing for the appointment of a chief of said Department, and assistants, and fixing their salaries and expenses;" approved the fourteenth day of April, Anno Domini one thousand nine hundred and three (Pamphlet Laws one hundred and eighty); increasing fees paid by applicants for certificates of qualification as mine foremen and assistant mine foremen in the anthracite mines; providing for the disposition of fees received, and providing for copies of lost or destroyed certificates.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BIDELSPACHER. Mr. Speaker, I have been requested to explain briefly the provisions of this bill. This bill relates only to applicants for certificates of qualification as mine foremen or assistant mine foremen in the anthracite mines. It amends the existing act which was passed in 1903 only in this particular, it increases slightly the fees of the applicant for examination as mine foreman or assistant mine foreman shall pay. Secondly, it makes clear that the fee which is paid by an applicant shall be put in the State Treasury And in the third place, it makes a provision that when the certificate has been issued to the successful applicant, it makes a provision for the issuing of a new certificate, and that is all there is to this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—151.

Alexander,
Anderson,
Arthur,
Aston,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flynn,
Fowler, A. I.,
Fratt,
Frazier,
Gibbon,
Gilchrist,
Goehring,
Golder,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Harer,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rippman,
Sample,
Sautter,
Schilling,
Schleiter,
Schwartz,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Stavitski,
Steedle,
Stevens, A. J.,
Stevens, A. F.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wettach,
Wheeler,
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—1.

Marcus, J. C.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1307, as follows:

An Act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the districts in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assitant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on petition of the mine inspector of any district the court of common pleas in any county in said district shall appoint an examining board of three persons consisting of a mine inspector a miner and an operator or superintendent all of whom shall be citizens of this Commonwealth The miner shall have had at least ten years' practical experience in the bituminous mines of this Commonwealth and be in actual practice as a miner The persons so appointed and after the board has been duly organized shall take and subscribe before an officer authorized to administer the same the following oath namely

"We the undersigned do solemnly swear (or affirm) that we will perform the duties of examiners of applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses that we will not divulge or make known to any person any question prepared for the examiners or in any manner assist any applicant to pass the examination but will be governed by the evidence of the qualifications of the applicants to fill said positions and not by any consideration of personal favor and that we will certify all whom we may find qualified in accordance with this act and none other"

Section 2 The Chief of the Department of Mines shall each year determine the districts in which the boards of examiners shall meet for the purpose of holding examination and at least two weeks' notice of the time and place where the examinations are to be held shall be given

Section 3 The Chief of the Department of Mines shall select from the members of the examining board a committee of six comprising two mine inspectors two operators or superintendents and two miners who shall meet at such time and place as the Chief may designate to prepare the questions and answers to be used by all the examining boards in the bitiminous region of the Commonwealth

The committee so selected shall distribute the questions and answers in sealed packages to the chairman of the boards selected to hold the examinations and at the commencement of each session the chairman of each board shall open the package containing the questions and answers for that particular session in the presence of all the members of the board

The committee is hereby authorized to engage the services of a clerk whose compensation and mileage shall be the same as that of the members of the board

Provided further that the Chief of the Department may at any time convene the committee for the purpose of preparing questions and answers for any special examination that may be held and for such examination the questions and answers shall be distributed to the boards in the usual way

Section 4 Each board member shall receive six dollars ($6.00) a day for each day actually employed not exceeding fifteen days in all and mileage at the rate of five cents a mile for each mile necessarily travelled in going from his home to the place of meeting and return by the shortest practicable railway route The committee of six shall receive additional compensation at the rate of six dollars a day and mileage at the rate of five cents a mile while preparing the questions and answers Each member shall also be reimbursed for all other necessary expenses incurred in the discharge of his duties Each Board of Examiners is hereby authorized to employ the services of a clerk whose compensation and rate of mileage shall be the same as that of members of the Board The clerk of each Board shall on final adjournment send to the Chief of the Department of Mines properly attested vouchers for compensation and expenses of each member of the Board and also a voucher covering his own compensation and expenses which vouchers shall be approved by the Chairman and the Secretary of the Board The Chief of the Department of Mines shall then approve said vouchers and transmit them to the Auditor General who shall issue warrants on the State Treasurer for their payment

Section 5 The Chief of the Department of Mines shall designate the Boards of Examiners before whom applicants residing in the various inspection districts shall appear All persons who desire to enter the examination shall notify the Chairman of the Board of their intention to appear if possible not less than ten days prior to the date set for the examination The Boards shall inquire into the character and qualifications of the applicants who present themselves for examination

Section 6 Applicants for certificates of qualification as mine foremen and assistant mine foremen shall be citizens of the United State of good moral character and of known temperate habits at least twenty-three years of age and shall have had at least five years' practical experience after sixteen years of age as miners or mining engineers or men of general work inside of the bituminous miners of Pennsylvania Applicants for certificates of qualification as fire bosses shall be citizens of the United State of good moral character and of known temperate habits at least twenty-three years of age and shall have had at least five years' practicl experience after sixteen years of age as miners or men of general work and shall have had experience in bituminous mines in Pennsylvania that generate explosive gas

All applicants shall be able to read and write the English language intelligently and shall furnish the board with certificates as to their character and temperate habits which certificates shall also show the length of service in the different mines

Certificates of qualification as mine foremen shall be of two grades namely Certificates of first grade shall be granted to persons who have given to the examining board satisfactory evidence of their ability to perform the duties of mine foremen in gaseous mines and who shall have received an average of at least eighty per centum in the examination Certificates of second grade shall be granted to persons who have given to the examining board satisfactory evidence of their ability to perform the duties of mine foremen in non-gaseous mines and who shall have received an average of at least eighty per centum in the examination

Certificates of qualification as assistant mine foremen shall be granted to persons who have given to the examining board satisfactory evidence of their ability to perform the duties of assistant mine foremen in gaseous mines and who shall have received an average of at least seventy per centum in the examination

Certificates of qualification as fire bosses shall be granted to persons who have given to the examining board satisfactory evidence of their ability to perform the duties of fire bosses in gaseous mines and who shall have received an average of at least sixty-five per centum in the examination

Section 7 Before the examination for certificates of qualification to mine foremen assistant mine foremen and fire bosses each applicant shall pay a fee of two dollars and each successful applicant shall pay an additional fee of three dollars before receiving a certificate The money thus received from applicants shall be transmitted to the Chief of the Department of Mines to be deposited in the State Treasury said fees to be put in the fund of the Department of Mines for the use of the Department for inspection service The monies in such fund from time to time are hereby specifically appropriated to the Department of Mines for the purposes herein provided In case of the loss or destruction of a certificate the Chief of the Department of Mines shall upon presentation of satisfactory evidence of the loss or destruction issue a copy of the certificate to the original possessor on the payment of the sum of one dollar

Section 8 Each examining board or at least two members thereof shall certify to the Chief of the Department of Mines on forms furnished by him every person whose examation shall disclose his fitness for the duties of mine foreman assistant mine foreman or fire boss as above classified and the Chief of the Department of Mines shall then prepare certificates of qualification for the successful applicants and send them to the chairman of the board for distribution Each certificate shall contain the full name age and place of birth of applicant and also the length and nature of his previous service in or about the mines The certificates shall be in manner and form as prescribed by the Chief of the Department of Mines

Section 9 Each examining board shall send to the Chief of the Department of Mines the answers and all other papers of the applicants together with the tally sheets and a list of the questions and answers as prepared by the committee of six which shall be filed in the Department of Mines as public documents

Section 10 It shall be unlawful for any operator manager or superintendent to employ as mine foreman in a bituminous mine or as assistant mine foreman in a bituminous gaseous mine any person who has not obtained the proper certificate of qualification requiring by this act unless such person is in the judgment of the operator equally competent with the persons who are holders of such certificates Provided That certificates of qualification or service heretofore granted shall have equal value with certificates of qualification granted under this act And it shall be unlawful for any operator manager superintendent or mine foreman to employ as fire boss in a bituminous mine any person who has not obtained the proper certificate of qu lification under this act unless such person is in the judgment of the operator equally competent with the persons who are holders of such certificates Provided That certificates of qualification as fire boss granted under the acts of June nine one thousand nine hundred and eleven (Pamphlet Laws seven hundred and fifty-six) and May fifteen one thousand eight hundred and ninety-three (Pamphlet Laws fifty-two) shall have equal value with certificates of equalification granted under this act

Section 11 If any person shall forge or counterfeit a certificate or knowingly make or cause to be made any false statement in any certificate issued under this act or any previous act or in any copy thereof or shall make use of such forged or false certificate or copy thereof or shall make use of any false declaration representation or statement in any such certificate or copy thereof or any document containing the same he shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than two hundred dollars nor more than five hundred dollars or be imprisoned for a term not exceeding one year or both at the discretion of the court

Section 12 Nothing in this article shall prevent a First Grade Mine Foreman from acting as Assistant Mine Foreman in any mine or a Second Grade Mine Foreman from acting as Assistant Mine Foreman in a non-gaseous mine

Section 13 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—132.

Anderson,
Asbury,
Asbury,
Aston,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
'ts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Burns,
Clutton,
Coldsmith,
Conner,
Coyne,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fratt,
Frazier
Gibbon,
Goehring,
Golder,
Gorham,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Hall,
Harer,
Haslett,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Keene,
Kelly,
Kennedy,
Kunkle,
Little,
Lucas,
Ludlow,
Lynch,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McClure,
McCurdy,
McDaniel,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond,
Richards,
Rinn,
Rippman,
Sample,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, H. J.,
Smith, J. W.,
Sowers,
Speiser,
Stark,
Stavitski,
Stevens, A. F.,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Walker,
Weamer,
Wettach,
Wheeler,
Williams, G. W.
Williams, J. M.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—1.

Brown,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1309, entitled:

An Act to amend Rule Thirty-four of Article XXV of an Act, approved the ninth day of June, one thousand nine hundred and eleven (Pamphlet Laws, seven hundred and fifty-six), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith;" by requiring mine operators to pay the Department of Mines for certain report and record books.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—132.

Alexander,
Anderson,
Armstrong,
Arthur,
Beaver,
Behney,
Bell, W. T.,
Bidelspacher,
Blair,
Bluett,
Brown,
Brownmiller,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm.
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds.
Fields,
Flinchbaugh,
Fowler, A. I.,
Fratt,
Frazier,
Gilchrist,
Goehring,
Golder,
Greeby,
Griffith,
Grimes,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kunkle,
Lauver,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Marcus, J.,
Marshall, W. F.,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Richards,
Rippman,
Sample,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Stavitski,
Sterling,
Stevens, A. F
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G
Van Alen,
Vickerman,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 992, entitled

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania by adding thereto section thirty-five

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JOSEPH MARCUS. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. Stoner, permit himself to be interrogated?

Mr. STONER. Yes, sir, Mr. Speaker.

Mr. JOSEPH MARCUS. Mr. Speaker, I would like to ask the sponsor of the bill to explain it to the House.

Mr. STONER. Mr. Speaker, this bill seeks an amendment to the Constitution to enable what is called neighborhood assessment for benefiits to property. Under the present law it is not possible to assess any property for a public improvement unless that property abuts upon the line of the improvement. To illustrate the effect of this act, although it is not introduced to take care of any particular case, I can probably explain it better by calling attention to a case new in Pittsburgh where we are building a tunnel under what is known as the "South Hills," and from that tunnel a viaduct runs to the court house. At the present time to get to the property which is being opened up is a matter of seven miles. By means of the tuunel and viaduct the distance is lessened to less than three-quarters of a mile. The result of that is, that that property is brought right into the market, and property now worth two or three hundred dollars an acre will be worth two to five thousand dollars an acre and yet not one foot of that property can be assessed in order to contribute to the payment of this work, which is costing somewhere around five millions of dollars. I want to say that all the western states, I think without exception, have adopted this plan, and I think three or four of the eastern states, and al lof them say this is the fairest method of assessment. Of course the details must subsequently be worked out if the people approve of the amendment to the Constitution, and the actual workings will have to be devised by the Legislature and the people must be safeguarded against any abuses. But anyone who has thought upon this subject seems to believe that the board of Viewers can take care of this amended plan just as they do now with the resricted plan of assessment, and of course you will all agree that the Legislature can be trusted to safeguard the people against abuse. This plan has been found workable in other states, and in the State of Pennsylvania where the topography of the different cities is so varied, it is particularly needed and I hope you will support it.

Mr. ALEXANDER. Mr Speaker, I desire to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny permit himself to be further interrogated?

Mr. STONER. Yes, sir, Mr. Speaker.

Mr. ALEXANDER. Mr. Speaker, I notice in this section it provides for the assessment against property, for the assessment of benefits.

Mr. STONER. Yes, sir.

Mr. ALEXANDER. Under the present law, damages cannot be assessed against a municipality unless the property abuts on the improvement, can it?

Mr. STONER. I do not understand your question.

Mr. ALEXANDER. Damages cannot be assessed unless the property damages abuts on the improvement.

Mr. STONER. You say damages cannot be assessed against a municipality?

Mr. ALEXANDER. Yes.

Mr. STONER. I think I see what you mean. When a change of grade is made in a street or a street is open or closed, damages cannot be assessed against a municipality unless the property abuts on the improvement.

Mr. ALEXANDER. Shouldn't damages against a municipality be included here now?

Mr. STONER. I think that is a question for the Legislature. This opens the door so that the Legislature can take care of the question when it arises.

Mr. ALEXANDER. But should not that be a part of this amendment?

Mr. STONER. I think it is broad enough to cover it.

Mr. ALEXANDER. This only provides for the assessment of benefits. Why not also provide for the assessment of damages? There is another thing, is it possible for them to properly arrive at the proper benefits if they cannot take into consideration the amount of damages?

Mr. STONER. Mr. McVICAR has just called to my mind a fact that I have been trying to review in my mind. He says that under the present law damages may be assessed on all cases of abutting property, and if that be true, and I believe it is, on reflection, then it is fully covered by this constitutional amendment. It was our conclusion when we prepared this bill that it was broad enough to cover the very question which you raise.

Mr. ALEXANDER. If you are not correct in that then we can look at it later on when it goes to the other side.

Mr. STONER. Yes, sir.

Mr. OGLE. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Stoner.

The SPEAKER. Will the gentleman from Allegheny permit himself to be further interrogated,

Mr. STONER. I will.

Mr. OGLE. Do I understand by this bill that if this becomes a part of the constitution that when improvements are made by the government of Pennsylvania, like the widening of Third Street, for instance, that properties across the way might be assessed and will have to pay for the improvement.

Mr. STONER. Undoubtedly, provided the Legislature should pass a law with such a provision.

Mr. OGLE. Are we to understand that when a schoolhouse is built in a borough that properties not adjacent to the school may be assessed for benefits alleged to have accrued to their properties by reason of their being in that community or close to it,

Mr. STONER. I know of no law that provides for an assessment of benefits by reason of the building of a schoolhouse.

Mr. OGLE. You say here that laws may be enacted authorizing assessment against properties which are specially and particularly benefited by public improvements made by the State government or by a municipality, whether or not such properties abut upon such public improvements. The word public improvement is not definite, we do not know whether it is the construction of highways by the Highway Department or borough or township or whether it is a schoolhouse or enginehouse or other structure that you could mention.

Mr. STONER. Public improvements for which an assessment can be made do not include such things as a schoolhouse, enginehouse. or other public building or that sort, but it does include such public improvement as streets and sewers which are a direct benefit to the property in that neighborhood.

Mr. OGLE. My experience with this sort of thing is simply this, that when you go before a jury on assessment cases of this kind, many an innocent property-holder is mulct for an improvement that he did not receive.

Mr. STONER. You cannot rise superior to the laws or the jury. We tried to get a jury bill through here the other day that might have taken care of what you suggest, but we did not succeed.

Mr. OGLE. Mr. Speaker, in my opinion the bill is unnecessary and it engenders litigation and community trouble, I think the less said the soonest mended, and I am against this constitutional amendment.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—84.

Alexander,
Armstrong,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Betts,
Blair,
Brewster,
Brown,
Bush,
Chaplin,
Clutton,
Conner,
Craig,
Diehm,
Dietz,
Driggs,
Edmonds,
Flynn,
Frazier,
Gelder,
Goehring,
Goss,
Grimes,
Gundy,
Haas,
Harter,
Haslett,
Henderson,
Heyburn,
Himes,
Hoover,
Howell,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kunkle,
Labar,
Lauver,
Ludlow,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McClure,
McCurdy,
McVicar,
Minehart,
Moffatt,
Parkinson,
Patterson,
Peelor,
Posey,
Post,
Price,
Rippman,
Sarig,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Spangler,
Steedle,
Sterling,
Stevens, A. J.,
Stoner,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Wells,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—38.

Arthur,
Bluett,
Brenneman,
Bromley,
Colville,
Dilsheimer,
Drinkhouse,
Flinchbaugh,
Fowler, A. I.,
Fratt,
Gibbon,
Golder,
Haws,
Hollis,
Huber,
Irvin,
Kohler,
Lucas,
Marcus, J.,
Mathay,
Miller,
Munley,
Myers, P. M.,
Nolte,
Ogle,
Orr,
Perry,
Pitts,
Raymond,
Richards,
Sautter,
Sheridan,
Smith, J. W.,
Sowers,
Sprowls,
Storb,
Weamer,
Wheeler,

Less than the majority required by the Constitution having voted in the armative, the question was determined in the negative and the bill falls.

REPORTS FROM COMMITTEES.

Mr. BIDELSPACHER, from the Committee on Judiciary General, reported as amended, House Bill No. 48, entitled:

An Act relating to public service companies; limiting their charges to services actually rendered or furnished; requiring such companies to supply all instruments and devices necessary, and incidental to their service; prohibiting the discontinuance of service as a means of collecting charges in certain cases; and prescribing penalties.

Mr. MILLAR, from the Committee on Appropriations, reported as committed, House Bill No. 142, entitled:

An Act making an appropriation to the County of Philadelphia for the payment of a judgment obtained by the said county against the Commonwealth of Pennsylvania.

Mr. METCALF, from the Committee on Counties and Townships, reported as committed, House Bill No. 581, entitled:

An Act imposing a poll tax for county purposes on male and female residents over the age of twenty-one years; and abolishing the occupation tax.

Mr. HASLETT, from the Committee on Counties and Townships, reported as committed, House Bill No. 1411, entitled:

An Act to amend section one of an act approved the twenty-seventh day of April, one thousand nine hundred and eleven, (P. L. 86), entitled "An Act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants; providing for the payment of the same by the particular county limiting the number of tipstaves to be appointed; and repealing an act of Assembly entitled 'An Act to regulate the fees of court criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants' approved the twenty-nineth day of April, Anno Domini one thousand nine hundred and nine" as amended.

Mr. DILSHEIMER, from the Committee on Labor and Industry, reported as amended, House Bill No. 1244, entitled:

An Act relating to the regulation of brick work and inspection of same in cities of the first second, third and fourth class, and other municipalities within the Commonwealth wherein such work is performed and inspectors are employed providing for the appointment of inspectors and penalties for the violation of this act.

Mr. STAVITSKI, from the Committee on Counties and Townships, reported as amended, House Bill No. 1338, entitled

An Act providing a means whereby the individual Justice of the Peace may better inform himself as to the law, changes in the law and decisions of the Courts on the law, of this Commonwealth.

Mr. STEEDLE, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 36, entitled

An Act to regulate the practice of chiropractic and to provide for the appointment and maintenance of the Board of Chiropractic examiners: To define the powers and duties of said board of Chiropractic examiners: to provide for the examining and licensing of chiropractors in this State: and to provide penalties for the violation of this act.

Mr. CHARLES B. JONES, from the Committee on Counties and Townships, re-reported as committed, House Bill No. 1228, entitled

An Act to repeal the act approved the twelfth day of June, one thousand nine hundred and nineteen, (P. L. 461), entitled "An Act to provide for the removal or retirement of judges of the Supreme, Superior, common pleas, orphans', municipal, and county court, permanently disqualified by reason of physical or mental disability to perform their regular judicial functions or duties, and providing for the payment of compensation to them during the balance of the term for which they may have been elected, and, in certain cases, for the remainder of their lives after resignation or retirement, and for filling the vacancies caused thereby; providing for judges who have been retired or who may have retired or resigned under provisions of previous acts or otherwise; and repealing certain acts."

Mr. EDMONDS, from the Committee on Judiciary General reported as committed House Bill No. 1368 (Senate Bill No. 30), entitled

An Act to amend an act approved May fifth one thousand nine hundred and twenty-one (Pamphlet Laws three hundred seventy-nine) entitled "An Act to amend an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand fifty-nine) entitled 'An Act extending the powers of judges of courts of quarter sessions and of oyer and terminer in relation to releasing prisoners in jails and workhouses on parole' by extending said act to include houses of correction conferring similar powers on other courts of record and providing that the power of parole shall extend for a period not to exceed the maximum sentence as provided by law" providing the procedure in cases of parole conferring power to parole upon the several courts instead of judges thereof and fixing the time when petitions for parole may be first presented.

Mr. EDMONDS, from the Committee on Appropriations, re-reported as committed House Bill No. 861 (Senate Bill No. 46), entitled

An Act making an appropriation to carry into effect the provisions of an act approved the ninth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred fourteen), entitled "An Act providing for the erection and construction by the Commonwealth of Pennsylvania and the state of New Jersey of a bridge over the Delaware River, connecting the city of Philadelphia and the city of Camden and the approaches thereto; providing for a joint commission for that purpose and defining its powers and duties; providing for an independent commission in this Commonwealth in relation thereto and defining its powers and duties; providing for the payment of a part of the cost thereof by the city of Philadephia and providing for the acquiring, taking and condemnation of the real estate for the site and approaches thereof; providing for the turning over of said bridge upon its completion and making an appropriation for the purposes of this act" and its amendments.

Mr. SOWERS, from the Committee on Judiciary General, reported as committed, House Bill No. 1449, (Senate Bill No. 496), entitled

An Act to further amend section two of an act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as amended.

Mr. BLUETT, from the Committee on Judiciary General, re-reported as amended, House Bill No. 433, entitled

An Act to amend section one of an act approved the twentieth day of April, one thousand nine hundred and twenty-one, (Pamphlet Laws 167), entitled "An Act to amend sections two and three of the act, approved the thirteenth day of June, one thousand eight hundred and eighty-three (Pamphlet Laws one hundred and nineteen), entitled 'An Act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies,' as amended, by imposing certain duties on all persons having charge of dead human bodies required to be buried at the public expense; requiring immediate notice of all such bodies; limiting the time within which bodies may be claimed; fixing the expense of burial on claimants; and taking away the preference of incorporated anatomical societies, schools, colleges, physicians, and surgeons of the county wherein the death occurs."

Mr. LUDLOW, from the Committee on Judiciary General, reported with a negative recommendation, House Bill No. 1299, entitled

An Act to amend an act approved the twenty-first day of May, one thousand nine hundred and twenty-one (P. L. 1057), entitled, "A supplement to an act, entitled 'An act to amend an act, entitled, "An act to provide for the incorporation and regulation of certain corporations," approved the twenty-ninth day of April, Anno Domini, one thousand eight hundred and seventy-four, providing for the incorporation and regulation of electric light, heat, and power companies,' approved the eighth day of May, Anno Domini, one thousand eight hundred and eighty-nine, by extending the powers of every corporation heretofore or hereafter incorporated for the supply of light, heat and power, or any of them, to the public by electricity, and of every corporation which has heretofore accepted the provisions of said act as provided herein; and granting to every such corporation the power to appropriate property outside the limits of public streets, lanes, alleys, and highways, subject to the finding by the Public Service Commission of the Commonwealth of Pennsylvania that the service to be furnished through the exercise of said power is necessary or proper for the service, accommodation, convenience, or safety of the public; and providing a method for the assessment of damages arising from such appropriation," eliminating the power to condemn lands and waters for transmission and distribution purposes.

RECESS.

The SPEAKER. If there are no objections, the Chair will declare a recess until 8:30 o'clock, this evening.

Whereupon at 6:20 o'clock, P. M. the House took a recess until 8:30 o'clock, this evening.

AFTER RECESS.

The House reconvened at 8:30 o'clock P. M.

The SPEAKER (C. J. Goodnough) in the Chair.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 782.

An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf and Dumb Mount Airy Philadelphia to cover deficiency in maintenance and education of State pupils

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 1, line 4, by striking out after the word "hundred" the word "five".

Amend section 1, page 1, line 5, by striking out, after the word "dollars" the figure "($105,000)" and inserting in lieu thereof, "($100,000)".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—125.

Albert,
Alexander,
Allman,
Anderson,
Arthur,
Beaver,
Behney,
Bell, F. A.,
Bidelspacher,
Bluett,
Brenneman,
Brewster,
Bromley,
Brown,
Burchinal,
Burns,
Chaplin,
Coldsmith,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dilsheimer,
Drinkhouse,
Dunn,
Evans, B. P.,
Evans, J.,
Fowler, A. I.,
Fowler, D.,
Gelder,
Gilchrist,
Glasgow,
Golder,
Greeby,
Grimes,
Gundy,
Haas,
Harer,
Haslett,
Heffernan,
Hetrick,
Heyburn,
Himes,
Hontz,
Howell,
Huber,
Irvin,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kunkle,
Labar,
Lafferty,
Little,
Lucas,
Ludlow,
Lynch,
Mack,
Mangan,
Marcus, J. C.,
Marshall, W. F.
Mathay,
McBride,
McCaig,
McClure,
McCurdy,
McDermott,
McGowan,
Metcalf.
Miller,
Minehart,
Morrison,
Munley,
Myers, G. C.,
Nolte,
O'Boyle,
Ogle,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Raymond,
Rhodes,
Rinn,
Rippman,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Sprowls,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storer.
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Walker,
Wettach,
Whitehouse,
Williams, G. W.
Woner,
Wood, W. P.,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments are concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1315, as follows:

An Act to amend chapter six article seventeen of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for borough and revising amending and consolidating the law relating to boroughs"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That chapter six article seventeen of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended by adding thereto the following section

Section 51 No person firm or corporation shall introduce electric current for light heat or power purposes without the consent of the borough authorities into the limits of any borough in this Commonwealth which is furnishing electric current to the inhabitants of such borough

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Westmoreland, Mr. Whiteman, permit himself to be interrogated.

Mr. WHITEMAN. Yes, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. ALEXANDER. Will the gentleman explain the purpose of this bill?

Mr. WHITEMAN. The intent of the bill is set forth in the section on page 2, which provides that no person, firm or corporation shall introduce electric current for light, heat or power purposes without the consent of the borough authorities into the limits of any borough in this Commowealth which is furnishing electric current to the inhabitants of such borough. Under the present rule of the Public Service Commission, I will say, Mr. Speaker, to the gentleman from Deleware, that a municipal light corporation, or any public service corporation is protected in its franchise, subject to the rules of the Public Service Commission. In other words, if a borough owns its municipal light plant, no other company can come in to compete with that plant, and there is nothing in the law at present, or nothing in the ruling of the Public Service Commission which would prevent a private consumer, a larg consumer within the borough limits from running a private line out into the township where there is a competing public service commission and finding his power outside and taking it in over his own line to his plant. The sole purpose of the bill is to protect the municipality which is furnishing the service, and which is protected as far as the borough limits themselves are concerned by the Public Service Commission.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—107.

Anderson,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Brewster,
Bromley,
Brown,
Brownmiller,
Chaplin,
Gibbon,
Goehring,
Golder,
Goss,
Griffith,
Grimes,
Gundy,
Haines,
Haslett,
Henderson,
Lucas,
Ludlow,
Mack,
Marcus, J. C.,
McBride,
McClure,
McCurdy,
McDaniel,
McVicar,
Metcalf,
Schoener,
Schwarts,
Smith, G. A.,
Smith, J. W.,
Sowers,
Stark,
Stevens, A. J.,
Storb,
Storer,
Thomas, L. D.,

Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Drinkhouse,
Dunn,
Eaches,
Earley,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gelder,
Hetrick,
Heyburn,
Himes,
Hollis,
Hoover,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kunkle,
Labar,
Lafferty,
Long,
Minehart,
Moffatt,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Posey,
Post,
Raymond,
Rhodes,
Richards,
Sample,
Sarig,
Sautter,
Schilling,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wettach,
Whitehouse,
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—3.

Alexander,
Miller,
Stavitski,

The majority required by the Constiuttion having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1287, as follows:

An Act to amend section second of the act approved the ninth day of July one thousand nine hundred and one (Pamphlet Laws six hundred fourteen) entitled "An act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section second of the act approved the ninth day of July one thousand nine hundred and one (Pamphlet Laws six hundred fourteen) entitled "An act regulating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" which was amended by the act approved the third day of April one thousand nine hundred and three (Pamphlet Laws one hundred thirty-nine) entitled "A supplement to section second of an act entitled 'An act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs' approved the ninth day of July one thousand nine hundred and one" is hereby further amended to read as follows

Second The writ of summons the writ of attachment in execution and the writ of scire facias in personal actions may be served by the sheriff upon a corporation a partnership limited or a joint stock company in the county wherein it is issued in any of the following methods

(a) By handing a true and attested copy thereof to the president secretary treasurer cashier chief clerk or other executive officer personally or

(b) By handing a true and attested copy therof to an adult member of the family of any one of said officers at his dwelling house or

(c) By handing a true and attested copy thereof at his place of residence to an adult member of the family of the person with whom any of said officers resides or

(d) By handing a true and attested copy thereof at his place of residence to the manager or clerk of the hotel inn apartment-house boarding-house or other place or lodging where any of said officers reside or

(e) By handing (an) a true and attested copy thereof at any of its offices depots or places of business to its (agents) agent or person (persons) for the time being in charge thereof if upon inquiry thereat the residence of one of said officers within the county it not ascertained or if from any cause an attempt to serve at the residence given has failed or

(f) If the corporation partnership limited or joint stock company has no office or place of business in actual operation in the county (where the cause of action arose) in which the writ issues then service may be made in such county upon any members of its Board of Directors in any of the methods set forth in clauses (a) (b) (c) or (d) hereof or

(g) If the corporation partnership limited or joint stock company has no office or place of business in actual operation in the county in which the (cause of action arose) writ issues and no member of its board of directors or other officer is a resident of (the county in which the cause of action arose) that county then service may be made in any of the methods set forth in clauses (a) (b) (c) (d) (e) or (f) hereof in any other county in the State than that in which the writ issues by the sheriff of such other county who shall be deputized for that purpose by the sheriff of the county in which the writ issues or

(h) If the sheriff after diligent search and inquiry is unable to locate an officer or depot or place of business of any such corporation partnership limited or joint stock company in the county in which the writ issues or shall locate such office or depot or place of business and shall be unable to find any agent or person for the time being in charge thereof during the usual business hours of any business day and shall be satisfied that no member of its board of directors or other officer is a resident of the county in which the writ issues or of any other county of the State all of which the Sheriff shall certify as part of his return then service may be made (1) by posting a true and attested copy of the writ at such office or depot or plact of business if such there be and by posting at least five true and attested copies of the writ at conspicuous places in the county in which the writ issues one of which shall be posted in the usual posting place in front of the Court House of that county having due regard to the location in that county of any property therein owned by the corporation partnership limited or joint stock company (2) by mailing by registered letter a true and attested copy of the writ addressed to the corporation partnership limited or joint stock company at such place as the Sheriff may be informed is its proper domicile and address and also to any person who the Sheriff may be informed is an officer or director or member of the corporation partnership limited or joint stock company and (3) by publishing a true and attested copy of the writ once a week following the week in which the writ issues in one newspaper having a general circulation in the county in which the writ issues and by mailing a marked copy of each and all of the three issues of said newspaper to the corporation partnership limited or joint stock company at such address as the Sheriff may be informed is its address or

((h)) (i) In the case of a registered foreign corporation partnership limited or joint stock company by serving its duly registered attorney as in case of a summons issued against him personally or by leaving a true and attested copy thereof for him at the registered place of he be not found there during the usual business hours of any business day with the person for the time being in charge of the business carried on at such place

((i) (1) By having the sheriff post papers on the premises owned by the company or in conspicious places in and around the place where its principal office in the county is located (2) by having the sheriff send by registered letter copies of the papers to the corporation at the place where it has its principal office and by sending also to any person who the sheriff may be informed is connected with the corporation or (3) by publishing for a certain number of times in one or more newspapers in the county where the suit is brought)

Provided That two returns of nihil habet shall be equivalent to personal service in writs of scire facias to revive judgments entered in personal actions

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. PARKINSON. Mr. Speaker, I move that House Bill No. 1287, file folio 5267, be placed on the postponed calendar.

Mr. WALKER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1164, as follows:

An Act amending an act entitled "An Act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth" approved the tenth day of April Anno Domini one thousand eight hundred and sixty-seven Pamphlet Laws page sixty-two

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved April tenth one thousand eight hundred and sixty-seven (Pamphlet Laws page sixty-two entitled "An act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth" is hereby amended to read as follows

"Section 2 It shall be the duty of said jury commissioners president judge or additional law judge of the respective district or a majority of them to meet at the seat of justice of the respective counties at least thirty days before the first term of the court of common pleas in every year and thereupon proceed with due diligence to select alternately from the whole qualified electors of the respective county at large a number such as at the term of the court of common pleas next preceding shall by the said court be designated of sober intelligent and judicious persons to serve as jurors in the several courts of such county during that year and the said jury commissioners president judge or additional law judge or a majority of them shall in the mode and manner now directed by law place the names of persons so selected in the proper jury wheel and the said jury wheel locked as now required by law shall remain in the custody of the said jury commissioners and the keys thereof in the custody of the sheriff of said county

Provided However That if the president judge of the court of common pleas of any of said districts constituting a county of the second class shall make an order to that effect the names of the persons so selected shall be placed in three jury wheels in the manner following Before the names are placed in said wheels the jury commissioners shall mail a notice to each prospective juror by return postal card directing the proposed juror to indicate to the jury commissioners the part or portion of the calendar year in which he or she shall prefer to serve The names of the jurors wishing to serve in the months of January February or March shall be placed in one wheel the names of the jurors wishing to serve in the months of April May June July and August shall be placed in the second wheel and the names of the jurors desiring to serve in the months of September October November and December shall be placed in the third wheel The names of all jurors who do not indicate the part or portion of the year in which they wish to serve shall be apportioned among the three several wheels by the jury commissioners and the president judge in such a manner that there will be sufficient names in each of said wheels to provide jurors for the portion of the year for which the said wheel has been designated The names of all jurors called for service in the months of January February and March shall be drawn from the wheel in which the names of those desiring to serve in said months shall have been placed the names of all jurors called for service in the months of April May June July and August shall be drawn from the wheel in which the names of those desiring to serve in said months shall have been placed and the names of all jurors called for service in the months of September October November and December shall be drawn from the wheel in which the names of those desiring to serve in said months shall have been placed

Provided further That when authorized so to do by the president judge of the court of common pleas of any district constituting a county of the second class the jury commissioners may employ one or more persons as clerks and one or more persons to investigate and report to the president judge or additional law judge designated for that purpose and to the jury commissioners upon the fitness or unfitness of the persons whose names are proposed to be placed in the jury wheels for the next ensuing calendar year The salary of said clerk or clerks and of said investigator or investigators shall be fixed by the salary board of said county or district in the manner now provided by law and the compensation of said clerks and investigators shall be paid from the general funds of the county constituting said district

Section 2 All acts or parts of acts inconsistent or conflicting with the provisions of this act be and the same are hereby repealed insofar as they affect this act

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. STORER. Mr. Speaker, I move that House Bill No. 1164, folio 5273, be placed on the postponed calendar.

Mr. GOEHRING. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 200, as follows:

An Act providing for the assistance of voters at General Municipal or Special Elections regulating the manner and return therof providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter no voter at any General Municipal or Special Election be permited to receive any assistance in the marking of his or her ballot unless said voter shall first make affidavit upon a form to be provided by the County Commissioners or upon a similar form that he or she cannot read the names on the ballot or that because of a physical disability which said voter shall specify in the affidavit he or she is unable to mark the ballot and upon making such an affidavit that he or she is unable to mark the ballot because he or she cannot read the names on the ballot or because of physical disability the judge of election shall permit the voter to select a duly qualified member of the election board of his or her election district to assist in marking the ballot in the voting compartment

The affidavits so made by the voters requesting assistance in marking his or her ballot because he or she cannot read the names on the ballot or because of physical disability at the close of election shall be enclosed by the judge of election with the other papers required by law to be filed with the prothonotary of the court of common pleas of the county subject to the same examination as other election papers

Section 2 Whenever any voter shall be assisted as aforesaid in marking his or her ballot because he or she cannot read the names on the ballot or because of physical disability it shall be the duty of the majority and minority inspectors of the election to enter in separate lists the names of the voters receiving the assistance and the name of the election officer assisting in marking the ballot opposite the name of the voter

One of the lists so made shall be deposited by the judge of election in the ballot box and the other list shall be enclosed in a sealed cover directed to and filed of public record with the prothonotary of the court of common pleas of the county

Section 3 Any voter who for the purpose of receiving assistance in the marking of his or her ballot shall falsely make oath or declare that because he or she cannot read the names on the ballot or that by reason of physical disability he or she is unable to mark his or her ballot or who without having made the affidavit provided for in this act shall permit another to accompany him or her into the voting compartment or shall permit another person to mark his or her ballot for him or her shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo imprisonment for a period not exceeding two years

Section 4 Any person who shall accompany a voter into a voting compartment without the said voter having first made an affidavit as provided in this act that he or she cannot read the names on the ballot or that by reason of physical disability he or she is unable to mark his or her ballot or who shall accompany a voter into the voting compartment when the affidavit as provided in his act which the voter has made is false to the knowledge of such person or shall attempt to influence the vote of the voter whom he or she is assisting or who shall mark a ballot in any other way than that requested by the voter whom he or she is assisting or any member of the election board permitting a voter to be assisted in marking his or her ballot contrary to the provisions of this act or any judge of election who shall fail to properly file and return affidavits and other papers required by this act or by law to be filed and returned to the prothonotary of the court of common pleas of the county or any inspectors of election who shall fail to keep a separate list of voters receiving assistance in marking his or her ballot and the election officer assisting as provided in this act shall for each such offense be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding two thousand dollars ($2,000) and to undergo imprisonment for a period not exceeding three years

Section 5 The invalidity of any portion of this act shall in no wise affect the validity of any other portion thereof which can be given effect without such invalid portion

Section 6 That the twenty-sixth section of the Act of Assembly entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three and all other acts and parts of acts inconsistent with this act be and the same are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. HOWELL. Mr. Speaker, I move that House Bill No. 200, file folio 5109, be recommitted to the Committee on Elections.

Mr. Rippman. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1105, as follows

An Act to amend section fourteen of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitiled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section fourteen of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" which was amended by the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and sixty-nine) entitled "An Act to further amend section fourteen of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled 'An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' as amended" is hereby further amended to read as follows

Section 14 Upon the closing of the polls at such primary and before the ballot-boxes are opened the number of ballots issued to the voters of each party as shown by the stubs and the number of ballots of each party if any spoiled and returned by voters and canceled shall be announced to all present in the voting room and entered on the general return sheets aforesaid and then the names checked as having voted in the two assessor's lists or registers marked "ballot check list" and "voting check list" respectively shall be immediately counted and the result announced and compared with the number of ballots issued as above ascertained after deducting the number spoiled and cancelled and said results shall also be compared with the number of names written in the numbered lists of voters which shall be made as at elections as the electors receive and cast their ballots with the addition of a note of each elector's party enrollment after his name If any differences exist which are not found to be due merely to clerical errors such differences shall also be noted on the general return sheets aforesaid Then the numbered lists of voters (except a copy of the latter which shall be hung outside of the polling place) shall be placed in the separate envelopes provided for them respectively and sealed In cities the voting and ballot check lists shall be put in one envelope and sealed and subsequently delivered to the registration commissioners or county commissioners as required by the personal registration acts relating to cities of various classes

Also the stubs of all ballots used together with all unused ballots and all spoiled and canceled ballots of each party and the ballot check list in boroughs townships and districts other than in cities shall be placed in separate envelope and sealed before the ballot-boxes are opened which package shall be kept by the judge and delivered by him in person to the county commissioners at such place as they shall designate on or before noon of the Thursday following such primary

As soon as all the ballots of each party have been properly accounted for and those outside the ballot-boxes as well as the said lists sealed as aforesaid the election officers shall forthwith open the ballot-boxes and take therefrom all ballots therein and separate the same according to the party to which they belong and first audibly count the number cast for each party one by one and make a record thereof and then the judge or one of the inspectors in the presence of the other officers shall read aloud the names marked or inserted upon each ballot keeping the ballots of each party in sequence together with the office for which the person named is a candidate and any other relevant matter necessary to identify him and the clerks shall carefully enter each vote as read and keep account of the same in triplicate tally papers for each party to be provided as aforesaid All ballots after being removed from the box shall be kept within the unobstructed view of all persons in the voting room until replaced in said box and no person while handling same shall have in his hand any pencil pen stamp or other means of marking or spoiling any ballot When the vote cast for the different persons named upon said party ballots shall have been fully recorded on said tally papers and counted the election officers shall duly certify to the number of votes cast for each person upon the respective party tickets and shall prepare triplicate returns thereof for each party and also general returns in duplicate showing besides the entries made thereon as aforesaid the number of ballots of each party cast and the number of ballots of each party declared altogether void including any blank ballots cast as well as the votes cast for each candidate on each party ticket one of which statements shall be immediately posted for the information of the public outside the voting room or polling place and the other of which shall be entrusted to the judge for delivery to the county commissioners with the package of unused ballots et cetera aforesaid The election officers shall then replace the ballots cast so counted and canvassed in the boxes including those declared void together with one set of tally papers one set of said triplicate return sheets one numbered list of voters sealed as aforesaid (and the voting check lists in districts other than cities) and one oath of each election officer and lock and seal each ballot-box so that nothing can be inserted therein until it be opened again and the judge and minority inspector shall deliver them to the place which has been designated by the court of common pleas or by law for the delivery of ballot-boxes at general and municipal elections on or before noon of the Thursday following such primary and the county commissioners or return board shall not compute any returns from any election district until the ballot-boxes thereof as well as the package of unused ballots et cetera aforesaid therefrom are delivered as aforesaid

The minority inspector shall retain one complete set of tally papers and one of the triplicate return sheets for each party and one set of the affidavits of voters and other persons except oaths of election officers made pursuant to the provisions of this act at such primary and carefully preserve the same for the period of at least one year The remaining tally papers triplicate return sheets and affidavits of voters and others including oaths of election officers shall be placed in separate envelopes to be provided for the same and sealed as soon as the count is finally completed All of such envelopes and the other numbered list of voters previously sealed as aforesaid shall be entrusted to the judge of election and shall on or before noon of the Thursday following be deposited by him in person or by registered mail with the county commissioners who shall on the succeeding day at noon publicly commence the computation and canvassing of the returns and continue the same from day to day until completed in the manner hereinafter provided except that if any of the county commissioners of any county shall be a candidate for any nomination at any primary he shall not act as a member of the return board for computing or canvassing any returns of such primary but the other two commissioners if both are qualified shall act and in case in any county there are not at least two commissioners so qualified two or more judges of the court of common pleas of such county shall be designated by said court to act as a return board provided that neither of them are candidates for any nomination at such primary either on a party or a non-partisan ballot and if there shall be only one judge of such court in such county or if less than two judges are qualified and able to act in such county any judge who is qualified may act alone and if there be none qualified the prothonotary of such county shall act as the return board

The general returns from the various districts shall be open to public inspection at the office of the county commissioners as soon as they receive same from the judges thereof

The county commissioners shall provide a convenient public place for holding the sessions of the return board whoever may compose it as aforesaid with adequate accommodations for the authoryized representatives of each party and candidate concerned in any such primary not exceeding two such representatives for each of them at any one time to attend and to keep or check up their own computation of the votes cast in the several election districts as the returns from the same are read as hereinafter directed and the county commissioners shall give at least one week's previous notice by advertising once in at least two newspapers of a large paid circulation published at the county-seat of the time aforesaid and place when and where such return board will commence and hold its sessions and keep copies of such advertisement posted in their office during said period

At noon on the Friday following any such primary the county commissioner shall have ready a sufficient number of blank forms of returns made out in a proper manner and headed as the nature of the ballots may require for making out full and fair statements of all votes which shall have been given within the county or any political district therein according to the returns from the several election districts thereof for any person voted for therein for any party nomination or party office

All the clerks of the county commissioners and other persons assisting in the official computation and canvassing of the votes shall be first sworn to perform their duties impartially and not to read write count or certify any return or vote falsely or fraudulently

The general returns made by the election officers as aforesaid from the various election districts shall be read one after another in the usual order slowly and audibly by one of the clerks who shall in each case read therefrom the number of ballots of each party issued spoiled and canceled and cast respectively whereupon the clerk having charge of the records of the county commissioners showing the number of ballots of each party furnished for each election district and the number of stubs and unused ballots and spoiled and canceled ballots returned shall publicly announce the number of same respectively and unless it appears by said numbers or calculations therefrom that said records and the said general return correspond no further returns shall be read from the later until all the ballots issued are fully accounted for and all the stubs and unused ballots spoiled and canceled ballots as well as the other election returns aforesaid shall be open to public inspection and shall be carefully preserved together with the contents of the ballot-box by the county commissioner for at least eleven months and not destroyed in any event without the previous consent in writing by the district attorney None of the envelopes sealed by election officers and entrusted to the judges of election shall be opened by any person except by order of the return board or of the court of common pleas

When the records agree with the said returns regarding the ballots the votes recorded for each candidate on each party ticket shall be read by the said clerk slowly audibly and in an orderly manner from the said returns and the figures announced shall be compared by other clerks with the return sheets of each party for the respective districts and discrepancies shall be immediately called to the attention of the return board which shall thereupon compare said return sheets with the tally papers for the same election district respecting the same candidates or party ballots and if the tally papers and party return sheets agree the general return shall be forthwith corrected to conform thereto but in every other case the return board shall forthwith cause the ballot-box of such division to be brought before it and opened under its direction and the ballots therein recounted respecting any vote in question in the presence of representatives of each party and candidate interested who are attending the canvass of such votes and if such recount shall not be sufficient to correct the error in any of the said returns the return board may summon the election officers and overseers if any to appear forthwith with all election papers in their possession and the court of common pleas shall use its processes to enforce such summons of necessary and if any error or fraud is discovered the return board shall compute and certify the votes justly regardless of any fraudulent or erroneous returns presented to it and report the facts to the district attorney of the proper county for action in cases that appear to warrant same

As the returns from each election district are read computed and found to be correct or corrected as aforesaid they shall be recorded on the blanks prepared for the purpose of casting up the total vote of each candidate on each party ticket until all the returns from the various election districts which are entitled to be counted shall have been duly recorded when they shall be added together announced and attested by the clerks who made and computed the entries respectively and at the expiration of five days after the completion of said computation the return board shall certify the several returns accordingly to the county commissioners unless upon appeals taken from any decision the court of common pleas shall have directed any returns to be revised in which cases such returns shall be revised and certified accordingly

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question.

Shall the bill pass finally?

Mr. EDMONDS. Mr. Speaker and members of the House, this bill, 1105, which is now before the House for final passage, is, I think, one of the smallest changes that has ever been proposed in the law. It changes two words on page seven, the two words being "or more". The point of it is this: That under the primary election law the county commissioners count the vote but when the county commissioners are all candidates for reelection the present law says that the judges of the county of common pleas shall appoint two judges of the county court. Now it happens at the next election, at the primary election we will have something like seventy-five hundred different divisions, and the names have all got to be certified to the Secretary of the Commonwealth within a very short time, about fourteen days, and the judges who will make up that election board have requested that the words, "or more" be added after the number two, so that instead of saying two, it may be two or more, so that the work may be distributed in that way. I assure my colleagues from Philadelphia, that there is no sinster purpose in this bill. I introduced it at the request of Judge Shoemaker and it is briefly to enable the election returns to be counted in due time.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—140.

Albert,
Alexander,
Anderson,
Armstrong,
Arthur,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Conner,
Coyne,
Craig,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Labar,
Eaches,
Earley,
Edmonds,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Gibbon,
Gorham,
Greeby,
Grimes,
Gundy,
Haas,
Haines,
Harer,
Harter,
Haslett,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Little,
Ludlow,
Lynch,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Post,
Price,
Raymond,
Richards,
Rinn,
Sample,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Smith, G. A.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stoner,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—2.

Goehring,
Colville,

The majority required by the Constiuttion having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1219, entitled:

An Act making it a misdemeanor in office for any magistrate alderman or justice of the peace to refuse to admit to bail a person charged with a bailable offense.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker and members of the House I do not like to attack anybody's bill, and especially that of my colleague from Delaware county, and my roommate, but I want to call your attention to this bill. I think this has been put over on him by some friend of ours in Delaware, who have a little spite against the justice of the peace. A justice of the peace is a judge. He is bound under the law to do certain things. One of the things he is bound to do is to see that a defendant is properly bound over for court, that his bail shall be sufficient, and his security shall be sufficient. Now, we have an instance here of where a man comes along and says, "I offer so and so as my bondsman." He examines his bondsman and he concludes by reason of certain mortgage that he has against his property that he has not sufficient property. Now mind you the law provides that he is responsible, he is the judge and must decide as to the responsibility of that bondsman, Now as far as damages are concerned or malfeasance, if it is negligence, and some one brings a suit against him, they can proceed against him in a civil action, but this provides that if by reason of his mistaken judgment, in saying that a man's bond is not good, why, he is liable to be committed on a crime, a justice of the peace, mind you, a member of the lower judiciary, is to be guilty of a misdemeanor, and to be fined not less than one hundred dollars or more than one thousand dollars or undergo imprisonment in the county jail for not more than one year or both, in the discretion of the court. Now mind you, a member of the lower judiciary whom you elect to hear cases, and yet for a mistake of his judgment, he is to be taken before a jury, and there if that jury happens to find that he should have taken this fellow's bond, notwithstanding that he was right in his judgment, he is liable to a fine or imprisonment for making a mistake in judgment. Now crimes, gentlemen, never rise to that point Criminal law is not for the purpose of getting square with somebody. In most of our crimes there should be a malice in that crime before he should be convicted of a crime,—it makes no difference who it is, let alone a member of the lower judiciary, they should have to show malice, a wrongful intent. Why, there is nothing in this act that shows they have to show any malice at all, all they have to show is that he refuses to take a man's security and that in judgment of the jury they believe that that security was sufficient when he is a man that is obliged to pass upon it in the first instance. Now just think of it. Work it along in the other instance. Why, the justice of the peace may say, "I suppose before I decide on this man's bail case I better have a jury summoned and let them pass on whether or not this bail is sufficient, if I don't it may be that I should have held him, I better say all right." If he does take the bond and it is not sufficient he gets it from the court and the district attorney gets after him for not taking sufficient bail. Here is the fellow is between two fires, and if he makes a mistake he is guilty of a misdemeanor. It is not fair to put any justice of the peace or magistrate in that kind of position.

Mr. GOEHRING. Mr. Speaker, I am surprised at my friend Mr. Alexander, I thought he was too good a lawyer to speak against a bill of this kind. This bill is broad enough in its way. There are certain acts of assembly on crimes you might say that an alderman cannot take bail. The alderman cannot take bail, this says in bailable cases.

and off times an alderman may make a mistake and hold a man for court and say, "Here you go to court and get your bail." Suppose you have a hearing at 1:00 o'clock or 12:00 o'clock Saturday, and you are held for court the alderman won't take bail, although he could take bail, but he won't—do you know where you are going? You are going to jail until Monday morning, that is where you go, it does not make a bit of difference how innocent you are. Why? Because the district's office closes Saturday at noon and you cannot get out. Now, I think this is a very fair bill. If it had stated that it applied in all cases, then I would oppose the bill, but it very clearly says there, bailable offenses, and I would ask you to vote for this bill.

Mr. ALEXANDER. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Goehring.

The SPEAKER. Will the gentleman from Allegheny, Mr. Goehring, permit himself to be interrogated?

Mr. GOEHRING. Mr. Speaker, with pleasure.

Mr. ALEXANDER. Suppose a man is arrested and taken before you as sitting magistrate, and you hold him under a bailable case, understand, because I don't suppose anybody would be foolhearty enough to pass a law compelling him to take bail in an unbailable case. We will take the bailable case as you say, as he comes before you, you hold him in $1,000 bail. The next question you ask him, "What property have you?" that is I mean the bondsman, The bondswill say, "I own a piece of real estate." "What is the value of it," is the next question. "Well, it is worth $3,000." "What is against it?" "There is $2,000 against it." "When did you buy it?" "Well, I bought it about six months ago." "Where is it located," and you know that property and you beleive that that property is not worth over $2800.00, and his bail is $1,000 and you refuse to take it under this act of assembly, what is to become of you?

Mr. GOEHRING. Mr. Speaker and members of the House, in the first plase the alderman would not take his real estate bond without seeing the deed. The deed would set forth the consideration. The bondsman must take an affidavit that he owns that property, and what encumbrances are against it. If he swears to a lie he is guilty of perjury, and the magistrate has a right to say, "Your bond is not sufficient." He has a right to say that and turn down the bond. He has got to use good judgment. Make it a cash bond of $1,000, what is your answer.

Mr. ALEXANDER. Am I interrogating you, or are you interrogating me?

The SPEAKER. The gentlemen will confine themselves to the interrogation and not to a conversation.

Mr. ALEXANDER. Mr. Speaker, I should like to interrogate the gentleman further.

The SPEAKER. The gentleman will proceed.

Mr. ALEXANDER. Have you ever known of deeds being presented for properties worth considerable money where the consideration therein was given as $1.00?

Mr. GOEHRING. I have.

Mr. ALEXANDER. What would be the use of presenting a deed with the consideration of one dollar $1.00, to the alderman.

Mr. GOEHRING. The alderman has the right to ask you what the property is worth, what he paid for it, what was the true value of the property, or what it is assessed at. I can tell him that, and the alderman can go one step further than that. If it is Saturday afternoon and the court house is closed, the alderman can say, "You have a tax receipt. Bring that down." And the tax receipt very clearly states the assessed value of the property.

Mr. ALEXANDER. Suppose he would make an honest mistake under this act of assembly he is guilty of a misdemeanor.

Mr. GOEHRING. I would say not.

Mr. METCALF. Mr. Speaker, my good colleague the orator from Delaware county, has been seen fit to attack this bill because we happen to have certain conditions in Delaware county conditions that apply particularly all over the state, that is, questions of people being brought before the justice of the peace on bailable charges, and the justice of the peace refuses to grant them bail. We had a case of that kind not very long ago down in Chester, my good colleague knows all about it. The justice of the peace saw fit to send eight or nine of Chester's leading business men over to the county jail, he refused to accept bail. The judge of the court, when the warden of the jail refused to put them in a cell, the judge called them in the court room and discharged them,, and since that time the justice of the peace has himself been arrested on a charge. What we are trying to do is to get away from this condition. If you are brought before the justice of the peace at any time of the day or night and they are taking bail, and the justice of the peace refused to accept it, what happens? Now, this bill is perfectly clear, in the fact that it allows the justice of the peace to be the absolute judge whether the bail is adequate or not. It also only provides for the granting of bail on bailable charges and I urge you to vote for this bill.

Mr. ALEXANDER. Mr. Speaker my friend is a little mistaken on the facts of the case he speaks about. In order that that may be cleared up, the facts are these, and the gentleman that I think foisted this bill on my friend, was one of the actors in the case. A number of them had been arrested and taken before the magistrate, and when the magistrate made his decision and fined them, the lawyer in the case advised them to go home and they started and went home. They walked out of his office and ignored him entirely and went home. The next time they came down there without any bail at all, or offering any bail, but offered a lot of other things besides bail, they insulted the magistrate, and he sent them to the lockup. When they got to the lockup, I dont know what happened to them up there, but that magistrate was not arrested for that, he was arrested for assualt and battery but not for a misdemeanor of this kind or a mistake of judgment. He held them in bail and they have sued him as I say, in a civil action. They have the right to do that at the present time.

Mr. EDMONDS. Mr. Speaker, I would like to interrogate the gentleman from Delaware.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. ALEXANDER. Yes sir, Mr. Speaker.

Mr. EDMONDS. Mr. Speaker, I would like to ask the gentleman from Delaware, as to whether that is the same Delaware county, that on last night we were told had such good magistrates?

Mr. ALEXANDER. I might add there, yes, and it is those magistrates that I am trying to protect against the insults by members of the bar who don't know how to treat magistrates or justices of the peace when they go before them, and when they get their just deserts before them, come into the legislature and introduce such a bill as this. I have no time for anyone, I don't care who he is who cannot treat a magistrate or justice of the peace civilly when he goes before him, and when he fails to respect the dignity of the office, and if he is locked up, or gets put out of the office, or anything of the kind it is his fault if he does not know how to treat the magistrate. The magistrate is all right, it is the lawyer that is causing the trouble.

Mr. SPANGLER. Mr. Speaker, I am very much amazed and surprised after hearing of the paragons of virtue and ability that were represented in the minor judiciary of Delaware county, to find all of this time being taken up before the House in a dispute as to the judicial merits and equanimity of that splendid minor judiciary of Delaware county, and I think it certainly becomes the gentleman to explain the inconsistency that appears this evening in regard to this statements of last evening.

POINT OF ORDER.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny, Mr. Marcus, will state his point of order.

Mr. MARCUS. The gentleman is not talking on the bill.

The SPEAKER. The Chair rules that the point of order is well taken.

On the question recurring,

Shall the bill pass finally,

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—57.

Albert,
Allman,
Baker,
Behney,
Bell, F. A.,
Bell, W. T.,
Betts,
Blair,
Brown,
Chaplin,
Clutton,
Coldsmith,
Colville,
Diehm,
Driggs,
Earley,
Fowler, A. I.,
Frazier,
Goehring,
Golder,
Goss,
Henderson,
Hetrick,
Hoover,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Lauver,
Long,
Ludlow,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McCurdy,
McDaniel,
McDermott,
Metcalf,
Munley,
Orr,
Post,
Rippman,
Schleiter,
Soffel,
Spangler,
Stofflet,
Thomas, L. D.,
Thomas, M. G.,
Vickerman,
Walker,
Wheeler,
Williams, G. W
Wood, W. P.,
Zook,
Goodnough,
Speaker.

NAYS—71.

Alexander,
Anderson,
Arthur,
Bluett,
Brewster,
Bromley
Brownmiller,
Conner,
Dietz,
Dilsheimer,
Donahue,
Edmonds,
Flinchbaugh,
Flynn,
Fowler, D.,
Fratt,
Gelder,
Gibbon,
Grimes,
Gundy,
Harer,
Harter,
Haslett,
Heyburn,
Himes,
Hollis,
Keene,
Kennedy,
Kunkle,
Labar,
Little,
Lucas,
Marcus, J. C.,
Mathay,
McCaig,
McClure,
Miller,
Minehart,
Moffatt,
Myers, G. C.,
Myers, P. M.,
Nolte,
Ogle,
Patterson,
Peelor,
Perry,
Posey,
Raymond,
Rhodes,
Richards,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H.,
Smith, J. W.,
Sowers,
Sprowls,
Stark,
Stavitski,
Storb,
Storer,
Thompson,
Wells,
Whitehouse,
Woner,
Wright,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 353, as follows:

An Act to amend section eight of the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and fifty-nine) entitled "An act for the better protection of fish requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth or in the waters bounding or adjacent thereto and regulating the issuance of such license providing penalties for the violation of this act and the manner of proceeding to enforce compliance therewith ad providing for the disposition of the penalties recovered and license fees received" by making county treasurers agents of the Commonwealth in collecting license fees and issuing licenses

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight of the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and fifty-nine) entitled "An act for the better protection of fish requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth or in the waters bounding or adjacent thereto and regulating the issuance of such license providing penalties for the violation of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties recovered and license fees received" is hereby amended to read as follows

Section 8 The county treasurers of the several counties shall be agents of the Commonwealth for the collection of said license fees and the issuing of licenses A county treasurer may collect for his own use for services rendered under this act the sum of ten cents to be paid by the applicant for a license All license fees except said treasurer's fees paid to a county treasurer under this act shall be by such county treasurer paid into the State Treasury at least once a month to be applied to the purposes hereinafter provided Such county treasurer shall make a return to the State Treasurer upon a form to be supplied bv the Commissioner of Fisheries at the cost of the Commonwealth and shall in all such cases forward a duplicate of such report to the Commissioner of Fisheries at Harrisburg

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally,

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—150.

Alexander,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Blair,
Bluett
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Frazier,
Gibbon,
Gilchrist,
Goehring,
Golder,
Greeby,
Griffith,
Grimes,
Gundy,
Haines,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hoover,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
McKim,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Posey,
Post,
Price,
Raymond,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Schaeffer,
Schilling,
Schleiter,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 825, as follows:

An Act for the protection of owners of electric storage batteries upon which the word "rental" or any other word marked or character is printed painted stamped or attached to identify the same and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is unlawful for any person copartnership or corporation to remove or deface or alter or destroy or cause to be removed or defaced or altered or destroyed the word "rental" or any other word mark or character printed or painted or stamped upon or attached to any electric storage battery which has been so placed upon or attached to such electric storage battery to identify the same as belonging to or being the property of any person copartnership or corporation

Section 2 It is unlawful for any person copartnership or corporation to sell dispose of deliver or give or attempt to sell dispose of deliver or give to any person copartnership or corporation other than the owner thereof any electric storage battery upon which the word "rental" or any other word mark or character is printed painted or stamped or to which such word mark or character is attached for the purpose of identifying the said electric storage battery as belonging to or being the property of any person copartnership or corporation

Section 3 It is unlawful for any person copartnership or corporation engaged in buying selling or re-charging electric storage batteries to receive or retain in his their or its possession or to recharge any electric storage battery not owned by such person copartnership or corporation upon which the word "rental" or any other word mark or character is printed painted or stamped or to which word or mark or character is attached for the purpose of identifying the said electric storage battery as belonging to or being the property of any person copartnership or corporation

Section 4 It is unlawful for any person copartnership or corporation to retain in his their or its possession for a longer period than ten days without the written consent of the owner any electric storage battery upon which the word "rental" or any other word mark or character is printed or stamped or to which any such word mark or character is attached for the purpose of identifying the said electric storage battery as belonging to or being the property of any person copartnership or corporation

Section 5 Any person copartnership or corporation and the officers agents employes and members of any copartnership or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars or be imprisoned for a term not exceeding ninety days or both at the discretion of the court

On the question,

Will the House agree to the bill on third reading?

Mr. METCALF. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend section 1, page 2, line 1, by striking out the word "identfy" and inserting in lieu thereof: "identify"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objections? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1264, entitled.

An Act providing for the depositing of money as a forfeit for the appearance of persons arrested for certain offenses for hearing before a mayor or chief burgess and providing for the forfeiture and payment of the same into the city or borough treasury in case of non-appearance of person arrested

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally,

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—143.

Alexander,
Anderson,
Baker,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Craig,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fratt,
Frazier,
Gibbon,
Gilchrist,
Goehring,
Golder,
Greeby,
Grimes,
Haas,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hoover,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kunkle,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Mack,
Marcus, J.,
Marshall, J. G.,
McBride,
McCaig,
McClure,
McCurdy,
McDermott,
McKim,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Posey,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 204, as follows:

An Act directing the Governor with the assistance of a budget director and assistants to prepare and transmit to each General Assembly a budget for each of the two fiscal years next succeeding and to submit therewith a general and other appropriation and revenue bills providing for the consideration thereof by the General Assembly requiring spending agencies of the Commonwealth and the fiscal officers thereof to furnish certain information and providing for uniform systems of accounting and financial reports for control and supervision over the expenditures of the Commonwealth and for the lapsing of appropriations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That DEFINITIONS the words "fiscal year" as used in this act shall mean the period beginning on the first day of June of each year and ending on the thirty-first day of May of the year succeeding and shall be the year for which appropriations are made by the General Assembly

The words "spending agencies" as used in this act shall include the several departments and independent boards bureaus divisions and commissions comprising the executive branch of the State government the legislature and judicial branches of the State government and the several State semi-State and private institutions within the Commonwealth supported in whole or in part by or seeking assistance from the Commonwealth

Whenever any duty is imposed by this act upon any "spending agency" the same shall be performed by or under the direction of the head of the respective department board bureau division and commission and in the case of the legislative branch by the chief clerks of the Senate and House Representatives and in the case of the judicial branch by the prothonotaries of the Supreme and Superior Courts and the president judges of the several courts of common pleas orphans' courts municipal courts and county courts and in the case of State semi-State and private institutions by the board of trustees board of managers or other proper authority thereof

Section 2 GOVERNOR TO PREPARE AND SUBMIT BUDGET The Governor shall in accordance with this act bienially prepare and transmit to each General Assembly a budget for each of the next two succeeding fiscal years

Section 3 BUDGET DIRECTOR ASSISTANTS The Governor shall with the advice and consent of the Senate appoint a budget director who shall hold office at the pleasure of the Governor

The budget director shall receive an annual salary of seven thousand five hundred ($7,500) The Governor may instead of appointing a budget director designate any existing appointed State officer as the budget director in which case no additional salary shall be paid to such officer With the consent of the Governor the budget director may appoint necessary assistants and fix their salaries

Section 4 POWERS OF BUDGET DIRECTOR In the preparation of the biennial budget the budget director shall perform such duties as may be assigned to him by the Governor and in the performance of such duties he shall have and possess all the powers herein granted to the Governor

Section 5 DISTRIBUTION OF ESTIMATE BLANKS CONTENTS Not later than November first of each even-numbered year the Governor shall distribute suitable blanks for the preparation of budget estimates to each of the several spending agencies of the Commonwealth Upon request made in writing the Governor shall also furnish estimate blanks to any private institution not theretofore receiving State-aid The budget estimate blanks shall be in such form and call for such information as the Governor may require

Section 6 RETURN OF INFORMATION ON ESTIMATE BLANKS Each spending agency shall not later than December fifteenth of each even-numbered year return to the Governor the estimate blanks with the complete information required including complete information as to receipts and expenditures from special funds Such estimates shall be accompanied by a statement in writing giving facts and explanation of reasons for each item of appropriation requested

Section 7 INFORMATION FROM AUDITOR GENERAL The Auditor General shall by December fifteenth of each even-numbered year furnish to the Governor (a) a classified statement of revenues and expenditures during the two fiscal years last ended and the first six months of the current year (b) a classified statement of appropriations applicable to or available in the current fiscal year together with the amounts of such appropriations unexpended and unencumbered on December first of the current fiscal year (c) a balance sheet of the State's finances on December first of the current fiscal year (d) an itemized statement of balances in the general and special funds as of December first of the current fiscal year and (e) a classified statement of estimated revenues in the current and two next succeeding fiscal years

Section 8 INFORMATION FROM STATE TREASURER The State Treasurer shall prior to the meeting of each General Assembly and at times as may be requested by the Governor furnish to him a statement showing the amount of money required to be appropriated by the General Assembly for the two succeeding fiscal years for payment into the sinking fund of the Commonwealth to pay the interest upon the funded debt and to provide for the retirement of the same at maturity

Section 9 HEARINGS REVIEW OF APPROPRIATION REQUESTS The Governor in his discretion may take further inquiries and investigations as to any item of appropriation desired by any spending agency Before submitting his budget to the General Assembly the Governor shall hold such official hearings on the appropriation requests as he deems necessary and at least one joint public hearing thereon with the chairman of the respective appropriations and finance and ways and means committeees of the Senate and House of Representatives and the Auditor General and State Treasurer The Governor's tentative budget including the tentative drafts of bills to carry into effect his recommendations shall be presented and distributed to agencies requesting appropriations and upon request to citizens and taxpayers in ample time for use at such joint public hearings Any agency requesting a State appropriation and any citizen and taxpayer shall have a right to be heard at such public hearing on any matter relating to the Governor's budget When such hearings are completed the Governor shall review all information in his possession with regard ot the probable revenues and expenditures of the Commonwealth and shall revise an appropriation requests in such manner as to keep the expenditures of the Commonwealth for the two next succeeding fiscal years within the probable revenues under laws in force or recommended by the Governor

Section 10 SUBMISSION OF BUDGET CONTENTS The Governor shall not later than the first day of March of each odd-numbered year transmit to the General Assembly a budget in printed form for each of the two next succeeding fiscal years The budget shall cover all expenditures to be made from the general fund and from all special funds and it shall contain a statement balancing appropriations recommended with revenues available or proposed and a summary statement comparing by spending agencies the appropriations recommended with the expenditures incurred in the two completed fiscal years just preceding or with the expenditures authorized in the current biennium It shall also show in itemized form (a) the amounts expended during the last two completed fiscal years and an estimate of the expenditures for the current fiscal year (b) the appropriations requested for each of the next two fiscal years (c) the Governor's recommendations thereon (d) explanation of increases and decreases and (e) an estimate of revenues available from the general and special funds in the current and two next succeeding fiscal years The itemized statement of appropriations recommended or expenditures proposed shall be classified by organization units and shall show in detail for each spending agency by objects of expenditure the purpose of each appropriation Such statement shall further indicate whether the appropriation recommended or expenditure proposed is for capital maintenance or operation purposes

Section 11 SUBMISSION OF APPROPRIATION BILLS With the budget for each of the two next succeeding fiscal years the Governor shall transmit to the Speaker of the House of Representatives and the President pro-tempore of the Senate a general appropriation bill covering the needs of the executive legislative and judicial departments of the State government interest on the public debt and for the public schools The bill shall include appropriations to departments from special funds which are devoted to particular purposes but said appropriations shall only be for purposes for which said funds were created The Governor shall also submit individual bills for all special appropriations which he deems necessary and proper

Section 12 FORM OF APPROPRIATION BILLS AND LAWS All appropriation bills submitted to the Governor or enacted by the General Assembly shall include separate appropriations for each of the two succeeding fiscal years and so far as practicable such appropriation bills shall follow the classification adopted in the Governor's budgets

All appropriation bills submitted by the Governor or enacted by the General Assembly shall state specifically the fund from which the appropriation is to be made and the purpose for which the appropriation is to be expended

In the appropriation to the spending agency or agencies having charge of the purchase of supplies and printing and binding the Governor shall in each case set forth in schedule form the amount of the total appropriation for such purpose which is set aside for each spending agency and the General Assembly shall in all appropriation bills specifically limit each such spending agency in the amount of supplies and printing and binding which it may requisition The items in the general appropriation bill and all separate appropriation bills making appropriations to spending agencies shall however also show the amounts set aside for such spending agencies in the appropriations to the spending agency or agencies having charge of the purchase of supplies and printing and binding

The Governor may in the case of State semi-State and private institutions classify the same and submit bills making lump sum appropriations to classes of institutions with a schedule thereto attached showing the amount to be appropriated to each institution in accurate and direct proportion to the services it renders

Salaries recommended in the Governor's appropriation bills or fixed in the appropriation bills shall be based upon a uniform schedule for employees engaged in the same character of work

Section 13 REVENUE BILLS Whenever the Governor deems it necessary to revise existing revenue laws or to provide new sources of revenue he shall submit appropriate revenue bills with his budget statements and appropriation bills All such revenue bills shall be introduced only in the House of Representatives

Section 14 CONSIDERATION OF APPROPRIATION AND REVENUE BILLS BY GENERAL ASSEMBLY ADJOURNMENT The appropriations finance and ways and means committees of the Senate and House of Representatives respectively shall not later than March fifteenth hold joint meetings and joint public hearings on the appropriation and revenue bills submitted by the Governor and other revenue bills introduced At such hearings all citizens and taxpayers shall have a reasonable opportunity to present their views on any matter relating to appropriations and revenues In the exercise of the power granted by the Constitution the General Assembly may strike out or otherwise alter any item in any appropriation bill and may add new items thereto or in any other manner amend the same or any other bill submitted by the Governor and may permit the introduction consideration and passage of any substitute or other appropriation and revenue bills

The General Assembly shall in no case adjourn until the general appropriation bills enacted by the General Assembly has been finally acted upon by the Governor or been repassed over his veto

Section 15 UNIFORM ACCOUNTS QUARTERLY REPORTS LAPSING OF APPROPRIATIONS In order that the Governor may collect reliable information to assist in the preparation of biennial budgets and correctly ascertain the financial condition of the Commonwealth it is hereby provided

(a) That the Governor shall after due investigation prescribe a uniform system for the accounts financial reports and statements of all spending agencies

(b) That no appropriations shall become available for expenditure by any spending agency until such agency shall submit to the Governor quarterly estimates of the amount required for each activity to be carried on and such estimates have been approved by the Governor and each spending agency shall keep accounts and render monthly reports of expenditures for each activity to the Governor in such form as he may prescribe

(c) That all unexpended appropriations made by the General Assembly except for constructions under way or where any contract is let shall lapse into the fund from which appropriated at the end of the fiscal year for which such appropriation was made

Section 16 PRESERVATION OF BUDGET INFORMATION The information material and data collected by the Governor shall be preserved permanently in the Governor's office and be placed at the disposal of each incoming executive

Section 17 CONSTRUCTION The provisions of this act are severable and if any of its provisions are declared unconstitutional such decision shall not affect any of the remaining provisions of this act It is hereby declared as a legislative intent that such provisions would have been enacted had such unconstitutional provisions not been included therein

Section 18 All acts and parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to,

On the question,

Shall the bill pass finally?

Mr. EDMONDS. Mr. Speaker and gentlemen of the House, I would like to say just a word or two with reference to House Bill No. 204. There is a slight history back of that bill. At the last session of the legislature it was felt by a great many members of the House, that at the opening of the session there should be a complete financial report of the condition of the Commonwealth presented to the members of the general assembly. In consultation with the gentleman who was then the Governor of Pennsylvania, Governor Sproul, he agreed with the point of view that there ought to be somebody appointed for the purpose of drafting and preparing and submitting a budget of the finances of the state. There was a budget bill prepared which passed the last House unanimously which was the last week of the session and there was no time for favorable action in the Senate. Then the State Chamber of Commerce took hold of the question and for two years the State Chamber of Commerce has been working on the question of budget with the idea of preparing a bill which would embody a practical plan for Pennsylvania. This bill, 204, is the bill that was prepared and recommended by the State Chamber of Commerce. Now, the idea is as follows: That each year the Governor shall be called upon for estimates of income and expenditure, a statement of which is to be submitted to the legislature by the first of March, a compelte statement on the subject together with such appropriation as he recommends and such revenue sources as he recommends, so that the whole of the physical data would be given by the executive to the legislature at the end of the first two months of the session. I feel sure that if we had had the data prepared two years ago, it would have saved a great many distressing scenes in the last legislature, and I feel sure that if we had had this kind of legislation provided for by law at this session, we perhaps would have saved some time in getting along with our deliberations. Now, it is the plan of the act to provide for a budget director, who is to be appointed by the Governor, and, if he is a new official, at a salary of $7500.00 but he may also appoint a man from among the appointive offices of the Commonwealth, in which case his services is to be rendered without receiving a salary. I make this explanation because I think it is only fair to the State Chamber of Commerce, because they spent a great deal of money in comparing the various budget systems of many states, and they have in this draft practically all of the features of the budgets in other states which can be applicable to this Commonwealth.

Mr. ALEXANDER. Mr. Speaker and members of the House, I am heartily in favor of a budget. I am in favor of a budget because I think it is a step toward economy, I am not, however, in favor of a budget that is going to have surrounding it a lot of machinery that is going to cost the state a lot of money. I can see no reason why one of the fiscal agents of the Commonwealth, especially the Auditor

General, cannot furnish all the data that is intended in this act of assembly that the budgeteer shall furnish. This provides, I am referring now to page 3 of the bill, that, "The budget director shall receive an annual, salary of $7,500. The Governor may, instead of appointing a budget director, designate any existing state officer as the budget director in which case no additional salary shall be paid to such officer." Then why give the Governor the right to appoint someone that is going to get $7,500, and give that same man the right to appoint his assistants that are necessary and fix their salaries. Now, this reorganization that we speak about is a reorganization, or should be a reorganization, toward economy and efficiency, but no reorganization is a proper reorganization that does not tend toward efficiency and economy. Why, there are hundred of kinds of reorganizations. You can take this department out of this, and put it over there, and another out of there and put it somewhere else, but that is not the purpose of reorganization. Every great enterprise that we know of take the Standard Oil Company, for instance, when they reorganize, what did they do? They reorganize for the purpose of cutting down overhead expenses. Just assume here, with the appointment of a budget director, and it admitted in this bill by the very words of the bill, that he may appoint someone, it provides for an appointive officer, and there be no objection to that, but why not appoint the Auditor General who is elected by the people of Pennsylvania and who has every bit of data in his office that is necessary to make up a budget. It seems to me, therefore, that while we are reorganizing, and I ask the gentleman, who is the sponsor of this bill, in order that we may perhaps defeat the whole object of a budget, I don't want to defeat the whole object of a budget, but if there is nothing to be gained in the end except that of putting up a lot more machinery that is going to cost the taxpayers money, when that can be accomplished just as easy without it, then I say we might as well defeat the budget first and last. If they want to amend it so that that same purpose that same object can be arrived at without the extra machinery, and the extra expense, and as I said before, and I repeat it, to emphasize it, that the fact that they say in here that the Governor may appoint an appointive officer in which instance he received no salary, now is the time to do it.

Mr. EDMONDS. Mr. Speaker, I am very glad of the informing discussion that there has been upon this bill. I am absolutely glad to hear the criticisms of my friend from Delaware county, if he has quarreled with his roommate, I don't wonder that he quarrels with me. Now, the fact of the matter is that the office of budget director in this Commonwealth is a big office, and it is money saved to the Commonwealth if it can get the right kind of man. You won't waste money by creating a $10,000 position for a $10,000 man and putting a $10,000 man in the job, but you do waste money by creating a $12,000 position for a $4,000 and putting an $8,000 man on the job. In the first place it is gain, and in the second place it is waste. It gives you the highest kind of ability, which is gain to the people and which is the kind of ability that you need in a budget of this kind. Now, my friend says why cannot the Auditor General do it. The Auditor General can make a report upon the receipts and expenditures for the past two years, and the present Auditor General has submitted to this legislature a most excellent and informing report of that kind. The Auditor General can give you an estimate of revenue from existing taxes for the next two years, because he has got experience with it and the present Auditor General has given estimates along precisely that line, but these things are not the only function of a budget. You lose sight of the primary importance of a budget if you confine it to bringing in what the estimated income of the State is. What is equally important is to put down the estimated cost of the program of the state. Someone has got to go through the state departments and find out what it costs to do the work of the departments correctly and then put an estimate of that cost down there, and that is the reason why in all of the states of the union, with I think two or three exceptions, the tendency is strong now towards what is called an executive budget, because it is only only executive in charge of these various branches of the states work, it is only the executive who can do that, who can work out a proper budget along these lines. Now, that is the reason why it seems to me that a budget is a good thing. My feeling is that this is not a thing to be regarded as part of any other legislative program. It should stand by itself, either as a meritorious or a non-meritorious piece of legislation. Its antecedents I have explained to you. If it can be put through it affords a method whereby future legislatures may receive all the information that they should have. If it cannot be put over, why then, of course, the bill falls.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Edmonds.

The SPEAKER. Will the gentleman form Philadelphia, permit himself to be interrogated?

Mr. EDMONDS. Yes, Mr. Speaker.

Mr. JOSEPH C. MARCUS. How much money approximately will it take to render the efficiency that your bill provides for?

Mr. EDMONDS. It would seem to me that it would be necessary to establish an office which would have in the first place a director. He must be a man of some experience in accounts and in state affairs, and in the second place a certain number, two, three or four subordinates for the purpose of attending to the definite work. I understand that the Governor's estimate for that Department of Accounts, was, I think, $35,000 a year, but in that department I have in mind there was a good deal more than would fall in the line of the director. My feeling would be, making the comparison with some of the other states where I have seen the figures, it would run perhaps from eighteen to twenty-five thousand dollars a year.

Mr. JOSEPH C. MARCUS. Where are you going to get the money?

Mr. EDMONDS. For this?

Mr. JOSEPH C. MARCUS. Yes.

Mr. EDMONDS. The money itself is not appropriated by this bill. The bill requires an appropriation to make it active, that is to say, it would have to be provided for specifically in some appropriation bill. I don't know the way in which the money will be appropriated, but I am inclined to think that in the next two or three weeks the money which is necessary for the state to function will be there. I am absolutely convinced that the state of Pennsylvania is going on and that the money will be provided that will enable it to do its duty.

Mr. JOSEPH C. MARCUS. Mr. Speaker and members of the House, in view of the fact that we have been facing the problem since the beginning of this session of how we are to raise additional revenue, it would strike me that the conservative men and women of this House would surely not be a part of a program, which the Governor has outlined, that we have been on a joy-ride and therefore we must economize. If we are going to economize and permit bills of this nature to pass, it strikes me that we will be in this House until November of 1923. I believe it would be the sane policy of the members of this House to vote down measures of this kind regardless of how meritorious they may be, how efficient they may be, and how productive of results they may be. We are past that stage, we are down to business. Whether we are going to adopt some of the measures the Ways and Means Committee has presented to us is a weighty problem. The time has come for us to get down to business and to pass bills like this up for the present. Therefore, I think it would be wise at this time to vote this bill down.

Mr. DUNN. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Edmonds.

The SPEAKER. Will the gentleman permit himself to be interrogated

Mr. EDMONDS. Yes, Mr. Speaker.

Mr. DUNN. I would like to ask the gentleman from Philadelphia what is the cost of the budget prepared by the Mayor of Philadelphia under the new charter?

Mr. EDMONDS. I am not able to pass upon the costs, I have only got newspaper knowledge of it. I was not, as a matter of fact, in any official position which required me to examine it, and outside of in a general way saying that I know it provided for a certain number of millions of dollars, I have no knowledge as to the nature of it.

Mr. DUNN. Is it your opinion that it is working satisfactorily?

Mr. EDMONDS. I could not even answer that. I have not heard very much creticism. It may be that there is ground for it, but I have not heard it.

Mr. DUNN. Looking at this portion in regard to the appropriation of $7,500 for a budget director, further on in that section it says, "may appoint necessary assistants and fix their salaries." There is no limit to that then. Now, under the budget prepared by the Mayor of Philadelphia, under the charter, it provides for an expenditure of money greater than the state expends in a year, over $56,000,000 for current expenses, and no doubt there is an enormous amount of work in preparing that and it don't cost the city of Philadelphia one penny.

Mr. GILDER. May I beg your indulgence for just a moment, because there is another angle to this bill that has not been covered. I agree with Mr. Edmonds that the state will raise the money needed, but I will go a step further and say that if we have to raise it we should have something to say about spending it. In this bill the Governor would submit to the legislature, as was done to the present legislature, his ideas as to what the legislature should do. I call your attention particularly to this bill on page 8, file folio 5356, in which the following language appears: "The Governor may in the case of state, semi-state and private institutions classify the same and submit bills making lump sum appropriations to classes of institutions, with a schedule thereto attached showing the amount to be appropriated to each institution in accurate and direct proportion to the service it renders." It occurs to me that we have gone to the other end which many of us have been facing, that if we are going to raise the revenue, we will use our own judgment, accepting any assistance we can get, as to how that money is to be appropriated. I don't think any of us are entirely satisfied that the lump sum idea works out to the best satisfaction. There is another thought that occurs to me in considering this bill, and that is this: That the legislature will appropriate a certain amount of money to be used by the legislative branch of the state government, but that money cannot be expended until the governor approved it because on page 2 of this bill, it is stated that the words, "spending agency," shall include the legislative branches of the state government, so that the legislative branch of the state government which means the House and Senate is the spending agency, and then you turn over to the last page of the bill, page 10, and it states, "that no appropriations shall become available for the expenditure by any spending agency until such agency shall submit to the governor quarterly estimates of the amount required for each activity." Wouldn't that be a fine condition? We sit here as a legislative body and we have an Appropriation Committee, and we decide that the legislature shall have for the next two years a certain amount of money and we come here and we pass it, and the Senate passes it, but before we can spend the money which we have appropriated for our own use, we have got to ask the Governor for permission to do so, because for every quarterly period we have got to submit to the governor that for the next four months or six months we are going to spend so much and say, "Won't you please let us do it."

What a travesty it would be for us to appropriate money for our work. So it occurs to be for these two reasons, among other reasons submitted by the gentlemen who have spoken in opposition to this bill, the bill should be voted down.

Mr. EDMONDS. Mr. Speaker, I feel heartily appreciative to the gentlemen who have criticized this bill for the very helpful and honest suggestions which they have made. I don't think that the colors which they have used in their painting have been in any way under-emphasized. For instance, at the present time, we appropriate money for the legislature, and as an appropriation it has to be approved by the governor. There is no doubt whatever about that. The fact to my mind is clear that in order to regulate expenditures we have got to bring them under some unit fiscal control. I order to regulate expenditures, you have got to have some uniformity of method to bring them all together and the budget is that method. If the governor recommends appropriation bills, the legislature still has its freedom either to increase or decrease or introduce new bills. Now, suppose there is no limitation along that line. All that this bill attempts to do is to gather and get the information at the beginning of the session which a legislature needs in order to act intelligently. That is the object of any budget bill, and that is the object of the budget bills that are prepared by all corporations of this size. Now, as a business corporation we have a method presented to us whereby we can get the financial information that we need. It may not perhaps be a perfect bill, although no amendments have been suggested to it, but is it not at any rate better than nothing, which it what we have now.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—87.

Anderson,
Armstrong,
Beaver,
Bell. F. A.,
Betts,
Blair,
Brewster,
Brown,
Clutton,
Harer,
Haslett,
Henderson,
Himes,
Hollis,
Hoover,
Howell,
Irvin,
Jones, C. B.,
McCurdy,
McDaniel,
McDermott,
McVicar,
Metcalf,
Millar,
Minehart,
Moffatt,
Morrison,
Smith, G. A.,
Stark,
Stevens, A. J.,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,

Coldsmith,
Conner,
Dietz,
Edmonds,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fratt,
Frazier,
Gallaher,
Gelder,
Goss,
Griffith,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kunkle,
Labar,
Lauver,
Long,
Ludlow,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McClure,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Posey,
Post,
Raymond,
Richards,
Rippman,
Sample,
Schleiter,
Shambach,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse.
Whiteman.
Williams, G. W.,
Woner,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS---59.

Alexander.
Arthur,
Baker,
Bell, W. T.,
Berger,
Bluett,
Boback,
Brenneman,
Bromley,
Brownmiller,
Burns,
Bush,
Colville,
Craig,
Dilsheimer,
Donahue
Driggs.
Dunn,
Eaches,
Evans, B. P.,
Fowler, D.,
Gibbon,
Golder,
Grimes,
Guerin,
Harter,
Haws,
Hetrick,
Heyburn,
Huber,
Little,
Lucas,
Mack,
Marcus, J. C.,
Mathay,
McCaig,
Miller,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Perry,
Rhodes,
Sarig,
Sautter,
Schilling,
Schoener,
Schwartz,
Sheridan,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Sprowls,
Stavitski,
Steedle,
Stofflet,
Storb,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 314, as follows:

An Act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business through a bureau in the department of the Secretary of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the Real Estate Brokers' License Act of one thousand nine hundred and twenty-three

Section 2 (a) The term "real estate broker" shall include all persons copartnerships associations and corporations foreign and domestic who for another and for a fee commission or other valuable consideration shall sell exchange purchase or rent or shall negotiate the sale exchange purchase or rental or shall offer or attempt to negotiate the sale exchange purchase or rental or shall hold himself or themselves out as engaged in the business of selling exchanging purchasing or renting of any real estate or interest in real estate the property of another whether the same shall be located within the State of Pennsylvania or elsewhere or shall collect or offer or attempt to collect rental for the use of real estate the property of another or shall negotiate or offer or attempt to negotiate a loan secured or to be secured by mortgage or other encumbrance upon a transfer of any such real estate It shall also include any person copartnership association or corporation employed by the owner or owners of lots or other parcels of real estate at a stated salary or upon a commission or upon a salary and commission basis or otherwise to sell such real estate or any parts thereof in lots or other parcels and who shall sell or exchange or offer or attempt to negotiate the sale or exchange of any such lot or parcel of real estate One act in consideration of compensation by fee commission or otherwise of buying selling renting or exchanging any such real estate of or for another or attempting or offering so to do or negotiating a loan upon or leasing or renting or placing for rent any such real estate or collection of rent therefrom shall constitute the person copartnership association or corporation so acting or attempting to act a real estate broker within the meaning of this act

(b) The term "real estate salesman" shall mean and include any person employed by a licensed real estate broker to sell or offer for sale to buy or offer to buy or to negotiate the purchase sale or exchange of any real estate or interest in real estate the property of another or to negotiate a loan upon real estate or to lease or rent or offer to lease or rent or place for rent any such real estate

(c) Neither of the said terms "real estate broker" or "real estate salesman" shall be held to include within the meaning of this act any attorney at law when acting for or under due authority from his client nor shall they be held to include any recever trustee in bankruptcy or any other person or corporation acting under the appointment or order of any court or as trustee under the authority of a will or deed of trust or in any other fiduciary capacity

Section 3 There is hereby created in the Department of the Secretary of the Commonwealth a bureau to be known as the Pennsylvania Real Estate License Commission for the issuance of real estate brokers' and salesmen's licenses under the provision of this act and the supervision and control of all such licensees as hereinafter specifically provided

Section 4 The Governor shall on or before October first nineteen hundred and twenty-three appoint to be members of the said Commission three persons whose vocation for a period of at least seven years prior to and at the date of their appointment shall have been and be that of a real estate broker or real estate salesman These appointments shall be confirmed by the State Senate and the chairman of the Commission shall be designated by the Governor One member shall be appointed for a term of one year one member shall be appointed for a term of two years and one member shall be appointed for a term of three years and until their respective successors shall be appointed and qualified thereafter the term of the members of said Commission shall be for three years and until their successors shall be appointed and qualify Members to fill vacancies appointed in nineteen hundred and twenty-three shall organize within two weeks from date of appointment and then prepare to issue licenses on January first nineteen hundred and twenty-four and may do all things convenient for carrying into effect the provisions of this act and to that end may from time to time adopt and promulgate and regulations necessary for the administration of the act In subsequent years the commission shall organize immediately upon the qualifications of the new member appointed

Each member of the Commission shall receive as full compensation for each day actually spent on the work of said Commission the sum of ($25.00) per day and his actual and necessary expenses incurred in the performance of duties pertaining to his office

Section 5 A secretary of this commission shall be appointed by the Governor to hold office during his pleasure and subject to the approval of the Governor the Commission shall employ and at its pleasure discharge such deputies clerks and assistants as shall be deemed necessary to discharge the duties imposed by the provisions of this Act and shall outline their duties and fix their compensation subject to the general laws of the State

Section 6 The Board of Commissioners of Public Grounds and Buildings shall furnish and equip suitable rooms at the Capitol for the use of said Commission The Printing for said Commission shall be done by the State Printer or on requisition of the Commission to the Superintendent of Public Printing and Binding

Section 7 From and after the date of approval of this act all monies collected by this Commission as license fees charges or otherwise shall be paid by the Commission into the general fund of the State Treasury All expenses incurred by the Commission under the provisions of this Act including compensation to members secretaries clerks and assistants shall be paid out of the general fund in the State Treasury upon warrants of the Auditor General from time to time when vouchers therefor are exhibited and approved by the Commission provided that the total expense for every purpose incurred shall not exceed the total fees and charges collected and paid into the State Treasury

Section 8 The Commission shall adopt a seal with the words "Real Estate License Commission of the Commonwealth of Pennsylvania" and such other device as the Commission may select A description of the seal with the impression thereof shall be filed in the office of the Secretary of the Commonwealth

Section 9 (a) Copies of all records and papers or documents filed in the office of the Real Estate License Commission and as well of all proceedings by or before the commission or any of its deputies with the commission's action thereon and stenographic notes of testimony or other evidence submitted when certified under the hand and seal of the commission shall be admitted to be read in evidence in all courts in this Commonwealth in all cases where the originals would be admissible in evidence under the provisions of this act Provided That in any proceeding the court having jurisdiction may on cause shown require the production of the original

(b) For every copy of paper filed with the Real Estate License Commission in any proceedings before it the commission may charge such fees as it may be general rule or regulation prescribe

Section 10 Neither the Members of the Real Estate License Commission nor any deputy clerk or other employe of the said bureau shall directly or indirectly wilfully exhibit publish divulge or make known to any person or persons any record report statement letter or any other matter fact or thing contained among the papers documents or records of said bureau or ascertained from any of the same or from any investigation or proceedings made or held under the provisions of this act by or before the commission or any of its deputies excepting in such manner as is expressly authorized by this act and excepting when the production of such information in any proceedings any court is duly required by subpoena issued by special order of the court or other regular process and any violation of the provisions of this section shall be a misdemeanor upon conviction whereof the person so offending shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars and shall be dismissed from his appointment by said commission

Provided however That the provisions of this section shall not apply to any ruling or decision of the commission with the record relative thereto and upon which the same was founded which ruling or decision shall have been duly made and entered under and in accordance with the provisions of this act after investigation and or hearing as hereinafter provided All such records shall immediately upon the entry of such ruling or decision become public records of the Real Estate License Commission subject to inspection by any person interested

Section 11 From and after January first one thousand nine hundred and twenty-four it shall be unlawful for any person copartnership association or corporation to engage in or carry on the business or act in the capacity of a real estate broker or a real estate salesman within this Commonwealth without first obtaining a license as real estate broker or real estate salesman from the Real Estate License Commission

Section 12 (a) It shall be the duty of the Real Estate License Commission upon payment of license fees required by this Act to issue licenses as real estate broker or real estate salesman to all individuals and as real estate broker alone to all copartnerships associations and corporations who shall be duly qualified under and shall comply with the provisions of this Act

(b) Applications for licenses as real estate broker shall be made in writing to the Real Estate License Commission upon a blank provided for the purpose by the said bureau and shall contain such information as to the applicant or when the application is made by a copartnership association or a corporation as to its members or officers as the Commission shall require the application shall be signed by the applicant and shall be accompanied by the recommendation of at least two citizens not related to the applicant or in the case of a co-partnership or corporation to any member or officer thereof who shall be owners of real estate within and residents of the county in which the applicant resides or has his their or its place of business certifying to the honesty truthfulness and good repute of the applicant or in the case of a copartnership association or corporation its members or officers by name and recommending that a license be granted the applicant If the applicant or in the case of a copartnership or corporation any of its members or officers shall have resided or shall have engaged in business for less than one year in the county from which the application is made such application shall also be accompanied by the recommendation of at least two (2) real estate owners not related to the applicant of each of the counties where he or each of such members or officers has formerly resided or engaged in business during the said period of one year prior to the filing of such application certifying to the honesty truthfulness and good repute of the applicant or its members or officers by name and recommending that the license be granted Where the applicant for a real estate broker's license maintains more than one place of business within the Commonwealth he shall be required to apply for and procure a duplicate license for each branch office so maintained by him such duplicate license to be issued with an additional charge of five dollars for each additional office or place of business Every such application shall state the name of the person copartnership association or corporation and the location of the place or places of business for which such license is desired and the license shall expire December thirty-first of the year issued unless sooner revoked by the Real Estate License Commission

(c) Application for licenses as real estate salesman shall be made in writing to the said Commission signed by the applicant setting forth the period of time during which he has been engaged in the business stating the name of the last employer and the name and place of business of the person firm copartnership association or corporation then employing him or into whose employ he is then about to enter All applications shall be made upon a blank provided for the purpose by the Real Estate License Commission and shall contain such information as to the applicant in addition to the above prescribed as the Commission shall require The application shall be accompanied by the recommendation of his employer or prospective employer certifying that the applicant is honest truthful and of good repute and recommending that such license be granted All such licenses shall expire December thirty-first of the year issued unless sooner revoked by the Real Estate License Commission

(d) The Real Estate License Commission may require such other and further evidence as it may deem advisable of the qualifications of any applicant for a license or of the members of any copartnership or of the officers of any association or corporation making such application before issuing such license

(e) Authority to transact business as a real estate broker or real estate salesman under any license issued by the Real Estate License Commission shall be restricted to the person named in such license and shall not inure to the benefit of any other person or persons whatsoever Where a real estate broker's license shall be issued to a corporation or association authority to transact business thereunder shall be limited to one officer of such corporation or association to be designated in the application and named in the license Each other officer of such association or corporation desiring to act as a real estate broker in connection with the business of the said association or corporation or otherwise shall be required to make application for and take out a separate license in his or her own name individually Where the licensee is a copartnership the license issued to such copartnership shall confer authority to act as real estate broker upon one member of such copartnership only who shall be designated in the application and named in the license all the other members of such copartnership shall be required to apply for and take out individual license in their own names

(f) A non-resident of this state may be licensed as a real estate broker or a real estate salesman upon complying with all the provisions and conditions of this act relative to resident brokers and salesmen

(g) In connection with the application of a non-resident of this state for a license as Real Estate Broker or Real Estate Salesman the Real Estate License Commission may accept in lieu of the recommendations and statements otherwise required to accompany the application for such license the license (as real estate broker or real estate salesman) issued to such applicant by the proper authority of the state of his domicile upon the payment by the applicant of the proper license fee and the filing with the Commission of a duly certified copy of the license issued to such applicant by such other state In such case the licensee shall not be required to maintain a definite place of business within this state provided that he if a broker shall maintain an active place of business within the state of his domicile Provided however and it is hereby expressly stipulated that the provisions of this sub-paragraph "(g)" of Section twelve of this act shall only apply to licensed real estate brokers and real estate salesmen of those states under the laws of which similar recognition and courtesies are extended to licensed real estate brokers and real estate salesmeen of this state Provided further that every non-resident applicant shall file an irrevocable consent that suits and actions may be commenced against such applicant in the proper court of any county of this State in which a cause of action may arise in which the plaintiff may reside by the service of any process or pleading authorized by the laws of this State on the Secretary of the Commission said consent stipulating and agreeing that such service of such process or pleading on said secretary shall be taken and held in all courts to be as valid and binding as if due service has been made upon said applicant personally within the State Said instrument containing such consent shall be authenticated by the seal thereof if a corporation or by the acknewledged signature of a member or officer thereof if otherwise All such application except from individuals shall be accompanied by the duly certified copy of the resolution of the proper officers or managing board authorizing the proper officer to execute the same In case any process or pleadings mentioned in the case are served upon the Secretary of the Commission it shall be by duplicate copies one of which shall be filed in the office of the Commission and the other immediately forwarded by registered mail to the main office of the applicant against which said process or pleadings are directed

Section 13 The fees to be charged and paid to the Real Estate License Commission by licensees for all licenses issued shall be as follows

(1) For each real estate broker's license a fee of twenty dollars ($20.00) Provided That there shall be an additional license fee of five dollars for each additional office or place of business

(2) For each license as real estate broker issued to an officer of a corporation or association or member of a copartnership other than the office or member named in the license issued to such association corporation or copartnership a fee of ten dollars ($10.00)

(3) For each real estate salesman's license a fee of five dollars ($5.00)

(4) Provided however that for any and all licenses issued subsequently to the first day of July in any year the license fee charged shall be but one-half of the annual license fee as respectively above prescribed The fee herein prescribed for real estate broker's and real estate salesman's licenses shall be in lieu of any and all other license fees or license taxes imposed or to be imposed upon real estate brokers and real estate salesmen by this Commonwealth or any subdivision thereof

Section 14 (a) Every person co-partnership association or corporation licensed as real estate broker under the provisions of this act shall be required to have and maintain a definite place of business within the Commonwealth which shall serve as his their or its office for the transaction of business under the authority of the said license and where the license shall be prominently displayed The said place of business shall be specified in the application for license and designated in the license and no license issued under the authority of this act shall authorize the licensee to transact business from any office other than that designated with licensee Notice in writing shall be given to the commission of any change of business location within ten days thereof whereupon the Commission shall forthwith issue a new license for the unexpired period without charge The change of the specified business location without notification to the said commission and the issuance by it of a new license therefor shall automatically cancel the license theretofore issued

(b) All real estate brokers shall also prominently display in their place or places of business the licenses of all real estate salesmen employed by them therein or in connection therewith All licenses issued to real estate salesmen shall designate the employer of such salesmen by name Prompt notice in writing shall be given to said commission by the real estate salesmen of any change of employer and of the name of the new employer into whose services such salesman is about to enter or has entered and a new license shall thereupon be issued without charge by the commission to such salesman for the then expired term of the original license provided that such new employer shall be a duly licensed real estate broker The change of employer or employment by any licensed real estate salesman without notice to the commission as aforesaid shall automatically cancel the license to him theretofore issued and it shall be the duty of the employer named in such license to notify the Commission promptly of any such change of employer or employment

Section 15 (a) The Real Estate License Commission may upon its own motion and shall promptly upon the verified complaint in writing of any person setting forth specifically the wrongful act or acts complained of investigate any action or business transaction of any licensed real estate broker or real estate salesman and shall have the power temporarily to suspend or permanently to revoke licenses theretofore issued by the Commission under the provisions of this act at any time when after due proceedings as hereinafter provided it shall find holder thereof to have been guilty in the performance or attempt to perform any of the acts prohibited to others than licensed real estate brokers or real estate salesmen under the provisions of this act

(1) Of making any substantial misrepresentation in writing or

(2) Of making any false promise or of a character likely to influence persuade or induce or

(3) Of a continued or flagrant course of misrepresentation or making of false promises through agents or salesmen or

(4) Of any other conduct whether of the same or of a different character than that hereinbefore specified which shall constitute dishonest dealing or when it shall be shown that the licensee within five years prior to the issuance of the license then in force has been convicted in a court of competent jurisdiction of this or any other state of forgery embezzlement obtaining money under false pretense extortion conspiracy to defraud or other like offense or offenses

(b) Before refusing suspending or revoking any license the Commission shall in writing notify the applicant or licensee of the charges against him accompanying the notice with a copy of the complaint if any filed and the Commission shall accord the applicant or licensee ample opportunity to be heard thereon in person or by counsel If the applicant or licensee shall so desire the Commission shall grant a hearing upon such charges to be held on not less than ten (10) days' prior notice in writing to the applicant or licensee given and shall furnish licensee at the time of giving the said notice with copies of any and all communications reports affidavits and depositions in the possession of the Commission touching or relating to the matter in question At such hearing the applicant or licensee shall be entitled to examine either in person or by counsel any and all persons complaining against him and as well all other witnesses whose testimony is relied upon to substantiate the charges made He shall also be entitled to present such evidence oral and written as he may see fit and as may be pertinent to the inquiry The said hearings may be held by the Commission or any member thereof or by any of its duly authorized deputies or by any other person duly deputized by the Commission for such purpose in any particular case and they shall be held if the applicant or licensee so desires within the county where the applicant's or licensee's principal place of business is situated At such hearings all witnesses shall be duly sworn by the Commissioner or the duly authorized deputy general or special before whom the hearing is held and stenographic notes of the proceedings shall be taken and filed as part of the record in the cause Any party to the proceedings desiring it shall be furnished with a copy of such stenographic notes upon the payment to the Commission of such fee as the Commission shall by general rule or regulation prescribe therefor not exceeding however twenty-five cents per folio

(c) The refusal of the Commission to issue any license after application properly made and compliance by the applicant with the requirements of this act shall be subject to review by the Court of Common Pleas of the County in which the principal office or place of business of the applicant shall be located upon petition for writ of mandamus or other appropriate remedy with the right of appeal to the applicant as in other and similar cases

(d) The decision of the Commission in suspending or revoking any license issued under this act shall be subject to review by the Court of Common Pleas of the county in which the principal office or place of business of the licensee is located The Commission shall maintain in its main office a public docket or other record in which it shall record from time to time as made the rulings or decisions upon all complaints filed with it and all investigations instituted by it in the first instance upon or in connection with any such hearing shall have been had or in which the licensee charged shall have made no defense The Commission shall also give immediate notice in writing of such ruling or decision to the licensee affected thereby and as well where the investigation shall have been instituted by complaint filed to the party or parties by whom complaint was made If such ruling shall be to the prejudice of or shall injuriously affect the licensee the Commission shall also state in said notice the date upon which the said ruling or decision shall become effective if not theretofore appealed from and such date shall be not less than fifteen (15) days from and after the date of the said notice If the licensee cannot at such time be found his whereabouts being unknown such notice may be given by the Commission by advertisement inserted in one issue of a newspaper of general circulation published within the county where was located the principal office of the licensee as designated in the license

Such ruling or decision of the Commission shall be final when in favor of the licensee and in dismissal of the complaint filed if any If against the licensee or in any way to the licensee's injury or prejudice the licensee may at any time prior to the date fixed by the Commission in its said notice as the date it shall become effective appeal from such decision to the Court of Common Pleas of the county in which the licensee's principal office or place of business is located by serving upon the Commission written notice of such appeal Such service shall be made either by filing the said notice of appeal in the office of the Real Estate License Commission at Harrisburg or by delivering the same to the deputy whether general or special before whom the hearing in the case was had

Within thirty (30) days after the service of such notice of appeal the Commission shall file with the prothonotary of the said court of common pleas a transcript of the record of the proceedings in its office duly certified over the seal of the Real Estate License Commission which record shall include all papers on file with the said Commission affecting or relating to the inquiry or investigation conducted by the Commission and all the evidence taken in the said hearing including the stenographic notes of testimony Notice of the filing of the said transcript with the term and number to which filed shall be forthwith given by the Commission to the licensee and as well to the party or parties if any upon whose complaint the proceedings before the Commission were instituted The cost of the said transcript at twenty-five cents per folio and one dollar for certification shall be entered as part of the record costs in the cause to be paid as the said court may direct In all proceedings upon such appeal the Real Estate License Commission shall appear for and represent the Commonwealth

The appeal shall thereupon be heard in due course by th judge or judges of the said court of common pleas without a jury by whom the proceedings before the Commission its findings and rulings shall be given similar weight force and effect as are accorded to the findings and report of a referee selected or appointed under the provisions of the act entitled "An Act to provide for the submission of civil cases by agreement of the parties to a referee learned in the law" approved the fourteenth day of May one thousand eight hundred and seventy-four (Pamphlet Laws one hundred and sixty-six) and its supplements The court may however in its discretion receive and consider any additional pertinent evidence whether oral or written either in open court or by deposition as the said court shall direct and the decision of the Commission shall be reviewed in the light of such evidence

(e) The order or ruling of the Commission in any such proceeding shall become of full force and effect upon the date fixed by the Commission in the said notice by it given thereof to the parties thereto unless notice of appeal therefrom shall prior to said date be duly served upon the Commission as hereinbefore provided If an appeal shall be so taken such an appeal shall act as a supersedeas until ten (10) days from and after the date of the filing of the transcript by the Commission in the Court of Common Pleas to which the appeal is taken and notice thereof by it given to the licensee but not longer unless the said Court of Common Pleas shall upon motion of the licensee grant an order of supersedeas in which case the appeal shall be heard by the aid court and its decision entered within thirty (30) days after the granting of such order of supersedeas An appeal shall lie from the decision of the said Court of Common Pleas to the Superior Court but no such appeal shall operate as a supersedeas

Section 16 (a) In all proceedings before the Commission and as well in all proceedings upon appeal from any of its decisions the record or a duly certified or exemplified copy thereof in any proceeding at law or in equity in any court of competent jurisdiction in this or any other State in which the applicant or licensee charged or under investigation shall have been a party shall be admissible where the issues of fact involved in such proceeding are pertinent to the inquiry before the Commission and the verdict of the jury or judgment of the court in any such action at law or the decree of the court in any such proceeding in equity shall be conclusive as to the facts at issue in such proceeding and necessarily adjudicated therein So also the verdict of the jury in any criminal prosecution in a court of record of this or any other State in which the applicant or licensee charged shall have been the defendant shall be conclusive as to the facts charged and at issue in such prosecution

(b) Where during the term of any license issued by the said Commission the licensee shall be convicted in a court of competent jurisdiction in this or any other State of forgery embezzlement obtaining money under false pretenses extortion criminal conspiracy to defraud or other like offense or offenses and a duly certified or exemplified copy of the record in such proceeding shall be filed with the said Commission the Commission shall revoke forthwith the license by it theretofore issued to the licensee so convicted

(c) In the event that any licensee shall be indicted in this or any other State for forgery embezzlement obtaining money under false pretenses extortion criminal conspiracy to defraud or other like offense or offenses and a certified copy of the indictment be filed with the Commission or other proper evidence thereof be to it given the Commission shall have authority in its discretion to suspend the license issued to such licensee pending trial upon such indictment

(d) In the event of the revocation or suspension of the license issued to any member of a co-partnership or to any officer of an association or corporation the license issued to such co-partnership association or corporation shall be revoked by the Commissioner unless within a time fixed by the Commission where a co-partnership the connection therewith of the member whose license has been revoked shall be severed and his interest in the co-partnership and his share in its activities brought to an end or where an association or corporation the offending officer shall be discharged and shall have no further participation in its activities

(e) Pending any investigation or proceeding before the Commission affecting any licensee and as well pending final decision upon any appeal taken by a licensee from the ruling of the Commission no new license shall be issued to such licensee or to a co-partnership of which he is a member or employee or to an association or corporation of which he shall be an officer or employee except for the period of such investigation or proceeding and subject to the action of the Commission thereon or therein

(f) After the revocation of any license no new license shall be issued to the same licensee within a period of one year from and after the date of such revocation nor at any time thereafter except in the sole discretion of the Commission

(g) No license shall be issued by the Commission to any person known by it to have been within five (5) years theretofore convicted of forgery embezzlement obtaining money under false pretenses extortion criminal conspiracy to defraud or other like offense or offenses or to any co-partnership of which such person is a member or to any association or corporation of which said person is an officer or employe or in which as a stockholder such person has or exercises a controlling interest either directly or indirectly

Section 17 Any person co-partnership association or corporation who shall after the first day of January nineteen hundred and twenty-four engaged in or carry on the business or act in the capacity of a real estate broker or a real estate salesman within this Commonwealth without a license or shall carry on or continue business after the suspension or revocation of any such license to him or it issued or shall employ any person as a real estate salesman to whom a license as real estate salesman has not been issued or whose license as such shall have been revoked or suspended shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced for the first offense to pay a fine or not less than fifty dollars ($50) nor more than one hundred dollars ($100) and for a second and any subsequent offense shall be sentenced to pay a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000.00) or undergo imprisonment for a period of not more than one (1) year or both in the discretion of the court

Section 18 (a) The Real Estate License Commission and each of its duly authorized assistants and deputies and as well any special deputy appointed by it to hold a hearing in any particular case shall have power to administer oath and to issue subpoena for the attendance of witnesses and the production of books and papers In any hearing in any part of the Commonwealth the process issued by the Commission shall extend to all parts of the Commonwealth and such process shall be served either in like manner as are served writs of subpoena in the Court of Common Pleas or by any person designated by the Commission for such purpose The person serving such process shall receive such compensation as may be allowed by the Commission not to exceed the fee prescribed by law for similar services in the courts of common pleas and such fees shall be paid in the same manner as provided herein for the fees of witnesses subpoenaed at the instance of the Commission All witnesses who shall be subpoenaed and who shall appear in any proceeding before the Commission shall receive the same fees and mileage as allowed by law to witnesses in the Common pleas which amount shall be paid by the party at whose instance the subpoena was issued or upon whose behalf the witness has been called When any witness who has not been subpoenaed at the instance of any party to the proceeding shall be subpoenaed at the instance of the Commission or its assistant or deputy general or special the fees and mileage of such witness shall be paid from the funds appropriated to the use of the said Commission in the same manner as other expenses of said Commission are paid

(b) Where in any proceeding before the Commission any witness shall fail or refuse to attend upon subpoena issued by the Commission or any of its assistants or deputies general or special or appearing shall refuse to testify or shall refuse to produce any books and papers the production of which is called for by the subpoena the attendance of such witness and the giving of his testimony and the production of the books and papers required shall be enforced by any court of common pleas of this Commonwealth in like manner as are enforced the attendance and testimony of witnesses before commissioners appointed by any court of the United States or of any other State to examine or take the testimony of witnesses within this Commonwealth

(c) The court of common pleas of any county shall upon the application of the Commisison issue commissions or letters rogatory to other States for the taking of evidence there for use in any proceeding before the Commission The Commission shall make such application at the instance of any party to the proceeding before it unless in the opinion of the Commission such application is made for the purpose of delay Any such party shall be entitled as of right to subpoenas from the Commission directed to such witnesses and for the production of such books and papers as the party may desire

Section 19 No violation of any of the provisions of this act on the part of any real estate salesman or other employee of any licensed real estate broker shall be ground for the revocation of the license of the employer of such salesman or employee unless it shall appear upon the hearing had that such employer had guilty knowledge of such violation A course of dealing shown to have been persistently and consistently followed by such employee shall constitute primà facie evidence of such knowledge upon the part of his employer

Section 20 (a) It shall be unlawful for any licensed real estate broker or real estate salesman to pay any compensation in money or other valuable thing to any person other than a licensed real estate broker or real estate salesman for the rendering of any service or the doing of any of the acts bv this act forbidden to be rendered or performed by other than licensees

(b) No real estate salesman shall accept or receive compensation of any kind from any person other than the licensed real estate broker by whom he is employed for any service rendered or work done by such salesman in buying selling exchanging leasing or negotiating a loan upon any real estate or interest therein

(e) The violation of the provisions of this section by any licensee shall be sufficient cause for the suspension or revocation of his license in the discretion of the Real Estate License Commission

Section 21 No action of suit shall be instituted nor recovery therein be had in any court of this Commonwealth by any person co-partnership association or corporation for compensation for any act done or service rendered the doing or rendering of which is prohibited under the provisions of this act to others than licensed real estate brokers unless such person co-partnership association or corporation was duly licensed hereunder as real estate broker at the time of the doing of such act or the rendering of such service

Section 22 This act is intended as a complete and exclusive measure for the licensing and regulation of real estate brokers and their salesmen as hereinbefore defined All laws or parts of laws imposing any license fees or in any way regulating said brokers and salesmen general local or special are hereby specifically repealed

Section 23 The Commission may act by a majority vote of the members thereof and authority is hereby given to the Commission to adopt fix and establish all rules and regulations in its opinion necessary for the conduct of its business the holding of hearings before it and its deputies and otherwise generally for the carrying out of the provisions of this act

Section 24 If any section subsection sentence clause phrase or requirement of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions thereof The Legislature hereby declares that it would have passed this act and each section subsection or sentence clause phrase and requirement thereof irrespective of the fact that any one or more sections subsections sentences clauses phrases or requirements be declared unconstitutional

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. MATHAY. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. CONNER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1023, as follows:

An Act providing a system of employment and compensation for the inmates of county jails and prisons.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all persons sentenced to the several county jails and who are physically capable may be employed at labor for not to exceed eight hours each day other than Sundays and public holidays Such employment may be in such character of work and the production of such goods as may now be manufactured and produced in such jails and prisons and may also be for the purpose of the manufacture and production of supplies for said prisons and jails or for the preparation and manufacture of building material for the construction or repair the said prisons and jails or in the manufacture and production of crushed stone brick tile and culvert pipe or other material suitable for draining roads or in the preparation of road building and ballasting material

Section 2 The county commissioners or board of inspectors or other person or persons in charge of any such jail or prison shall determine the amount kind and character of the machinery to be erected in such jail or prison the industries to be carried on therein and shall arrange for the purchase and installation of such machinery at the expense of the county They shall also provide for the sale of articles and material produced The county commissioners shall make available the necessary funds to carry out the provisions of this act

Section 3 The authorities in charge of any such county jair or workhouse shall have authority to fix the wages of each prisoner to be employed and they shall keep an account of all such wages and the amount due each prisoner Three-fourths of the amount credited to each prisoner or the entire amount if the prisoner so wishes shall constitute a fund for the relief of any person or persons dependent upon such prisoner and shall be paid to such persons establishing dependency to the satisfaction of the said authorities at such times as they may prescribe

In case a prisoner has no person dependent upon him his wages shall be deposited for his benefit and shall be paid to him as follows one-third at the time of his discharge one-third three months thereafter and one-third six months thereafter

Section 4 The authorities in charge of any such jail or prison may establish a fund for the purpose of carrying out this act and may provide for the purchase of machinery and materials and payment of wages from such fund All revenues received from the sale of articles produced shall be paid into said fund

Section 5 All acts and parts of acts general local or special inconsistent with this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally.

Mr. JOHN G. MARSHALL. Mr. Speaker and members of the House, I am not prepared to say whether this is a meritorious bill or not, but I am certain that it is not workable in a great many counties because of the character and structure of the jails. I wish especially to call the attention of the sponsor to a few things in the bill, which I think should be corrected before the bill is enacted into law, if it ever is, on page 1, line 4, prisons are designated as jails. On page 1, lines 9 and 10, it refers to jails and prisons. On page 2, sections 3, lines 18 and 19, there is reference to county jails or workhouses. Now a workhouse is not a jail in the ordinary acceptance of the term. I think the bill should be so worded as to give rise to no uncertainty of the meaning of it, if it is enacted into law.

Mr. SARIG. Mr. Speaker, I desire to interrogate the gentleman from Beaver.

The SPEAKER. Will the gentleman from Beaver, Mr. John G. Marshall, permit himself to be interrogated?

Mr. JOHN G. MARSHALL. I will, Mr. Speaker.

Mr. SARIG. Where is the word "workhouse" which you speak of?

Mr. JOHN G. MARSHALL. On page 2, section 3, line 19, you will find the words "county jail and workhouse."

Mr. SARIG. Mr. Speaker, insofar as the typographical changes which have just been suggested are concerned, I am perfectly willing to have those changes made as requested by the gentleman from Beaver, but I feel that this bill at this time in the session, should not be held up here just for that purpose. I feel that those changes can be made by the Senate committee, and thus the matter may be expedited. This bill does two things in the first place, it broadens the field somewhat in which prisoners may be employed. So far as the objections to that is concerned, I think they have already been removed. The labor representatives in the House who objected to it, suggested certain things, and I agreed to have it amended, so that objections from that source have been removed. The second thing it does is to provide for a system of compensation. I have believed for years, and there are many other people down in my county and they have believed for years, that these prisoners might be put to work and that the county or prison authorities might pay them a small sum for their work, so that when they leave institutions they will not be cast out on society without having anything to start with. I understand the Penal Reform Society has looked this bill over and that they consider it a good measure, although it did not originate from that source. This bill was originated by myself as well as by other people in my county, but the Penal Reform Society considers it a good bill. I believe it is a humane measure. I see very little objection to it, I would like to have the principle established more than anything else. I do not have any objections to having the bill amended as suggested, but I would like to have this principle established so that in these county jails where the living is not ideal, and we all know the saying, "An idle brain is the Devil's workshop," this principle can be put into effect. I believe a bill of this kind would redound to the benefit of the prisoners themselves and at the same time for the welfare of everybody concerned. I do not think this bill should be held up at this time in the session, and I am perfectly willing to have the changes made in the Senate which have been suggested by the gentleman from Beaver.

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—133.

Albert,
Alexander,
Anderson,
Arthur,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Blair,
Bluett,
Boback,
Brenneman,
Bromley,
Brownmiller,
Burns,
Chaplin,
Colville,
Conner,
Coyne,
Craig,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Edmonds,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gibbon,
Golder,
Greeby,
Grimes,
Guerin,
Harer,
Haslett,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Hollis,
Hoover,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Keene,
Kelly,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Mangan,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McBride,
McCaig,
McClure,
McCurdy.
McDaniel,
McDermott,
McGowan,
Metcalf,
Miller,
Minehart,
Moffatt,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Perry,
Posey,
Price,
Rhodes,
Richards,
Rippman,
Sample,
Sarig,
Sautter,
Schilling,
Schleiter,
Schwartz,
Shambach,
Sheridan,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Sprowls,
Stark,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—3.

Eaches,
Evans, B. P.,
Peelor,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1319, as follows:

An Act to amend section one article four chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one article four chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" which was amended by Section thirty-four of the act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred four) entitled "An act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled 'An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs' and repealing certain acts relating to boroughs" is hereby further amended to read as follows

Section 1 The auditors of the borough shall meet on the third Tuesday of January one thousand nine hundred and sixteen and annually thereafter and shall audit adjust and settle the accounts of the tax collectors and all officers of the borough and shall prepare a statement thereof which shall contain an audit of the accounts of the last fiscal year and shall also show a complete statement of the financial condition of the borough giving in detail the actual indebtedness the amount of the funded debt the amount of the floating debt thereof the valuation of taxable property therein the assets of the borough with the character and value thereof and the date of maturity of the respective forms of funded debt thereof At least one hundred and not more than five hundred copies of said statement shall be printed at the expense of the borough and shall be placed in the hands of the borough secretary for general distribution The amount of any balance or shortage or of any expenditure of a kind or made in a manner prohibited or not authorized by statute or which causes a financial loss to the borough shall be a surcharge against any officer against whom such balance or shortage shall appear or who by vote act or neglect has made permitted or approved such expenditure

On the question,

Will the House agree to the bill on third reading?

Mr. McVICAR Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend page 2, lines 23, 24, 25 and 26 by striking out "at least one hundred and not more than five hundred copies of said statement shall be printed at the expense of the borough and shall be placed in the hands of the borough secretary for general distribution" and inserting in lieu thereof "Such statement shall be published in the manner required by law for auditors statements and audits"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objections? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. VICKERMAN

The House resumed the consideration on third reading of House Bill No. 671, entitled

An Act to amend sections one and three of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties"

On the question,

Will the House agree to the bill on third reading?

Mr. VICKERMAN. Mr. Speaker, this bill has been on the postponed calendar for quite a long time. It is the Mothers' Assistance Act, and makes two changes in the present law. The reason for the bill being on the calendar so long is that there was some objection to some parts of the bill. I desire to ask unanimous consent to eliminate that part of the bill and have it go over for printing. Therefore, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend sec. 1, page 3, line 25, by striking out the word "all" and inserting in lieu thereof "All"

Amend sec. 2, page 4, line 12, by striking out the words "and to attain this end she" and eliminating them from the bill.

Amend sec. 2, page 4, lines 13 to 18 by striking out all the words contained in lines 13 to 18 both inclusive, and eliminating them from the bill and inserting in lieu thereof the following: "she shall visit at least twice each year the boards of trustees of each county accepting the provisions of this act."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objections? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The bill having been called up from the postponed calendar

The House resumed the consideratin on third reading of House Bill No. 469, entitled:

An Act to amend section three of an act, approved the twelfth day of July, one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to national party conventions, and of certain officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," as amended.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. VICKERMAN. Mr. Speaker, this bill was prepared by Mr. Thorn in the Secretary of the Commonwealth's office, who has had charge for many years of the election matters in Harrisburg, and who is, perhaps, the most expert man in the State on election questions, and election procedure. This bill makes a change in the primary day of the Spring primaries, the contention being that they did not have sufficient time under the present law to determine the delegates to the national convention. It changes the present Spring primary from the present date in May to the fourth Tuesday of April, and I would ask the approval of the bill.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—146.

Albert,
Alexander,
Anderson,
Arthur,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bidelspacher,
Blair,
Bluett,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
Diehm.
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Fowler, D.,
Fratt,
Frazier,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Griffith,
Grimes,
Gundy,
Haines,
Hall,
Harer,
Haslett,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hontz,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kunkle,
Labar,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack.
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter.
Schaeffer,
Schilling,
Schoener,
Schwartz,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Stavitski,
Sterling,
Stevens, A. J.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G..
Thompson,
Van Alen,
Vickerman,
Walker,
Wells,
Wettach,
Wheeler,
Whiteman,
Williams, G. W.
Woner,
Wright,
Goodnough,
Speaker.

NAYS—1.

Flinchbaugh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The bill having been called up from the postponed calendar by Mr. VICKERMAN.
The House resumed the consideratin on third reading of House Bill No. 243, entitled:

A Joint Resolution proposing an amendment to section sixteen of article eight of the Constitution of Pennsylvania.

On the question,
Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. VICKERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purpose of amendment.
Mr. GOLDER. Mr. Speaker, I second the motion.
The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1396, entitled:

An Act to repeal the act adopted over the veto of the Governor by the Senate of Pennsylvania the eighth day of May one thousand eight hundred and sixty-one and by the House of Representatives of Pennsylvania the fifteenth day of May one thousand eight hundred and sixty-one (Pamphlet Laws seven hundred and fifteen) entitled "An Act to grade curb and pave Main or Market street in the town of Annville Lebanon County"

And said bill having been read at length the third time, considered and agreed to.
On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—150.

Alexander,
Anderson,
Arthur,
Aston,
Baker,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Bidelspacher,
Blair,
Bluett,
Brenneman,
Brewster,
Bromley,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
Diehm.
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, J.,
Fowler, D.,
Fratt,
Frazier,
Gibbon,
Gilchrist,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Gundy,
Haines,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hoover,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kunkle,
Labar,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Posey,
Post,
Price,
Raymond.
Rhodes,
Richards,
Rinn,
Orr,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Spangler,
Sprowls,
Stark,
Stavitski,
Sterling,
Stevens, A. J.,
Stoner,
Storb.
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wheeler,
Whitehouse,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1168, entitled:

An Act authorizing the annexation to cities of portions of townships not exceeding one hundred acres in area and totally surrounded by said cities and providing for the division of the assets and liabilities of said townships

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WILIAM T. BELL. Mr. Speaker, I move that further consideration of this bill be postponed for the present.
Mr. GOEHRING. Mr. Speaker, I second the motion.
The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 963, as follows:

An Act to amend sections thirty-two and thirty-eight of an act entitled "An Act relating to the sale of goods" approved the nineteenth day of May Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws five hundred and forty-three)

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section thirty-two of an act entitled "An Act relating to the sale of goods" approved the nineteenth day of May Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws five hundred and forty-three) is hereby amended to read as follows

"Section 32 A negotiable document of title may be negotiated by any person in possession of the same however each possession may have been acquired

(a) By the owner thereof or

(b) By any person to whom the possession or custody of the document has been entrusted by the owner if by the terms of the document the bailee issuing it undertakes to deliver the goods to the order of such person to whom the possession or custody of the document has been entrusted or if at the time of negotiation the document is in such form that it may be negotiated by delivery"

Section 2 That section thirty-eight of the same act is hereby amended to read as follows

"Section 38 The validity of the negotiation of a negotiable document of title is not impaired by the fact that the negotiation was a breach of duty on the part of the person making the negotiation or by the fact that the owner of the document was induced by fraud mistake or duress to entrust the possession or custody thereof to such person deprived by the possession of the same by loss theft fraud accident mistake duress or conversion if the person to whom the document was negotiated or person to whom the document was subsequently negotiated paid value therefor in good faith without notice of the breach of duty or loss theft fraud accident mistake or duress or conversion"

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. EDMONDS. Mr. Speaker, House Bill No. 963, is an amendment to the Sales Act recommeded by the Commission on Uniform State Legislation. As I have had occasion to say before in the House, and as the members of the House well know, these commissioners are Judge Hargest, Walter George Smith and Judge Stockley. This commission meets from time to time annually to recommend changes in the business laws, and they are recommended to all states at the same time, to make the business practice uniform. The amendment in this bill has to do with the Sales document and the sales title which may have been fraudulently negotiated by an owner. The idea is to make such a document when one has given value for it innocently to make that title valid in the hands of the holder, just as it was in the warehouse receipt case which you passed a week ago. The idea it to take the warehouse receipts and the sales receipts and to give them something of the characteristics of a negotiable instrument. This amendment was recommended by these commissioners, and I hope the members of the House will vote for it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156.

Albert,
Alexander,
Anderson,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster.
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
Diehm.
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Eaches,
Earley.
Edmonds,
Dunn,
Evans, B. P.,
Flinchbaugh,
Fowler, A. I.,
Fratt,
Frazier,
Gallaher,
Gibbon,
Gilchrist,
Goehring.
Golder,
Goss,
Greeby,
Grimes,
Guerin,
Haas,
Hall,
Harer,
Haslett,
Haws,
Heffernan
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kohler,
Kunkle,
Labar,
Lauver,
Little,
Long.
Lucas,
Ludlow,
Lynch,
Mack,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Posey.
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sattler.
Schilling,
Schleiter,
Schoener,
Schwartz,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Weamer,
Wettach,
Wheeler,
Whiteman,
Williams, G. W.
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORTS FROM COMMITTEES.

Mr. KOHLER, from the Committee on Public Buildings, reported as amended House Bill No. 673, entitled:

An Act to amend section two of the act approved the twenty-fifth day of July, one thousand nine hundred and seventeen (P. L. 1180), entitled "An Act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll-bridges over the Delaware River, and making an appropriation therefor."

Mr. WHITEHOUSE, from the Committee on Judiciary General, reported as committed House Bill No. 1448 (Senate Bill No. 448), entitled:

An Act providing for the transfer to Pennsylvania of the titles to and liens affecting any lands heretofore regarded as being in the State of Delaware but found to be in Pennsylvnia in accordance with the interstate boundary run by the joint commission of said States appointed by virtue of the act of Assembly of Pennsylvania approved the fourth day of May, one thousand eight hundred and eighty-nine, (Pamphlet Laws eighty-one), entitled "An Act relative to the boundary lines and boundary line mounments."

Mr. BUSH, from the Committee on Public Health and Sanitation, reported as committed House Bill No. 1434 (Senate Bill No. 685), entitled:

An Act to amend sections one, two, three, five and seven as amended of an act approved the first day of May one thousand nine hundred and nine, (Pamphlet Laws three hundred and twenty-one) entitled, "An Act to provide for

State registration of Nurses to establish a State Board of Examiners in connection therewith, and to provide penalties for the violation of certain provisions regarding such registration," by providing for a change in membership of the Board for a change in salary of the secretary treasurer the educational director and of the members of the Board.

Mr. KELLEY, from the Committee on Public Health and Sanitation, reported as committed House Bill No. 1435 (Senate Bill No. 686), entitled:

An Act relating to the registration and re-registration of nurses by the State Board of Examiners for Registration of nurses and the issuance of a license to practice nursing.

Mr. HARER, from the Committee on Appropriations, re-reported as amended House Bill No. 81, entitled:

An Act to provide for the ordinary expenses of the executives judicial and legislative departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first, one thousand nine hundred and twenty-three.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 681.

An Act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight) entitled "A supplement to an act 'to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three" as amended by fixing the maximum amount for maintenance weekly per capita

With the information that the Senate has passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 5, by striking out after the word "cents" the words "three dollars".

Amend Section 1, page 3, line 8, by striking out after the word "cents" the words "three dollars".

Amend Section 1, page 3, line 13, by striking out after the word "and " the words "twenty-one" and inserting in lieu thereof the words "twenty-three".

Amend Section 1, page 3, line 14, by striking out after the word "and" the words "twenty-three" and inserting in lieu thereof the words "twenty-five".

Amend Section 1, page 3, line 16, by striking out after the word "week" the words "to the several State and Semi-State hospitals on requisition of the Commissioner of Public Welfare."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. DAVID J. JONES. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

Mr. BEAVER. Mr. Speaker, I second the motion.

The motion was agreed.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 480, (Senate Bill No. 47), entitled:

An Act to amend section eleven of the act approved the thirteenth day of June, one thousand eight hundred and forty (Pamphlet Laws, six hundred and eighty-three), entitled "A Supplement to an act entitled 'An Act relating to the elections of this Commonwealth' passed the second day of July, Anno Domini, one thousand eight hundred and thirty-nine and for other purposes, allowing constables mileage for advertising, elections and compensation for advertising elections where there is more than one polling place in a district, said mileage and compensation to be paid by counties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution. the yeas and nays were taken and were as follows, viz:

YEAS—163.

Albert,
Alexander,
Anderson,
Armstrong,
Arthur,
Asbury,
Baker,
Beaver,
Behney.
Bell, F. A.,
Bentley,
Berger,
Betts,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches.
Earley,
Edmonds,
Evans, B. P.,
Fields,
Flynn,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Gibbon,
Gilchrist,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haines,
Hall,
Harter,
Haslett,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kunkle,
Labar,
Lauver,
Little,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McCann,
McClure,
McCurdy,
McDermott,
McKim,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Richards,
Rinn,
Sample,
Sarig,
Sautter,
Schilling,
Schleiter,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J..
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Weamer,
Wells,
Wettach,
Whitehouse,
Whiteman,
Williams, G. W..
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

TIME EXTENDED ON BILL.

Mr. BLAIR. Mr. Speaker, I move that the time on House Bill No. 320, file folio 4703, entitled:

An Act to prevent fraud at elections providing a system of authenticating and marking ballots and of locking ballot boxes providing for the purchase by counties of certain mechanical equipment and for the use and custody thereof providing for the appointment by the Governor of a commission to select and approve such equipment and fixing penalties

on page 16 of today's calendar, be extended for a further period of five days.

Mr. MORRISON. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL.

Mr. WHITEHOUSE. Mr. Speaker, I move that the time on House Bill No. 135, file folio 4461, entitled:

An Act regulating the hours of labor of policeman in cities of the third class

be extended for a further period of five days.

Mr. STARK. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1101, (Senate Bill No. 198), entitled:

An Act to amend section seventy-four of an act approved the second day of July one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen) entitled "An act relating to the Elections of this Commonwealth" as amended

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156.

Albert,
Alexander,
Anderson,
Arthur,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gilchrist,
Goehring,
Golder,
Goss.
Greeby,
Grimes,
Guerin,
Haas,
Haines,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kennedy,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDermott,
McGowan,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Stavitski,
Sterling,
Stevens, A. J.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Weamer,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams. G. W.
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 810, (Senate Bill No. 233), entitled:

An Act to further amend section one of an act approved the fifth day of March Anno Domini one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for the violation of its provisions"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—151.

Alexander,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Craig.
Diehm.
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn.
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Flynn,
Fowler, A. I.,
Frazier,
Gallaher,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Goss,
Griffith,
Grimes,
Gundy,
Haines,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Sample,
Sautter,
Schleiter,
Schoener,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Wettach,
Whitehouse,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1408, (Senate Bill No. 511), entitled:

An Act making it a misdemeanor to forge or to make or manufacture any object with intent of representing or of permitting the same to be represented as an archaeological specimen or to sell or exchange or to possess for the purpose of selling or exchanging as such any object so unlawfully forged made or manufactured and providing penalties

On the question,

Will the House agree to the bill on third reading?

It was agreed to.
On the question,
Shall the bill pass finally?

Mr. SPANGLER. Mr. Speaker, I would like to have some member of the House explain the reason or the purpose of this bill. Is there any person present that can give an explanation? As there does not seem to be any person here able to give any information on the bill, I wish to call the attention of the members to it. I read over the bill rather hastily, and it provides that nobody is permitted to manufacture any imitation or copy of an archaeological statue or mummy or object. What the purpose of such a bill as this would be, I cannot imagine, but it might result in inconvenience to certain shop keepers who are now manufacturing various trinkets and articles of the old king of Egypt who has just been discovered. Whether it is wise to manufacture articles of that kind or whether it is not, I do not think that is a question for legislative enactment. Therefore, in the absence of any good reason why this bill should pass, it seems to me that a bill of this character should be defeated.

Mr. LUDLOW. Mr. Speaker, I wonder whether the gentleman from York is not mistaken in his idea of the bill, because I had the same question in mind when I first read the bill. According to the phraseology in lines 6 and 7, it does not prevent or make unlawful the manufacture or reproduction of any archaeological object unless it be with intent to represent it to be an original. In other words, you can make any number of copies, but in line 7, it says, "not with intent to represent such an object to be an original or a genuine archaeological specimen, with the intent to deceive. I think, in view of that question, the objection of the gentleman from York might be withdrawn.

Mr. SPANGLER. Mr. Speaker, in answer to the gentleman from Montgomery, in line 3, starting at line 3, it says, "that it is unlawful to make or manufacture a reproduction, copy or forgery of any archaeological object," and then it goes on to say, "to make or manufacture any object, whether copied or not, with the intent to represent such object to be an original." Under the provisions of that act, any person who would manufacture any reproduction or copy or forgery of an archaelogical object would be guilty of a crime and subject to a penalty therefor. I think the bill is rather a dangerous bill, and might be very fretful to many people.

BILL POSTPONED.

Mr. LUDLOW. Mr. Speaker, I haven't any interest in the bill at all, but as a matter of courtesy to the senator who introduced it, in order to give him a chance to have it explained, I move that the further consideration of this bill be postponed for the present.

Mr. GOLDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1406, (Senate Bill No. 489), entitled:

An Act to amend section two of the Act of April nineteen one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled: "An Act relating to replevin and regulating the practice in cases where the writ of repelvin is issued"

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—158.

Albert,
Alexander,
Allman,
Anderson,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brownmiller,
Burchinal,
Burns,
Chaplin,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gallaher,
Gelder,
Gibbon.
Gilchrist,
Glasgow,
Golder,
Goss.
Griffith,
Grimes,
Guerin,
Haines,
Harer,
Harter,
Haslett,
Heffernan,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kunkle,
Labar,
Lauver,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Malie,
Mangan,
Marcus, J.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy.
McDaniel,
McDermott,
McGowan,
McKim,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
O'Boyle,
Ogle,
Parkinson,
Patterson,
Peelor,
Perry,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rippman,
Sarig,
Sautter,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Stark.
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Stoner,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Vickerman,
Weamer,
Wells,
Wettach,
Whitehouse,
Williams, J. M.
Woner,
Wood, W. P.,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1372, (Senate Bill No. 366), entitled:

An Act to permit the service of writs of scire facias in certain cases in any county of the Commonwealth and providing by whom such service shall be made

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—148.

Albert,
Alexander,
Anderson,
Armstrong,
Arthur,
Asbury,
Beaver,
Bell, F. A.,
Bell, W. T.,
Berger,
Bidelspacher,
Bluett,
Boback,
Brenneman,
Bromley,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gallaher,
Gibbon,
Glasgow,
Goehring,
Gorham,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Hall,
Lynch,
Malie,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCaig,
McClure,
McCurdy,
McDermott,
McKim,
Metcalf,
Millar,
Miller,
Moffatt,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Sheridan,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Stark,
Stavitski,

Brownmiller,
Burns,
Chaplin,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Harter,
Haws,
Heffernan,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hontz,
Huber,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kunkle,
Labar,
Little,
Lucas,
Ludlow,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Peelor,
Perry,
Posey,
Post,
Price,
Raymond,
Rhodes,
Rinn,
Sample,
Sarig,
Steedle,
Stevens, A. J.,
Stofflet,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Walker,
Wells,
Wheeler,
Whiteman,
Williams, G. W
Williams, J. M.
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1403, (Senate Bill No. 203), entitled:

A Joint Resolution proposing an amendment to Article Three Section six of the Constitution of the Commonwealth of Pennsylvania so that the subject of an amendment or supplment to a law and the subject to which such law is extended or on which it is conferred shall be clearly expressed in its title

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—140.

Albert,
Alexander,
Anderson,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Betts,
Bidelspacher,
Blair,
Bluett,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutten,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
Diehm,
Dunn,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Fields,
Flynn,
Fowler, A. I.,
Frazier,
Gelder,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Griffith,
Grimes,
Haas,
Haines,
Harer,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Little,
Lucas,
Ludlow,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCaig,
McCurdy,
McDermott,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Price,
Rhodes,
Richards,
Rinn,
Rippman,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stoner,
Storb,
Storer,
Thomas, L. D..
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wettach,
Whitehouse,
Williams, G. W
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1410, (Senate Bill No 601), entitled:

An Act authorizing boards of revision of taxes and boards for the assessment and revision of taxes to hear and dispose of appeals away from the county seat

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—146.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Blair,
Bluett,
Boback,
Brenneman,
Bromley,
Brown,
Brownmiller,
Burchinal,
Chaplin,
Colville,
Conner,
Craig,
de Young,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Gallaher,
Gelder,
Gibbon,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Gundy,
Haines,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Hetrick,
Himes,
Holcombe,
Hontz,
Hoover,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kunkle,
Labar,
Lafferty,
Little,
Long,
Ludlow,
Mack,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.
Mathay,
McBride,
McCaig,
McClure,
McDaniel,
McGowan,
McKim,
Metcalf,
Millar,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
O'Boyle,
Orr,
Parkinson,
Peelor,
Perry,
Posey,
Post,
Raymond,
Rhodes,
Richards,
Rippman,
Sample,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Sprowls,
Stark,
Stavitski,
Steedle,
Stevens, A. J.,
Stoner,
Storb.
Storer,
Thomas, L. D.,
Thomas, M. G.,
Walker,
Van Alen,
Vickerman,
Walker,
Weamer,
Wettach,
Whitehouse,
Whiteman.
Williams, G. W.,
Williams, J. M.
Woner,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—1.

Stofflet,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1415, (Senate Bill No. 589), entitled:

An Act authorizing sheriffs in counties of the fourth class to appoint a solicitor prescribing the duties of said solicitor and fixing his salary

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—136.

Albert,
Alexander,
Anderson,
Arthur,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Bidelspacher,
Blair,
Bluett,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Conner,
Coyne,
Craig,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Flynn,
Fowler, A. I.,
Gibbon,
Gilchrist,
Goehring,
Golder,
Goss,
Griffith,
Grimes,
Gundy,
Haas,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Himes,
Holcombe,
Hontz,
Hoover,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCaig,
McClure,
McCurdy,
McGowan,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers. P. M.,
O'Boyle,
Ogle,
Parkinson,
Patterson,
Perry,
Pitts,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Sample,
Sarig,
Schaeffer,
Schilling,
Schleiter,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Sterling,
Stevens, A. J.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Walker,
Wells,
Wheeler,
Whitehouse,
Williams. G. W.,
Wood, N.,
Wood, W. P.,
Zook,
Goodnough,
Speaker.

NAYS—1.

Schoener,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 797, entitled:

An Act increasing the number of courts of common pleas in the county of Philadelphia establishing therein a distinct and separate court of common pleas designated court of common pleas number six and providing for the election and appointment of judges for said court

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. SOWERS. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of a hearing.

Mr. MATHAY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1253, entitled:

An Act permitting service in divorce actions to be made by registered letter upon respondents residing outside of the Commonwealth

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—123.

Albert,
Armstrong,
Baker,
Baldi,
Bell, F. A.,
Bell, W. T.,
Blumberg,
Boback,
Brown,
Burns,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
Diehm,
Dilsheimer.
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley;
Edmonds,
Evans, B. P.,
Fields,
Flynn,
Fratt,
Frazier,
Gallaher,
Gilchrist,
Goehring,
Golder,
Goss,
Greeby,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Malie,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McBride,
McCaig,
McClure.
McDaniel,
McGowan,
McKim,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Perry,
Posey,
Post,
Raymond,
Richards,
Rinn,
Sarig,
Sautter,
Schilling,
Schoener,
Schwartz,
Speiser,
Sprowls,
Stark,
Sterling,
Stevens, A. J.,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Weamer,
Wells,
Wettach,
Whitehouse,
Whiteman,
Williams, G. W.
Woner,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—14.

Alexander,
Flinchbaugh,
Griffith,
Kunkle,
Labar,
McCurdy,
Peelor,
Price,
Rhodes,
Rippman,
Sample,
Sheridan,
Smith, J. W.,
Stavitski,
Wood, W. P.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

ADJOURNMENT OUT OF RESPECT TO THE MEMORY OF THE LATE HONORABLE MAYER SULZBERGER.

Mr. DUNN. Mr. Speaker, in accordance with the resolution adopted by this House, I move that this House do now adjourn until tomorrow morning at 10:00 o'clock, out of respect to the memory of the late Honorable Mayer Sultzberger.

The motion was agreed to, and (at 11:17 P. M.), the House adjourned until tomorrow morning at 10:00 o'clock.

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HOUSE OF REPRESENTATIVES

THURSDAY, APRIL 26, 1923.

The House met at 10:00 o'clock A. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

O Lord, Thou God of heaven and earth, we come to Thee this morning hour, as we take up the duties of another day, realizing that we are not sufficent for the tasks without Thy divine aid and Thy divine blessing resting upon us. We, therefore, pray this morning that Thou wouldst endue each one with the necessary wisdom and knowledge and grace to discharge the duties and obligations that rest upon us. Help us to realize the seriousness of life and the tremendous responsibility with which it is fraught. Enable us to invest our talents, that we may glorify Thee and hear from Thine own lips Thy divine benediction when life's work is ended. We ask it in the name of Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Gundy, the further reading was dispensed with and the Journal approved.

REPORTS FROM COMMITTEE.

Mr. WILLIAM F. MARSHALL, from the Committee on Public Roads, reported as committed House Bill No. 1455 (Senate Bill No. 781), entitled::

An Act authorizing the State Highway Commissioner to combine certain State Highways or any part or sections thereof into a route under a common letter, name, number or other marker or designation or any combination thereof, for the purpose of informing and assisting the traveling public in and through the State.

Mr. DUNN, from the Committee on Elections, reported as amended House Bill No. 1092, entitled:

An Act to further amend part of section five of an act, approved the twelfth day of July, one thousand nine hundred and thirteen (Pamphlet Laws, seven hundred nineteen), entitled "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to national party conventions, and of certain party officers, including State Committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," as approved the seventeenth day of May, Anno Domini, one thousand nine hundred and twenty-one (Pamphlet Laws, six hundred eighty).

Mr. DUNN, from the Committee on Election, reported as amended House Bill No. 1093, entitled:

An Act to amend section nineteen of an act, approved the tenth day of June, Anno Domini, one thousand eight hundred and ninety-three, (Pamphlet Laws, four hundred nineteen), entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections."

Mr. DUNN, from the Committee on Elections, reported as amended House Bill No. 1094,, entitled:

An Act to further amend part of the sixth section of an act, entitled "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," approved the twelfth day of July, Anno Domini one thousand, nine hundred and thirteen; so as to change the time for filing petitions of nomination, and the time for the organization of the State Committees, as approved the eighteenth day of May, Anno Domini, one thousand nine hundred and seventeen (Pamphlet Laws, two hundred forty-four).

Mr. DUNN, from the Committee on Elections, reported as amended, House Bill No. 1113, entitled:

An act to further amend section ten of an act approved the twelfth day of July, Anno Domini, one thousand nine hundred and thirteen (Pamphlet Laws, seven hundred and nineteen) entitled, "An Act Regulating certain political parties, providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation.

Mr. DUNN, from the Committee on Elections, reported as amended, House Bill No. 1114, entitled:

An act to amend part of section fourteen of an act as amended by section one of an act, approved the seventeenth day of May, Anno Domini, one thousand nine hundred and twenty-one (P. L. 669), entitled "An act to further amend section fourteen of an act, approved the twelfth day of July, one thousand nine hundred and thirteen (P. L. 719), entitled 'An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions; and of certain party officers, including State Committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend and revoke rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein, and repealing inconsistent legislation." as amended.

Mr. DUNN, from the Committee on Elections, reported as amended, House Bill No. 1115, entitled:

An Act amending section one hundred and twenty-five of an act, approved the second day of July, Anno Domini, one thousand eight hundred and thirty-nine, (Pamphlet Laws, five hundred and nineteen), entitled "An act relating to the Elections of this Commonwealth."

Mr. DUNN, from the Committee on Elections, reported as amended, House Bill No. 1117, entitled:

An Act to further amend section seventy-four of an act as amended by section one of an act, approved the sixteenth day of April, Anno Domini, one thousand nine hundred and three (Pamphlet Laws, two hundred and seventeen), entitled "An Act amending section seventy-four of an act relating to the elections of this Commonwealth," approved the second day of July, Anno Domini, one thousand eight hundred and thirty-nine (Pamphlet Laws, five hundred and nineteen)".

Mr. STARK, from the Committee on Public Roads, reported as committed House Bill No. 1206, entitled:

An Act to amend Route number two hundred and sixty-four of section six of the act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight), entitled "An Act providing for the establishment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities and towns and extending to the State line; describing and defining the same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and Stateaid highways; providing method of application for State aid in the improvement, maintenance and repair of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended.

Miss GALLAHER, from the Committee on Public Roads, reported as committed House Bill No. 1383 (Senate Bill No. 434), entitled:

An Act to further amend section one of an act, approved the twelfth day of June, one thousand nine hundred and nineteen, entitled "An Act permitting counties of the Commonwealth of Pennsylvania to appropriate and expend moneys and to incur indebtedness and issue bonds and other obligations, for the improvement and maintenance of State highways and State-aid highways or any public highway in any county of the Commonwealth. and providing the method for applying for said moneys and for the approval thereof by the State Highway Department in certain cases."

Mr. WRIGHT, from the Committee on Public Roads, reported as committed House Bill No. 1454 (Senate Bill No. 775), entitled:

An Act requiring supervisors and commissioners of townships to apply for county aid in the construction and maintenance of roads upon application therefor by property owners.

LEAVE OF ABSENCE.

Mr. WHITEMAN asked and obtained leave of absence for Mr. Moffatt.

Mr. HARER asked and obtained leave of absence for Mr. Bidelspacher.

Mr. GIBBONS asked and obtained leave of absence for Mr. Schaeffer.

Mr. MUNLEY asked and obtained leave of absence for Mr. O'Boyle.

Mr. BROWN asked and obtained leave of absence for Mr. Norman Wood.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1295, entitled:

An Act to amend section one thousand four hundred and six as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand four hundred and six of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which was amended by the act approved the twenty-second day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand one hundred and seventeen) entitled "An act to amend section one thousand four hundred and six of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' is hereby further amended to read as follows

Section 1406 The board of school directors of any school district in this Commonwealth may on account of the small number of pupils in attendance or the condition of the then existing school building or for the purpose of better graduation and classification or for economical or other reasons close and consolidate any one or more of the public schools in its district and upon such school or schools being so closed the pupils who belong to the same shall be assigned to other schools Provided That whenever the average term attendance of pupils regularly enrolled at any one-room school in any one school district of the fourth class is ten or less than ten the board of school directors shall close such school and provide proper transportation for the pupils of such closed school to and from the nearest or most convenient school to which pupils shall be assigned If the board of school directors do not deem it feasible to close such school they may present their petition to the State Council of Education showing the reasons why such school should not be closed thereupon the State Council of Education shall consider such petition and shall make such order as may seem just in the premises Provided further That in any district of the fourth class pupils who belong to any such closed school shall not have transportation Provided If they reside less than one and one-half miles by the public road from the school to which they are assigned Provided however If any school as aforesaid has been closed because the average term attendance of pupils regularly enrolled was ten or less than ten and upon petition to the State Council of Education has been reopened and the average attendance is twelve or more after such reopening such school shall be considered reestablished Provided further That in any district of the fourth class pupils who belong to any such closed school and reside one and one-half miles or more from the school to which they are assigned shall be furnished proper transportation at the expense of the district to and from the school to which they assigned except in case where schools are closed because of an average term attendance of ten or less than ten pupils regularly enrolled in which case one-half of the cost of such transportation not to exceed one dollar per diem per pupil shall be paid by the Commonwealth provision for which shall be made by separate appropriation in the general appropriation act

And provided further That whenever the board of school directors in any fourth class district agrees to or is required to provide transportation for any pupils such board of school directors may upon petition of the parent guardian or person in parental relation to any of said pupils in lieu of providing such transportation pay for suitable board and lodging for such pupils if such board and lodging is secured in the home of a near relative of the pupil or in a proper school dormitory or home approved by the person making the petition Provided That in no case shall the State pay more than one-half of the amount which it would be required to pay for the transportation of such pupil nor may the State's share exceed one dollar ($1.00) per day per pupil for the actual number of days such pupil is in attendance at school not exceeding five days in any one week

On the question,

Will the House agree to the section?

Mr. LUDLOW. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 4, by adding after the word "week" in line 26, the following: "and for attendance at a public school".

On the question,

Will the House agree to the amendment?

It was agreed to.

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section one thousand four hundred and six as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 607, as follows:

A Joint Resolution proposing an Amendment to section Fifteen of Article Five of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following Amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section fifteen of article five which reads as follows:

"Section 15 All judges required to be learned in the law except the judges of the Supreme Court shall be elected by the qualified electors of the respective districts over which they are to preside and shall hold their offices for the period of ten years if they shall so long behave themselves well but for any reasonable cause which shall not be sufficient ground for impeachment the Governor may remove any of them on the address of two-thirds of each House of the General Assembly" shall be and the same is hereby amended to read as follows

"Section 15 All judges required to be learned in the law except the judge of the Supreme Court and the County of Allegheny shall be elected by the qualified electors of the respective districts over which they are to preside and shall hold their offices for a period of ten years if they shall so long behave themselves well but for any reasonable cause which shall not be sufficient ground for impeachment the Governor may remove any of them on the address of two-thirds of each House of the General Assembly

"All judges required to be learned in the law in every Court of record in the county of Allegheny shall be appointed as herein provided and shall serve for life and during good behavior Said judges shall be appointed by the Governor of the Commonwealth upon nomination of the Chief Justice of the Supreme Court and by and with the consent of a majority of the Senate Any judge so appointed may be removed at any time for cause shown without impeachment by the concurring action of the Governor the Chief Justice and a majority of the Senate Nothing herein contained shall shorten or affect the term of any judge in commission at the time of the adoption of the Amendment"

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1252, as follows:

An Act providing for the licensing of certain stills and other distilling apparatus imposing certain duties upon the Secretary of the Commonwealth providing for the search for and seizure and destruction of unlicensed stills and distilling apparatus and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person association or corporation to own or to have an interest in or operate or have in his possession any still or other distilling apparatus for the manufacture of or that can be used for the manufacture of alcohol or distilled spirits unless he shall first secure a license from the Secretary of the Commonwealth to own have an interest in or operate such still or distilling apparatus as hereinafter provided which license shall be kept conspicuously posted at the place where the still is located

Section 2 Any person or persons associations or corporation desiring to own or operate a still or other distilling apparatus shall make application therefor to the Secretary of the Commonwealth upon banks to be furnished for the purpose by the said Secretary of the Commonwealth upon which blanks the applicant or applicants for said license shall set forth such information verified by oath or affirmation as may be required by the Secretary of the Commonwealth in determining whether the still or stills are to be used for a lawful purpose

Section 3 Upon the approval of said application by the Secretary of the Commonwealth and the payment by the applicant or applicants of the sum of five dollars ($5.00) for each still or distilling apparatus sought to be licensed a license shall be duly issued for the use and operation of said still for a period of one year from the date of issuance thereof Renewals of said license may be had upon the payment of the same fee upon such application being made therefor as may be required by the Secretary of the Commonwealth

Section 4 Whenever any individual makes complaint in writing before any alderman justice of the peace or magistrate supported by his oath or affirmation and subscribed to by him alleging that there is probable cause to believe and that he has just and reasonable grounds for believing and does believe that an unlicensed still or other apparatus for the manufacture of or that can be used for the manufacture of alcohol or distilled spirits is possessed in or upon any room house building boat vehicle structure receptacle premises or any other place or thing whatsoever said complaint describing the said place or thing to be searched and the unlicensed still or distilling apparatus to be seized as nearly as may be and setting forth probable cause the said alderman justice of the peace or magistrate if it be made to appear that there is probable cause for such belief shall issue a warrant to search the said place or thing and seize the said still or distilling apparatus described in the aforesaid complaint said search warrant describing the place or thing to be searched and the still or distilling apparatus to be seized as nearly as may be and being directed to any officer or officers commanding him or them to make search by day or by night of the room house building boat vehicle structure receptacle premises or any other place or thing whatsoever therein described for any such still or distilling apparatus and if any such be there found to seize the same and to make a return of said warrant together with the still or distilling apparatus so seized or taken to the said alderman justice of the peace or magistrate for disposition according to law Said officer or officers may arrest without warrant and bring before the alderman justice of the peace or magistrate who issued said search warrant the person or persons found in possession or custody of the said still or distilling apparatus so seized

Section 5 Any person who shall own have an interest in or operate or have in his or her possession any such unlicensed still or distilling apparatus and who shall be found in possession of such still or distilling apparatus and brought before any alderman justice of the peace or magistrate issuing any search warrant as provided in this act shall upon conviction by summary proceedings before said alderman justice of the peace or magistrate be sentenced to pay a fine of not less than ten dollars ($10.00) nor more than one hundred dollars ($100.00) or in case of non-payment of such fine to undergo an imprisonment in the county jail for a period not exceeding ninety (90) days Provided That any person so convicted shall have the right of appeal as in other cases of summary conviction

Section 6 No property rights shall exist in any such unlicensed still or distilling aparatus and the same shall be deemed contrabrand and shall be forfeited to the Commonwealth and the alderman justice of the peace or magistrate before whom any such still or distilling apparatus is brought upon any search warrant shall after summary hearing and proof that the still or distilling apparatus is not licensed as provided in this act order the same to be destroyed by the officer or officers who seized the same

Section 7 Any person who shall make any false statements in any application made to the Secretary of the Commonwealth for the purpose of obtaining a license as herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) nor more than one thousand dollars ($1,000.00) or undergo an imprisonment of not more than one year or both at the discretion of the court

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 991, as follows:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania by adding thereto section thirty four

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following is proposed as an amendment to the Constitution of the Commonwealth of Pennsylvania in accordance with the provisions of the eighteenth article thereof

That article three of the Constitution of the Commonwealth of Pennsylvania be amended by adding thereto section thirty-four as follows

Section 34 When the public purpose for which land is taken can best be attained by acquiring more land that the State Government or the municipality proposes to retain the State Government or the municipality subject to regulations prescribed by law may take all the land which in its judgment is needed for the attainment of such purpose and may dispose of portions thereof subject to restrictions protective of the public purpose

And said bill having read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 444, as follows:

An Act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of six hundred dollars ($600) or so much thereof as may be necessary is hereby specifically appropriated for the two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid to the treasurer of Elk Township Warren County Pennsylvania for the purpose of maintaining in good repair the public roads and highways passing through the Cornplanter Indian Reservation in said township Said money shall be paid on warrant drawn on the State Treasurer by the Auditor General and shall be disbursed under the direction of the supervisors of Elk Township

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1185, as follows:

An Act establishing and creating the office of Fire Marshal in counties of the second class in the Commonwealth of Pennsylvania providing for the appointment of fire marshals deputies and assistant fire marshals in such counties providing for the fixing and determining of the salaries to be paid such fire marshals deputies and assistant fire marshals defining their powers and duties and providing for a review by the courts of Common Pleas of such counties of all the orders of such fire marshals and providing for the filing of liens for the costs of removal of nuisances and regulating the adjustment of fire losses authorizing the county commissioners of such counties to provide suitable offices for such fire marshals and the necessary equipment stationery and clerk hire therefor authorizing the appointment and fixing the salary of a solicitor for such fire marshals prescribing his duties and providing fines and penalties for violations of the orders of the fire marshals

Whereas Owing to the great loss of life and property in the densely populated districts of the Commonwealth of Pennsylvania due largely to the lack of proper fire control and prevention and

Whereas In order to prevent such great loss of life and property

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the office of Fire marshals be and is hereby established in counties of the second class in the Commonwealth of Pennsylvania Each of said fire marshals shall be appointed by the Common Pleas Court of such counties as soon as possible after the passage and approval of this act and each of whom shall be appointed for a period of four years to serve as such fire marshals for said counties and until successors shall have been duly appointed therefor and each of which fire marshals may succeed himself by re-appointment by said court Each of said fire marshals shall receive a salary to be paid by the county of the sum of five thousand dollars per annum Each of said fire marshals before he shall enter upon his duties shall file a bond in the Court of Common Pleas of such counties in the sum of ten thousand dollars conditioned for a faithful performance of his duties costs of said bond to be paid by the county

Section 2 That said fire marshals with the assent and approval of the county commissioners of such counties shall appoint deputies not exceeding two in number and assistant fire marshals not exceeding fifteen in number and each of whom shall be appointed for a term of one year and may succeed themselves by re-appointment and each of whom shall receive such salary as may be determined by the salary board of such counties Said fire marshals with the assent and approval of the county commissioners shall also appoint a solicitor learned in the law whose duty it shall be to prepare and draw all civil papers advise in all criminal cases instituted by the said fire marshals and to generally advise the fire marshals in all legal matters pertaining to the proper conduct of the offices Said solicitors shall receive a salary to be fixed by the salary board of such counties Said fire marshals deputies and assistant fire marshals and solicitors shall be residents of the counties wherein they are appointed

Section 3 It shall be the duty of the said fire marshals to protect life and property within their respective counties and in addition shall have the following powers

To enter at all reasonable times and inspect all buildings within the counties in this Commonwealth wherein they are appointed and where it is found that any of the same are dilapidated and hazardous endangering life and adjoining property from fire the same are hereby declared to be a nuisance and the fire marshals of such counties shall order the same repaired if the hazardous condition can be corrected but if not then he shall order the said buildings removed within a reasonable time thereafter Said notice of removal shall be served upon the owner or occupant of said building which service for the purposes herein shall be sufficient

To enforce all laws ordinances and rules now in force or which may hereafter be enacted for the storing of all explosives oils gasolines and all inflamable and explosive materials and to enforce all laws ordinances rules and regulations now or hereafter enacted or adopted within said counties regarding the erection construction and repairing of buildings as the same concerns the elimination of fire hazards

To regulate and prevent the overcrowding of all public places where large numbers of people congregate and if any such place is dangerous and a menace to life and property to order and close the same

Section 4 If any person feels aggrieved by any order of any such fire marshals for the removal or correction of any such nuisance such person may within five days after such order is given file his petition in the courts of common pleas of the proper county praying a review of such order by said court whereupon a stay of the enforcement of said order may be granted if the court so determines but said person filing said petition shall be required by said court give a good and sufficient bond to be approved by said court in an adequate amount conditioned for the faithful and prompt prosecution of said case and the payment of all costs that may accrue thereon whether such order is affirmed modified or reserved The court shall dispose of such petition as soon as possible either with or without a jury trial as the law in the opinion of said court requires

Section 5 When by order of any such fire marshals or upon directions of the court of common pleas as aforesaid affirming or modifying any order as aforesaid it is directed that such a nuisance as aforesaid be removed or corrected and the owner or occupant neglects and refuses to comply therewith or to actually commence correction or removal thereof as directed for a period of ten days after notice that said order has become final as aforesaid then and in such case such fire marshal shall have the right to apply by petition to the court of the common pleas of the proper county an order directing the owner or occupant thereof to comply with said order within forty-eight hours thereafter and on default thereof the said owner or occupant as the case may be shall be considered in contempt of court for violation of the decree and order of said court and may be imprisoned by direction of said court until he is purged of such contempt On failure and refusal of an owner or occupant to comply with the said order instead of proceeding as heretofore in this section set out any of said marshals may apply to said common pleas court for an order directing and ordering that said nuisance be abated and removed or corrected whereupon the cost thereof shall be charged to and paid by the county commissioners of the county wherein said nuisance had existed

Section 6 When by any order of any such fire marshals or when an order is affirmed or modified by the court as herein set out a nuisance is directed to be removed or corrected and the owner or occupant thereof fails and refuses to fully comply therewith within a reasonable time after notice then such owner or occupant shall be deemed guilty of wilfully keeping and maintaining a nuisance detrimental to life and property and fined not more than fifty dollars and not less than twenty-five dollars for each day such refusal continues

Section 7 Such fire marshals through their said several solicitors shall file a lien in the courts of common pleas of the proper county for the cost of the removal of said nuisances as set out in section three of this act which lien shall be reduced to judgment as other liens are now reduced and when final judgment is obtained thereof the same may be prosecuted to sale and execution in the same manner as other judgments are now collectible

Section 8 It shall be the duties of all fire insurance companies doing business in said counties to report in detail immediately to such fire marshalls every fire occuring in said respective counties and of which they are notified before any adjustment of said loss is made and upon failure to do so such fire insurance companies shall be liable to a fine of not more than fifty dollars and not less than ten dollars

Section 9 The county commissioners in all such counties in this Commonwealth shall provide said fire marshal with suitable offices and shall pay or cause to be paid out of the treasuries of said counties all the cost of maintenance thereof including clerk and stenographer hire and all necessary supplies stationery postage and other incidental expenses

Section 10 All fines and penalties due hereunder shall be collectible at the suit of the said respective fire marshals as other fines and penalties are collectible

Section 11 All acts or parts of acts general local or special herewith are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1002, as follows:

An Act to further amend part of section six of an act approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That that part of section six of an act approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in and the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" which was amended by the act approved May sixteenth Anno Domini one thousand nine hundred twenty-one reads as follows

"Route Ninety-seven From Ridgway to the New York State line—Commencing in Ridgway and running by way of Johnsonburg and Wilcox to a point on the dividing line between Elk and McKean counties thence by way of Burrows to Kane thence over route ninety-five to Mount Jewett thence by way of Lafayette Lewis Run and Custer City to Bradford thence over route ninety-six to the New York State line" be and the same is hereby further amended to read as follows

Route Ninety-seven From Ridgway to the New York State line—Commencing in Ridgway and running by way of Johnsonburg and Wilcox to a point on the dividing line between Elk and McKean counties thence by way of Burrows to Kane thence over route ninety-five to Mount Jewett thence by way of Big Shanty Lewis Run and Custer City to Bradford thence over route ninety-six to the New York State line

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 578, as follows:

An Act to amend route two hundred and forty-eight of section six of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That route two hundred and forty-eight of the act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of the authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking property or otherwise in the improvement thereof providing for the purchase or acquiring of turnpikes of toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" is hereby amended to read as follows

Route two hundred and forty-eight From Brookville to Tionesta Commencing in Brookville and running by way of Howe and Siegal to a point on the dividing line between Jefferson and Clarion Counties by way of a point near Scotch Hill and Tylersburg and Holdenreid's Corners to Frill's Corners thence over ninety-two into Tionesta Forest county

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 149, as follows:

An Act establishing a State highway in the counties of Clarion Forest Elk and McKean providing for its location construction improvement and maintenance by the Commonwealth and vacating certain sections of State road in the counties of Clarion Forest and Elk

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a State highway is hereby established the route of which shall be as follows

Beginning at a point on Route number seventy-six in Paint township Clarion county at what is known as Brennimans Corners between Shippensville and Clarion and extending in a general northerly direction through the villages of Arthurs Lucinda Snydersburg Leeper Crown Vowinckel Marienville and Kane

Section 2 The said State highway shall be constructed improved and maintained by the State Highway Department in accordance with the existing laws of the Commonwealth relating to the construction improvement and maintenance of State highways

The cost of such construction improvement and maintenance shall be paid from moneys appropriated from time to time to the State Highway Department for the construction improvement and maintenance of State highways

Section 2 That the following sections of State Highway as now established are hereby vacated namely (a) that part of State Highway route number two hundred forty-eight between Leeper and Cooksburg (b) that part of State Highway route number two hundred eighteen between Shippensville and Edenburg (c) that part of State Highway route number two hundred and fifty-one between Saint Petersburg and Mariasville (d) that part of State Highwav route number ninety-eight between Nebraska and a point three miles east of Millstone

The sections of State Highway hereby vacated shall become township or borough highways or roads in accordance with the municipal districts in which the same are respectively located and shall hereafter be maintained and improved at the expense of the respective boroughs and townships in which located

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1112, as follows:

An Act to amend section one of an act approved the twenty-second day of July Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws one thousand and ninety-three) entitled "An Act creating in counties having a population of from eight hundred thousand to one million five hundred thousand a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners fixing their salaries payable by the county defining the powers and duties of such board and regulating the assessment of property and occupations for State and county purposes authorizing the appointment of subordinate assessors and clerks defining their duties and providing for their compensation payable by such counties imposing a penalty on subordinate assessors for failure to comply with certain provisions of this act and abolishing the office of ward borough and township assessors in so far as respects the assessment of property and occupations for State and county purposes" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-second day of July Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws one thousand and ninety-three) entitled "An Act creating in counties having a population of from eight hundred thousand to one million five hundred thousand a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners fixing their salaries payable by the county defining the powers and duties of such board and regulating the assessment of property and occupations for State and county purposes authorizing the appointment of subordinate assessors and clerks defining their duties and providing for their compensation payable by such counties imposing a penalty on subordinate assessors for failure to comply with certain provisions of this act and abolishing the office of ward borough and township assessor in so far as respects the assessment of property and occupations for State and county purposes which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in each county of the Commonwealth having a population of not less than eight hundred thousand nor more than one million five hundred thousand inhabitants there is hereby created a board to be designated as the board for the assessment and revision of taxes composed of seven persons citizens of the county The members of such board shall be appointed by the county commissioners of such county and shall hold their office for the term of four years from the first Monday of January one thousand nine hundred and twenty and the county commissioners shall fill all vacancies in the board for the unexpired term thereof Each member of such board shall receive a salary of five thousand dollars per annum payable monthly out of the treasury of the county" be and the same is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in each county of the second class there is hereby created a board to be designated as the board for the assessment and revision of taxes composed of seven persons citizens of the county The members of such board shall be appointed by the county commissioners of such county and shall hold their office for a term of four years from the first Monday of January one thousand nine hundred and twenty and their successors shall be appointed by the county commissioners of such county for a like term every four years thereafter and the county commissioners of such county shall fill all vacancies in the board for the unexpired term thereof Each member of such board shall receive a salary of five thousand dollars per annum payable out of the treasury of the county

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1378 (Senate Bill No. 224), as follows:

An Act providing for the filling of vacancies in the office of tax-collector in boroughs by the council of the borough and repealing certain acts inconsistent therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any vacancy shall occur in the office of tax-collector after any borough election by reason of the erection of any new borough or if the duly qualified electors of any borough shall fail to elect a tax-collector or when a tax-collector that has been elected shall fail to qualify or shall fail or neglect to perform the duties of such office or shall neglect to give bond on or before the fourth day of the term of quarter sessions ensuing his election or if any other vacancy shall occur by death resignation or otherwise the borough council of the borough in which such vacancy exists shall fill such office by appointing by resolution a suitable person resident of the district in which such vacancy exists Such appointment shall be until the next municipal election at which election a collector shall be elected for four years

Section 2 That the act approved the seventeenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and twenty-one) entitled "An act providing for the filling of vacancies in the office of tax-collector in boroughs and townships by the county commissioners and repealing certain acts inconsistent therewith" is hereby repealed in so far as it relates to boroughs

All other acts and parts f acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1420 (Senate Bill No. 584), entitled:

An Act extending and enlaging the powers and rights of Trust Companies and Banks organized and incorporated under the laws of the Commonwealth of Pennsylvania

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1414 (Senate Bill No. 587), entitled:

An Act prescribing the effect of the merger of a trust company or a banking company possessed of trust company powers with another trust company or banking company possessed of trust company powers of the estate and property real and personal held by either of such merging corporations in any trust or fiduciary capacity.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 956, as follows:

An Act to amend section one of the act approved the twenty-fifth day of June one thousand eight hundred and eighty-five (Pamphlet Laws one hundred and eighty-one) entitled "An Act to authorize certain corporations to become sole surety for the faithful performance of any trust or duty and to authorize certain officers to approve the same" by requiring the approval thereof when the certificates issued by the Insurance Department to said corporations have been filed in the prothonotary's office

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-fifth day of June one thousand eight hundred and eighty-five (Pamphlet Laws one hundred and eighty-one) entitled "An Act to authorize certain corporations to become sole surety for the faithful performance of any trust or duty and to authorize certain officers to approve the same" which reads as follows

"Section 1 Be it enacted et cetera That whenever any person individually or in any public or private trust who is now or hereafter may be required or permitted by law to make or execute and give a bond or undertaking with security conditioned for the faithful performance of any duty or for the doing or not doing of anything in said bond or undertaking specified any head of a department judge of the Supreme Court or prothonotary thereof judge of the court of common pleas or prothonotary thereof judge of the orphans' court register of wills sheriff magistrate or any other officer who is now or shall be hereafter required to approve the sufficiency of any such bond or undertaking may in the discretion of such officer accept such bond or undertaking and approve the same whenever the conditions of such bond or undertaking are guaranteed by a company duly authorized by the Insurance Department of this State to do business in this State and authorized to guarantee the fidelity of persons holding positions of public or private trust and such company may become sole surety in any case where by law one or more sureties may be required for the faithful performance of any trust or duty Provided however That where such bond or undertaking shall involve the safe keeping or faithful application of the assets of any fiduciary such head of department judge or other officer shall make such order or decree as shall assure the retention of such assets within this Commonwealth in such manner as such head of department judge or officer may direct until disposition thereof be made according to law" is hereby amended to read as follows

Section 1 Be it enacted et cetera That whenever any person individually or in any public or private trust who is now or hereafter may be required or permitted by law to make or execute or give a bond or undertaking with security conditioned for the faithful performance of any duty or for the doing or not doing of anything in said bond or undertaking specified any head of a department judge of the Supreme Court or prothonotary thereof judge of the orphans' court register of wills sheriff magistrate or any other officer who is now or shall be hereafter required to approve the sufficiency of any such bond or undertaking shall approve the same whenever the conditions of such bond or undertaking are guaranteed by a company duly authorized by the Insurance Department of this State to do business in this State and authorized to guarantee the fidelity of persons holding positions of public or private trust and whenever such company has filed in the office of the prothonotary of the county in which the said bond is to be approved a certificate issued by the Insurance Commissioner of the State authorizing it to become surety on all bonds obligations and undertakings and until such certificate has been revoked by the Insurance Commissioner Such certificate shall be conclusive proof of the solvency and credit of such company for all purposes and of its right to be so accepted as such sole surety and its efficiency as such

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1084, as follows:

A Supplement to an act approved the twenty-third day of June one thousand nine hundred eleven (Pamphlet Laws one thousand one hundred twenty-three) entitled "An Act establishing in each county a Board of Viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" as the same was amended and supplemented by subsequent acts by providing for the compensation to be paid to the members of the Board of Viewers in counties of the second class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That each member of the Board of Viewers in counties of the second class appointed pursuant to the provisions of the Act of Assembly of which this is a supplement shall hereafter receive an annual salary of sixty-five hundred dollars payable in equal monthly installments out of the treasury of the proper county

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1004, as follows:

An Act to amend the act approved the fourth day of April one thousand eight hundred and seventy-two (Pamphlet Laws forty) entitled "An Act supplemental to an act entitled 'A supplement to acts relating to incorporations by the courts of common pleas' approved on the ninth day of April Anno Domini one thousand eight hundred and fifty-six" providing for the publication of notice and the mailing of notices to stockholders in case of dissolution proceedings

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the fourth day of April one thousand eight hundred and seventy-two (Pamphlet Laws forty) entitled "An Act supplemental to an act entitled 'A supplement to acts relating to incorporations by the courts of common pleas' approved on the ninth day of April Anno Domini one thousand eight hundred and fifty-six" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the "proper county" intended by said act approved as aforesaid may be at the option of any corporation praying for permission to dissolve in the way and manner in said act designated either the county in which the principal operations of the corporations are conducted or that county in which its principal office or place of business is located Provided That notice of said application shall be given by publication in two papers in the county in which the principal operations are conducted and that in which the principal office is located once a week for three weeks and that notice shall be mailed to each stockholder of record not less than ten days prior to the date of the meeting at which the question of the dissolution of the corporation is to be voted upon

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 894, as follows:

An act to repeal an act approved the eighth day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred and fifteen) entitled "An act to fix the salaries of the deputies in the offices of the clerk of the courts county controller recorder of deeds county treasurer chief deputy sheriff and chief clerk to the county commissioners in counties of this Commonwealth having over two hundred and fifty thousand population and less than four hundred thousand population"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act approved the eighth day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred and fifteen) entitled "An act to fix the salaries of the deputies in the offices of the clerk of the courts county controller recorder of deeds county treasurer chief deputy sheriff and chief clerk to the county commissioners in counties of this Commonwealth having over two hundred and fifty thousand population and not less than four hundred thousand population" is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1401 (Senate Bill No. 640), entitled:

An Act to amend section three of an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and nine) entitled "An act to authorize the acquisition by purchase or condemnation of lands for a park and the erection of a monument commemorative of Washington crossing the river Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1429. (Senate Bill No. 746), entitled:

An Act relative to the disposition of fines and forfeitures in counties of this Commonwealth of the fourth class and authorizing the expenditure of a portion of all of said fines for the support and maintenance of a law library in said counties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1402. (Senate Bill No. 258), entitled:

An Act to amend section three hundred and twenty-five of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships and revising, amending, and consolidating the law relating thereto" fixing the compensation of township auditors.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 680, entitled:

An Act imposing a State tax on coal other than anthracite providing for the assessment and collection thereof and providing penalties

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 970, entitled:

An Act to amend section one of an act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand sixty-five) entitled "An further supplement to an act approved the twenty-fourth day of July one thousand nine hundred thirteen (Pamphlet Laws nine hundred seventy-seven) entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 466, entitled:

An Act to further amend section twenty-one of an act approved the first day of June one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred and twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as amended by changing the rate of taxation on capital stock and removing the exemption granted corporations limited partnerships and joint-stock associations organized for laundering and manufacturing purposes

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 937, entitled:

An Act to amend section five of an act approved the tenth day of June one thousand eight hundred and ninety-three (Phamphlet Laws four hundred nineteen) entitled "An act to regulate the noimination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" as amended providing that nomination papers for the office of representative in the General Assembley shall be filed with the county commissioners of the repective counties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 938, entitled:

An Act to further amend section seven of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended to provide for filing petitions for nomination for Representative in the General Assembly with the county commissioners

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1091, entitled:

An Act providing for the safe-keeping of ballot boxes by the Sheriff wherein any vacancies occurs in the office of justice of the peace or persons designated by the Court of Common Pleas to receive ballot boxes and making the Sheriff responsible for the safekeeping of such ballot boxes while in his possession.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 521, entitled:

An act imposing an emergency State luxury tax providing for its collection restricting the use of the revenue derived therefrom and fixing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 972, entitled:

An act imposing an emergency State tax in addition to the present taxes on all subjects now taxable for State purposes providing for its collection and providing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 871, entitled:

An act relating to pillows belaters feathers beds comfortables cushions and upholstered furniture regulating the making remaking renovating disinfecting sale leasing delivering and consigning thereof and the possession thereof with intent to sell lease deliver or consign

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1426 (Senate Bill No. 649), entitled:

An act to repeal the act approved the sixth day of June one thousand eight hundred and seventy-three (one thousand eight hundred and seventy-four Pamphlet Laws four hundred ten) entitled "An act to provide for the creation of a board of examiners and the appointment of an inspector of steam engines and steam boilers for the county of Allegheny" go over in its order.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1456 (Senate Bill No. 570), entitled:

An act providing for the merging of moneys held in certain special funds in the State Treasury with moneys in the general fund providing for the use of all moneys in the general fund for the payment of appropriations and for the payment from the general fund of moneys appropriated and dedicated for special purposes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1392 (Senate Bill No. 600), entitled:

An Act to amend section one of the act approved the eighth day of June, one thousand nine hundred and fifteen (P. L. 915) entitled "An Act to fix the salaries of the deputies in the offices of the clerk of the courts county controller, recorder of deeds, county treasurer, chief deputy sheriff, and chief clerk to the county commissioners, in counties of this Commonwealth having over two hundred and fifty thousand population and less than four hundred thousand population; by changing the manner of fixing salaries and prescribing the minimum thereof; and making the act apply to counties of the third class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1436 (Senate Bill No. 59), entitled:

An Act to repeal an act entitled "An act to regulate the practice of the profession of engineering and of land surveying creating a State Board for the registration of Professional Engineers and Land Surveyors defining its powers and duties imposing certain duties upon the Commonwealth and political sub-divisions thereof in connection with public work and providing penalties"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1379 (Senate Bill No. 282), entitled:

An act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1118, entitled:

An Act to further amend sections three nine and twenty-four of an act approved the thirtieth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred and seventy-eight) entitled "An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by or trailing after motor vehicles requiring the registration of the same and the licensing of all operators thereof providing the fees thereof and the disposition of such fees prohibiting the unauthorized use of and tampering with motor vehicles limiting and defining the powers of cities boroughs incorporated towns townships and counties as to the regulation of the use and equipment of motor vehicles and the taxing registration or licensing thereof imposing certain duties on the State Highway Commissioner and on proprietors of public garages providing procedure and penalties for violations thereof and the disposition of fines collected and regulating the service the use of any motor vehicle" as amended changing the fees of process and proceedings in actions for damages arising from upon trucks limiting the weight of trucks and the number of trailers

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 48, entitled:

An Act relating to public service companies limiting their charges to services actually rendered or furnished requiring such companies to supply all instruments and devices necessary and incidental to their service prohibiting the discontinuance of service as a means of collecting charges in certain cases and prescribing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 142, entitled:

An act making an appropriation to the County of Philadelphia for the payment of a judgment obtained by the said county against the Commonwealth of Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 581, entitled:

An act imposing a poll tax for county purposes on male and female residents over the age of twenty-one years and abolishing the occupation tax

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1411, entitled:

An act to amend section one of an act approved the twenty-seventh day of April one thousand nine hundred and eleven (Pamphlet Laws eighty-six) entitled "An act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants providing for the Payment of the same by the particular county limiting the number of tipstaves to be appointed and repealing an act of Assembly entitled 'An act to regulate the fees of court criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants' approved the twenty-ninth day of April Anno Domini one thousand nine hundred and nine" as amended

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1244, entitled:

An Act relating to the regulation of brick work and inspection of same in cities of the (first) second third and fourth class and other municipalities within the Commonwealth wherein such work is performed and inspectors are employed providing for the appointment of inspectors and penalties for the violation of this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1338, entitled:

An Act providing a means whereby the individual Justice of the Peace may inform himself as to the law changes in the law and decision of the Courts on the law of this Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 36, entitled:

An Act to regulate the practice of chiropractic and to provide for the appointment and maintenance of the Board of Chiropractic examiners To define the powers and duties of said board of Chiropractic examiners to provide for the examining and licensing of chiropractors in this State and to provide penalties for the violation of this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1368 (Senate Bill No. 30), entitled:

An Act to amend an act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred seventy-nine) entitled "An Act to amend an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand and fifty-nine) entitled 'An Act extending the powers of judges of courts of quarter sessions and of oyer and terminer in relation to releasing prisoners in jails and workhouses on parole by extending said act to include houses of correction conferring similar powers on other courts of record and providing that the powers of parole shall extend for a period not to exceed the maximum sentences as provided by law" providing the procedure in cases of parole conferring power to parole upon the several courts instead of judges thereof and fixing the time when petitions for parole may be first presented

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 861 (Senate Bill No. 46), entitled:

An Act making an appropriation to carry into effect the provisions of an act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and fourteen) entitled "An Act providing for the erection and construction by the Commonwealth of Pennsylvania and the State of New Jersey of a bridge over the Delaware River connecting the city of Philadelphia and the city of Camden and the approaches thereto providing for a joint commission for that purpose and defining its powers duties providing for an independent commission in this Commonwealth in relation thereto and defining its powers and duties providing for the payment of a part of the cost thereof by the city of Philadelphia and providing for the acquiring taking and condemnation of the real estate for the site and approaches thereof providing for the turning over of said bridge upon its completion and making an appropriation for the purpose of this act" and its amendments

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1449 (Senate Bill No. 496), entitled:

An Act to further amend section two of an act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing acts for repeal" as amended

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 673, entitled:

An Act to amend section two of an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws eleven hundred eighty) entitled "An Act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll-bridges over the Delaware River and making an appropriation therefor"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1448 (Senate Bill No. 448), entitled:

An Act providing for the transfer to Pennsylvania of the titles to and liens affecting any lands heretofore regarded as being in the State of Delaware but found to be in Pennsylvania in acordance with the interstate boundary run by the joint commission of said States appointed by virtue of the act of Assembly of Pennsylvania approved the fourth day of May one thousand eight hundred and eigthy-nine (Pamphlet Laws eighty-one) entitled "An Act relative to the boundary lines and boundary line monuments"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1434 (Senate Bill No. 685), entitled:

An Act to amend sections one two three five and seven as amended by an act approved the first day of May one thousand nine hundred and nine Pamphlet Laws three hundred and twenty-one entitled "An Act to provide for State registration of Nurses to establish a State Board of Examiners in connection therewith and to provide penalties for the violation of certain provisions regarding such registration" by providing for a change in membership of the Board for a change in salary of the secretary treasurer the educational director and for the members of the Board

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1435 (Senate Bill No. 686), entitled:

An Act relating to the registration and re-registration of nurses by the State Board of Examiners for Registration of nurses and the issuance of a license to practice nursing

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL DROPPED FROM THE CALENDAR.

Mr. EARLEY. Mr. Speaker, I move that House Bill No. 705, file folio 4897, entitled:

An Act to amend articles one four and five as amended of chapter seven and sections four and six of article six of chapter seven of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

on page 18 of today's calendar, bills on third reading postponed, be dropped from the calendar.

Mr. HETRICK. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL.

Mr. WILLISTON P. WOOD. Mr. Speaker, I move that the time be extended five days on House Bill 1066, file folio 3357, entitled:

An Act to amend section one of the act approved the second day of June, one thousand eight hundred and ninety-one (Pamphlet Laws, one hundred sixty-eight), entitled, "An Act to enable the county commissioners of the several counties to sell any real estate which they may acquire, and make deeds therefor," excepting from the provisions of said act real estate acquired at tax sales.

on page 16 of today's calendar, bills on third reading postponed.

Mr. ZOOK. Mr. Speaker, I second the motion.

The motion was agreed to.

ANNOUNCEMENT OF BILLS DROPPED FROM CALENDAR.

The SPEAKER. The Chair is inclined to say that bills on the postponed calendar, of which there are a large number as of the 18th, will be dropped from the calendar today unless the time is extended.

TIME EXTENDED ON BILL.

Mr. STORER. Mr. Speaker, I move that the time be extended five days on House Bill No. 855, file folio 1477, entitled:

An Act authorizing the county commissioners and sheriff of any county of the second class to organize a uniformed and mounted county Police

on page 9 of today's calendar, bills on final passage postponed.

Mr. LONG. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL.

Mr. GIBBONS. Mr. Speaker, I move that the time be extended five days on House Bill 1395, (Senate Bill 297), file folio 3331, entitled:

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has formerly been held or conveyed by to or for corporations not authorized by law to hold the same

on page 17 of today's calendar, bills on third reading postponed

Mr. MILLER. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL.

Mr. GIBBONS. Mr. Speaker I move that the time be extended five days on House Bill 1394, (Senate Bill 296) file folio 915, entitled:

An Act to amend section two of the act approved the twentieth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, nine hundred and forty-four), entitled "An Act authorizing the establishments by counties of hospitals for the treatment of persons afflicted with tuberculosis; providing for the management and maintenance thereof and authorizing the incurring of indebtedness and the levy of taxes therefor," by empowering the county commissioners and county controller where such office exists to take by eminent domain proceedings land necessary for the establishment of such hospitals; giving the board of trustees powers concurrent with the county commissioners and county

on page 18 of today's calendar, bills on third reading postponed.

Mr. MILLER. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL

Mr. DUNN. Mr. Speaker, at the request of the Senator from Perry County, I move that the time be extended five days on House Bill No. 751, (Senate Bill No. 40), file folio 475, entitled:

An Act fixing the salary of the prothonotary in counties of the eighth class and providing for the payment of all fees and commissions into the county treasury

on page 16 of today's calendar, bills on third reading postponed.

Mr. LUCAS. Mr. Speaker, I second the motion.

The motion was agreed to.

ADJOURNMENT.

Mr. DUNN. Mr. Speaker, I move that this House do now adjourn until Monday evening, April 30, 1923, at 9:00 o'clock.

The motion was agreed to, and (at 10:50 A. M.), the House adjourned until Monday evening, April 30, 1923, at 9:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

Session 1923 125th of the General Assembly

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SENATE

MONDAY, APRIL 30, 1923.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor David J. Davis) in the Chair,

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

O God, our Heavenly Father: May Thy blessing rest upon the Senate as it assembles at the beginning of this week. Thou hast called these men to positions of large responsibility. The welfare of millions of their fellow-citizens is in some measure dependent upon them. Grant to the Senators wisdom and courage and fidelity. May they be guided by pure and unselfish motives, and may all they do tend to the uplift of the State and to Thine honor and glory. For the sake of Jesus Christ. Amen.

JOURNAL APPROVED.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HOMSHER, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE.

Mr. PHIPPS, asked and obtained leave of absence for the Senator from Philadelphia, Mr. Patton, for this evening.

Mr. SMITH, asked and obtained leave of absence for the Senator from Crawford, Mr. Miller, for the balance of the week, on account of illness.

RESOLUTION OF JUDGES OF PHILADELPHIA COUNTY FAVORING PASSAGE OF SENATE BILL 986.

The Chair laid before the Senate communication from the Court of Common Pleas No. 3, Philadelphia, as follows:

Court of Common Pleas No. 3, Philadelphia, April 23, 1923.

Hon. David J. Davis, Lieutenant-Governor of Pennsylvania, Harrisburg, Pa.

Dear Sir: At a meeting of the Judges of the Courts of Oyer and Terminer, General Jail Delivery and Quarter Sessions of the Peace in and for the County of Philadelphia, held April 23, 1923, the following resolution was unanimously adopted:

"Resolved that it is the belief of the Judges of the Courts of Oyer and Terminer and General Jail Delivery and Quarter Sessions of the Peace in and for the County of Philadelphia, that the passage of Bill No. 986 (Session of 1923), now pending before the General Assembly, by which provision is made for the establishment of a State Industrial Farm, will go far to improve conditions at the Eastern Penitentiary, now over-crowded to a most undesirable degree, and also provide an opportunity by practical experiment to work out a proper solution of the important problem of the reclamation and reformation of those convicted of crime; and

Resolved that this resolution of the said Judges be laid before the General Assembly in a suitable memorial under the seal of said courts."

The secretary was directed to communicate the above resolution to you.

Yours truly,
Wm. C. Ferguson, Secretary.

Which was referred to the Committee on Appropriations.

BILLS SIGNED.

The PRESIDENT (Lieutenant-Governor David J. Davis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 162, entitled:

An Act to amend section one thousand seven hundred and eight of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

House Bill No. 283, entitled:

An Act making an appropriation to the Brownsville General Hospital, Brownsville, Pennsylvania.

House Bill No. 395, entitled:

An act to regulate the sales of caustic acids caustic alkalies and preparations thereof and mineral or chemical salts intended for household and agricultural uses and providing penalties for the violating thereof

House Bill No. 606, entitled:

An Act to further amend an act approved the third day of June, 1895, (P. L. 130) entitled "An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of assembly where such bridges have been destroyed by flood, fire or other casualty, providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges providing for the rebuilding of decayed and unsafe bridges and certain bridges on State highways.

House Bill No. 722, entitled:

An Act to amend clause (h) of section one hundred and two Article I of an act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for the purchase lease building and maintenance of telephone lines for attachments thereto by private parties and appropriating the revenue derived therefrom

House Bill No. 724, entitled:

An Act to amend section one thousand and five Article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing further penal provisions for setting fire maliciously or otherwise to any woodlot forest or wild land

House Bill No. 726, entitled:

An Act to amend an act entitled "An Act to amend sections two thousand seven hundred and one and two thousand seven hundred and two of an Act entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) by providing that all receipts and proceeds derived in any way from or on account of the State forests now or hereafter acquired by this Commonwealth shall belong to and form a part of 'The State School Fund of Pennsylvania' approved the fourth day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and twenty-five) by providing that net receipts from State forests shall become part of the State School Fund of Pennsylvania.

House Bill No. 782, entitled:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf and Dumb Mount Airy Philadelphia to cover deficiency in maintenance and education of State pupils

House Bill No. 933, entitled:

An Act authorizing county commissioners to appropriate money from the funds of the county to aid in the planting of trees and the establishment of tree nurseries in aid of the reforestration of wood lots of farms or any other lands denuded of timber trees which it is desired to reforest

House Bill No. 1007, entitled:

An Act to amend an act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred and sixty-one) entitled "An act relating to the maintenance of insane feeble-minded and other persons confined in the various institutions of the Commonwealth fixing liability for their support providing for the collection of moneys due the Commonwealth therefor and for proceedings relating thereto"

House Bill No. 1165, entitled:

An Act authorizing cities boroughs towns and townships to purchase burial plots for certain deceased service men

House Bill No. 1208, entitled:

An Act making an appropriation to the Pennsylvania State College to reimburse the said college for loss of interest on a bond of the Commonwealth for the benefit of said college which bond has matured

House Bill No. 1254, entitled:

An Act making an appropriation to carry out the provisions of the Act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws eleven hundred ninety) entitled "An act providing for the refunding of moneys paid to the State Highway Department for registration of motor vehicles and drivers' licenses which motor vehicles and licenses have not been used and to which moneys it appears the Commonwealth has no claim and making an appropriation for such refunds"

House Bill No. 1357, entitled:

An Act providing for the redemption and cancellation of the Bond issued under the act approved April third one thousand eight hundred and seventy-two Pamphlet Laws thirty-nine entitled "An act directing the sale of the bonds composing the Agricultural College land script fund and authorizing the issue of a new bond in lieu thereof and abolishing the board commissioners created by act of April first one thousand eight hundred and sixty-three" and for the investment of the moneys in the fund resulting from such redemption and the payment of the interest therefrom by the Sinking Fund Commission to Pennsylvania State College

Whereupon,

The PRESIDENT (Lieutenant-Governor David J. Davis) in the presence of the Senate signed the same.

HOUSE MESSAGE

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL NO. 911.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 911, entitled:

An Act to provide for the erection of new or additional buildings for the maintenance care and treatment of the poor indigent insane and indigent persons afflicted with tuberculosis in poor districts in counties of the second class, which now maintain or which shall hereafter maintain a poor house or a hospital or sanitarium for such purposes, authorizing the county commissioners to borrow moneys, issue and negotiate the sale of bonds and to levy taxes for the payment of the same.

SENATE INSISTS UPON ITS AMENDMENTS TO HOUSE BILL NO. 911.

Mr. JOYCE. Mr. President, I move that the Senate insist upon its amendments to the foregoing bill, non-concurred in by the House, and that a Committee of Conference be appointed to confer with a similar committee of the House (if the House shall appoint such committee), to consider the differences existing between the two houses in relation to said bill.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which were read as follows:

APPROVAL OF SENATE BILL NO. 16.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 26, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 16, entitled, "An Act to amend clause five of section three of an act entitled 'An act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof' approved the thirteenth day of May Anno Domini one thousand nine hundred and nine (Pamphlet Laws five hundred and twenty)".

GIFFORD PINCHOT.

APPROVAL OF SENATE BILL NOS. 5, 96, 293, 422, AND 457.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 27, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed the following:

Senate Bill No. 5, entitled, "An Act making an appropriation to the trustees of the State Hospital of the Northern Anthracite Coal Region of Pennsylvania at Scranton Pennsylvania".

Senate Bill No. 96, entitled, "An Act making a deficiency appropriation to the trustees of the Pennsylvania State Oral School for the deaf at Scranton Pennsylvania".

Senate Bill No. 293, entitled, "An Act to amend section six of the act approved the twenty-seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and three) entitled 'An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties' ".

Senate Bill No. 422, entitled, "An Act fixing the compensation of jury commissioners in counties of the seventh class".

Senate Bill No. 457, entitled, "An Act to amend section twenty-two of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine) entitled 'An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth' authorizing the Governor to confer brevet rank upon certain officers".

GIFFORD PINCHOT.

APPROVAL OF SENATE BILL Nos. 98, 129, 130, 291, 362, and 411.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 26, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed the following:

Senate Bill No. 98, entitled, "An Act to repeal an act approved the ninth day of April one thousand eight hundred and sixty-eight (Pamphlet Laws seventy-three) entitled 'A supplement to an act relating to counties and townships and county and township officers approved April fifteenth one thousand eight hundred and thirty-four relating to public buildings' ".

Senate Bill No. 129, entitled, "An Act to amend sections five hundred and forty and forty-one as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled, 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' ".

Senate Bill No. 130, entitled, "An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and eight) entitled 'An act prohibiting under certain conditions the commutation encumbrance or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto prohibiting the attachment of such proceeds as part of the general corporate funds' by extending the name to the proceeds and income from policies issued by both domestic and foreign companies".

Senate Bill No. 291, entitled, "An Act to amend section one of the act approved the twenty-third day of May one thousand nine hundred and seven (Pamphlet Laws two hundred and twenty-five) entitled 'An act providing for the payment of the premiums on bonds of county city borough school-district and township employes' extending the provisions thereof to officers".

Senate Bill No. 362, entitled, "An Act regulating the practice of law in Courts not of record".

Senate Bill No. 411, entitled, "An Act to amend part of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and forty-nine) entitled, 'An act to fix the number of Senators in the General Assembly of the State to apportion the State into senatorial districts as provided by the Constitution and to regulate the election of and the terms of office of the present and future electer Senators' ".

GIFFORD PINCHOT.

APPROVAL OF RESOLUTION RECALLING FROM GOVERNOR SENATE BILL No. 449.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 25, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 449, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF SENATE BILL No. 449, RECALLED FROM THE GOVERNOR.

Mr. EYRE. Mr. President, I move to reconsider the vote by which the bill passed finally.

The PRESIDENT. How did the Senator vote?

Mr. EYRE. Mr. President, I voted "aye".

Mr. SMITH. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SMITH. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. EYRE. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. EYRE. Mr. President, I voted "aye".

Mr. SMITH. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SMITH. Mr. President, I voted "aye."

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. EYRE. Mr. President, I ask unanimous consent to amend section 1, page 2, line 17, by striking out the word "Thornby" and inserting in lieu thereof the word "Thornbury".

The PRESIDENT. Is there objection. The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

NOMINATIONS BY THE GOVERNOR.

JUSTICE OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 30, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate, **W. Earl Markley**, of Center Point, as Justice of the Peace, in and for the Township of Worcester, Montgomery County, vice Howard George deceased, to serve until the first Monday in January 1924.

GIFFORD PINCHOT.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 30, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commission:

ALLEGHENY COUNTY.

B. F. Burns, Pittsburgh, May 10, 1923.
Miss B. J. McConnell, Pittsburgh, May 12, 1923.
Miss K. M. Wells, Pittsburgh, May 6, 1923.

CAMBRIA COUNTY.

John M. Carlisle, Nanty Glo, May 13, 1923.

CLEARFIELD COUNTY.

Trood D. Parker, Clearfield, May 13, 1923.

DAUPHIN COUNTY.

A. W. Dunkle, Harrisburg, April 1, 1923.

DELAWARE COUNTY.

Earle F. Hawes, Chester, May 13, 1923.
Chas. G. Worrilow, Chester, May 7, 1923.

ERIE COUNTY.

Walter A. Gleason, Erie, May 13, 1923.

LACKAWANNA COUNTY.

John W. Howell, Scranton, May 13, 1923.

LEBANON COUNTY.

John C. Baney, Lebanon, May 13, 1923.
Irwin Yingst, Lebanon, May 13, 1923.

LYCOMING COUNTY.

Henry C. Parsons, Williamsport, April 29, 1923.

NORTHUMBERLAND COUNTY.

John F. Gillespie, Shamokin, May 13, 1923.

PHILADELPHIA COUNTY.

Mrs. Ida M. Basford, Philadelphia, May 10, 1923.
James S. Clark, Philadelphia, May 12, 1923.
Michael Imber, Philadelphia, May 13, 1923.
Martin I. Isen, Philadelphia, May 10, 1923.
F. J. Lambert, Philadelphia, April 30, 1923.
William H. McConnel, Philadelphia, May 6, 1923.
I. Clarence Pennington, Philadelphia, May 12, 1923.
Mrs. Nina Powell, Philadelphia, May 13, 1923.
Miss Edith Reeves, Philadelphia, May 10, 1923.
Sedgwick C. Tourison, Philadelphia, May 13, 1923.
Benjamin F. Williams, Philadelphia, May 13, 1923.

WESTMORELAND COUNTY.

Miss Juliet A. Hyskell, Scottdale, May 12, 1923.
T. G. Truxal, Greensburg, April 26, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 30, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the term of four years, to compute from the date of conffirmation:

ALLEGHENY COUNTY.

J. F. Frazier, Crafton.
Miss Margaret Louise Higgins, Pittsburgh.
H. H. Irwin, Pittsburgh.
Miss Rhoda M. Klose, Pittsburgh.

COLUMBIA COUNTY.

Randall C. Stephens, Berwick.

DAUPHIN COUNTY.

C. E. Bordner, Hershey.
George L. Reed, Harrisburg.

DELAWARE COUNTY.

A. W. Mathues, Media.
Forrest W. McClure, Glenolden.

FAYETTE COUNTY.

Edward Nay, Uniontown.

GREENE COUNTY.

W. V. Hutchins, Waynesburg.

INDIANA COUNTY.

Miss Sue R. Fetterman, Indiana.

PHILADELPHIA COUNTY.

Bronislow Andruskewicz, 242 N. 21st St., Phila,
Mrs. Anna P. Dames, 4309 Lauriston St., Phila.,
Miss Bertha Hoffman, 1928 Sedgley Ave., Phila.
Miss B. Dorothy Policoff, 2447 S. 6th St, Phila.,
Ernest M. Pomerentz, 475 Drexel Bldg., Phila.,
Nathan J. Schneider, 1911 N. 31st St., Phila.,
Miss Edna M. Snyder, 3623 N. 19th St., Phila.,
Ira N. Thayer, 3103 Ridge Ave., Phila.,
George Williams, S. W. Cor. 4th & Green St., Phila.,

SCHUYLKILL COUNTY.

Miss Virginia C. Raverty, St. Clair.

WASHINGTON COUNTY.

Geo W. Hoch, Canonsburg.

GIFFORD PINCHOT.

HANSHUE.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. VARE,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. VARE,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. VARE. Mr. President, I move that the Executive Session do now rise.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGES.

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 353, (Senate Bill No. 1036), entitled:

An Act to amend section eight of the act approved the sixteenth day of May, one thousand nine hundred and twenty-one, (P. L. 559), entitled "An Act for the better protection of fish; requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth, or in the waters bounding or adjacent thereto; and regulating the issuance of such license; providing penalties for the violation of this act, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the penalites recovered and license fees received," by making county treasurers agents of the Commonwealth in collecting license fees and issuing licenses.

Which was committed to the Committee on Game and Fisheries.

House Bill No. 428, (Senate Bill No. 1037), entitled:

An Act to amend section one of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred and sixty-eight) entitled "An act relating to police pension funds in cities of the third class and directing such cities to appropriate certain moneys thereto"

Which was committed to the Committee on Municipal affairs.

House Bill No. 469, (Senate Bill No. 1038), entitled:

An Act to amend section three of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

Which was committed to the Committee on Elections.

House Bill No. 704, (Senate Bill No. 1039), entitled:

An Act requiring the filing of plans and specifications for buildings public works highways or improvements undertaken by boroughs townships poor districts or school districts in the office of the clerk of the court of quarter sessions and requiring copies to be furnished by the secretary architect or engineer of the municipality to applicants therefor

Which was committed to the Committee on Municipal affairs.

House Bill No. 963, (Senate Bill No. 1040), entitled:

An act to amend sections thirty-two and thirty-eight of an act entitled "An act relating to the sale of goods" approved the nineteenth day of May Anno Domini one thousand nine hundred and fifteen

Which was committed to the Committee on Judiciary General.

House Bill No. 973, (Senate Bill No. 1041), entitled:

An Act to amend section three of the act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred and seventy-five) entitled "An act to provide for the appointment of county and city inspectors of weights and measurers providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" as amended providing for the disposition of certain fines and imposing additional penalties

Which was committed to the Committee on Judiciary General.

House Bill No. 1023, (Senate Bill No. 1042), entitled:

An act providing a system of employment and compensation for the inmates of county jails and prisons

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 1105, (Senate Bill No. 1043), entitled:

An Act to amend section fourteen of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

Which was committed to the Committee on Elections.

House Bill No. 1253, (Senate Bill No. 1044), entitled:

An Act permitting service in divorce actions, to be made by registered letter upon respondent residing outside of the Commonwealth

Which was committed to the Committee on Judiciary General.

House Bill No. 1264, (Senate Bill No. 1045), entitled:

An Act providing for the depositing of money as a forfeit for the appearance of persons arrested for certain offences for hearing before a mayor or chief burgess and providing for the forfeiture and payment of the same into the city or borough treasury in case of non-appearance of person arrested

Which was committed to the Committee on Judiciary General.

House Bill No. 1306, (Senate Bill No. 1046), entitled:

An Act to amend section seven of an act entitled "An Act to establish a Department of Mines in Pennsylvania defining its purposes and authority providing for the appointment of a Chief of said Department and assistants and fixing their salaries and expenses" approved the fourteenth day of April Anno Domini one thousand nine hundred and three (Pamphlet Laws one hundred and eighty) increasing fees paid by applicats for certificates of qualification as mine foremen and assistant mine foremen in the anthracite mines providing for the disposition of fees received and providing for copies of lost or destroyed certificates

Which was committed to the Committee on Mines and Mining.

House Bill No. 1307, (Senate Bill 1047), entitled:

An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the districts in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates

Which was committed to the Committee on Mines and Mining.

House Bill No. 1309, (Senate Bill No. 1048), entitled:

An Act to amend Rule Thirty-four Article XXV of an Act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred and fifty-six) entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by requiring mine operators to pay the Department of Mines for certain report and record books

Which was committed to the Committee on Mines and Mining.

House Bill No. 1315, (Senate Bill No. 1049), entitled:

An Act to amend chapter six, article seventeen of the act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled, "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

Which was committed to the Committee on Corporations.

House Bill No. 1396, (Senate Bill No. 1050), entitled:

An act to repeal the act adopted over the veto of the Governor by the Senate of Pennsylvania the eighth day of May one thousand eight hundred and sixty-one and by the House of Representatives of Pennsylvania the fifteenth day of May one thousand eight hundred and sixty-one (Pamphlet Laws seven hundred fifteen) entitled "An act to grade curb and pave Main or Market Street in the town of Annville Lebanon County"

Which was committed to the Committee on Judiciary Special.

House Bill No. 148, (Senate Bill No. 1051), entitled:

An Act authorizing cities, boroughs, incorporated towns, to require and permit the laying and constructing of sanitary sewers and sewer pipes, outside the cartway and the curblines thereof, in all streets and highways, and prescribing the uses thereof; and providing for the assessment of the costs and expenses of any such sewer against the abutting property in the front of which the said sewer is laid.

Which was committed to the Committee on Municipal affairs.

House Bill No. 639, (Senate Bill No. 1052), entitled:

An Act authorizing the purchase and consolidation of water or water power companies organized prior to the first day of April one thousand nine hundred and five and providing the manner in which such merger shall be effected

Which was committed to the Committee on Corporations.

House Bill No. 1120, (Senate Bill No. 1053), entitled:

An Act to amend section one of an act approved the seventeenth day of June Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An Act to provide revenue for State and county purposes and in cities co-extensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" as amended

Which was committed to the Committee on Finance.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 606.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 606. entitled:

An Act to further amend an act approved the third day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and thirty) entitled "An act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost or rebuilding such bridges" providing for the rebuilding of decayed and unsafe bridges and certain bridges on State highways

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 722.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 722, entitled:

An Act to amend clause (h) of section one hundred and two Article I of an act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing for the purchase lease building and maintenance of telephone lines for attachments thereto by private parties and appropriating the revenue derived therefrom

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 724.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 724, entitled:

An Act to amend section one thousand and five Article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing further penal provisions for setting fire maliciously or otherwise to any woodlot forest or wild land

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 726.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 726, entitled:

An Act to amend an act entitled "An Act to amend sections two thousand seven hundred and one and two thousand seven hundred and two of an act entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenues to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) by providing that all receipts and proceeds derived in any way from or on account of the State forests now or hereafter acquired by this Commonwealth shall belong to and form a part of 'The State School Fund of Pennsylvania' approved the fourth day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and twenty-five)" by providing that net receipts from State forests shall become part of the State School Fund of Pennsylvania

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 782.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 782, entitled:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf and Dumb Mount Airy Philadelphia to cover deficiency in maintenance and education of State pupils

HOUSE NON-CONCURS IN AMENDMENT TO HOUSE BILL NO. 727.

He also presented communication from the House of Representaives, informing the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 727, entitled:

An Act to amend article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto section one thousand and eight regulating civil actions by and on behalf of persons and the Commonwealth suffering damage from forest fires and making an appropriation

Mr. STINEMAN. Mr. President, I move to reconsider the vote by which the bill passed finally.

The PRESIDENT. How did the Senator vote?

Mr. STINEMAN. Mr. President, I voted "aye."

Mr. SMITH. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SMITH. Mr. President, I voted "aye."

The motion was agreed to.

Mr. STINEMAN. Mr. President, I move to reconsider the vote by which this bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. STINEMAN. Mr. President, I voted "aye."

Mr. SMITH. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SMITH. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. STINEMAN. Mr. President, I move that the bill be recommitted to the committee on Forestry.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

HOUSE CONCURS IN SENATE BILL NO. 47.

He also returned to the Senate, Senate Bill No. 47, entitled:

An Act to amend section eleven of the act approved June 13, 1840 (P. L. 683), entitled "A Supplement to an act entitled 'An Act, relating to the elections of this Commonwealth,' passed the second day of July, A. D. 1839, and for other purposes;" allowing constables mileage for advertising elections, and compensation for advertising elections where there is more than one polling place in a district. Said mileage and compensation to be paid by counties.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 198.

He also returned to the Senate, Senate Bill No. 198, entitled:

An Act to amend section seventy-four of an act approved the second day of July 1831 (Pamphlet Laws five hundred and nineteen) entitled "An Act relating to the Elections of this Commonwealth" as amended

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 203.

He also returned to the Senate, Senate Bill No. 203, entitled:

A joint resolution proposing an amendment to Article three Section six of the Constitution of the Commonwealth of Pennsylvania so that the subject of an amendment or supplement to a law and the subject to which such law is extended or on which it is conferred shall be clearly expressed in its title

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 217.

He also returned to the Senate, Senate Bill No. 217, entitled:

An Act to amend section one of an act approved the thirteenth day of April one thousand eight hundred and eighty-seven (Pamphlet Laws twenty-one) entitled "An Act for the establishment of a uniform standard of time throughout the Commonwealth" prohibiting the adoption of other standard time

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 233.

He also returned to the Senate, Senate Bill No. 233, entitled:

An act to further amend section one of an act approved the fifth day of March A. D. 1906 (Pamphlet Laws sixty-three) entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for the violation of its provisions"

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 366.

He also returned to the Senate, Senate Bill No. 366, entitled:

An act to permit the service of writs of scire facias in certain cases in any county of the Commonwealth and providing by whom such service shall be made

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 489.

He also returned to the Senate, Senate Bill No. 489, entitled:

An act to amend section two of the act of April nineteenth one thousand nine hundred and one Pamphlet Laws eighty-eight entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 589.

He also returned to the Senate, Senate Bill No. 589, entitled:

An act authorizing sheriffs in counties of the fourth class to appoint a solicitor prescribing the duties of said solicitor and fixing his salary

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 601.

He also returned to the Senate, Senate Bill No. 601, entitled:

An act authorizing boards of revision of taxes and boards for the assessment and revision of taxes to hear and dispose of appeals away from the county seat

with the information that the House has passed the same without amendment.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL NO. 681.

He also presented communication from the House of Representatives, informing the Senate that the House has non-curred in the amendments made by the Senate to House Bill No. 681, entitled:

An Act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight) entitled "A supplement to an act 'to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three" as amended by fixing the maximum amount for maintenance weekly per capita

SENATE INSISTS UPON ITS AMENDMENTS TO HOUSE BILL NO. 681.

Mr. SCHANTZ. Mr. President, I move that the Senate insist upon its amendments to the foregoing bill, non-concurred in by the House, and that a committee of conference be appointed to confer with similar committee of the House (if the House shall appoint such committee), to consider the difference existing between the two Houses in relation to said bill.

Mr. DAIX. Mr. President, I second the motion,

The motion was agreed to.

Ordered, that the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE TO INVESTIGATE CHANGES IN SENATE BILL NO. 586.

Mr. CRAIG. Mr. President, I am directed by the Committee appointed to make investigation of the changes made in Senate Bill No. 586, to present the following report.

Your Committee by virtue of a resolution passed April 23 1923 to investigate what amendments had been made to Senate Bill 586 and the manner in which said amendments had been made, repectfully reports:

That a meeting of said Committee was held on Tuesday April 24, 1923, at which meeting the testimony of witnesses was taken. From the testimony so taken, your Committee finds the following facts:

That in the printing of the additional 2500 copies of Senate Bill 586 as authorized by resolution of the Senate, more than 150 amendments have been made.

That some of these amendments consist of the correction of typographical errors but that many of them consist of the addition of entirely new matter and in the elimination of words, clauses and phrases appearing in the original Bill.

That many of the clauses of said Bill have been substantially rewritten and the meaning thereof changed.

That these amendments were inserted in the Bill by direction of the Superintendent of Public Printing and Binding who did so at the express direction of William H. Schnader, a Special Deputy Attorney General of this Commonwealth.

That said William H. Schnader admitted to the Committee, and the Committee finds it as a fact, that both the subject matter of the amendments and the method of having them inserted in the Bill by the State Printer, without action by the Senate or any Committee thereof, were submitted to and approved by the Secretary of the Commonwealth, the Attorney General, Commissioner of Forestry and the Governor himself.

That Section 11 of Article 4 of the Constitution provides as follows: "He shall, from time to time, give to the General Assembly information of the state of the Commonwealth and recommend to their consideration such measures as he may judge expedient."

That this constitutional provision is the only authority the Executive Department or any of its officers have for even suggesting legislation to the General Assembly and confers no authority whatever upon the Executive Department for the amendment of Bills pending before the Senate.

That William H. Schnader., Special Deputy Attorney General, had no authority, either express or implied, from the Senate or any Committee thereof, for the insertion of these amendments.

That these amendments so made to Senate Bill 586 was an unwarranted assumption of legislative prerogatives by the Executive Department and constitutes an infringement upon legislative authority.

That such action tends to bring acts of the General Assembly into disrepute and lends doubt to the authenticity of Bills pending before the Senate and is in general an infringement upon the powers and prerogatives given to the General Assembly by the Constitution of the Commonwealth, which it will be observed by reading of the Constitution is placed first in importance.

In view of these findings of fact, the Committee recommends to the Senate the adoption of the following

RESOLUTION.

"Resolved that William H. Schnader,, a Special Deputy Attorney General of this Commonwealth, be and is hereby publicly censured for an unjustified and unwarranted intrusion upon the prerogatives of the Senate, and be further Resolved that the Governor of this Commonwealth be advised that it is the judgment of the Senate that the said William H. Schnader, by his contemptuous disregard of the rules of the Senate and his admitted lack of knowledge of the laws and rules regulating the procedure of the Senate, has shown his unfitness for holding his present position, and that he should immediately be dismissed from the public service.

W. D. CRAIG
HORACE W. SCHANTZ
C. W. SONES

Mr. STITES. Mr. President, it seems to me that the resolution is a rather severe criticism of a member of the executive branch of the government, and rather unnecessarily severe it seems to me, in view of all circumstances. It has been the custom of this Senate, so far as I have been able to ascertain, to deal rather generously with members in the public service, particularly those members whose experience has been newly undertaken, and whose own personal sincerity in their work is known to be undoubted. Now it is quite possible that the Deputy Attorney General, acting in a matter of haste to secure the presentation of an important measure of this kind to the Senate, acted without that care and consideration which he would have exercised if he had given the matter more serious thought, but certainly I can say from a long personal acquaintance with the Deputy Attorney General that he is a thoroughly high-minded young man, a member of the Philadelphia Bar, who bears a reputation second to none, who is an admitted expert in the preparation of bills, and who has earned the respect and commendation of his associates in the courts of that county. I should regret exceedingly to see the Senate of Pennsylvania, with its reputation for fairness and generosity, go on record in terms of severe condemnation of a young man, newly entered in the public service, whose bearing, whose manner, and whose sincerity is undoubted in his desire to do his full duty. It seems to me that the finer and more decent thing for this Senate to do would be to refer this resolution to the Committee on Resolutions and have it considered more earnestly and more carefully by that Committee, and I am hoping that the Senator who moved the immediate consideration of this resolution, and the Senator from Lehigh who seconded it, will be willing that I should introduce a motion to have this resolution considered in more detail and more carefully by the Committee on Resolutions of this body. I should like to so move if the Senator from Beaver and the Senator from Lehigh will accept such motion.

Mr. LONG. Mr. President, I would like to join in the request of the Senator from Montgomery, that this matter be not hastily passed upon, as I have had some acquaintance with Mr. Schnader. He has impressed me in just the same way that the Senator from Montgomery has described it. I know that he is a young man who is very earnest in anything that he does, and whatever was done here, any slight violation, or whatever you call it, was not done intentionally on his part, but was done for the purpose of giving to the general public some information which they were entitled to have. As I understand, the original bill had a great many errors in it and there were a few changes made, but it was made in connection with the 2500 editions of the bill which were to be sent out for the information of the public, and certainly it was to the advantage of the public that that bill that was sent out would correspond with the bill that was actually going to be considered. The fact that the bill, when it was originally introduced,—I presume is in the hands of the Chairman yet, and the copy of it I presume at the printer was not the original bill at all, but there were errors which were corrected and some few changes which I understand were made and they were changes which were going to be considered by the Committee and, it seems to me, to pass hastily a resolution of this kind censuring a young man who bears an excellent reputation, who is a member of the Bar of Philadelphia, as has been stated, an attorney like a great many of us here are attorneys, it would be very harsh and quick action taken upon a matter which may not be so serious to us here, we can readily vote on this and pass this resolution, but it does mean very much to that young man perhaps in his future, and certainly this Senate does not want to go on record so hastily, blasting perhaps a young man's future, and that might happen in the passage of this resolution. Certainly there is enough willingness on the part of the Senators here to consider this matter very carefully before you act upon this resolution and I think the request of the Senator from Montgomery is very proper and decent and not an unreasonable one, and I certainly hope that the Senator who offered the resolution will permit the motion of the Senator from Montgomery to be made.

Mr. WOODWARD. Mr. President, I am a friend of Mr. Schnader's and I cannot, therefore, vote for this resolution. I think the error that was committed against the dignity of the Senate was entirely innocent on his part, and I am sorry that the resolution goes so far as it does. I cannot, therefore, support it.

Mr. EYRE. Mr. President, I feel that I would be unjust to the party against whom this resolution is directed, as well as cowardly, if I did not rise to say that I think a misunderstanding has crept into this whole situation. I want to say that Mr. Schnader called on me as the sponsor of the bill and said to me that there were a number of typographical errors and some slight changes that were desirable to be made in the pink bill and asked me whether I had any objection to their being made. I told him I had not and as the bill was simply the pink bill, which is not an official bill of this legislature, but simply a bill which was printed to give to the general public a knowledge of what the proposed legislation means. I feel that this resolution is going too far against the young man who stands well at the Philadelphia Bar, who is a member of one of the leading law firms of the City of Philadelphia, and for whom I have a personal regard through the contact with which I have had with him in consultation on this bill. I do not believe that the young man had any intention to deceive anybody. If it was a mistake it was one of the head and not of the heart, but an honest desire to save money to the taxpayers of Pennsylvania in the 2500 bills that were ordered to be printed, in order that as many people as might desire it should have a full knowledge of the proposed legislation known as the Administration Code, and I am very hopeful, because I know that both my colleagues, the Senator from Beaver and the Senator from Lehigh, at heart are absolutely honest and well meaning, and I hope that before any drastic action as is proposed to be taken by this resolution is voted on that they, as well as the other members of this Senate, may have time for reflection as to just what this means. Once you write this on the record of the Senate of Pennsylvania it is there, not for tonight or for this week, but for all time, and I do not feel that the action of the young Deputy of the Attorney General's Department deserves condemnation for life upon an act that has so little significance as this. Mr. President, in conclusion I sincerely hope that my colleagues, who have moved and seconded the adoption of this resolution will reconsider their determination, at least give us time for more mature reflection upon a resolution so far reaching.

Mr. SCHANTZ. Mr. President, it is a well known principle of criminal law that ignorance of the law excuses no one. If the Senate of Pennsylvania wanted a whitewashing committee this time it got hold of the wrong bunch. I want to say that so far as I am concerned I am not asking for any snapjudgment, or anything of the kind. If my colleagues on this committee are agreeable, I do not understand Senator Stites' motion, but so far as I am concerned I am not asking for any snapjudgment and if the other two members of the Committee are agreeable to have the final action on this resolution postponed I have no objection to that, but so far as the report is concerned, the committee stands on its ground. We were appointed to investigate this matter and we investigated it honestly and we brought in a report based upon the facts, warranted by testimony, and the committee has done its duty, As I said before, it did not undertake these duties with any intention or effort to do anybody any injustice, injury or harm, but just as little to whitewash anybody, and what the Senate of Pennsylvania is going to do with this resolution rests entirely within the sound judgment and discretion of this body.

I disagree with my friend from Chester that this was not an official bill. The Constitution of Pennsylvania says that no bill shall be considered until referred to a committee, returned therefrom and printed for the use of the members. That is the first step essential, the constitutional step. When a bill comes into this body the presiding officer, the President, refers it to a committee, and it must be printed constitutionally, the bill introduced, and no other bill, and for anybody, and I do not care who did it, or who does it, to try to alter a bill in committee without the sanction or the authority of the committee, is a gross usurpation of the functions of the General Assembly of Pennsylvania. All legislative authority is vested in us and nobody else. The legislative power of this Commonwealth shall be vested in the General Assembly, which shall consist of the Senate and House of Representatives, not of the Governor nor of the Attorney General nor of anybody else the Senate and the House, and as I said before, I do not know what the sentiment is of my colleagues. I will have more to say on this matter when it comes up for final adoption and if the other members of the committee want to have the report go over for further deliberation or consideration, I have no serious objection, but the committee has performed its duty and the report is here. I have seen in criminal court many men sentenced whom I pitied, and for whom my heart bled, and I pity this young man. Certainly I do pity every person who through some inference of the law or misfortune, or for any reason, must face the bar of justice, and I am not seeking the destruction of this man's reputation, but we are simply doing our duty as Senators of this body and have so reported our findings.

Mr. CRAIG. Mr. President, I am disposed to insist upon the consideration of this resolution, because, as a Senator I should be ashamed of myself were I to do anything else. Mr. President, I know that in criminal court evidence of previous good character is substantive evidence and I am willing, Mr. President, to have the members of this Senate in making up their minds, whether they are going to vote for this resolution of censure or not, to consider that previously this young man bore a good reputation.

I want to say to you, gentlemen, what the testimony at this hearing developed: The State Printer testified that after this bill had been introduced, referred to committee, printed and was placed on our files, Mr. Schnader called him on the telephone and asked him to insert these more than 150 amendments, that he very properly, I wish to say for him, refused to do so, and that later Mr. Schnader brought the amendments to him. Now, what he brought, the testimony shows, was the printed copy which was on our files, Senate Bill No. 586, and on that printed copy were interlineations showing the amendments that he wished made and induced the State Printer to insert them.

Mr. Schnader testified that not only was the subject matter of these amendments, but the manner of inserting them in the bill, submitted to and approved by the Commissioner of Forestry, the Secretary of the Commonwealth, the Attorney General and the Governor himself; not only the subject matter of the amendments but the manner of having them inserted in the bill.

That is what you are face to face with, gentlemen, and I want to discuss this without heat, if I can. This young man is a lawyer, a member of the bar of the State. He is more than that, he is a Deputy Attorney General of Pennsylvania, and he cannot get away from his official capacity in this business. He is a member of the Attorney General's force and speaks for the Attorney General's Department, and if you members of this Senate are willing to surrender your rights and your duties to your constituents to the Attorney General's Department of the Commonwealth, I am not, and that is why I am going to insist that this resolution be voted upon. If you want to vote it down and say to your people back home that you are not Senators, that it does not make any difference, you are willing to have the Attorney General's Department of this Commonwealth change your bills, go to it. I would be ashamed to go back home and tell my people that I was willing to do that.

Now what are these amendments? I am not going to take up your time and tell you what they are, there are more than one hundred and fifty of them, inserts, how many additions God only knows, because not only was matter put in but matter was taken out and the copy that was placed on our desks does not show what was striken out. This was not merely the correction of typographical errors, gentlemen. I say to you that even if it had been nothing but that it was a most reprehensible thing to do, but it was more than that. There appears in this reprint of the bill matter that was not even in the bill introduced by Senator Eyre. Mr. Schnader did not have his bill properly written and he said to the committee that after he had made a more mature study of the legislation, he discovered that there were things that ought to have been in that were not in and things that ought to come out that were in and he rewrote the bill, that is what he did, changed it to suit himself, and took it down to the state printer, and had the changes inserted. And I say further to you that that bill with those changes in it was on my desk and on yours. I believe the testimony will fairly show, before he even mentioned the matter to Senator Eyre.

Now let us look at this thing, gentlemen. It is a serious matter. Either we are making the laws or we are not. I do not want to do any harm to Mr. Schnader. If he is only ignorant, he ought to resign. He is a member of the Attorney General's Department and we do not want ignorant men in there. This is the department that passes upon the constitutionality of your bills. This is the department that seeks in the Administrative Code to write your bills. This is the department that is responsible for the amendments to this bill. Why, Mr. Schnader took the position before the committee that a bill was not a bill until it had been referred to a Committee and the Committee had taken action on it. He did not know that the bill became a bill when it was read in place and presented to the chair. That is the abysmal depth of his ignorance, and he is a member of the Attorney General's Department and passes upon the constitutionality of your measures. I have no personal interest in this matter, gentlemen, but I am jealous of my prerogatives as a Senator. The Constitution of Pennsylvania very carefully seeks to avoid infringements upon legislative powers by the Executive. If you are willing to refuse to pass the resolution censuring this thing, and I tell you it strikes at the very foundation of your enactment of legislation, if you are willing to go back home and say I do not care how many changes the Attorney General's Department makes in my bills, I am willing to surrender my rights as a Senator to the rights of the Attorney General's Department to amend it as he sees fit, if you are willing to go back home and say that is the way I represent you, then vote against this resolution. But if you think anything of yourself as a Senator, if you are at all impressed with the manner in which laws are required to be made by the Constitution, if you care anything for your place in this Senate Chamber and for the sanctity of the laws that you make, you ought to vote for this resolution. I say to you, that it is not half severe enough when you consider the enormity of the offence committed, and to plead that he was ignorant of what he was doing is no excuse. Now that is the thing that is at issue. That is why I must insist upon the consideration of this resolution. I am not urging you to vote for it, if you think so little of the powers and rights and duties of a member of this body to admit that the Attorney General's Department may at the direction of the Executive, amend your legislation, vote against the resolution, but let us stand up and be counted and show whether we are submissive to whatever they may choose to hand us or whether we are standing on our rights to enact legislation ourselves, without interference from any other department. But let us vote upon it and show where we stand. This is the time for a test as to whether our titles here in this legislative hall mean anything to us or not. And this is a much deeper question, gentlemen, than whether Mr. Schnader made a mistake or whether he did not. The question is not Schnader, he happens to be the man in front of the gun, the question is whether we are making the laws or whether they are being made in the other end of this Capitol building, and that is what you are to decide by your vote. Someone has whispered to me, agree to a postponement of this resolution and you will get it later. No, I will not agree. If we are men we will pass it, if you do not care, vote it down. But let us know where we stand, let us say to the Governor, here, we do not care how much you amend our legislation or let us say to him, we are making the laws as the Constitution says we must.

Mr. SNYDER. Mr. President, I too am jealous of my prerogatives as a Senator. I believe that this young man made a mistake but from all that has been said I am saitisfied that he had no intention of setting at naught the Constitution of this State. The fact that he spoke to the sponsor of this bill, convinces me that he was desirous of making corrections. He should not have done it, that is true, but I cannot consider the young man, under all the circumstances, as a criminal. Mr. President and members of the Senate, let us at this time temper justice with mercy and I trust this motion will not prevail.

Mr. MacDADE. Mr. President, may I ask that the resolution be read the second time. The Resolution was read as follows:

> Resolved that William H. Schnader, a Special Deputy Attorney General of this Commonwealth, be and is hereby publicly censured for an unjustified and warranted intrusion upon the prerogatives of the Senate, and be it further Resolved that the Governor of this Commonwealth be advised that it is the judgment of the Senate that the said William H. Schnader, by his contemptuous disregard of the rules of the Senate and his admitted lack of knowledge of the laws and rules regulating the procedure of the Senate, has shown his unfitness for holding his present position, and that he should immediately be dismissed from the public service."

Mr. MacDADE. Mr. President and fellow Senators: Perhaps I ought not to say anything at this time, but for the remarks of the Senator from Beaver, Mr. Craig, that this is a question of manhood, and inasmuch as I propose to vote against the resolution, I desire to say that I think I have just as much manhood as any other Senator in this body. I cannot from the experience that I have had in the office of District Attorney for six years, come to a realization that this is any quarter sessions court. If I had charge of any indictments such as this particularly against a member of the bar, our profession that we honor, that we want the public to honor, I would ask the court for permission to nol pros the case. But it has been shown by the report which has been submitted here that this was not done with the idea of perpetrating anything upon this Senate in the way of a criminal act, but if you take the bill as reprinted and all the changes are italicized, is that the job of a criminal? I do not believe that this Senate should go into such small matters as to arraign this administration and put the burden, if there is any burden to be placed, upon the Deputy Attorney General. Why do you not go all the way along the line? You mentioned the Governor, you mentioned the Attorney General, the Secretary of the Commonwealth; why do you not indict all of them instead of taking a subordinate and attempting to indict a young man before this bar? I have the manhood to vote against the resolution This recommendation should not have been made. This committee had no power to make this recommendation. They were appointed to investigate and lay the facts before this Senate. They have laid the facts before this Senate but not with the idea that they should make a recommendation in the way of the resolution being placed before we have time to give it a thought and to give it the thought and dispassionate judgment wihch it ought to receive, and we as members of this body, dignified as we are, slow-moving, in the exterme courtesy we extend to each other, is it fair to a member of this official family to be paraded before the public in this manner. I will not stand for it and I think there is just as much red blood in me as the other Senators and I trust that they will not sustain this resolution. It is unfair and not in acordance with the facts. Senator Eyre has already spoken and he believes that it was a misunderstanding and why indict this young man before the bar of the Senate?

Mr. CHRISTLEY. Mr. President, I may not see this thing in its proper proportion, but it strikes me as a tempest in a tea pot. I cannot see it as this committee sees it, and no man in this Senate has a higher regard for the intelligence and integrity of this committee than I have. I never met Mr. Schnader until within a week I do not know his record, I know nothing about it. He is a pleasing young man to me and he is a man that impressed me as a gentleman and a man of entire honesty and integrity.

Now to brand such a young man, starting in life with ambitions as loftly as the stars, to blacken his career through life with the resolutions that we are asked to adopt here tonight, is unspeakable to me. I cannot vote for it, and I cannot see how any man who has gone through life, making mistakes as we all have, can vote for it. "Let him who is without sin cast the first stone." This is preposterous to me, to single out this young man, brand him as a criminal, because if he is to resign, as this recommendation is and he is thrown out of his position, and goes home to his people, discredited at Harrisburg, he is a criminal; at least we have said we think he is, and I do not believe he is a criminal. His face does not indicate it, as I have discerned it in the last three days that I have known him. Now let us see what it is. Is there any deception? If there is I do not see it. The corrections made in the bill were printed in italics. If they were intended to deceive anybody they would have been printed in the script of the text of the bill. There was no intention to deceive. I would not argue that it was proper, I do not argue that it was the right thing to do, but the malice or intention to do wrong never entered that young man's mind, if I have discerned properly, and that is true it would be a crime for us members of the Senate, of mature years, knowing how easy it is for any of us to make a mistep, to vote to brand that young man as a criminal and send him home to his people discredited. I cannot vote for this resolution.

Mr. CRAIG. Mr. President, I do not desire to say anything more upon the subject matter of this resolution. I wish to correct a statement made, I am sure without any intention to misquote, by my good friend Senator MacDade, and I wish to read the last paragraph of the resolution which appointed this committee: "The Committee is hereby directed to make report of its findings to the Senate and such report shall set forth its recommendations with regard to any action that it suggests be taken by the Senate."

Just one thing in reply to Senator Christley. Mr. President, matter has been cut out of this reprinted bill, and the matter deleted is not shown on the reprint.

Mr. SCHANTZ. I just wanted to state what Senator Craig just said, that while it is true that the amendments inserted are printed in italics, it is shown in the bill that matters eliminated are not indicated and shows what Senator Christley said is partly true and partly not true.

I would like to know how any member of this Senate, who did not hear the testimony, who did not have an opportunity to observe the demeanor of the witnesses and all that, the things which are taken into consideration by a Court and a jury where the witnesses are upon the stand to ascertain whether the witness is credible, whether he is speaking the truth or not, that such Senator who missed and did not have all these opportunities, should now try to tell the Senate what the intent and the ideas and the purposes were, and also at this late day, when we have done our duty fearlessly and bring in a report instead, of adopting the resolution, censure the Committee for doing its duty. We did exactly what we were directed to do in the resolution, and for doing that I think the Committee is now going to be censured. We are not making a criminal out of this young man. If the resolution is not broad enough, if it ought to include higher ups, we are willing to take in more. If that is the criticism,—that the resolution ought not to be adopted because it is too narrow, and that others ought to be embraced in it, any member of this body has the opportunity of offering amendments, but because not everybody gets caught it does not follow that one who is caught should not receive his just dues. Two wrongs never make a right, and and I certainly cannot agree with the proposition that because somebody else should also be censured those that are to be censured be excused.

I say that I second everything that was said by the Chairman of the Committee, Mr. Craig, that if the Senate feels like censuring the Committee instead of adopting the resolution, that is all within its province, it will have no effect upon our constitutional prerogatives and duties. I say what Senator Craig has said, the resolution is not nearly severe enough. Such usurpation and infringement should be halted and the sooner the better. My sympathies are with every young man who makes a misstep, always have been, and I believe in tempering justice with mercy, but here is mercy galore. The sentence is too light. Here is mercy in full measure and justice, and I hope that the Senate of Pennsylvania will not stulify itself by any spread-eagle and sympathetic speeches. That is the kind of a plea that you make to an ignorant jury, that is not the kind of a plea that you make to the Senate of Pennsylvania. You judge the question on its merits and you pass upon it without anything else, without the consideration of the individual, without the consideration of the personality, but on the testimony and nothing else. When you have an ignorant jury you take out your handkerchief and you begin to shed tears and all that sort of thing, but you do not do that before any intelligent body like the Senate of Pennsylvania, and I say the resolution ought to be adopted unanimously, gentlemen. Moreover, if you want to vote it down and censure us, do not pity us in doing it.

Mr. STITES. Mr. President and gentlemen of the Senate, when I rose from my seat a few moments ago it was with the idea that the day of which Tennyson spoke when he referred to the larger heart and the kindlier hand was still in contemplation by the Senate of Pennsylvania. I have very reluctantly come to the conclusion that that spirit has departed from this body. We are forced to vote upon a resolution which in our calmer moments and our temperate judgment we never in the world would force this body to put itself on record with reference to it.

The suggestion has just been made by the Senator from Lehigh that if we fail to vote for this resolution we censure the committee. I do not so understand the function of the Senate of Pennsylvania in voting upon the report of any committee. What higher Court of this Commonwealth would vote upon the action of the lower court without the notes of testimony taken in a proceeding before it? None, I take it. We have not before us the notes of testimony that were taken in this case and yet the gentleman who offers this resolution insists upon it that we shall vote now without a moment's consideration upon a statement of what happened at that hearing. I have too high a regard to the fine traditions of the bar of Pennsylvania to censure any member of it upon a hearing at which I was not present and where I have not the notes of testimony before me. In my judgment this Senate tries always to do its honest, fair, and consistent duty toward everybody. The Senator from Lehigh says that the sentence of this young man, proposed by this resolution, is not severe enough. Well let us see. The resolution says "contemptuous disregard of the prerogatives of the Senate." Rather a strong sounding action

It goes farther and asks the Senate of Pennsylvania to recommend the dismissal of this fine young servant from the work of this Commonwealth. He shall go back to his home with the condemnation of fifty members of the great Commonwealth of almost nine millions of people upon what? Upon the testimony before it? Not at all. But upon the statement of what took place at the hearing. Now the Senator from Lehigh said that that sentence is not severe enough. What would he do? Does he mean that the young man should be hanged, drawn and quartered and his body suspended from the flagstaff at the top of the capitol? To my mind I think the sentence is very severe and never in the world would I vote to condemn any man unless I knew the testimony taken at that hearing. On the other side the the President Pro Tempore of this body, in whose word everyone of us has the utmost confidence, and he says that the young man in question came to him, consulted him at length with regard to these proposed amendments.

Mr. EYRE. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Chester, Mr. Eyre, will state his point of order.

Mr. EYRE. Mr. President, my point of order is that I have been misquoted. I did not make the statement that I was consulted at length relative to the amendment, for I never saw any of the amendments until I saw them in the bill. I simply make that correction.

Mr. STITES. Mr. President, I am very glad to receive the detailed statement of the Senator from Chester. I had no idea of misquoting him. I did desire, however, to say that the intention of Mr. Schnader was entirely innocent because before he had taken the action that he did he took the matter up with the Senator from Chester, who at the time was the sponsor of the bill.

Now the suggestion has further been made that the Governor of this Commonwealth approved of the manner of inserting these amendments. Does anybody believe for a minute that that high-minded splendid gentleman who sits at the other end of this building has any intention of deceiving the Senate with regard to any measure that comes before it? I do not think so and I do not believe any member of the Senate thinks so. We are about to vote on this resolution and I want to go on record now as saying that I tried to avoid the vote that is about to be taken by a suggestion along the line of Senatorial courtesy and along the line of what I believe to be fair and decent and right on the part of the members of this body, but since the vote is about to be taken let us take it and let us record whether or not the Senate of Pennsylvania believes that the young man who made perhaps an innocent mistake ought to go home condemned by the censure of a body of intelligent men who have not before them the testimony upon which this committee proposes that he be censured.

And the question recurring,

Will the Senate agree to the resolution?

The yeas and nays were required by Mr. Craig and Mr. Stites, and were as follows, viz:

YEAS—11.

Craig,
DeWitt,
Huffman,
Jones,
Krause,
Lanius,
Salus,
Schantz,
Sones,
Sprowls,
Stineman,

NAYS—34.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Christley,
Davis,
Derrick,
Einstein,
Eyre,
Harris,
Heaton,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Sisson,
Smith,
Snyder,
Steele,
Stites,
Vare,
Clark,
Culbertson,
Daix,
Homsher,
Joyce,
Kutz,
Phipps,
Quigley,
Weaver,
Woodward,

So the question was determined in the negative.

REPORT OF THE COMMISSION FOR THE REORGANIZATION OF THE STATE GOVERNMENT.

Mr. WOODWARD presented Report of the Commission for the Reorganization of the State Government.

(For report see Appendix)

REPORTS FROM COMMITTEES.

Mr. BARR, from the Committee on Judiciary General, reported as amended, Senate Bill No. 482, entitled:

An Act providing for a referendum to ascertain the preferences of the voters of the Commonwealth relative to the adoption of daylight saving time for a portion of the year.

Mr. CULBERTSON, from the Committee on New Counties and County Seats, reported as amended, Senate Bill No. 745, entitled:

An Act relating to depositories of county funds in counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; providing for the selection thereof by the county treasurer, county commissioners and controller, if any therebe, and for the payment of interest on county funds for the use of the county; imposing certain expenses upon counties in connection therewith, and providing penalties.

Mr. STINEMAN, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 824, (House Bill No. 740), entitled:

An Act to amend section four hundred and eighty-seven of article one of chapter ten of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto."

Mr. SCHANTZ, from the Committee on Appropriations, reported as committed, Senate Bill No. 310, (House Bill No. 225), entitled:

A Supplement to an act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and seventy-three) entitled "An act constituting a commission to make an investigation of the battlefields of France and Belgium and to select points for the erection of monuments and markers of appropriate design to commemorate the achievements of Pennsylvania soldiers during the World War defining the powers and duties of the commission and making an appropriation" continuing said commission providing for the erection of certain memorials in France and Belgium and making an appropriation.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 504, entitled:

An Act making an appropriation to the Sesqui-Centennial Exhibition Association situated in the city of Philadelphia State of Pennsylvania.

Also from the Committee on Appropriations, reported as amended Senate Bill No. 638, entitled:

An Act to amend section four of the act approved the tenth day of July, one thousand nine hundred and nineteen, (P. L. 890), entitled "An act authorizing the sale of certain property owned by the State, the title to which is in the State Livestock Sanitary Board, and providing for the use of the proceeds of such sale."

Also from the Committee on Appropriation re-reported as committed, Senate Bill No. 666, (House Bill No. 691), entitled:

A Supplement to the act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (P. L. 322) entitled "An Act creating a Commission to select an historic spot as a cemetery for the burial of bodies of soldiers, sailors, marines, war nurses and members of the National Guard defining the powers and duties of the Commission and making an appropriation" extending the time for the making of the report of the Commission and making an additional appropriation.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 695, (House Bill No. 593), entitled:

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation.

Also from the Committee on Appropriation re-reported as amended, Senate Bill No. 736, entitled:

An Act authorizing the State Highway Commissioner to use funds appropriated for State-aid highway purposes by the Act of March tenth, one thousand nine hundred and twenty-one, entitled "An Act making an appropriation to the State Highway Department for the construction of permanent State Highways; for the payment of the Commonwealth's share in the expenses of constructing State-aid highways; for the maintenance and repair of State Highways within the limits of boroughs; for the maintenance and repair of State-aid highways; for the payment of rewards due townships of the second class; for the payment of damages to property caused or occasioned in connection with the work of the State Highway Department"; for the construction or reconstruction of State highways, and to enter certain charges against the State-aid highway accounts of those counties in which State Road Bond Fund money has been used to pay State-aid highway contracts, so as to reimburse accounts available heretofore for highway purposes which were used for State-aid highway purposes and making an appropriation thereof.

Also from the Committee on Appropriation re-reported as amended, Senate Bill No. 904, (House Bill No. 134), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section sixteen.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1013, (House Bill No. 667), entitled:

An Act providing for the return by the Board of Game Commissioners to persons entitled thereto of moneys erroneously paid into the State Treasury.

Also from the Committee on Appropriations, reported as as committed, Senate Bill No. 1025, (House Bill No. 955), entitled:

An Act making an appropriation to the legal representative of the estate of Honorable Samuel A. Whitaker deceased elected a Representative in the General Assembly of the Commonwealth from Chester county.

Mr. DAIX, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1029, (House Bill No. 1034), entitled:

An Act to promote the health and efficiency of firemen in cities of the first class by providing for a two-platoon system for certain officers of the uniformed fire force of the Department of Public Safety of such cities.

Also from the Committee on Judiciary Special, reported as committed, Senate Bill No. 984, entitled:

An Act granting water companies organized after April 13, 1905, the right of eminent domain, and requiring such water companies, and also water companies incorporated under Clause eighteen, section two, of the act approved April 29, 1874, entitled "An Act to provide for the incorporation and regulation of certain corporations," to secure certificates from the Water Supply Commission prior to the exercise of the power of condemnation.

Mr. LESLIE from the Committee on Elections, reported as committed, Senate Bill No. 920, (House Bill No. 448), entitled:

An Act requiring the display of the United States flag at all polling places providing for its purchase by the county commissioners and its care between elections.

BILLS INTRODUCED.

Mr. SMITH read in his place and presented to the Chair Senate Bill No. 1054, entitled:

An Act relating to county bridges; regulating the advertising of and letting of contracts for the erection, repairing and rebuilding of such bridges, and the making of plans and specifications therefor, and also providing for the filing with the county commissioners of alternate plans and specifications.

Which was committed to the Committee on Public Roads and Highways.

Also, read in his place and presented to the Chair Senate Bill No. 1055, entitled:

An Act to amend section one hundred of the act approved the fourteenth day of July, 1917, (P. L. 840), entitled "An act concerning townships and revising, amending and consolidating the law relating thereto."

Which was committed to the Committee on New Counties and County Seats.

Mr. DAIX (By request of Mr. Patton) read in his place and presented to the Chair Senate Bill No. 1056, entitled:

An Act making an appropriation to the Home for the Training in Speech of Deaf Children before they are of school age, at Belmont Avenue and Monument Road, Philadelphia.

Which was committed to the Committee on Appropriations.

Mr. ARON, read in his place and presented to the Chair Senate Bill No. 1057, entitled:

An Act to repeal section six of an act approved the twenty-seventh day of April, 1852 (P. L. 67), entitled "An act relating to the Towanda Plank Road Company; to hawkers and peddlers in Bradford and Beaver Counties, to the trustees of Athens Academy, and to tenpin alleys and billiard rooms in Wyoming County"

Which was committed to the Committee on Judiciary Special.

Mr. SALUS, read in his place and presented to the Chair Senate Bill No. 1058, entitled:

An Act for the encouragement of unincorporated cooperative associations of agricultural and industrial workers; providing that membership therein and interest in the funds and property thereof may be made non-transferable and imposing penalties upon persons making or accepting unlawful assignment transfer or pledge of such membership or interest.

Which was committed to the Committee on Judiciary General.

Mr. EINSTEIN, read in his place and presented to the Chair Senate Bill No. 1059, entitled:

An Act making an appropriation to the Western State Penitentiary.

Which was committed to the Committee on Appropriations.

Mr. BETTS, read in his place and presented to the Chair Senate Bill No. 1060, entitled:

A Supplement to an Act, entitled "An act providing for the selection and purchase, or the appropriation from the State Forest Reserves, of a tract of land, and the erection threon of buildings for the Western Penitentiary; making an appropriation therefor; authorizing the removal thereto of the inmates of the said Penitentiary, and directing the sale of the site now occupied by the said Penitentiary, and the buildings and materials thereon," approved the 30th day of March, A. D. 1911, making an additional appropriation for erection, construction, and equipment.

Which was committed to the Committee on Appropriations.

Mr. WOODWARD, read in his place and presented to the Chair Senate Bill No. 1061, entitled:

An Act to amend section one of an act approved the fifth day of April, 1917 (P. L. 46), entitled, "An act authorizing executors, administrators, guardians and other trustees to invest trust funds in farm loan bonds issued by Federal Land Banks under the provisions of the act of Congress of the United States of July 17, 1916, its amendments or supplements," extending the act to bonds issued by Joint Stock Land Banks organized in Pennsylvania.

Which was committed to the Committee on Banks and Building and Loan Associations.

Also read in his place and presented to the Chair Senate Bill No. 1062, entitled:

An Act to amend section fifteen of an act approved January 30, 1874(P. L. 31) entitled "A further supplement to the act regulating elections in this Commonwealth" providing for the appointment of registrars as assessors in cities of the first class.

Which was committed to the Committee on Elections.

Mr. WEAVER, read in his place and presented to the Chair Senate Bill No. 1063, entitled:

An Act to amend section seventeen of the act approved June 20, 1919 (P. L. 521, entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal."

Which was committed to the Committee on Judiciary General.

Mr. LESLIE, read in his place and presented to the Chair Senate Bill No. 1064, entitled:

An Act making an appropriation to the Saint Joseph's Hospital and Dispensary, of Pittsburgh, Pennsylvania.

Which was committed to the Committee on Apropriations.

Mr. SISSON, read in his place and presented to the Chair Senate Bill No. 1065, entitled:

An Act to amend route eighty-five of section six of act approved May 31, 1911, (P. L. 468) entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain same, and relieving said township or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repairs of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and imporvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Which was committed to the committee on Public Roads and Highways.

Mr. PHIPPS, read in his place and presented to the Chair Senate Bill No. 1066, entitled:

An Act to establish as a State Highway a certain section of public road in the counties of Forest and Venango.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 1067 entitled:

An act to establish as a State highway a certain section of public road in the counties of Venango and Forest.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 1068, entitled:

An Act to establish as a State highway a certain section of public road in the county of Venango.

Which was referred to the Committee on Public Roads and Highways.

Mr. KUTZ read in his place and presented to the Chair Senate Bill No. 1069, entitled:

An Act construing and confirming the powers of the Public Service Commission with respect to rates service and facilities of Public Service Companies including the furnishing of street paving and street paving repairs.

Which was referred to the Committee on Judiciary General.

Mr. HUFFMAN, read in his place and presented to the Chair Senate Bill No. 1070, entitled:

An Act to amend part of section two of the act approved the twenty-seventh day of May, one thousand nine hundred and twenty-one, (Appropriation Acts, page 33), entitled "An act to provide for the ordinary expenses of the Executive Judicial and Legislative Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for the two fiscal years beginning June first, one thousand nine hundred and twenty-one. and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and twenty-one."

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 1071, entitled:

An Act to validate deeds and conveyances defectively acknowledged prior to the fourth day of April, one thousand nine hundred and one.

Which was committed to the Committee on Judiciary General.

Mr. JOYCE (By request) read in his place and presented to the Chair Senate Bill No. 1072, entitled:

An Act defining chiropractic; creating a Board of Chiropractic Examiners and defining its powers and duties; providing the eligibility of applicants for licensure and regulating the examination and licensing of chiropractors and the revocaton of licenses; making an appropriation; and providing penalties.

Which was committed to the Committee on Public Health and Sanitation.

Also read in his place and presented to the Chair Senate Bill No. 1073, entitled:

An Act to amend section three hundred and one, and sections three hundred and six and three hundred and seven, as amended, of an act approved the second day of June, 1915 (P. L. 736), entitled "An act defining the liability of an employer to pay damages for injury received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder;" defining injuries to include occupational diseases and injuries in the course of employment and injuries occurring anywhere upon the premises of the employer upon which the employe is employed; extending the right of compensation to employes working in violation of the laws of the Commonwealth; increasing compensation periods and schedules, and fixing the time when compensation shall begin; removing the limitation of compensation in cases of total disability; providing compensation for partial disability upon termination of total disability, providing compensation for loss of toes, hearing, vision, mutilations and disfigurements, permanent loss of use of thumbs, fingers and toes, and permanent loss of the industrial use of a hand, foot, leg or eye; lengthening the period during which medical services, medicines and supplies and hospital treatment shall be furnished by the employer and increasing the maximum cost thereof; granting compensation to fathers and mothers principally dependent and brothers and sisters actually dependent, and presuming conclusively the dependency of minors; and providing for payment of compensation to children immediately after the remarriage of a widow.

Which was committed to the Committee on Judiciary General.

Mr. McCLINTOCK read in place and presented to the Chair Senate Bill No. 1074, entitled:

An Act to amend section three of an act approved April 15, 1845, (P. L. 459), entitled "A supplement to an act, entitled 'An act relating to executions, passed the sixteenth day of June A. D. one thousand eight hundred and thirty-six;" allowing counsel fees to garnishees filing written answers in attachments in execution issued by aldermen or justices of the peace, and providing for the payment thereof.

Which was committed to the Committee on Judiciary General.

Mr. STEELE read in his place and presented to the Chair Senate Bill No. 1075, entitled:

An Act making an appropriation to the United Evangelical Home and Orphanage at Lewisburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. DAIX read in his place and presented to the Chair Senate Bill No. 1076, entitled:

An Act making an appropriation to the Eastern State Penitentiary, at Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 1077, entitled:

An Act to amend section 10 of an act approved the twelfth day of July 1913 (P. L. 711), entitled "An act establishing a court for the county of Pehiladelptia; prescribing its jurisdiction and powers; providing for the services of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," as amended.

Which was committed to the Committee on Judiciary General.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 1078, entitled:

An Act regulating the sale, offering for sale, barter exchange and giving of tickets, cards, or other tokens evidencing the right to a reserved seat in and of admission to any theatre, concert hall, or fields or other place of amusement; and providing penalties.

Which was committed to the Committee on Judiciary General.

Mr. SCHANTZ read in his place and presented to the Chair Senate Bill No. 1079, entitled:

An Act making an appropriation to the Prison Labor Commission.

Which was committed to the Committee on Appropriations.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 1080, entitled:

An Act amending section 2 of article XVI of an act entitled "An act for the better government of cities of the first class of this Commonwealth."

Which was committed to the Committee on Municipal Affairs.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 1081, entitled:

An Act making an appropriation to the Pennsylvania Industrial Reformatory at Huntingdon, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SCHANTZ read in his place and presented to the Chair Senate Bill No. 1082, entitled:

An Act making an appropriation to pay for the care treatment, removal, and maintenance of the indigent insane, for two years ending the thirty-first day of May, 1925.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 1083, entitled:

An Act making an appropriation to pay for the deficiency in the care, treatment, removal and maintenance of the indigent insane for the two years ending May 31, 1923.

Which was committed to the Committee on Appropriations.

RECONSIDERATION OF SENATE BILL NO. 495.

Mr. CRAIG. Mr. President, I move to reconsider the vote by which Senate Bill No. 495, on final passage on last Wendesday's calendar, entitled:

An Act establishing a State employes retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes and judges serve; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties.

was defeated.

The PRESIDENT. How did the Senator vote?

Mr. CRAIG. Mr. President, I voted "no".

Mr. LONG. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. LONG. Mr. President, I voted "no".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WOODWARD. Mr. President, this is a contributory pension bill on actuary principles. It at first included judges, but the judges have now been taken out of the bill so that it applies only to the state employees. It is modeled upon the teachers' retirement fund and has the approval of Dr. Baish and also of our distinguished Secretary, Mr. Baker.

Mr. SCHANTZ. Mr. President, I desire to interrogate the Senator from Philadelphia, Mr. Woodward.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Woodward, permit himself to be interrogated?

Mr. WOODWARD. Mr. President, I will.

Mr. SCHANTZ. Mr. President, I would like to ask the Senator from Philadelphia, Mr. Woodward, if he assumes that the Senators who voted against the bill last week did not know what they were doing?

Mr. WOODWARD. Mr. President, I think the Senator from Lehigh always knows what he is doing.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Aron,
Baldwin,
Barr,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Jones,
Joyce,
Krause,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Quigley,
Smith,
Snyder,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—12.

Betts,
Derrick,
DeWitt,
Huffman,
Kutz,
Lanius,
Phipps,
Salus,
Schantz,
Sisson,
Sones,
Sprowls,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 267 as follows:

An Act relating to the collection of city county school poor and other taxes in the several cities of the third class in this Commonwealth providing that the city treasurer of each of said cities shall be the collector of the said several taxes prescribing his duties providing for his compensation authorizing him to appoint deputy collectors and clerks and providing for their compensation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it s hereby enacted by the authority of the same That hereafter the city treasurer of each of the cities of the third class in this Commonwealth by virtue of his office shall collect all city county school poor and other taxes levied and collected in said cities

Section 2 At the same time said city treasurer enters upon his duties he shall take and subscribe his oath of office as collector of said city county school poor and other taxes which oath shall be filed with the city clerk of the proper city

Section 3 The several city county school poor and other authorities now or which may hereafter be empowered to levy taxes upon persons and property within said cities of the third class shall make out and deliver their respective duplicates of taxes levied to the said treasurer at the times now required to be made out and delivered which duplicates shall be accompanied with the warrants of the proper authorities directing and authorizing the said city treasurer as collector of taxes to collect the same Said warrants shall be executed by the same officers of the respective authorities and in the same manner as they now are

Section 4 Said city treasurer as such collector of taxes shall have power to appoint each year as many deputies and clerks not exceeding the number fixed each year by the said several authorities as he in his judgment may need

Section 5 The said treasurer as collector of taxes before entering upon his duties shall give bond in the usual form to the respective authority levying the taxes in an amount to be by it fixed with corporate or at least two sufficient sureties to be by said authority approved conditioned that the said treasurer as collector of taxes shall and will well and truly collect and pay over or account for according to law the whole amount of the taxes charged and assessed in the duplicates which shall be delivered to him during his term of office In the case of city taxes the said treasurer shall be required to give but one bond which shall include his duties as city treasurer and as collector of city taxes All bonds given as aforesaid shall cover the full term of office of the said treasurer Provided always That should any of the said authorities levying any tax be of the opinion at any time that the bond given as aforesaid is not sufficient the said authority may require the said treasurer as collector to give additional security to be approved in the manner aforesaid but the said collector shall not in any event be required to give bond or bonds aggregating an amount in excess of the tax to be collected by him

Section 4 The said treasurer as collector of taxes shall keep his office in the same place occupied by him as city treasurer which shall be kept open for the receipt of taxes at all times during business hours All printing and stationery shall be furnished by the proper authorities respectively

Section 5 The said treasurer as collector of taxes shall at least once a month pay over to himself and to the treasurers of the other authorities for whom he collects taxes or charge himself therewith all the city county school poor and other taxes collected by him and at the same time he shall make a return or report to the proper city authority and to the treasurers of the other authorities verified by affidavit showing the amount of and what have been collected by him

Section 6 The said treasurer as collector of taxes shall finally settle with the respective authorities whose taxes he collects at the times the collectors for said taxes now settle and pay over the amounts respectively charged aganst him except such sums as he may be exonerated from collecting by the proper authorities which exonerations may be in the manner heretofore practiced

Section 7 Upon the settlement of the duplicates of said taxes which by law are a lien on real estate it shall be the duty of the said treasurer as collector of said taxes to make out separate schedules of each of said taxes uncollected upon his duplicates with a brief description of the properties against which the same are assessed for the purpose of having the same entered for lien or sold in accordance with existing laws or which may hereafter be enacted Each schedule shall be accompanied by his affidavit thereto setting forth that after the proper efforts he could not find sufficient personal property out of which the said taxes or any part thereof could be made or collected as provided by law Provided however That the failure of the said collector to collect the said taxes from personal property when the same could have been collected shall not impair the lien thereof or affect any sale made for the collection thereof And provided further That in case any collector shall make any wilfully false return he shall be liable therefor to any person or persons injured thereby The schedule of unpaid city taxes shall be certified to the city solicitor of the respective city for filing in court with like force and effect as if certified by the city treasurer under existing laws Each of the other schedules of unpaid county school poor and other taxes when a lien shall be certified to such officer or person as is now or shall hereafter be designated to receive the same for filing as a lien in court and where no such person is designated the said schedule may be certified to the solicitor of the authority levying the tax who may cause the said taxes to be registered as a lien in court under existing laws and the certifying of the said schedules by the said treasurer as collector of taxes shall in all cases have the like effect as if the same had been certified by the city treasurer as aforesaid

Section 8 The final accounts and monthly returns of the said treasurer as collector of taxes shall be settled by the proper authorities and persons entitled to examine and audit the same and said collector shall in settling his duplicates state a separate account for each different tax collected by him

Section 9 Prior to the appointment or election of said treasurer the authorities for whom he is or will collect taxes shall together fix his annual compensation as such collector of taxes and in the determination of such compensation each of such authorities shall have but one vote The amount of compensation so fixed shall not be increased or decreased during the term of the appointment or election of said treasurer

Section 10 Prior to the beginning of each calendar year the authorities for whom said treasurer collects taxes shall fix the number of deputy collectors and clerks which he may be allowed to appoint to assist him during said year and the amount of compensation to be paid each deputy collectors and clerks during said year and in determining the number of said deputy collectors and clerks and their compensation each of said authorities shall have one vote

Section 11 The part of the compensation for said treasurer as tax collector and his deputy collectors and clerks to be paid by each of the respective authorities for whom said treasurer is collecting taxes shall be in the same proportion to his total compensation as the taxes collected by him for each of said respective authorities bears to the total taxes collected for all of said authorities

Section 12 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. SCHANTZ. Mr. President, I move to reconsider the vote by which the bill passed finally.

The PRESIDENT. How did the Senator vote?

Mr. SCHANTZ. Mr. President, I voted "aye".

Mr. PHIPPS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. PHIPPS. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. SCHANTZ. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. SCHANTZ. Mr. President, I voted "aye".

Mr. PHIPPS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. PHIPPS. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. SCHANTZ. Mr. President, I ask unanimous consent to amend section 4, page 3, line 14 by striking out "4" and inserting in lieu thereof "6"; also section 5, page 3, line 23 by striking out "5" and inserting in lieu thereof "7"; also section 6, page 4, line 3 by striking out "6" and inserting in lieu thereof "8"; also section 7, page 4, line 10 by striking out "7" and inserting in lieu thereof "9"; also section 8, page 5, line 16 by striking out "8" and inserting in lieu thereof "10"; also section 9, page 5, line 22 by striking out "9" and inserting in lieu thereof "11"; also section 10, page 6, line 3 by striking out "10" and inserting in lieu thereof "12"; also section 11, page 6, line 12 by striking out "11" and inserting in lieu thereof "13"; also section 12, page 6, line 20 by striking out "12" and inserting in lieu thereof "14".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 512, as follows:

An Act to amend section one of an act approved the seventeenth day of March one thousand nine hundred and twenty-one (Pamphlet Laws thirty-two) entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county" by providing for second like proceeding in certain cases and making it the duty of the county commissioners upon favorable result of a second election to erect such hall at some place designated in the question submitted on the ballot

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the seventeenth day of March one thousand nine hundred and twenty-one (Pamphlet Laws thirty-two) entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county" is hereby amended to read as follows

Section 1 Be it enacted et cetera That in any county of the Commonwealth where the petition of at least fifty citizens thereof to the county commissioners of any county for the erection or completion and maintenance of a memorial or monument in honor of the soldiers sailors' and marines for such county who served in the Army and Navy of the United States in the War of the Rebellion the Spanish American War the Philippine Insurrection the War with Germany and Austria and all other wars in which the United States has been or may hereafter be engaged has been or may be laid before two successive grand juries and approved by them it shall be the duty of the commissioners to submit the question of the erection of a memorial hall to the electors of the county at the next general or municipal election and if a majority of the persons voting at such election shall vote in favor of the same it shall be the duty of the county commissioners to erect at the county seat a memorial hall as such memorial or monument and for such purpose to acquire by purchase donation or by condemnation under the right of eminent domain the necessary site and to erect and maintain thereon a suitable and proper memorial hall or buildings in memory of the soldiers and marines of such wars In case said election shall result adversely and a second petition shall be presented the same shall be laid before two successive grand juries and if approved then it shall be the duty of the county commissioners to again in like manner submit the question to vote at the next general or municipal election and if the result shall be favorable then it shall be the duty of the county commissioners to erect such hall at such place in the county as shall have been designated upon the ballot in the question submitted to the electors All proceedings for the condemnation of any property under the provisions of this act shall be in the same manner as now provided by law for the condemnation of property for other county purposes

If the site so secured has a hall or building already erected thereon which can be altered and improved so as to be made suitable for such memorial hall it shall be lawful for such county commissioners to acquire such site in manner aforesaid for the purpose of a memorial hall

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Aron,
Baldwin,
Barr,
Betts,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 613, as follows:

An Act amending sections one two and eleven of an act approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred and seventy-four) entitled "An act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such power may be exercised" providing that the Juvenile Courts in the several counties of this Commonwealth shall have exclusive jurisdiction in all cases of juvenile delinquency.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred and seventy-four) entitled "An act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such power may be exercised" is hereby amended to read as follows

Section 1 The courts of quarter sessions of the peace within the several counties of this Commonwealth shall have and possess full and exclusive jurisdiction in all proceedings (which may be brought before them) affecting the treatment and control of dependent neglected incorrigible and delinquent children

Section 2 That section two of said act is hereby amended to read as follows

Section 2 The powers of the court may be exercised

1 Upon the petition of any citizen resident of the county setting forth that a child is neglected dependent or delinquent and is in need of the care and protection of the court

2 Whenever any magistrate or justice of the peace (in committing) shall commit a child arrested (for an indictable offense shall certify that in his opinion the good of the child and the interests of the State do not require a prosecution upon an indictment under the criminal laws of the Commonwealth) for any indictable offense other than murder or for the violation of any other law of this Commonwealth or the ordinance of any city borough or township

(3 Whenever after return made by a magistrate of the proceedings upon the arrest of such delinquent child for an indictable offense the district attorney of the county either before or after the indictment shall certify that in his opinion the good of the child and the interests of the State do not require a prosecution upon an indictment under the criminal laws of this Commonwealth)

(4 Whenever upon the trial of any indictment of such delinquent child the judge trying the case is of the opinion that the good of the child and the interests of the State do not require a conviction under the criminal laws of this Commonwealth)

Upon the filing of any petition as above set forth or whenever the jurisdiction of the court has attached by the (filing of a certificate of a) commitment of a child by any magistrate or justice of the peace (or the district attorney or by the action of a judge as above set forth) it shall be (within the power) the duty of the judge holding said juvenile court to make all necessary orders for compelling the production of such child and the attendance of the parents and all persons having the custody or control of the child or with whom the child may be and pending the final disposition of any case the child shall be subject to the order of the court and may be permitted to remain in the control of its parents or the person having it in charge or the probation officer or may be kept in some place provided by the State or county authorities or by any association having one of its objects the care of delinquent or neglected children as the court may order

Section 3 That section eleven of said act is hereby amended to read as follows

Section 11 Whenever any child being above the age of fourteen years has been held by any magistrate or justice of the peace for any offense other than murder punishable by imprisonment in a State penitentiary the judge of the juvenile court having jurisdiction if in his opinion the interests of the State require a prosecution of such case on an indictment may certify the same to the District Attorney of the county who shall thereupon proceed with the case in the same manner as though the jurisdiction of the juvenile court had never attached and nothing (herein) in this act contained shall be in derogation of the powers of the court of quarter sessions and of oyer and terminer to try upon an indictment any delinquent child whose case may as above provided have been certified to the district attorney and who may in due course be brought to trial before such court

Nothing in this act shall be construed to repeal any of the provisions of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" or the amendments thereto nor to repeal any of the provisions of an act approved the twelfth day of July one thousand nine hundred and thirteen entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" or the amendments thereto

And the amendments thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. STITES. Mr. President, I move to reconsider the vote by which the bill passed finally.

The PRESIDENT. How did the Senator vote?

Mr. STITES. Mr. President, I voted "aye"

Mr. LONG. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. LONG. Mr President, I voted "aye"

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. STITES. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. STITES. Mr. President, I voted "aye"

Mr. LONG. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. LONG. Mr President, I voted "aye"

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. STITES. Mr. President, I ask unanimous consent to amend section 1, page 2, line 11, by striking out the word "The" and inserting in lieu thereof the words "Be it enacted &c., That the"; also line 16, by inserting after "children" the following: "(under the age of sixteen years; and for the purpose of this act the words "dependent child" and "neglected child" shall mean any child who is destitute, homeless, abandoned, or dependent upon the public for support, or who has not proper parental care or guardianship. The words "incorrigible children" shall mean any child who is charged by its parent or guardian with being unmanageable. The words "delinquent child" shall mean any child, including such as have heretofore been designated "incorrigible children," who may be charged with the violation of any law of this Commonwealth, or the ordinance of any city, borough or township.

The power of the court of quarter sessions of the peace, as provided for in this act, may be exercised by any one or more judges of such court, who may be assigned for the purpose at a session of said court, which shall be known as the juvenile court; and all sessions of such juvenile court shall be held separate and apart from any session of the court held for the purpose of its general criminal or other business, and the records of the proceedings of such juvenile court shall be kept in a docket, separate from all other proceedings of said court.)"; also section 2, page 4, line 5, by inserting after "having" the word: "for" also line 7, by striking out the "2" and inserting in lieu thereof: "3"; also line 24, by inserting after "course" the word "(may)".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 734, as follows:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto an additional section

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following is proposed as an amendment to the Constitution of the Commonwealth of Pennsylvania in accordance with the provisions of the eighteenth article thereof

That article three of the Constitution of the Commonwealth of Pennsylvania be amended by adding thereto the following section

Section 16 Laws may be enacted authorizing assessments against all properties which may be specially and particularly benefited by the construction of public improvements or public utilities or parts thereof or facilities thereof by the City of Philadelphia whether or not such properties abut on such public improvements or utilities The sums realized from such assessments shall be appropriated toward meeting the cost of such public improvements or utilities or towards the retirement of any bonds issued for the construction of the same

And amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Aron,
Baldwin.
Betts,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Jones,
Joyce,
Krause,
Kutz,
Leslie.
MacDade,
Mansfield,
McClintock,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sprowls,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—8.

Barr,
DeWitt,
Huffman,
Lanius,
Long,
Norton,
Sones,
Steele,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 846, (House Bill No. 928), as follows:

An Act providing for and regulating the public printing and binding the editing for publication and the distribution of all documents reports bulletins and other publications for the use of the Commonwealth the several departments boards commissions and other agencies engaged in the legislative judicial and administrative work of the State government the sale of waste paper the appointment of a Director and other employes and repealing inconsistent and conflicting legislation

ARTICLE I

Section 1 The term "director" as used in this act is declared to be the Director of Publications or such other officer or person who shall be designated in conformity with law and is charged with the responsibility for the public printing and binding

The term "public printing and binding" as used in this act is declared to include the editing for publication of all matter to be printed the reading and revising of all proof and the procurement of all printing binding lithographing cuts plates dies and supplies and materials incident thereto for the use of the Commonwealth and the several departments boards bureaus commissions divisions and other agencies engaged in the legislative judicial and administrative work of the State government and the distribution of the same

The term "proposal" as used in this act is declared to be and include all bids in writing upon specifications furnished by the Director

The term "contract" as used in this act i sdeclared to be any agreement in writing between the Commonwealth and any person firm or corporation for public printing and binding and the word "contractor" any person firm or corporation so contracting

The term "specification" as used in this act is declared to be detailed information schedules lists plans and data with maximum prices therefor upon which proposals shall be based and contracts made

Section 2 The Director shall have the power and his duty shall be

(a) To edit for publication all reports bulletins and other publications of the various departments boards and commissions of the State government

(b) With the approval of the Governor the President pro tempore of the Senate and the Speaker of the House to determine the size character quantity and method of distribution of the various publications to be printed for the use of the General Assembly

With the approval of the Governor to determine the need size character quantity and method of distribution of the various publications to be printed for the use of the several departments boards commissions and other agencies engaged in the administrative work of the government Provided That in the case of reports made by the several departments boards or commissions the department board or commission making the report shall be consulted with regard to the size character quantity and method of distribution of such reports

With the approval of the Governor and of the Chief Justice of the Supreme Court of Pennsylvania to determine the size character quantity and method of distribution of the various publications to be printed for the use of the judicial department

(c) To enter into contracts for furnishing all printing used in hte legislative and other departments of government and the printing binding and distributing of the laws journals department reports and all other printing and binding which contracts shall be given to the lowest responsible bidder below such maximum price and under such regulations not inconsistent with this act as may now or hereafter be fixed by law and shall be subject to the approval of the Governor Auditor General and State Treasurer

Section 3 For the purpose of carrying out the provisions of this act the Director is hereby authorized by and with the consent and approval of the Governor to appoint such assistants clerks and other employes as shall in his opinion be necessary and fix their salaries

Section 4 All contracts for public printing and binding shall be for a term of not less than one year nor more than four years and said Director shall have the right to divide said printing and binding into as many classes and enter into as many contracts therefor as he shall deem proper and advisable in carrying out the provisions of this act and said Director is hereby authorized to make said classifications and to prepare specifications schedules and contracts subject to the approval of the Governor State Treasurer and Auditor General and all contracts shall be executed by the Director the Governor State Treasurer and Auditor General

Section 5 That not less than two months prior to the termination of any contract now existing or the termination or expiration of any contract hereafter entered into the Director shall advertise for proposals for public printing and binding said advertisements for such proposals shall be published for at least three days the first and last insertion of which shall be published at least ten days apart in one or more newspapers of general circulation published in Philadelphia Pittsburgh Harrisburg and five other places within the Commonwealth

Section 6 All proposals shall be submitted upon blanks furnished by the Director on or before the time fixed for opening said proposals and each proposal shall be in duplicate one of which shall be marked "Duplicate Proposal" each proposal shall be accompanied by certified check to the order of the State Treasurer in such an amount as shall be determined by the Director the Governor Auditor General and State Treasurer and designated in said advertisement the Director shall open all proposals received in the presence of those bidding and shall proceed publicly to award the contract or contracts for which bids were asked to the lowest responsible bidder or bidders below the maximum price or prices fixed in the schedule or schedules prepared by the Director and if any such bidder refuses or neglects to accept a contract awarded to him within ten days then such contract may be awarded to the next lowest bidder and so on until such contract shall be awarded and accepted Provided however That the Director shall have the right to reject any and all bids and when all bids shall be so refused the Director shall advertise again for proposals giving at least ten (10) days' notice thereof by advertisement and said proposals to be opened awarded and approved in like manner as hereinbefore provided

Section 7 The certified checks of all unsuccessful bidders to whom no contracts were awarded shall be returned to the makers thereof but any bidder to whom a contract has been awarded and who has neglected or failed to enter into the contract or contracts awarded to him in the manner and upon the terms herein provided shall be liable to the Commonwealth for the difference between the amount of his bid and the bid of the person or persons to whom said contract shall afterwards be awarded and in addition thereto all costs and expenses necessarily incurred by reason of his neglect or failure and as liquidated damages therefor there shall be retained by the Commonwealth out of the amount of said certified check the amount required to reimburse the Commonwealth for said loss

Section 8 No contract shall be entered into with any contractor until after such contractor has furnished a sufficient bond to the Commonwealth in such form and amount as may be prescribed by the Director conditioned for the faithful performance of the terms of the contract and shall have as surety a surety company authorized to act as such surety in this Commonwealth said bond and the terms thereof to be approved by the Attorney General

Section 9 No public printing and binding shall be performed for any department board commission or other agency of the State government or any officer thereof unless authorized in writing by the Director and no printing or binding whatsoever shall be done by the contractor at the expense of the Commonwealth except upon such written order or authorization and the contractor shall not proceed with any work until he shall have received from the Director a written order and full instruction therefor

Section 10 The rates of compensation for the public printing and binding for all objects of charge against the Commonwealth by the contractor shall be according to the schedules set out in the specifications furnished by the Director and incorporated in the contract and no printing and binding or other work or material whatsoever shall be done or frnished by the contractor that is not set forth in the schedules or specifications incorporated in the contract unless authorized in writing by the Director and the price therefor designated by him and if the contractor shall proceed with any such printing and binding without such authorization in writing the Director shall have the right to condemn such unauthorized work whereupon the contractor shall not be entitled to receive any compensation whatsoever therefor or the Director if he shall accept such unauthorized printing and binding shall fix a reasonable price therefor which said price shall in no case exceed the lowest rate or rates at which the same can be obtained elsewhere by said Director and said contractor shall be bound by the rate or rates so fixed by said Director and shall in no case recover any additional sum or amount

Section 11 There shall be provided by the Director and incorporated in every contract made hereunder provision for delivery of all printing binding and other work done by the contractor the time when delivery must be made and reasonable penalties for delay in such delivery

Section 12 All documents shall be distributed upon requisitions of the persons entitled to make requisition therefor as determined under section two of this act and upon receipt of any proper requisition the Director shall cause the same to be packed in packages or boxes as the case may be addressed as required in the requisition and delivered personally at the office of the Director or free at the post office express or freight office indicated in the requisition and the Director shall furnish blank requisition forms to officials or persons entitled to make requisitions for documents

Section 13 The librarian of the Senate the resident clerk of the House the heads of the various departments of the government the chairman of each commission or committee on or before the first day of June of each year shall file with the Director a statement showing the number of documents of each kind respectively on hand the first of June preceding all documents in excess of the number needed in the performance of the work of the respective departments committees or other branches of the State government shall be turned over to the Director and his receipt taken therefor All such documents not needed shall be sold as waste paper by the Director and as hereinafter provided and all money received from the sale thereof shall be paid into the State Treasury for the use of the Commonwealth

Section 14 The Director from time to time shall solicit by advertising proposals for the purchase of all the waste paper documents and other materials that have been accumulated and are no longer needed and the Director is hereby authorized to make sale thereof by contract or contracts to the highest bidder upon such terms and conditions as he shall determine provided that he shall have the right to reject any and all proposals for the sale and further provided that it shall be unlawful for any officer or employe of the State government other than the said Director to sell or offer for sale any document waste paper or other materials incident thereto

Section 15 For the purpose of carrying out the provisions of this act there shall be appointed by the Governor by and with the advice and consent of the Senate within thirty days after this act shall go into effect and every four (4) years thereafter a Director of Publications who shall have had at least five (5) years' experience in practical editorial work and who shall be a qualified printer who shall be commissioned by the Governor to serve for a term of four (4) years from the date of his appointment and until his successor is duly qualified who shall receive an annual salary of Seven Thousand Dollors ($7,000.00) and in case of vacancy in the office of Director by reason of death resignation or otherwise the Governor shall appoint a qualified person to fill such vacancy for the unexpired balance of the term

Section 16 The Director shall before entering upon the duties of his office take and subscribe to the oath of office prescribed by the Constitution the same to be filed in the office of the Secretary of the Commonwealth and give a bond in such penal sum as shall be fixed by the Governor with surety to be approved by the Attorney General conditioned for the faithful discharge of the duties of his office

Section 17 The Director shall have an office in the Capitol Building which shall be kept open and accessible throughout the year to all persons interested in the performance of his official duties and he shall not be interested directly or indirectly in the public printing and binding nor in furnishing the material therefor nor in supplying stationery blanks or other materials whatsoever to the State government or any part thereof

Section 18 The Director shall keep complete records of all printing and binding and of all printing and binding and materials and supplies incident thereto furnished by the Commonwealth for the use of any department board commission or other agency of the State Government ordered to be done by the contractor or contractors and shall examine and approve all accounts before payment thereof and after approval thereof by the said Director the Auditor General shall draw his warrant on the State Treasurer in favor of the contractor for the amounts due and owing under the terms and provisions of the contract in the same manner as other public accounts are now payable

Section 19 Nothing contained in this act shall in any way interfere with any contract now existing for supplying the State with printing and binding or material and supplies incident thereto

Section 20 The following acts and parts of acts are specifically repealed

The act entitled "An act to create the Department of Public Printing and Binding to carry out the provisions of Section twelve Article three of the Constitution in relation to the public printing and binding and the supply of paper and other materials therefor" approved the seventh day of February Anno Domini one thousand nine hundred and five (Pamphlet Laws three) also the act entitled "An act to amend sections one ten fourteen sixteen eighteen twenty-one twenty-three twenty-five twenty-eight thirty-one thirty-four thirty-five thirty-seven thirty-eight and forty-two of an act entitled 'An act to create the Department of Public Printing and Binding to carry out the provisions of secion twelve article three of the Constitution in relation to the public printing and binding and the supply of paper and other materials therefor' approved the seventh day of February Anno Domini one thousand nine hundred and five by further regulating said department and by further regulating the public printing and binding and the supply of paper and other materials therefor" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws two hundred and ten) also the act entitled "An act to amend an act approved the seventh day of February one thousand nine hundred five (Pamphlet Laws three) entitled 'An act to create the Department of Public Printing and Binding to carry out the provisions of section twelve article three of the Constitution in relation to the public printing and binding and the supply of paper and other materials therefor' as amended" approved the twenty-third day of July Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws eleven hundred and twenty-eight) also the act entitled "An act to amend an act approved the seventh day of February one thousand nine hundred and five (Pamphlet Laws three) entitled 'An act to create the Department of Public Printing and Binding to carry out the provisions of section twelve article three of the Constitution in relation to the public printing and binding and the supply of paper and other materials therefor' as amended" approved the sixteenth day of February Anno Domini one thousand nine hundred and twenty-one (Pamphlet Laws five) also the act entitled "An act creating a Division of Documents defining its powers and duties regulating the number of documents to be printed bound and the requisition distribution and sale of the public documents of this Commonwealth providing penalties for the violation of this act and repealing certain acts" approved the twenty-second day of July Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws ten hundred and ninety-seven)

Section 21 All other acts and parts of acts inconsistent herewith are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. CRAIG. Mr. President, I move to reconsider the vote by which the bill passed finally.

The PRESIDENT. How did the Senator vote?

Mr. CRAIG. Mr. President, I voted "aye"

Mr. PHIPPS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. PHIPPS. Mr. President, I voted "aye"

The motion was agreed to,

And the question recurring,

Shall the bill pass finally?

Mr. CRAIG. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. CRAIG. Mr. President, I voted "aye"

Mr. PHIPPS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. PHIPPS. Mr. President, I voted "aye"

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. CRAIG. Mr. President, I ask unanimous consent to amend section 2, paragraph (b), on page three, by striking out lines one to five inclusive, and inserting therein the following:—"(b) With the approval of the President pro tempore of the Senate and the Speaker of the House of Representatives, to determine the size and character of the various publications to be printed for the use of the General Assembly, provided that the quantity of any new publication for the members and officers of the General Assembly shall be fixed by act or resolution, and provided that the members and officers of the General Assembly shall receive not less than the same number of advance sheets of the Laws, Bills, Calendars, Journals, Pamphlet Laws, Department Reports and other publications as is now authorized by law, which shall be distributed to the members and officers of the General Assembly, only on the requisition of the Librarian of the Senate and the Resident Clerk of the House of Representatives"; also section 9, on page 7, line 2, after the word "therefor," by adding the following:—"And provided that all printing and binding required for the work of the General Assembly shall be furnished only on requisition made by the Chief Clerk or Librarian for the Senate and the Chief Clerk or Resident Clerk for the House of Representatives"; also section 13, on page 8, line 20, by striking out the words "the first of June preceding all documents"; also line 23, by adding after the word "government" the words "which excess"; also section 18, on page 10, line 18, by striking out after the words "and of all" the words "printing and binding and"; also section 20, on page 11, line 10, by striking out the word "therefor" and inserting in lieu thereof the word "therefor".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL OVER IN ORDER.

Mr. MacDADE. Mr. President, I ask that Senate Bill No. 86, on third reading entitled:

An Act to further amend the fifth section of an act, entitled "An act relating to the organization and jurisdiction of orphans' courts, and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof," approved May 19th, A. D. 1874," (Pamphlet Laws 206), as amended, by fixing and determining the salaries of the assistant clerk of said court in counties of the first, second, third and fourth classes.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 126, entitled:

An act making an appropriation to the Western Pennsylvania School for the Blind located at Pittsburgh Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER.

Mr. SCHANTZ. Mr. President, I ask that Senate Bill No. 266, on third reading entitled:

An Act providing for only one assessment of all property for taxation in cities of the third class within this Commonwealth directing said assessment to be made by the city assessors of said cities and said city assessors in addition to their duties as such assessors, to perform all other duties now performed by the county assessors in said cities and requiring said cities to furnish copies of said assessment to each of the boards of school directors in said cities to each of the boards of county commissioners of the respective counties wherein said cities are located and to all other boards or authorities levying and collecting taxes in said cities and all taxes, city, school, county, poor and other taxes to be levied on said assessment.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MacDADE. Mr. President, I ask that Senate Bill No. 355, (House Bill No. 206) on third reading, entitled:

An act to further amend section three of the act approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued" as amended providing for the impounding of property where an affidavit is filed before issuing of the writ

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MacDADE. Mr. President, I ask that Senate Bill No. 381, (House Bill No. 227) on third reading, entitled:

An Act to further amend the fifth section of an act, entitled "An Act relating to the organization and jurisdiction of orphans' courts, and to establish a separate orphans' court in and for counties having more than one hundred and fifty thousand inhabitants and to provide for the election of judges thereof," approved May nineteenth, Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six), as amended, by fixing and determining the salaries of the assistant clerks of said court in counties of the first, second, third, and fourth classes.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 390, as follows:

An Act creating the "Anthracite Mine Cave Fund" Appropriating a Portion of the State Tax on anthracite coal to the use of the Pennsylvania State Anthracite Mine

Cave Commission and Imposing Duties upon the State Treasurer and Auditor General

Whereas subsidences of the surface commonly called mine caves resulting from the mining and removal of anthracite coal have created in the anthracite region a menace to community life and to the continued existence of Municipalities forming an integral part of the Commonwealth of such proportions as to clothe with a public interest the destruction of private as well as of public property tending to jeopardize the health safety and welfare of the citizens of the Commonwealth residing in that region and

Whereas the conditions aforesaid may be greatly ameliorated and the public health safety and welfare promoted by the proper functioning of the Pennsylvania State Anthracite Mine Cave Commission which has heretofore been without funds for the performance of its duties Now Therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby created a fund to be known as the "Anthracite Municipalities Fund" to be kept by the State Treasurer separate and apart from the general revenues of the Commonwealth Said fund shall consist of a sum equal to twelve and one-half per centum of the moneys to be hereafter derived during the years one thousand nine hundred and twenty-three and one thousand nine hundred and twenty-four from the State Tax on anthracite coal less whatever moneys shall be paid into another special fund to be known as the "Anthracite Mine Cave Fund provided said last mentioned fund shall be established During each year after one thousand nine hundred and twenty-four the percentage aforesaid shall be increased by a sum equal to an additional twelve and one-half per centum of said moneys until said fund shall consist of a sum equal to fifty per centum of said moneys each year less whatever moneys shall be paid from year to year if any into said "Anthracite Mine Cave Fund" Said State Tax on anthracite coal herein referred to is the tax levied by virtue of the act approved May eleventh one thousand nine hundred and twenty-one entitled "An act imposing a State tax on Anthracite Coal providing for the assessment and collection thereof and providing penalties for the violation of this act"

Section 2 Said moneys so dedicated and apportioned shall by the State Treasurer be placed in a special fund to be known as the "Anthracite Mine Cave Fund" separate and apart from the general revenues of the Commonwealth and shall be available for the use of the Pennsylvania State Anthracite Mine Cave Commission upon the requisitions of said commission from time to time and all such moneys hereafter paid into the State Treasury and placed in such special fund are hereby specifically appropriated to the Pennsylvania State Anthracite Mine Cave Commission in lieu of funds derived from other sources for the purposes described in the act creating said Commission approved May twenty-seven one thousand nine hundred and twenty-one entitled "An Act affecting anthracite coal mines and operations establishing the Pennsylvania State Anthracite Mine Cave Commission defining its jurisdiction and powers imposing duties upon owners and operators of anthracite coal mines and imposing penalties"

Section 3 Nothing in this Act contained shall be construed to affect the aforesaid Act of May eleven one thousand nine hundred and twenty-one Pamphlet Laws page four hundred and seventy-nine or change the amount of tax levied thereunder and in case this Act shall be Judicially determined to be unconstitutional and ineffective the moneys hereby appropriated shall revert to such other fund as may by law be established for that purpose and in default of such fund to the general revenues of the Commonwealth

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. DAVIS. Mr. President, Senate Bills 390 and 391 are intended as companion bills, harmonizing with each other and forming together what is really one single piece of legislation. Owing to the necessity of meeting constitutional objections and the possiblity that one bill alone might be declared invalid, and thus denying the people living in the mine cave areas any relief whatever, it has seemed highly desirable to have the two separate bills, each forming a part of the whole plan. Two years ago this body passed a mine cave bill forbidding anthracite operators to cause the collapse of dwellings and other structures occupied by human beings. This would have put a stop to the practice of dropping the homes, churches and streets of Scranton and other anthracite cities into the mines. Many eminent lawyers, including all but one of the Supreme Court of Pennsylvania, believed that Act to be constitutional, but the Supreme Court of the United States has reversed this decision and now tells us that it violates the Fourteenth Amendment to the Constitution of the United States by taking the coal company's property without due process of law. Some other means for the relief of the dwellers in the anthracite region must be secured and every precaution must be taken to defend against attacks on constitutional grounds. That is the reason for having the two bills instead of one.

At the session of 1913, and again in 1915, the legislature passed anthracite tax laws providing in both cases that half of the tax should be returned to the anthracite communities to help them bear their peculiar burden due to the excessive damage done by their chief industry. Both of these bills were knocked out by the courts. The present bills were drafted with particular reference to overcoming the courts' objections.

In 1913 and 1915 this body recognized the right of the anthracite communities to 50 per cent. of the anthracite tax. That right is just as good today but, owing to the financial needs of the Commonwealth, the bills propose to postpone a return of so large a portion of the tax for a period of years, and at the present time ask only a total of ⅛ of the tax. The other ⅞ goes into the State Treasury.

This 1/8 is divided into two funds, known as the "Anthracite Municipalities Fund" and the "Anthracite Mine Cave Fund." Each fund is to receive 1/16 or 6-1/4 per cent. of the total tax. But for fear that the Mine Cave Fund might be invalidated by the courts, it is so arranged that in such case its 1/16 shall go to the Municipalities Fund. In other words,, instead of making the Municipalities Fund merely 1/16 of the total, it is made 1/8 less whatever is paid into the Mine Cave Fund. The Mine Cave Fund is to be 1/16, and so that would leave 1/16 in the Municipalities Fund. But in case the Mine Cave Fund is invalidated so that nothing is paid into it, then the municipalities Fund will retain the entire 2/16 or 1/8.

When the Mine Cave Act of 1921 was before the Supreme Court of Pennsylvania the only Judge who found against it was Justice Kephart, who wrote a dissenting opinion. The Supreme Court of the United States overruled the Pennsylvania Court and knocked out the bill, and affirmed JudgeKephart.

These bills now before you are drawn to carry out the suggestion made by his Honor, Judge Kephart, in his opinion. This is the solution to the mine cave question which he offers us:

From Justice Kephart's opinion Mahon vs. Penna. Coal Co., 274 Pa. 570:

"While there are many cases of property damage due to subsidences, and people located thereabouts have been permitted to suffer because of what was then, and is now declared to be, a mistaken idea as to the power of an individual to sell property without surface support, yet that was the Commonwealth's blunder, and the Commonwealth should pay for its mistakes from general funds or use for this purpose the money now to be received from taxes on this very coal. No great hardship would follow that action; this indeed was the solution of this problem reached by the Constitutional Revision Commission of 1920."

ESTIMATE OF REVENUE.

During the year 1920, the last year for which we have been able to get the figures, the total tonnage of anthracite coal shipped to market amounted to 68,866,599 tons

Assuming that during the present year the tonnage is approximately 70,000,000 tons, of a market value of approximately $6.00 per ton at the mines, the total value of the year's output would amount to $420,000,000, and the tax of 1½% imposed thereon would yield, if collected in full, $6,300,000. Allowing a ten per cent. loss on collections, the total revenue would amount to $5,670,000, of which ⅛ or $708,750 would be allotted to the two funds under Senate Bills 390 and 391, divided ½ or $354,375 to each fund.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Oredered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 391, as follows:

An Act creating the "Anthracite Municipalities Fund" appropriating pro rata according to population a portion of the tax on anthracite coal to the use of the Cities Boroughs and Townships from which the anthracite coal taxed was removed in course of mining and imposing duties upon the State Treasurer and Auditor General

Whereas the mining and removal of large quantities of anthracite coal has a tendency to permanently impoverish the municipalities from which it is removed and to impair the sources of municipal revenue by depreciating the value of real estate subject to taxation and at the same time imposing heavy financial burdens upon such municipalities in the protection of public highways and public buildings against dangers resulting from the removal of subjacent and adjacent support and from the damaged condition of abutting properties caused by surface subsidies commonly called mine caves Now Therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assemly met and it is hereby enacted by the authority of the same That a sum equal during the years one thousand nine hundred and twenty-three and one thousand nine hundred and twenty-four to six and one-quarter per centum and during each year thereafter equal to an additional six and one-quarter per centum until the total shall reach annually a sum equal to twenty-five per centum of the moneys to be hereafter derived from the tax on anthracite coal under and by virtue of the act approved the eleventh day of May one thousand nine hundred and twenty-one entitled 'An act imposing a State Tax on anthracite coal providing for the assessment and collection thereof and providing penalties for the violation of this act" is hereby permanently dedicated and apportioned to the use of the Pennsylvania State Anthracite Mine Cave Commission

Section 2 All moneys remaining unexpended at the end of the calendar year in the said "Anthracite Mine Cave Fund" if the same shall be established shall be transferred by the State Treasurer to the said "Anthracite Municipalities Fund"

Section 3 The State Treasurer shall from time to time make such transfers and deposits of funds as may be necessary to carry this act into effect

Section 4 All moneys paid into the said "Anthracite Municipalities Fund" shall be paid yearly by the State Treasurer upon warrant of the Auditor General to the cities boroughs and townships from which any anthracite coal taxed under the aforesaid act of May eleven one thousand nine hundred and twenty-one was removed in course of mining said fund to be distributed pro rata according to population by the last preceding United States Census All moneys hereafter transferred or paid into said "Anthracite Municipalities Fund" are hereby specifically appropriated for the purposes hereinbefore mentioned

Section 5 Nothing in this act contained shall be construed to effect the aforesaid act of May eleventh one thousand nine hundred and twenty-one Pamphlet Laws page four hundred and seventy-nine or change the amount of tax levied thereunder and in case this act shall be judicially determined to be unconstitutional the moneys hereby appropriated shall revert to the general revenues of the Commonwealth

Section 6 All acts or parts of acts in conflict herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 413, (House Bill No. 389), entitled:

An Act to amend chapter six article twenty section three of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. CLARK. Mr. President, I move that Senate Bill No. 660, (House Bill No. 234) on third reading, entitled:

An Act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto

be recommitted to the Committee on Game and Fisheries, for the purpose of amendment.

Mr. STINEMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. SCHANTZ. Mr. President, I ask that Senate Bill No. 699, (House Bill No. 857) on third reading, entitled:

An Act providing for the lapsing of unexpended or unencumbered balances of appropriations

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 714, (House Bill No. 682), entitled:

An Act to amend the forty-first clause of section two article one chapter five of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" as amended

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Christley,
Clark,
Craig,
Culberston,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Kutz,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Daix,
Davis,
Joyce,
Krause,
Salus,
Schantz,
Weaver,
Woodward.

NAYS—1.

Lanius.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 724, (House Bill No. 798), entitled:

An Act relating to building construction in cities of the first class by prescribing the maximum undivided floor areas permitted and permitting the use of non-fireproof steel roof trusses and purlins in certain cases prescribing limitations on garages automobile service stations and buildings for similar purposes and constructions permitted for curtain and spandrel walls permitting the use of wood furring and stud-partitions in certain cases and repealing inconsistent laws

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER.

Mr. STITES. Mr. President, I ask that Senate Bill No. 752, on third reading, entitled:

An Act to amend section seventeen of an act approved May 31, 1911, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the Counties or townships of the Commonwealth certain existing public roads connecting County-seats, principal cities, and towns and extending to the State line; precribing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and, procedure therein, providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State providing, aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways, making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads; and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, authorizing the Department to collect fees for permits and making an appropriation thereof.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STITES. Mr. President, I ask that Senate Bill No. 753, on third reading, entitled:

An Act to amend section seven hundred and twenty-seven of an act approved July 14, 1917, (P. L. 840) entitled "An Act concerning townships; and revising, amending, and consolidating the law relating thereto," as amended; authorizing the State Highway Department to charge permit fees for constructions in, over or under township highways and making an appropriation thereof.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 762, entitled:

An Act to safeguard human life and health through the Commonwealth by providing for the reporting, quarantining, and control of deseases declared communicable by this act or by regulation of the Department of Health; providing for the prevention of infection therefrom; and prescribing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 772 entitled:

An Act to amend an act, approved July 21st, 1919 (P. L. 1057) entitled "An act to amend section one, and to supplement an act, approved July 25, 1917 (P. L. 1202) entitled 'An act providing for the appointment and expenses of a commission of five persons to codify and revise the law relating to banks, private bankers, and trust companies doing business within this Commonwealth, and making an appropriation'; extending the powers and duties of the commission so as to include the codification and revision of the law relating to all corporations, persons, partnerships, and associations under the supervision of the Banking Department; and making an appropriation"; extending said commission for a further period of two years; and making an appropriation.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 785, entitled:

A Supplement to the act approved July 25, 1913 (P. L. 1270) entitled, "An Act providing for the erection of a dam at the outlet of the Pymatuning Swamp, and the establishment of a reservoir to conserve the waters thereof; providing for the taking of land and materials necessary thereto; vesting certain powers and duties in the Water Supply Commission; and making an appropriation," providing for the sale and leasing of property acquired under said act; and making an appropriation of the proceeds thereof.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
DeWitt,
Einstein,
Lanius,
Leslie,
Sisson,
Smith,

Barr,
Betts,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Phipps,
Quigley,
Salus,
Schantz,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 789, entitled:

An Act to amend the act approved May 21st, 1881 (P. L. 30) entitled "An act to enable mining, manufacturing, and trading companies to wind up their affairs, after the expiration of their charters," as amended; by extending the same to include foreign corporations.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 792, entitled:

An act to amend section nine hundred six of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended; conferring sole power of supervision over certain schools and institutions supported wholly or partly by the State upon the Council of Education.

And said bill having been read at length the third time,

On the question,

Shall the bill pass finally?

On the question,

Will the Senate agree to the bill?

Mr. MANSFIELD. Mr. President, I ask unanimous consent to amend section 1, page 2, line 26, by underscoring the word "and"; also line 28, by inserting after the word "from" the following "(the educational work in the);" also page 3, line 7, by inserting after the word "thereof" the words "(Provided, That)."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 795, entitled:

An Act providing that in all suits against any county process shall be served upon and made by county controllers

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 820, (House Bill No. 633), entitled:

An Act to amend section one of the act approved the twelfth day of June one thousand nine hundred and one (Pamphlet Laws five hundred and fifty-nine) entitled "An Act to provide for the election of one person to fill the office of prothonotary one person to fill the office of clerk of the courts of general quarter sessions and oyer and terminer one person to fill the office of register of wills and clerk of the orphans' court and one person to fill the office of recorder of deeds in counties containing forty thousand inhabitants and hereafter created separate judicial districts under the Constitution" providing that said act shall be in effect only upon the acceptance thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. BARR. Mr. President, I ask that Senate Bill No. 837, (House Bill No. 880) on third reading, entitled:

An Act to amend section two hundred and seven of an act approved the eighteenth day of May, one thousand nine-hundred and eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 856, (House Bill No. 1163), entitled:

An act making unlawful the wearing of the discharge button issued by the United States Government by any person not entitled to wear the same

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 864, (House Bill No. 1313), entitled:

An Act to amend section ten of the act approved July twelfth one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as amended

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. DAIX. Mr. President, I ask unanimous consent to amend section 1, page 2, line 26, by striking out the word "conculsive" and inserting in lieu thereof the word "conclusive"; also section 10, line 3, after the word "jurisdiction" by inserting the words "in adoption proceeding and"

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 868, entitled:

An Act authorizing poor directors of county districts to provide for the payment for the preparation of plans and specifications heretofore made for public buildings for such poor districts where no legal or valid contract was entered into as required by law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 872, entitled:

An Act to amend section three Article seven of the act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred sixty-eight) entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. Harris. Mr. President, I ask unanimous consent to amend section 1, page 2, line 17, by adding after the word "city" the following: "excepting any volunteer fire department."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 892, (House Bill No. 617), entitled:

An Act to amend clauses (b) and (c) of section fifty-six of an act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decendents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" so as to permit the orphans' court in its discretion to permit a corporation appointed as trustee in the place of an executor or executors trustee or trustees dying renouncing dismissed or refusing to act to give its own bond without surety

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,
Baldwin,
Betts,
Brown,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
MacDade,
Mansfield,
McClintock,
Norton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—2.

Barr,
Long,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 893, (House Bill No. 678), entitled:

An Act to amend clause three section ten article two of chapter twelve of the act approved May fourteenth one thousand nine hundred fifteen (Pamphlet Laws, three hundred twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,
Baldwin,
Barr,
Brown,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Jones,
Joyce,
Krause,
Kutz,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—4.

Betts,
Huffman,
Lanius,
Sprowls,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 900, (House Bill No. 957), entitled:

An act to provide for the laying out altering and vacating roads lying partly in one county and partly in an adjoining county forming or intended to form a continuous highway from one county to another and providing for the location construction of a joint county bridge on said road

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Betts,
Baldwin,
Barr,
Brown,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 902, (House Bill No. 1033), entitled:

An act providing that any person who was engaged in the military or naval service of the United States during any war in which the United States was engaged and having an honorable discharge therefrom shall receive credit for the experience and training derived from such service in civil service examinations

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. LONG. Mr. President, this particular bill I propose to vote against and I do not want to be misunderstood. I believe this bill is unconstitutional and I cannot see my way clear to vote for any bill that is unconstitutional. I have the greatest respect for the men and women that were in the service, but I cannot vote for this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
MacDade,
Mansfield,
McClintock,
Norton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—1.

Long,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. SALUS. Mr. President, I ask that Senate Bill No. 931, (House Bill No. 837), on third reading, entitled:

An Act to assure to persons within the jurisdiction of every county the equal protection of the laws by providing for their removal from the county and their trial in certain criminal cases by the Superior Court imposing penalties upon the counties and officers thereof for failure to provide proper protection and upon individuals for interfering with or obstructing the carrying out of the provisions of this act giving the Superior Court jurisdiction in all prosecutions arising out of this act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 937, (House Bill No. 916), entitled:

An Act to amend sections eighteen twenty-six thirty-two thirty-four thirty-eight fifty-four fifty-five fifty-six fifty-seven fifty-nine and sixty-one of an act entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine)

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. PHIPPS. Mr. President, I ask unanimous consent to amend title, page 1, line 1 by inserting after the word "eighteen" the word "twenty-two"; also section 2, page 4, lines 14 to 18 by underscoring beginning with the word "Provided" and ending in line 18 with the word "same".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 967, (House Bill No. 1312), entitled:

An Act to amend sections one two three and four of an act approved June eighteen one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Christley,
Clark,
Craig,
Culberston,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,

Daix,
Davis,
Derrick,
Krause,
Kutz,
Salus,
Schantz,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. SMITH. Mr. President, I move that Senate Bill No. 972, on third reading, entitled:

An Act to preserve the purity of the waters of the Commonwealth by providing for the discontinuance or abatement as nuisance of works hereafter erected constructed or opened and operated which discharge substances wastes and waters polluting the waters of the Commonwealth to the detriment of the public health fish life or industrial purposes

be recommitted to the Committee on Public Health and Sanitation.

Mr. JOYCE. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE

Mr. JOYCE. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JOYCE, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 1055, entitled:

An Act to amend section one hundred of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An act concerning townships and revising, amending and consolidating the law relating thereto."

BILL RECOMMITTED.

Mr. CRAIG. Mr. President, I move that Senate Bill No. 101, on second reading, entitled:

An Act for the registration and regulation of certain individuals and entities selling offering for sale or delivery soliciting subscriptions to or orders for disposing or undertaking to dispose of inviting offers for or inquiries about or dealing in any manner in securities defined herein conferring powers and imposing duties on the Commissioner of Banking and otherwise providing for the administration of this act prescribing penalties and making an appropriation.

be recommitted to the Committee on Banks and Building and Loan Associations for the purpose of amendment.

Mr. CLARK. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 393, as follows:

An Act to amend sections forty-three forty-four forty-five and fifty of article seventeen chapter six of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section forty-three of article seventeen chapter six of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended to read as follows

Section 43 Whenever any person copartnership or any electric light company organized under the laws of this Commonwealth is furnishing light to any borough or the public such borough is authorized to purchase the works of such person copartnership or corporation at such price as may be agreed upon by the borough and such person copartnership or a majority in value of the stockholders of such corporation

Section 2 That section forty-four of article seventeen chapter six of the act is hereby amended to read as follows

Section 44 Upon failure so to agree the borough may present a petition to the court of common pleas asking for the appointment of viewers to assess the value of the plant and works so taken whereupon the court shall appoint three viewers from the county board of viewers neither of whom shall be interested in such works or be stockholders in such corporation or taxpayers in such borough and shall appoint a time for their meeting of which ten days' notice shall be given to all parties in interest

Section 3 That section forty-five of article seventeen chapter six of the act is hereby amended to read as follows

Section 45 The viewers having been sworn or affirmed justly and impartially to appraise the property and having viewed the premises and taken such testimony as may be offered by any party touching the value of the property and franchises they shall determine the amount of damages that such person copartnership or corporation will sustain and to whom payable and make report thereof to the court which report having been confirmed by the court judgment shall be entered thereon

Section 4 That section fifty of article seventeen chapter six of the act is hereby amended to read as follows

Section 50 Before any borough shall construct an electric light plant or purchase the property of any person copartnership or electric light company the question of the increase of the debt of such borough for any of such purposes shall first be submitted to the qualified voters of the borough in the manner provided by law for the increase of indebtedness of municipal corporations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 515, as follows:

An Act to regulate and standardize the manufacture and sale of clinical thermometers and to provide a penalty

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a clinical standard thermometer supplied by the state and certified by the national bureau of standards for use by the state shall be the state clinical standard thermometer Nothing in the five following sections shall be construed as adopting or authorizing the adoption of any particular scale as the thermometer standard for this State

Section 2 The State shall also supply additional clinical standard thermometers necessary to carry out the provisions of this act to be known as office clinical standards Such thermometers shall be verified by the Director of the Bureau of Standard Weights and Measures upon their receipt and at least once in each six months thereafter by direct comparison with the state clinical standard thermometer The office clinical standards may be used in making comparisons of clinical thermometers under tests

Section 3 The Director of the Bureau of Standard Weights and Measures shall promulgate tolerance and specifications for clinical thermometers A correct clinical thermometer shall be one conforming to the standard established as provided in section one and to specifications promulgated under this section within such tolerances

Section 4 The Director of the Bureau of Standard Weights and Measures or the inspectors of the several counties and cities may at any time inspect and test any clinical thermometer in the possession of any manufacturer or dealer in this state and for this purpose may remove the same to such place or places as the Director of the Bureau of Standard Weights and Measures may establish for the purpose of making such tests Whenever such a thermometer is tested and found to be correct it shall be sealed marked or otherwise certified as correct Whenever he or they inspect and test such a thermometer and find it to be incorrect he or they may condemn seize and destroy it or he or they may return it to the owner upon a satisfactory guarantee that will not be sold or used The following fees for testing clinical thermometers shall be paid to the director for the use of the state (a) one to eight thermometers inclusive twenty-five cents for the first and ten cents for each additional one (b) any number from nine to eleven inclusive total fee one dollar (c) one dozen to six dozen inclusive one dollar per dozen (d) more than six dozen and not more than twelve dozen seventy-five cents per dozen (e) more than twelve dozen sixty cents per dozen

Section 5 The Director of the Bureau of Standard Weights and Measures shall prescribe rules and regulations governing the manufacture and sale of clinical thermometers and may authorize the sealing of such thermometers by any manufacturer thereof upon his agreement to conform to said rules and regulations and the filing of a surety bond in such sum and upon such terms as the Director may require When representative samples of any clinical thermometer have been submitted by the manufacturer to the Director and approved by him he shall assign a designating mark which shall thereafter be permanently engraved by the manufacturer upon all clinical thermometers which are intended for sale and which conform to the samples which have been so approved Clinical thermometers sealed by the manufacturer shall be marked with the name initials or trade mark of the manufacturer and with such other marks as the Director may authorize or require The Director may revoke the authority given by him to any manufacturer under the provisions of this section upon proof that the authorized seal or designating mark has been affixed to a thermometer not conforming to the approved sample or that the prescribed rules and regulations have not been complied with

Section 6 Whoever himself or by his servant or agent or as the servant or agent of another person keeps for the purpose of sale offers or exposes for sale or sells any clinical thermometer not sealed marked or certified as correct by the Director of the Bureau of Standard Weights and Measures or by the manufacturer as provided by the preceding section shall be punished by a fine of not more than ten dollars for each thermometer so sold or kept offered or exposed for sale and whoever violates any rule or regulation prescribed by the Director under authority of said section shall be punished by a fine of not more than fifty dollars

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 520, (House Bill No. 212), entitled:

An Act to amend sections fourteen and sixteen of article six chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 547, (House Bill No. 652), entitled:

An Act relating to suits against and service of process upon corporations organized and existing under the laws of the Commonwealth of Pennsylvania ceasing to do business or ceasing to maintain an office within the Commonwealth and the effect of such service

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 554, entitled:

An Act to amend section twelve of the act approved the third day of June, one thousand nine hundred and eleven, (P. L. 639), entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction; and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act; and providing for revocation or suspension of licenses given by said bureau; and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith;" providing for the reinstatement of licensees in certain cases.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twelve of the act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and thirty-nine) entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith which was amended by the act approved the twenty-fourth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and seventy-one) entitled "An Act to further amend an act approved the third day of June one thousand nine hundred and eleven entitled 'An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropiration to carry out the proviisons of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith' as amended by an act approved the twenty-fifth day of July one thousand nine hundred and thirteen entitled 'An Act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" approved the third day of June one thousand nine hundred and eleven' by providing for further instruction prior to examination for licensure by clarifying sections five (5) and twelve (12)" and the act approved the twentieth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and fifty-eight) entitled "An Act to further amend an act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred thirty-nine) the title of which as amended by an act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws twelve hundred twenty) reads 'Relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith' by amending sections three (3) and four (4) and five (5) and six (6) and twelve (12) by providing certain equivalents for preliminary education by omitting certain required published notices by reconstituting a quorum by omitting second year examinations by recasting and extending terms on which reciprocity may be established and by clarifying the several sections" is hereby further amended to read as follows

Section 12 The Bureau of Medical Education and Licensure shall refuse to grant a license to practice medicine and surgery to an aplicant upon the presentation to said Bureau of Medical Education and Licensure of a court record showing the conviction in due course of law of said persons for producing or aiding or abetting in producing a criminal abortion or miscarriage by any means whatsoever and further the Bureau of Medical Education and Licensure upon such evidence and proof shall cause the name of any physician licensed to practice medicine and surgery in the Commonwealth of Pennsylvania to be removed from the record in the office of the Superintendent of Public Instruction

The Bureau of Medical Education and Licensure may for a definite or indefinite time refuse revoke or suspend the right to practice medicine and surgery in this State for any or all of the following reasons to wit The conviction of a crime involving moral turpitude habitual intemperance in the use of ardent spirits or stimulants narcotics or any other substances or any condition which impairs intellect and judgment to such an extent as to incapacitate for the performance of professional duties

Any person who is licensed to practice medicine and surgery or any of its branches in the Commonwealth of Pennsylvania or who is an applicant for examination for licensure to practice medicine and surgery in this State against whom are preferred any of the foregoing charges for causing the revocation or suspension of licenses or for causing refusal of the right to be examined for licensure shall be furnished by the Bureau of Medical Education and Licensure with a copy of the complaint and shall have a hearing before the Bureau or by attorney and witnesses may be examined by said Bureau respecting the guilt or innocence of said accused

The revocation or suspension of license of any person licensed to practice medicine and surgery shall be removed when said narcotic or vicious habit hereinbefore specified shall have been adjudged by the said Bureau to be cured or overcome and said suspended licentiate deemed capable of practicing his or her profession The revocation or suspension for any cause of the license of any person licensed to practice medicine and surgery may be removed at such time as it shall appear to the Bureau to be just and proper to do so Provided however That any action taken in regard to suspension or revocation of a license or removal of any suspension or revocation and the reinstatement of any licentiate must be by an unanimous vote by the members of the Bureau at a meeting at which such action is taken

On the question,

Will the Senate agree to the section?

Mr. SMITH. Mr. President, I move to amend section 1, page 4, lines 23 to 29, by underscoring all the words in lines 23 to 29 both inclusive; also page 5, lines 1 to 6, by underscoring all the words in lines 1 to 6 both inclusive; also line 21, by striking out the word "licenses" and inserting in lieu thereof the word "license"; also page 6, line 11, by underscoring the word "a"; also line 13, by inserting before "and" the word "a"; also by underscoring the word "and"; also by inserting after the word "vote" the word "of"; also by underscoring the word "by" after the word "vote"; also line 14, by underscoring the word "a"; also by inserting before the word "meeting" the word "the"

Mr. Daix. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An act to amend section twelve of the act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and thirty-nine) entitled "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent herewith" providing for the reimbursement of licenses in certain cases

On the question,

Will the Senate agree to the title?

Mr. SMITH. Mr President, I move to amend title, page 1, line 13, by striking out the word "license" and inserting in lieu thereof the word "licenses"; also line 16, by striking out the word "therewith" and inserting in lieu thereof the word "therewith".

Mr. DAIX. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 639 as follows:

An Act to further amend the act approved the twenty-seventh day of April one thousand nine hundred and nine (Pamphlet Laws two hundred and fifty-eight) entitled "An act authorizing the employment of stenographers by the district attorneys of certain counties" as amended extending said act to counties of the fourth class and fixing the salaries of said stenographers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the twenty-seventh day of April one thousand nine hundred and nine (Pamphlet Laws two hundred and fifty-eight) entitled "An act authorizing the employment of stenographers by the district attorneys of certain counties" which was amended by the act approved the fourth day of June one thousand nine hundred and nineteen (Pamphlet Laws three hundred and eighty-three) entitled "An act to amend an act approved the twenty-seventh day of April one thousand nine hundred and nine (Pamphlet Laws two hundred and fifty-eight) entitled 'An act authorizing the employment of stenographers by the district attorneys of certain counties as amended" is hereby further amended to read as follows

Section 1 Be it enacted et cetera that from and after the passage of this act the district attorney of any county of the fourth class may with the approval of the court appoint not more than three stenographers as assistants in his office at salaries not to exceed sixteen hundred dollars each per year to be paid in the same manner as other county employes are paid

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 664 (House Bill No. 540), entitled:

An Act prohibiting persons from concealing changing or destroying manufactures' serial numbers or identification marks upon machines or apparatus or from knowingly having any such machine in the possession and prescribing penalties for violation thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 702, as follows:

An Act to amend section twelve of the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand forty-three) entitled "An Actt establishing a public school empolyes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments thereform and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exepmting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties as amended"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twelve of the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand forty-three) entitled "An Act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments thereform and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" which was amended by the act approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred forty-five) entitled "An Act to amend sections one and twelve of an act approved the eighteenth day of July one thousand nine hundred seventeen (Pamphlet Laws ten hundred forty-three) entitled 'An Act establishing a public school empolyes' retirement system and creating a retirement for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights form taxation and judicial process and providing penalties" is hereby further amended to read as follows

Withdrawal

Section 12 Should a contributor by resignation or dismissal or in any other way than by death or retirement separate from the school service or should such contributor legally withdraw from the retirement system he or she shall be paid on demand (a) the full amount of accumulated deductions standing to the credit of his or her individual account in the annuity savings fund or in lieu thereof should he or she so elect (b) an annuity or a deferred annuity which shall be the actuarial equivalent of said accumulated deductions His or her membership in the retirement association shall thereupon cease

2 Should an employe so separated from the school service return within five years and restore to tthe annuity savings fund his or her accumulated deductions as they were at the time of his or her separation the annuity rights forfeited by him or her at that time shall be restored.

3 Should a contributor die before retirement his or her accumulated deductions shall be paid to his or her estate or to such persons as he or she shall have nominated by written designation duly executed and filed with the retirement board

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. NORTON. Mr. President, I ask that Senate Bill No. 738, on second reading, entitled:

An Act to amend sections one, four, eight, thirteen and fifteen, and to repeal sections five and six of the act approved the seventh day of June, 1887, (P. L. 365), entitled "An act to encourage and authorize the formation of co-operative associations, productive and distributive, by farmers, mechanics, laborers, or other persons;" providing for the formation of such associations by five or more natural or legal persons; eliminating the provisions with regard to the giving of credit and the sale and leasing of real estate, and the clause requiring the keeping posted of a balance sheets for three months.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 844, (House Bill No. 924), entitled:

An act to amend part of section one of an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 855, (House Bill No. 1153), entitled:

An act to relieve life tenants of land from the payment of taxes on the underlying veins of coal which they have no right to operate and providing that such coal shall be assessed to and the taxes thereon paid by the owner of said veins of coal

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 896, (House Bill No. 1229), entitled:

An Act to further amend section one thousand two hundred ten as amended, of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred and nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand two hundred ten of an act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which as amended by an act approved the tenth day of July one thousand nine hundred nineteen (Pamphlet Laws nine hundred and ten) entitled "An act to further amend section one thousand two hundred ten and to repeal sections one thousand two hundred eleven one thousand two hundred thirteen and two thousand eight hundred and five of an act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred and nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' and making an appropriation" and which as amended by an act approved the twenty-eighth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundred twenty-eight) entitled "An act to amend section one thousand two hundred ten as amended and section one thousand one hundred three and section five hundred twenty-four as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith and repealing section one thousand two hundred twelve thereof" is hereby further amended to read as follows

Section 1210 One The minimum salaries of all teachers supervisors principals and superintendents in the public schools of the Commonwealth except as otherwise hereinafter provided shall be paid by the several classes of districts in which such persons are employed in accordance with the following schedules

Two Districts of the first class Elementary teachers minimum annual salary one thousand two hundred dollars ($1,200) minimum annual increment one hundred dollars ($100) minimum number of increment eight (8) assistant high school teachers minimum annual salary one thousand five hundred dollars ($1,500) minimum annual increment one hundred dollars ($100) minimum number of increments three (3) junior high school teachers and city normal school training teachers minimum annual salary one thousand eight hundred dollars ($1,800) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments eight (8) high school teachers and city normal school teachers minimum annual salary one thousand eight hundred dollars ($1,800) minimum annual increment one hundred seventy-five dollars ($175) minimum number of increments eight (8) provided that subject to regulations prescribed by the State Board of Education and such additional regulations as the local board of public education may prescribe the minimum maximum salary for high school teachers shall be advanced to at least three thousand six hundred dollars ($3,600) supervisors minimum annual salary one thousand eight hundred dollars ($1,800) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments eight (8) elementary school principals minimum annual salary two thousand one hundred dollars ($2,100) minimum annual increment two hundred thirty-seven dollars and fifty cents ($237.50) minimum number of increments eight (8) junior high school high school city normal school principals minimum annual salary four thousand dollars ($4,000) minimum annual increment two hundred fifty dollars ($250) minimum number of increments four (4) Vocational industrial manual training continuation school industrial art and similar teachers if classified in the elementary schools shall be entitled to the salary and increments prescribed in the schedule for elementary teachers or if classified in junior high schools they shall be entitled to the salary and increments prescribed in the schedule for junior high school teachers All teachers now holding valid licenses to teach in districts of the first class shall be deemed to have the minimum qualifications required by this act

Three The principalships in elementary continuation industrial trade junior high and high schools in districts of the first class shall be classified by the board of public education on the basis of the number of teachers or rooms in the school or such other facts and conditions as determine the relative importance and value of the service rendered by such principals The board of public education shall fix the number of increments the amount thereof and the maximum salary of each of such principals but no principal shall receive less than the minimum salary prescribed The increments provided in the foregoing schedule for principals apply to those principals only who serve in the schools of the highest classification which classification shall be determined by the board of public education

Four Each person on the teaching or supervisory staff in a school district of the first class on the first Monday of July one thousand nine hundred twenty-one shall be entitled to receive the minimum salary provided for herein and in addition thereto to one annual increment for each year of accredited service or experience not exceeding the number of increments authorized by this act

Five Districts of the second class—Elementary teachers and elementary principals who devote less than one-half their time to supervision and administration minimum annual salary one thousand dollars ($1,000) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) high school teachers and high school principals who devote less than one-half their time to supervision and administration minimum annual salary one thousand four hundred dollars ($1.400) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) provided that where teachers in junior high schools have the qualifications required by the local school board for teachers of the senior high school they shall be placed upon the high school schedule otherwise they shall be placed upon the elementary school schedule supervisors minimum annual salary one thousand four hundred dollars ($1,400) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) elementary principals who devote one-half or more of their time to supervision and administration minimum annual salary one thousand six hundred dollars ($1,600) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) high school principals who devote one-half or more of their time to supervision and administration minimum annual salary three thousand dollars ($3,000) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments eight (8) superintendents minimum annual salary five thousand dollars ($5,000)

Six Districts of the third class—Elementary teachers and elementary principals who devote less than one-half of their time to supervision and administration minimum annual salary one thousand dollars ($1,000) minimum annual increment one hundred dollars ($100) minimum number of increments four (4) high school teachers and high school principals who devote less than one-half of their time to supervision and administration minimum annual salary one thousand two hundred dollars ($1,200) minimum annual increment one hundred dollars ($100) minimum number of increments for (4) provided that where teachers in junior high schools have the qualifications required by the local school board for teachers of the senior high school they shall be placed upon the high school schedule otherwise they shall be placed upon the elementary school schedule supervisors minimum salary one thousand two hundred dollars ($1,200) minimum annual increment one hundred dollars ($100) minimum number of increments four (4) elementary principals who devote one-half or more of their time to supervision and administration minimum annual salary one thousand four hundred dollars ($1,400) minimum annual increment one hundred dollars ($100) minimum number of increments four (4) high school principals who devote one-half or more of their time to supervision and administration minimum annual salary two thousand dollars ($2,000) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments four (4) superintendents minimum annual salary thirty-five hundred dollars ($3,500)

Seven Districts of the fourth class Elementary teachers minimum monthly salary one hundred dollars ($100) high school teachers minimum monthly salary one hundred thirty dollars ($130)

Eight County superintendents of counties having a population of less than twenty thousand (20,000) minimum annual salary two thousand five hundred ($2,500) county superintendents of counties having a population of twenty thousand and more but less than forty-five thousand (45,000) minimum salary three thousand dollars ($3,000) county superintendents of counties having a population of forty-five thousand and more but less than one hundred fifty thousand (150,000) minimum annual salary three thousand five hundred dollars ($3,500) county superintendents of counties having a population of one hundred fifty thousand (150,000) or more minimum annual salary four thousand dollars ($4,000) all assistant county superintendents minimum annual salary two thousand five hundred dollars ($2,500)

Nine The foregoing schedules prescribe a minimum salary in each instance and where increment is prescribed it is also a minimum It is within the power of the boards of education boards of public school directors or county conventions of school directors as the case may be to increase for any person or group or persons included in this schedule the initial salary or the amount of an increment or the number of increments or the minimum qualifications set forth in this act Teachers shall be entitled to the increments as provided for in said schedules who have complied with such requirements as may be prescribed by the State Board of Education except where additional qualifications are required by the local board of public education or board of school directors

Nothing in this act contained shall be construed to interfere with or discontinue any salary schedule now in force in any school district so long as such schedule shall meet the requirements of this section nor to prevent the adoption of any salary schedule in conformity with the provisions of this act

Ten The increments herein provided for are applicable only where the beneficiaries thereof remain in the services of the same school district Where such teachers enter a new district they shall enter at a point in the schedule to be agreed upon between said teacher and the employing districts which agreement shall be made a part of the contract between them

Eleven Teachers who are required because of additional work to devote more than the usual number of periods per day to their duties shall be entitled to a fair increase in compensation to be determined by the board of public education or the board of school directors Teachers who may be empolyed in giving instruction for only part of a day shall render such other service for such period of time per day as the board of public education or the board of school directors may direct but if such services cannot be assigned to such teacher by the board of public education or the board of school directors the salary paid to such teacher shall be proportioned to the number of hours of service rendered

Twelve Only those persons holding one of the following certificates shall be qualified to teach in the public schools of this Commonwealth College permanent certificate college provisional certificate normal school diploma normal school certificate special permanent certificate special temporary certificate permanent State certificate certificates which are permanent licenses to teach by virtue of the provisions of section one thousand three hundred eight of this act as amended or such other kinds of certificates as are issued under the rules and regulations of the State Board of Education or State Council of Education The State Board of Education shall also provide for the issuance of certificates by county or district superintendents to meet such emergencies or shortage of teachers as may occur

Thirteen The holders of any of the foregoing certificates shall be entitled to the benefits of the salary schedule where the qualifications required for such certificates include not less than graduation from a State normal school of this Commonwealth or equivalent training but all holders of certificates which are permanent licenses to teach in the public schools of the Commonwealth shall be entitled to the benefits of this salary schedule and nothing in this act nor any regulations of the State Board of Education shall invalidate any permanent certificate except as hereinafter provided on account of incompetence cruelty negligence immorality or intemperance Teachers not entitled to the benefits of the salary schedule herein provided shall become entitled to such benefits by meeting the qualifications prescribed in this act and such teachers until so qualified shall receive at least seventy-five ($75) dollars per month Provided That a teacher holding a professional certificate or a certificate of equivalent value as determined by the State Board of Education shall receive a minimum monthly salary of eighty-five dollars ($85) upon meeting such qualifications as shall be required under the rules of the State Board of Education

Fourteen After the first day of September one thousand nine hundred twenty-seven all persons receiving certificates to teach in the public schools of the Commonwealth except emergency certificates as herein provided for shall have the qualifications required herein of beneficiaries of the salary schedule

Fifteen The State Board of Education shall provide for summer schools in normal schools colleges universities and other educational institutions and for extension courses and correspondence courses for all teachers employed in the public school system of the Commonwealth who wish to acquire the minimum qualifications prescribed herein or such further qualifications as may be desirable

Sixteen The board of public education or board of school directors of each school district shall establish a salary schedule with increments for all members of the teaching and supervisory staff not included in the schedules herein provided

Seventeen All certificates in effect the first Monday of July one thousand nine hundred and twenty-one shall remain valid for the period of time for which they were issued or renewed

Eighteen In school districts of the second third and fourth classes at the beginning of the school year following the approval of this act each teacher supervisor or principal employed in the same school district in which he was employed for the previous school year shall be entitled to the salary provided in the schedule next higher than the salary received by the said teacher during the said previous school year

Nineteen Of the salaries herein provided for teachers supervisors principals and all other members of the teaching and supervisory staff in the public schools of the Commonwealth except part time and night school teachers the Commonwealth shall pay for the biennium beginning June first one thousand nine hundred and twenty-three and ending on

May thirty-first one thousand nine hundred and twenty-five and each biennium thereafter to such school districts as comply with the laws governing the public schools of the Commonwealth for each of said persons employed therein as shown by the certificate herein required to be filed with the Superintendent of public instruction in the November immediately preceding any such biennium as follows In school districts of the first class for each member of the teaching and supervisory staff twenty-five per centum (25%) of the annual minimum salary prescribed herein for elementary teachers in such districts in school districts of the second and third class for each member of the teaching and supervision staff thirty-five per centum (35%) of the annual minimum salary prescribed herein for elementary teachers in such districts in school districts of the fourth class for each member of the teaching and supervisory staff fifty per centum (50%) of the annual minimum salary prescribed herein for teachers in such districts Provided That the amount paid by the Commonwealth to a school district in any of the foregoing classes which has a true valuation per teacher of assessable property of fifty thousand dollars ($50,000) or less shall be seventy-five per centum (75%) of the annual minimum salary prescribed herein for elementary teachers in such districts and that the amount paid to a school district in any of the foregoing classes which has a true valuation per teacher of assessable property of not less than fifty thousand dollars ($50,000) nor more than one hundred thousand dollars ($100,000) shall be sixty per centum (60%) of the annual minimum salary prescribed herein for elementary teachers in such districts Provided That where any member of the teaching or supervisory staff receives less salary than the minimum salary prescribed by the foregoing salary schedule for the class of district in which he is teaching there shall be paid to the district a corresponding per centum of the salary paid to such person And provided further That wherever payment is made upon the salary of any member of the teaching or supervisory staff from Federal or other State funds such amounts shall be to the extent thereof in lieu of the payment provided herein for such person Provided further That the Superintendent of Public Instruction shall annually apportion to each fourth class school dicstrict the sum of two hundred dollars ($200) for each school permanently closed or discontinued in such district since nineteen hundred eleven or which may hereafter be permanently closed or discontinued The true valuation per teacher for each district shall be determined by the State Council of Education on data and material submitted by the officers of such district in the annual report to the Superintendent of Public Instruction It shall be found by dividing the true valuation of the district by the number of full time teachers which number shall include all teachers principals supervisors and superintendents employed in the vocational and non-vocational schools of the district for the year covered by such report The true valuation of the taxable property of each school district shall be obtained by dividing the amount of the assessed valuation certified in the annual report of the district for the school year ending June thirtieth one thousand nine hundred and twenty-two and every second year thereafter by the average rate of assessment certified in such annual reports for the three years immediately preceding the date on which such true valuation is determined For the two fiscal years beginning on June first one thousand nine hundred and twenty-three and ending on May thirty-first one thousand nine hundred and twenty-five such true valuation of the district shall be determined during the month of June one thousand nine hundred and twenty-three on the data and material available in the report filed with the Superintendent of Public Instruction on August first one thousand nine hundred and twenty-two The true valuation of each school district for the two fiscal years beginning on June first one thousand nine hundred and twenty-five and ending May thirty-first one thousand nine hundred and twenty-seven and for each biennium thereafter shall be determined during the month of October one thousand nine hundred and twenty-four and in the month of October of every second year thereafter The State Council of Education is hereby given full power and authority to make such investigations to take such action and to institute such proceedings as may be necessary to determine any of the questions that may be raised in the determination and adjustment of the aforesaid true valuations and the decisions which such Council reaches in such questions shall be final and conclusive

Twenty On or before the first day of November of each year each school district of the first and second class and each school district of the third class having a district superintendent shall file a certificate with the Superintendent of Public Instruction in such form as he may prescribe and on blanks to be furnished by him showing the number of teachers supervisors principals and other members of the teaching and supervisory staffs the certificates held by each and the compensation paid each for the current school year on or before the first day of October of each year each school district of the third class not having a district superintendent and each school district of the fourth class shall forward such a certificate to the county superintendent and if approved by him the county superintendent shall forward the same to the Superintendent of Public Instruction on or before the first day of November of each year

[Twenty-one Upon receipt of said certificates the Superintendent of Public Instruction shall ascertain and determine the amount payable to each school district in accordance with the provisions of this act and apportion and allot the same to and among the respective districts]

Twenty-one The Superintendent of Public Instruction shall ascertain and determine the amount of funds required to meet each of the four payments to school districts which become due and payable within the two fiscal years beginning June first one thousand nine hundred and twenty-three and ending on May first one thousand nine hundred and twenty-five and each biennium thereafter on the data and materials contained in the certificate which school districts are required by law to file with the said Superintendent on November first immediately preceding the beginning of each biennium and the said Superintendent shall also apportion and allot the same to and among the respective districts Provided That the amount paid to any school district within any biennium shall in no case exceed an amount computed on the data and information contained in the certificate required to be filed in the November immediately preceding such biennium

Twenty-two When the amount payable to each school district has been ascertained and determined by the superintendent of Public Instruction he shall certify the same to the State Treasurer and Auditor General who shall place the amounts to the credit of the respective school districts The Superintendent of Public Instruction shall transmit to each county and district superintendent a statement showing the amount which has been apportioned and allotted to each school district under the supervision of such county or district superintendent

Twenty-three The amount apportioned and allotted to each school district shall be divided into equal semi-annual instalments and the Superintendent of Public Instruction shall draw his warrants semiannually upon the State Treasurer in favor of each district for the amount to which it is entitled and payment thereof shall be to fourth class districts during the months of February and August of each year to second and third class districts during the months of March and September of each year and to first class districts during the months of April and October of each year

Twenty-four Boards of school directors of school districts of the second third and fourth classes are hereby authorized and directed to levy annually a tax on each dollar of the total assessment of all property assessed and certified for taxation therein to pay the minimum salaries and increments of the teaching and supervisory staff provided for herein Said tax shall not be invalidated or affected by reason of the fact that it may increase the total annual school tax levy of any school district beyond the mileage fixed or limited by law Provided that in districts of the fourth class the tax herein authorized together with all other school taxes levied in the district shall not exceed thirty-five (35) mills on each dollar of the assessed valuation thereof

On the question,

Will the Senate agree to the section?

Mr. HOFFMAN. Mr. President,,, I move to amend section 1, page 13, line 18, by inserting after the word "districts" the following: "and that the amount paid to a school district in and of the foregoing classes which has a true valuation per teacher of assessable property of not less than one hundred thousand dollars ($100,000.00) nor more than one hundred fifty thousand dollars ($150,000.00) shall be fifty per cent (50%) of the annual minimum salary prescribed herein for elementary teachers in such districts."

Mr. SONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act to further amend section one thousand two hundred ten as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. LESLIE. Mr. President, I ask that Senate Bill No. 916, (House Bill No. 358), on second reading, entitled:

An Act to amend sections one and eighteen of the act approved the sixteenth day of May, one thousand nine hundred and twenty-one, (Pamphlet Laws five hundred and fifty-nine), entitled "An Act for the better protection of fish; requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth, or in the waters bounding or adjacent thereto, and regulating the issuance of such license; providing penalties for the violation of this act, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the penalties recovered and license fees received;" changing the age limit of persons required to procure licenses; and providing for the purchase with surplus moneys of lands and waters, and the impounding of waters.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 921, (House Bill No. 454), entitled:

An Act providing for an examination of the Locust Mountain Memorial Hospital of Shenandoah Pennsylvania providing for the transfer thereof to the Commonwealth and for its management thereafter and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 929, (House Bill No. 715), entitled:

An Act to amend section eighteen of an act approved the seventh day of June Anno Domini one thousand nine hundred and fifteen (P. L. 900) entitled "An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvanoa by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicines and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" by requiring that parents be notified of the registration of birth certificates

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 966, (House Bill No. 1297), entitled:

An Act to amend section three hundred and three of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 973, entitled:

An Act creating the office of controller in counties of the sixth class preescribing his powers and duties imposing certain duties upon county commissioners and county treasurers and abolishing the office of county auditor and the office of auditor appointed by the court of common pleas to audit accounts of certain county officers

The first, second, third, fourth, fifth, sixth, seventh, eigth, ninth, tenth, eleventh, twelfth and thirteenth sections of the bill were read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the office of county controller is hereby established in each county of the Commonwealth of the sixth class At the municipal election in the year one thousand nine hundred and twenty-three and every four years thereafter there shall be elected in each of said counties not having a controller and in each of the counties where the term of the county controller then in office expires on the first Monday of January next succeeding a controller who shall hold office for a term of four years from the first Monday of January next succeeding such election At the municipal election in the year one thousand nine hundred and twenty-five and every four years thereafter there shall be elected in each of said counties where the term of county controller then in office expires on the first Monday of January next succeeding a controller for a term of four years from the first Monday of January next succeeding such election Whenever any county shall hereafter come within any of the classes of counties to which this act applies there shall be elected in such county at the first municipal election thereafter and every four years thereafter a controller who shall hold this office for a term of four years from the first Monday of January next succeeding his election The controller of each county shall hold his respective term of office until his successor shall be duly elected and qualified if he shall so long behave himself well In any of said counties not having a controller at the date of the passage of this act and in any of said counties hereinafter coming within the provisions of this act the office of county auditor shall be abolished from and after the date when the controller herein provided for shall commence his term of office

Section 2 No person holding any office under the United States shall be eligible to the office of controller during his continuance in office nor until one year thereafter No county commissioner county treasurer prothonotary register of wills clerk of the courts recorder of deeds sheriff or district attorney or their chief clerks or deputies shall be eligible to the office of county controller until two years after the expiration of their respective terms of office but a controller shall always be eligible to re-election or appointment

Section 3 Before entering upon the duties of his office the controller shall give bond to the county in which he may be elected with at least two sufficient sureties or with corporate surety in the sum of twenty thousand dollars to be approved by the court of common pleas of said county conditioned for the faithful performance of his duties and those of his deputies The cost and expense of procuring any bond shall be paid by the county from the county treasury The controller and his deputies and clerks shall also each take and subscribe the oath or affirmation as prescribed by article seven of the Constitution and a wilful violation of said oath shall constitute perjury The oaths and the bond herein provided for shall be recorded in the recorder's office of the proper county and shall then be filed and kept in the county commissioners' office Records thereof or certified copies of the same may be used in evidence in all judicial proceedings with the same force and effect as the original

Section 4 The Governor shall appoint a person in each county wherein this act is or becomes operative to act as controller for such county until his successor in office is duly qualified and shall also appoint a suitable person to fill any vacancy that may occur by death resignation or removal from office of the controller in any county wherein this act is or becomes operative

Section 5 The controller so elected or appointed shall receive an annual salary of thirty-six hundred dollars to be paid by the county

Section 6 The controller shall appoint a deputy controller and such other clerks as may be necessary The salary of such deputy and clerks shall be fixed by the county commissioners and the county controller in the manner now provided by law The deputy controller shall during the necessary or temporary absence of the controller or in the case of a vacancy in said office have the same powers and perform the same duties as are herein provided for the office of controller

Section 7 The controller shall have general supervision and control of the financial affairs of the county and of the accounts and official acts and of all officers or other persons who shall collect receive or distribute the public moneys of the county or who shall be charged with the management or custody thereof He may at any time require from any of them in writing an account of all moneys of property which may have come into their control He shall immediately upon the discovery of any default or discrepancy report the same to the county commissioners and to the court of common pleas of the county and shall take immediate measures to secure the public moneys or property and to secure the removal of the delinquent party if in office and not removed by the county commissioners

Section 8. The controller shall cause to be kept a full and regular set of books in detail by double entry of all the financial operations of the county embracing as many accounts under separate titles as may be necessary to show distinctly and separate all the property of the county its receipts and expenditures and all debts and accounts due the county officers or others the amount raised from each source of revenue and the expenditures in detail and classified with reference to the objects thereof he shall prescribe the form and manner of keeping the books and papers used by such of the officers of said county in connection with the financial affairs of their offices he shall on or before the first day of February annually deliver to the county commissioner in writing a detailed estimate of the expenditures for the legitimate purposes of the county for the current year including intereses due and to fall due on the lawful debts of the county bearing interest The commissioners shall on or before the fifteenth day of February thereafter fix such rate of taxation upon the valuation of the property of the county as will raise sufficient sums to meet the said expenditures the commissioners shall not by contract or otherwise increase the expenditures of the county in any year to an amount beyond the taxes assessed for the said year

Section 9. The controller shall in the month of January in each year make a report verified by oath or affirmation to the court of common pleas of the county of all receipts and expenditures of the county for the preceding year in detail and classified as reqired by the seventh section of this act such report shall also contain a full statement of the financial condition of the county the report shall be published one time in such newspapers published in the county as the controller may direct the aggregate cost of such publication shall not in any one year exceed one thousand dollars and shall be paid out of the county treasury

Section 10 The controller shall keep his office in a room or rooms of the court house or city hall of the county and such room or rooms shall be furnished at the expense of the county The controller shall furnish to the county He shall at all times between the hours a detailed account of any officer or other person having in his possession or under his control funds belonging to the county He shall at all times between the hours of ten o'clock ante meridian and two o'clock post meridian give information respecting any of said accounts to any taxpayer of the county demanding the same

Section 11 The controller shall scrutinize audit and decide on all bills claims and demands whatsoever against the county All persons having such claims shall first present the same to the controller and if required make oath or affirmation before him to the correctness thereof He may if he deems it necessary require evidence by oath or affirmation of the claimant or other persons that the claim is legally due and that the supplies work or services for which payment is claimed have been furnished or performed under legal authority He shall inquire and ascertain whether any officer or agent of the county is interested in the contract under which any claim may arise or has received or is to receive any commission consideration or gratuity relating thereto or whether there has been any evasion of the twelfth section of this act by making two or more contracts for small amounts which should have been in one contract If he shall find that there has been any evasion or that any such officer or agent is so interested he shall refuse to approve the claim All claims which he shall find legally due he shall approve and certify to the county commissioners All claims which he shall find or believe to be not legally due he shall disapprove He shall countersign all receipts given by the county treasurer to persons paying money into the treasury and keep an accurate record of the same

Section 12 After the controller shall have assumed the duties of his office it shall be unlawful for the county commissioners of such county to draw any warrant on the county treasury for the payment of any debt claim or demand whatsoever unless the same has been audited and approved by the controller as provided in this act Except that separate warrants for the payment of fees of jurors witnesses criers and tipstaves of the several courts of the county which amounts shall be ascertained by the several courts of the county and entered upon the records thereof shall be duly certified by the respective clerks of the courts to the county commissioners after having first been sworn to before the controller for preservation as soon as the warrants are issued

Section 13 All contracts made by the county commissioners of any county involving an expenditure exceeding three hundred dollars shall be in writing and shall immediately after their execution be filed with the controller No contract shall be made or payment thereof be certified by the contractor involving more than one hundred dollars unless such contracts is made with the lowest or best bidder after due notice published by the controller when directed by the county commissioners if the controller approved the purposes for which bids are invited All bids on contracts shall be received by the controller and such bids shall be opened and contracts awarded by the county oommissioners in the presence of the controller He shall keep a record of all such awards and shall not certify any warrants or approve any bills founded upon any contracts not made in accordance with the provisions hereof.

The fourteenth section of the bill was read as follows:

Section 14 All warrants drawn on the county treasurer by the county commissioners on certificates as provided in the tenth eleventh and twelfth sections of this act shall be countersigned by the controller and he shall keep a correct register there of noting (a) the number (b) the date and amount of each (c) date of payment and (d) to whom and for what issued and shall report to the commissioners monthly or oftener if required by them the amount of outstanding warrants registered and the amount of money in the treasury

On the question,

Will the Senate agree to the section?

Mr. CRAIG. Mr. President, I move to amend section 14, page 8, line 22, by striking out the words "tenth, eleventh and twelfth" and inserting in lieu thereof: "eleven, twelfth and thirteenth".

Mr. LONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

Ii was agreed to.

On the question,

Will the Senate agree to the section as amended?

Ii was agreed to.

The fifteenth, sixteenth, seventeenth, eighteenth, nineteenth and twentieth sections of the bill were read as follows and agreed to.

Section 15 The controller shall have the custody (a) of all official bonds (except his own) given to the county (b) of all title deeds to real estate owned by the county (c) of all contracts entered into by or on behalf of the county (d) of all books documents and papers relating to its financial affairs and (e) of all bonds and other obligations issued by said county when paid All such bonds and other obligations when so paid shall be distinctly cancelled by him and be carefully and regularly filed A register of such cancellation shall be kept in a book to be provided for that purpose

Section 16 No county treasurer shall pay any moneys out of the county treasury except on warrant drawn by a majority of the county commissioners and countersigned by the controller The books of the county treasurer shall at all times during office hours be open to the inspection of the controller and the county treasurer shall report daily to the controller all moneys received by him for the county the person by whom and on what account they were paid The county treasurer shall cancel all warrants when paid by distinctly spearing or cutting them He shall also report daily all moneys paid out by him giving the number of the warrant and the party to whom paid and shall deliver the warrants to the controller who shall cancel the same All outstanding warrants issued before any controller enters upon the duties of his office shall be presented to him as other claims against the county Provided That in counties to which this act applies wherein the poor tax is paid into the county treasury the county treasurer shall keep a separate account of such poor tax received by him and pay out the same upon warrants drawn by a majority of the directors of the poor of the county

Section 17 No appointment of auditors to settle the accounts of county officers under the provisions of section ten of the act of Assembly approved the twenty-first day of April one thousand eight hundred and forty-six (Pamphlet Laws four hundred and thirteen) entitled "A supplement to the law relating to defaulting public officers" and its amendments and supplements shall hereafter be made by the judges of the court of common pleas All the powers and duties of such auditors shall be exercised and performed by the county controller who shall immediately after the first day of January of each year proceed to examine the accounts and dockets of the prothonotary clerk of the courts of quarter sessions and oyer and terminer clerk of the orphans' court register of wills and recorder of deeds and ascertain the whole amount of fees charged as well as the whole amount of fees received by each of said officers during the preceding year and report the same to the Auditor General and to the court of common pleas Such report shall be filed among the records of said court and shall thereafter have all the force and effect of and be subject to the same procedure as applies to other reports of the county controller

Section 18 It shall also be the duty of the said controller to audit settle and adjust the accounts of the treasurer of the county with the State treasury and of each of such other officers in the county receiving money for the use of the Commonwealth as may be referred to him by the Auditor General and make a separate report thereof to the court of common pleas for the county together with a statement of the balances due from or to such treasurer or other officer A certified copy of such report shall be transmitted to the Auditor General within ten days after the same is prepared

Section 19 All duties devolved and powers conferred on the county auditors by the act of April fifteenth one thousand eight hundred and thirty-four (Pamphlet Laws five hundred thirty-seven) entitled "An act relating to counties and townships and county and township officers" shall be performed and exercised by the controller so far as regards county and State taxes for which the county is or may be liable The report required by the eighth section of this act shall have the same effect as the report of auditors under the said act of April fifteenth one thousand eight hundred and thirty-four with like rights of appeal therefrom

Section 20 Section ten of the act approved the twenty-first day of April one thousand eight hundred and forty-six (Pamphlet Laws four hundred and thirteen) entitled "A supplement to the law relating to defaulting public officers" is repealed in so far as it relates to counties of the sixth class

All other acts and parts of acts inconsistent with this act are hereby repealed

The title of the bill was read as follows and agreed to.

An Act creating the office of controller in counties of the sixth class prescribing his powers and duties imposing certain duties upon county commissioners and county treasurers and abolishing the office of county auditor and the office of auditor appointed by the Court of Common Pleas to audit accounts of certain county officers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED.

Mr. CULBERTSON. Mr. President, I move that Senate Bill No. 973, the bill just read, be recommitted to the Committee on Judiciary General, for the purpose of a hearing.

Mr. LONG. Mr. President, I second the motion.

The motion was agreed to.

Mr. BALDWIN. Mr. President, I move that Senate Bill No. 990, on second reading, entitled:

An Act to preserve the purity of the sources of public water supplies hereafter approved authorizing the Advisory Board of the Department of Health to make orders and regulations therefor and the Commissioner of Health to enforce the same providing penalties for violation thereof and for abatement of nuisances by injunction

be recommitted to the Committee on Public Health and Sanitation,

Mr. CLARK. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1009, (House Bill No. 787), entitled:

An Act making a deficiency appropriation to the Cottage State Hospital at Philipsburg Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1011, (House Bill No. 1078), entitled:

An Act to amend section twelve of the act approved the third day of June, one thousand nine hundred and eleven, (P. L. 639), entitled, "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction; and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained, and exemptions therefrom, and providing for an appropriation to carry out the provisions of said act; and providing for revocation or suspension of licenses given by said bureau; and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith;" providing for rehearings in cases where licenses have been suspended or revoked and for the reinstatement of licenses in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1015, (House Bill No. 306), entitled:

An Act making a deficiency appropriation to the State Hospital for the Criminal Insane at Farview Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE MESSAGES.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 232.

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 232, entitled:

An Act to amend chapter eleven article two of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 532.

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 30, 1923.

Be it resolved that if the Senate concur that House Bill No. 532, white file folio 2923, entitled "An act to provide for the registration and protection of artificial, assumed, trade or association names, titles or designations" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 277.

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 30, 1923.

Resolved (if the Senate concur), that House Bill No. 277, file folio No. 451, entitled "An act to validate tax liens filed in the office of the Prothonotary of the various counties by any of the cities of this Commonwealth since the twenty-fourth day of May one thousand nine hundred and twenty-one under the provisions of an act approved the fourth day of June one thousand nine hundred and one entitled 'An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvement and for the removal of nuisances the procedure upon claims filed therefore the methods of preserving such liens and enforcing payment of such claims the effect of judicial sales or the properties liened and the manner of distributing the proceeds of such sales and its supplements and amendments thereto and providing for their collection' ", be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

MOTION TO READ BILLS THE FIRST TIME.

Mr. HOMSHER. Mr. President, I move that all bills reported from Committees at to-day's session be read the first time.

Mr. BALDWIN. Mr. President I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 310 (House Bill No. 225), entitled:

A Supplement to an act approved the twenty-seventh day of May, one thousand nine hundred and twenty-one (P. L. 1173), entitled "An Act constituting a commission to make an investigation of the battlefields of France and Belgium, and to select points for the erection of monuments and markers of appropriate design to commemorate the achievements of Pennsylvania soldiers during the World War; defining the powers and duties of the Commission; and making an appropriation;" continuing said commission; providing for the erection of certain memorials in France and Belgium; and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 482, entitled:

An act providing for a referendum to ascertain the preferences of the voters of the Commonwealth relative to the adoption of daylight saving time for a portion of the year.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 638, entitled:

An act to amend section four of the act approved the tenth day of July, one thousand nine hundred and nineteen, (P. L. 890), entitled "An act authorizing the sale of certain property owned by the State, the title to which is in the State Livestock Sanitary Board, and providing for the use of the proceeds of such sale."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 695 (House Bill No. 593), entitled:

An act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation.

And said bill having been read at length the first time, Ordred, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 745, entitled:

An act relating to depositories of county funds in counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; providing for the selection thereof by the county treasurer, county commissioners and controller, if any therebe, and for the payment of interest on county funds for the use of the county; imposing certain expenses upon counties in connection therewith, and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 824, (House Bill No. 740), entitled:

An act to amend section four hundred and eighty-seven of article one of chapter ten of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 920, (House Bill No. 448), entitled:

An act requiring the display of the United States flag at all polling places providing for its purchase by the county commissioners and its care between elections.

And said bill having been read at length the first time, Ordered! To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 984, entitled:

An act granting water companies organized after April the thirteenth, one thousand nine hundred and five the right of eminent domain, and requiring such water companies, and also water companies incorporated under Clause eighteen, section two, of the act approved April the twenty-ninth, one thousand eight hundred and seventy-four, entitled "An act to provide for the incorporation and regulation of certain corporations," to secure certificates from the Water Supply Commission prior to the exercise of the power of condemnation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1013, (House Bill No. 667), entitled:

An Act providing for the return by the Board of Game Commissioners to persons entitled thereto of moneys erroneously paid into the State Treasury.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and considerationof Senate Bill No. 1025, (House Bill No. 955), entitled:

An act making an appropriation to the legal representative of the estate of Honorable Samuel A. Whitaker deceased elected a Representative in the General Assembly of the Commonwealth from Chester County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1029, (House Bill No. 1034), entitled:

An act to promote the health and efficiency of firemen in cities of the first class by providing for a two-platoon system for certain officers of the uniformed fire force of the Department of Public Safety of such cities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1055, entitled:

An act to amend section one hundred of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An act concerning townships and revising, amending and consolidating the law relating thereto."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. SMITH. Mr. President, I move that the Senate do now adjourn until eleven o'clock to-morrow morning.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11.59 o'clock P. M. until Tuesday morning, May 1, 1923, at eleven o'clock.

HOUSE OF REPRESENTATIVES

MONDAY, APRIL 30, 1923.

The House met at 9:00 o'clock P. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Almighty and Eternal God, we thank Thee this evening for every blessing we enjoy; for the fellowship and associations that we have enjoyed over the week end. And now, as these representatives of the people gather here again from the various parts of this great State and take up their duties, we pray Thy blessing to rest upon them, to help them realize that only as they individually enjoy Thy blessing and favor can they collectively claim Thy promise. Bless the Governor of the Commonwealth and the Speaker of this House. We ask it in the name of Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of the proceedings of Thursday, April 26, 1923.

The Clerk proceeded to read the Journal of the proceedings of Thursday, April 26, 1923, when, on motion of Mr. HIMES, the further reading was dispensed with and the Journal approved.

REPORT FROM COMMITTEE

Mr. JOSHUA EVANS, from the Committee on Judiciary General, reported with a negative recommendation, House Bill No. 1241, entitled:

An Act prohibiting traveling carnival companies from operating in this Commonwealth, providing for the forfeiture of property used, and money received in violation of the provisions of this act, and the disposition thereof; prescribing the duties of district attorneys, sheriffs and inflicting penalties for the failure to perform such duties and for the violation of this act.

LEAVES OF ABSENCE.

Mr. LITTLE asked and obtained leave of absence for Mr. Stoner, on account of illness.

Mr. BEAVER asked and obtained leave of absence for Miss Gallaher for the balance of the week on account of death in the family.

Mr. GLASGOW asked and obtained leave of absence for Mr. Baldi, on account of death in the family.

The SPEAKER asked and obtained leave of absence for Mr. Schilling.

RESOLUTION RECALLING HOUSE BILL NO. 532 FROM THE GOVERNOR.

Mr. EDMONDS offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, April 30, 1923.

Be it resolved that (if the Senate concur) that House Bill No. 532, white file folio 2923, entitled "An Act to provide for the registration and protection of artificial, assumed, trade or association names, titles, or designations" be recalled from the Governor for the purpose of amendment.

Ordered that the Clerk present the same to the Senate for concurrence.

RESOLUTION RECALLING HOUSE BILL NO. 227 FROM THE GOVERNOR.

Mr. BLUETT offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, April 30, 1923.

Resolved (if the Senate concur), that House Bill No. 277, file folio No. 451 entitled "An Act to Validate tax liens filed in the office of the Prothonotary of the various counties by any of the cities of this Commonwealth since the twenty-fourth day of May one thousand nine hundred and twenty-one under the provisions of an Act approved the fourth day of June one thousand nine hundred and one entitled 'An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefore the methods of preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales and its supplements and amendments thereto and providing for their collection' ", be recalled from the Governor for the purpose of amendment.

Ordered that the Clerk present the same to the Senate for concurrence.

RESOLUTION AUTHORIZING TRANSFER OF CERTAIN EQUIPMENT.

Mr. VAN ALEN offered the following resolution which was twice read, considered and laid over under the rules.

In the House of Representatives, April 30, 1923.

Whereas, There is now at the Homeopathic State Hospital for the Insane at Allentown certain electrical equipment no longer of use at such institution by reason of a change from an alternating to a direct current system, and

Whereas, The Department of the Adjutant General can make use of said electrical equipment at the State Military Reservation at Mount Gretna, therefore be it

Resolved (if the Senate concur) That the board of trustees of the Homeopathic State Hospital of Allentown is authorized to transfer to the Adjutant General of the Commonwealth for use at the State Military Reservation at Mount Gretna, one one hundred K. V. A. Motor Generator Set, the switch board equipment for the same and the transformers and motors for the above equipment.

REPORT OF COMMISSION ON THE REORGANIZATION OF THE STATE GOVERNMENT.

Mr. McCAIG presented the report of the Commission on the Reorganization of the State Government, which was ordered spread upon the Journal and printed in the Appendix to the Legislative Journal.

(for report see Appendix).

RESOLUTION NO. 14.

Mr. RHOADS. Mr. Speaker, I desire to call up at this time for consideration Resolution No. 14, file folio 5585.

The resoultion was read by the Clerk as follows:

Whereas The administration of the public funds in the custody of Harmon M. Kephart a former State Treasurer has been subject to criticism investigation and suspicion which culminated in the prosecution of the former treasurer and

Whereas The said investigation instituted by the Auditor General was limited in its scope by act of assembly and

Whereas The publicity attending the said accusations and prosecution has awakened in the people of the Commonwealth a keen desire to know all the facts concerning the affairs of the State treasury under the administration of the said Harmon M. Kephart and

Whereas The aforesaid prosecution of the former State treasurer has ended by a plea of nolle contendere on the part of the defendant and in consequence thereof the facts have not been disclosed to the public and

Whereas The former State Treasurer regardless of his pleas to the indictments has been retained in an important official position now therefore be it

Resolved (if the Senate concur) That a commission is hereby created consisting of four Senators to be appointed by the President pro tempore of the Senate and five members of the House of Representatives to be appointed by the Speaker thereof to make a full investigation of the affairs of the State treasury under the administration of State Treasury Harmon M. Kephart

Resolved That the commission shall organize by the election of a chairman and a secretary The members of the commission shall not receive any compensation for their services but shall be allowed their actual and necessary expenses incurred in the performance of their duties The commission is authorized to employ such expert assistants clerks and stenographers as may be deemed necessary and to fix their compensation

Resolved That the commission is authorized to hold such meetings and summon and interrogate such witnesses as it deems proper The committee shall have power to subpoena witnesses and require their attendance and the production of books and papers If any person shall refuse to appear before the said commission and testify or shall refuse to obey any subpoena issued by the Commission the chairman thereof may present his petition to the court of common pleas of Dauphin county setting forth the facts whereupon the said court shall issue its subpoena ordering such person to appear before it and to produce such papers books and documents as it may direct If any person shall refuse or neglect to obey such subpoena of the said court he or she shall be guilty of a contempt and shall be punished accordingly The commission shall make a report from time to time to the Attorney General and a full report of its findings to the General Assembly of one thousand nine hundred and twenty-five and shall set forth its recommendations with regard to any action that it suggests be taken and be it further

Resolved That the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby appropriated to carry into effect the provisions of this resolution

On the question,

Will the House adopt the resolution?

Mr. HARER. Mr. Speaker, inasmuch as this resolution carries with it an appropriation, I move you that this resolution be referred to the Committee on Appropriations for the purpose of a hearing.

Mr. GOLDER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. RHODES. Mr. Speaker and members of the House, our legislative proceedure and rules do not require that a concurrent resolution shall be submitted, or committed to the Appropriations Committee. It is my opinion that the sole purpose of this motion is to pickle this particular resolution. We have had resolutions before carrying appropriations and they have not necessarily been committed to the Appropriations Committee. This is one of those resolutions, which, in my mind, should not be committed to the Appropriations Committee. It is an important proposition, which involves not only the majority but the minority in this Commonwealth. You are all familiar with the facts in this case; you know why this resolution was introduced. It was introduced so that the facts might be brought out, which were not brought out, relative to the case of Mr. Kephart. You likewise know that this case was started over a year ago..

POINT OF ORDER.

Mr. GOLDER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. GOLDER. The gentleman is not speaking upon the motion.

The motion before the House is whether or not this resolution shall be referred to the Committee on Appropriations. Speaking on the merits of the resolution..if it has any..is not in order at this time.

The SPEAKER. The Chair rules that the point of order is well taken, and the gentleman will confine himself to the question before the House.

Mr. RHODES. Under the circumstances, I have nothing further to say than this: I have heard it stated that the Chairman of the Appropriations Committee has said that if this resolution ever gets into his committee, he will see that it goes in the sewer. Under these circumstances, I feel that this bill should not go to the Appropriations Committee, which is already prejudiced.

Mr. McCAIG. Mr. Speaker, I take exception to the remarks of the gentleman, when he says that our worthy chairman of the Appropriations Committee made any such statement. I know Mr. Harer well; I have served with him for the last three sessions, and I do not believe he is a man of that character. If a bill is referred to his committee, he will give it due consideration, and will play fair with any and every members of this House.

On the question recurring,

Will the House agree to the motion.

The SPEAKER announced the ayes appeared to have it,

Whereupon a division was called for, and 122 members having voted in the affirmative, the same being more than a Constitutional majority, the question was determined in the affirmative and the motion was agreed to.

BILL RECOMMITTED.

Mr. HARER. Mr. Speaker, I move you that House Bill No. 81, file folio 5713, on page 10 of today's calendar, bills on third reading, entitled:

An Act to provide for the ordinary expenses of the executives judicial and legislative departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and twenty-three

recommitted to the Committee on Appropriations for the purpose of amendment.

Mr. HAWS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The Speaker declared the "Ayes" appeared to have it,

Whereupon, a division was called for, and 87 members having voted in the affirmative and 56 in the negative, the question was determined in the affirmative and the motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. HARER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. HARER. I would like to serve notice upon every member of the Appropriation Committee that there will be a hearing tomorrow morning at 9:30 o'clock to consider the amendments to House Bill No. 81.

MEETING OF APPROPRIATION COMMITTEE.

The SPEAKER. For the information of the House, the Chair states that there will be a meeting of the Appropriations Committee tomorrow morning at 9:30 o'clock, and the presence of all members is requested, and that a hearing will be held on the question of amending House Bill No. 81.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 412, 524, 560, 720, 721, 723, 725, 729, 52 AND 416.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 26, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed the following bills:

House Bill No. 412, entitled, "An Act authorizing any county separately or counties interested jointly to lease for a term of years from a bridge company or corporation any toll bridge spanning a river or stream when such bridge is used solely for highway purposes or jointly for highway railroad or street railway purposes discontinuing tolls on any such bridge during such lease and authorizing counties to appropriate money levy taxes and incur indebtedness for such purposes".

House Bill No. 524, entitled, "An Act to amend part of section one of an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled 'An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution' ".

House Bill No. 560, entitled, "An Act to repeal the act approved the twenty-third day of February one thousand eigh hundred and seventy (Pamphlet Laws two hundred and twenty-three) entitled 'An act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy in said county' and the act approved the nineteenth day of May one thousand eight hundred and seventy-one (Pamphlet Laws nine hundred eighty-three) entitled 'A supplement to an act entitled 'An act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy in said county' passed the twenty-third day of February Anno Domini one thousand eight hundred and seventy' ".

House Bill No. 720, entitled, "An Act to amend section seven hundred three Article VII of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act' by providing for compensation for forest fire fighting on private lands listed with the Department of Forestry for forest protection".

House Bill No. 721, entitled, "An Act to amend section one hundred and two clause (j) Article I of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled 'An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing al laws general special or local or any parts thereof that may be inconsistent with or supplied by this act' by providing for co-operation with and receipts of contributions from persons firms corporations or associations for forest protection".

House Bill No. 723, entitled, "An Act authorizing counties cities boroughs and townships to appropriate moneys for forest work".

House Bill No. 725, entitled "An Act to amend Article XII of an act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled 'An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act' by adding thereto a section to be section twelve hundred and two defining certain terms".

House Bill No. 729, entitled, "An Act to amend sections one thousand one one thousand two one thousand three and one thousand four Article ten of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled 'An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act' by providing for imprisonment for default in payment of fines and costs in case of neglect of duty by fire warden refusing to aid a fire warden hindering a forest protection officer in his duties or non-abatement of a nuisance caused by maintaining a special forest fire hazard".

House Bill No. 52, entitled, "An Act to amend an act approved the thirty-first day of March, one thousand nine hundred and twenty-one (Pamphlet Laws seventy-eight) entitled 'An Act to prohibit the speeding and racing of certain motor vehicles to fires the parking of motor vehicles in the vicinity of fires and the driving of motor vehicles over lines of hose' by extending the provisions thereof to all vehicles".

House Bill No. 416, entitled, "An Act to amend section three hundred and four of an act approved the seventeenth day of May one thousand nine hundred and twenty-one 'An Act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' ".

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communcation in writing from His Excellncy the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 728.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 26, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 728, entitled, "An Act to amend Article X of the act approved the third day of June one thousand nine hundrea and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled 'An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act' adding thereto a section to be section one thousand nine providing a penalty for interfering with notices posted by the Department".

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 87, 183, 641, 701, 773, 784, 788, 789 AND 790.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 27, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 87, entitled, "An Act making a deficiency appropriation to carry into effect the provisions of an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and ninety-five) entitled "An Act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof."

House Bill No. 183, entitled, "An Act providing for the establishing and maintenance of uniform building lines in cities of the third class."

House Bill No. 641, entitled, "An Act making a deficiency appropriation to the Western Pennsylvania Institution for the Instruction of the Deaf and Dumb."

House Bill No. 701, entitled, "An Act to further amend sections ten and fourteen of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) entitled 'An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof' as amended by requiring all proceedings in civil cases before magistrates that are sought to be reviewed by appeal to be taken only to the Municipal Court transferring original jurisdiction in certain civil cases from the court of common pleas to said court providing that costs in all cases shall follow the judgment and that certain judgments shall be final."

House Bill No. 773, entitled, "An Act making a deficiency appropriation to the Commission of the Soldiers' Orphans Industrial School at Scotland."

House Bill No. 784, entitled, "An Act making a deficiency appropriation to the Eastern State Penitentiary."

House Bill No. 788, entitled, "An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania located at Blossburg Pennsylvania to cover a deficiency in maintenace for the two fiscal years ending May thirty-first one thousand nine hundred twenty-three."

House Bill No. 789, entitled, "An Act making a deficiency appropriation to the Pennsylvania Industrial Reformatory at Huntingdon Pennsylvania."

House Bill No. 790, entitled, "An Act making a deficiency appropriation to the Pennsylvania Training School at Morganza Pennsylvania."

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 783.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 30, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 783, entitled, "An Act making a deficiency appropriation to the Home for Training in Speech of Deaf Children before They are of School Age at Philadelphia Pennsylvania."

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 26, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor House Bill No. 702.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

Mr. LUDLOW. Mr. Speaker, I move you that this bill be laid on the table until the end of the session. It is a similar bill to one which was passed by the Senate, sent to the Governor and has received his approval.

Mr. STORB. Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. SOWERS. Mr. Speaker, I move that the vote by which House Bill No. 992, file folio 4945, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania by adding thereto section thirty-five

was defeated on final passage on Wednesday, April 25, 1923, be reconsidered.

Mr. JOSEPH MARCUS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The Speaker declared the "ayes" appeared to have it,

Whereupon a division was called for and 77 members having voted in the affirmative and 35 in the negative, the question was determined in the affirmative and the motion was agreed to.

Mr. JOSEPH MARCUS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. SOWERS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. JOSEPH MARCUS. Mr. Speaker, I move that House Bill No. 992 be recommitted to the Committee on Constitutional Reform for the purpose of amendment.

Mr. SOWERS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. McCAIG. Mr. Speaker, I move that House Bill No. 1436, (Senate Bill No. 59), file folio 53, entitled:

An Act to repeal an act, entitled "An act to regulate the practice of the profession of engineering and of land surveying; creating a State Board for the Registration of Professional Engineers and Land Surveyors; defining its powers and duties; imposing certain duties upon the Commonwealth and political subdivisions thereof in connection with public work; and providing penalties.

on page 24 of today's calendar, bills on second reading, be recommitted to the Committee on Judiciary General for the purpose of amendment.

Mr. STEEDLE. Mr. Speaker, I second the motion.

The motion was agreed to.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 232.

An Act to amend chapter eleven article two of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The Speaker. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 2, page 4, line 1, by inserting after the word trees, the following:

"excepting trees for ornamental or fruit purposes"

Amend section 2, page 5, line 1, by striking out the word "July" and inserting in lieu thereof the word "June".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lauver,
Little,
Lucas,
Ludlow,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments are concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 162.

An Act to amend section one thousand seven hundred and eight of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local. or any parts thereof, that are or may be inconsistent therewith."

HOUSE BILL No. 283.

An Act to further amend section four of the act approved the twentieth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred and sixty-six) entitled "An Act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" as amended providing a pension for employes who have not reached the age of sixty years but who have become permanently disabled after twenty years of service and in certain cases of disability fifteen years

HOUSE BILL No. 395.

An Act to regulate the sales of caustic acids caustic alkalies and preparations thereof and mineral or chemical salts intended for household and agriculture uses and providing penalties for the violation thereof

HOUSE BILL No. 606.

An Act to further amend an act approved the third day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and thirty) entitled "An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges" providing for the rebuilding of decayed and unsafe bridges and certain bridges on State highways

HOUSE BILL No. 722.

An Act to amend clause (h) of section one hundred and two Article I of an act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act," by providing for the purchase lease building and maintenance of telephone lines or attachments thereto by private parties and appropriating the revenue derived therefrom.

HOUSE BILL No. 724.

An Act to amend section one thousand and five Article X of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by providing further penal provisions for setting fire maliciously or otherwise to any woodlot forest or wild land.

HOUSE BILL No. 726.

An Act to amend an act entitled "An Act to amend sections two thousand seven hundred and one and two thousand seven hundred and two of an act entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collectng such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) by providing that all receipts and proceeds derived in any way from or on account of the State forests now or hereafter acquired by this Commonwealth shall belong to and form a part of 'The State School Fund of Pennsylvania' approved the fourth day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and twenty-five)" by providing that net receipts from State forests shall become part of the State School Fund of Pennsylvania

HOUSE BILL No. 782.

An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf and Dumb Mount Airy Philadelphia to cover deficiency in maintenance and education of State pupils

HOUSE BILL No. 933.

An Act authorizing county commissioners to appropriate money from the funds of the county to aid in the planting of trees and the establishment of tree nurseries in aid of the reforestration or wood lots of farms or any other lands denuded of timber trees which it is desired to reforest

HOUSE BILL No. 1007.

An Act to amend an act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred and sixty-one) entitled "An Act relatng to the maintenance of insane feeble-minded and other persons confined in the various institutions of the Commonwealth fixing liability for their support providing for the collection of the moneys due the Commonwealth thereof and for proceedngs relating thereto"

HOUSE BILL No. 1165.

An Act authorizing cities boroughs towns and townships to purchase burial plots for certain deceased service men

HOUSE BILL No. 1208.

An Act making an appropriation to the Pennsylvania State College to reimburse the said college for loss of intrest on a bond of the Commonwealth for the benefit of said college which bond has matured

HOUSE BILL No. 1254.

An Act making an appropriation to carry out the provisions of the act, approved the twenty-seventh day of May, one thousand nine hundred and twenty-one(Pamphlet Laws, eleven hundred ninety), entitled "An Act providing for the refunding of moneys paid to the State Highway Department for registration of motor vehicles and drivers' licenses, which motor vehicles and licenses have not been used and to which moneys it appears the Commonwealth has no claim; and making an appropriation for such refunds."

HOUSE BILL No. 1357.

An Act providing for the redemption and cancellation of the bond issued under the act approved April third one thousand eight hundred and seventy-two (Pamphlet Laws thirty-nine) entitled "An Act directing the sale of the bonds composing the Agricultural College land script fund and authorizing the issue of a new bond in lieu thereof and abolishing the board commissioners created by act of April first one thousand eight hundred and sixty-three" and for the investment of the moneys in the fund resulting from such redemption and the payment of the interest therefrom by the Sinking Fund Commission to Pennsylvania State College

Whereupon,
The SPEAKER in the presence of the House signed the same.

BILLS ON FIRST READING.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1092, entitled:

An Act to further amend part of section five of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen(entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates to national party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committeemen of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as approved the seventeenth day of May Anno Domini one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty)

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1093, entitled:

An Act to amend section nineteen of an act approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three (Pamphlet Laws four hundred nineteen) entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1094, entitled:

An Act to further amend part of the sixth section of an act entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen so as to change the time for filing petitions of nomination and the time for the organization of the State Committees as approved the eighteenth day of May Anno Domini one thousand nine hundred and seventeen (Pamphlet Laws two hundred forty-four)

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1113, entitled:

An Act to further amend section ten of an act approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rule and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1114, entitled:

An Act to amend part of section fourteen of an act as amended by section one of an act approved the seventeenth day of May Anno Domini one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and sixty-nine) entitled "An act to further amend section fourteen of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled 'An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1115, entitled:

An Act to amend section one hundred and twenty-five of an act approved the second day of July Anno Domini one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen) entitled "An act relating to the Elections of this Commonwealth"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Houe Bill No. 1117, entitled:

An Act to further amend section seventy-four of an act as amended by section one of an act approved the sixteenth day of April Anno Domini one thousand nine hundred and three (Pamphlet Laws two hundred and seventeen) entitled "An Act Amending section seventy-four of an act" Relating to the elections of this Commonwealth" approved the second day of July Anno Domini one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen)"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1206, entitled:

An Act to amend Route number two hundred and sixty-four of section six of the act approved the thirty-first day of May one thousand nin hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appiontees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing the same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1455, (Senate Bill No. 781), entitled:

An Act authorizing the State Highway Commissioner to combine certain State Highways or any part or sections thereof into a route under a common letter name or number or other marker or designation or any combination thereof for the purpose of informing and assisting the traveling public in and through the State

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1383, (Senate Bill No. 434), entitled:

An Act to further amend section one of an act approved the twelfth day of June one thousand nine hundred and nineteen entitled "An Act permitting counties of the Commonwealth of Pennsylvania to appropriate and expend moneys and to incur indebtedness and issue bonds and other obligations for the improvement and maintenance of State highways and State-aid highways or any public highway in any county of the Commonwealth and providing the method for applying for said moneys and for the approval thereof by the State Highway Department in certain cases"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1454, (Senate Bill No. 775), entitled:

An Act requiring supervisors and commissioners of townships to apply for county aid in the construction and maintenance of roads upon application therefor by property owners

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 825, as follows:

An Act for the protection of owners of electric storage batteries upon which the word "rental" or other word marked or character is printed painted stamped or attached to identify the same and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is unlawful for any person copartnership or corporation to remove or deface or alter or destroy or cause to be removed or defaced or altered or destroyed the word "rental" or any other word mark or character printed or painted or stamped upon or attached to any electric storage battery which has been so placed upon or attached to such electric storage battery to identify the same as belonging to or being the property of any person copartnership or corporation

Section 2 It is unlawful for any person copartnership or corporation to sell dispose of deliver or give or attempt to sell dispose of deliver or give to any person copartnership or corporation other than the owner thereof any electric storage battery upon which the word "rental" or any other word mark or character is printed painted or stamped or to which such word mark or character is attached for the purpose of identifying the said electric storage battery as belonging to or being the property of any person copartnership or corporation

Section 3 It is unlawful for any person copartnership or corporation engaged in buying selling or re-charging electric storage batteries to receive or retain in his their or its possession or to recharge any electric storage battery not owned by such person copartnership or corporation upon which the word "rental" or any other word mark or character is printed painted or stamped or to which word or mark or character is attached for the purpose of identifying the said electric storage battery as belonging to or being the property of any person copartnership or corporation

Section 4 It is unlawful for any person copartnership or corporation to retain in his their or its possession for a longer period than ten days without the written consent of the owner any electric storage battery upon which the word "rental" or any other word mark or character is printed or stamped or to which any such word mark or character is attached for the purpose of identifying the said electric storage battery as belonging to or being the property of any person copartnership or corporation

Section 5 Any person copartnership or corporation and the officers agents employes and members of any copartnership or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars or be imprisoned for a term not exceeding ninety days or both at the discretion of the court

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. METCALF. Mr. Speaker, I move that House Bill No. 825, file folio 5693, be placed upon the postponed calendar.

Mr. ALEXANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1319, as follows:

An Act to amend section one article four chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one article four chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" which was amended by Section thirty-four of the act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred four) entitled "An act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled 'An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs' and repealing certain acts relating to boroughs" is hereby further amended to read as follows

Section 1 The auditors of the borough shall meet on the third Tuesday of January one thousand nine hundred and sixteen and annually thereafter and shall audit adjust and settle the accounts of the tax collectors and all officers of the borough and shall prepare a statement thereof which shall contain an audit of the accounts of the last fiscal year and shall also show a complete statement of the financial condition of the borough giving in detail the actual indebtedness the amount of the funded debt the amount of the floating debt thereof the valuation of taxable property therein the assets of the borough with the character and value thereof and the date of maturity of the respective forms of funded debt thereof At least one hundred and not more than five hundred copies of said statement shall be printed at the expense of the borough and shall be placed in the hands of the borough secretary for general distribution Such statement shall be published in the manner required by law for auditors' statements and audits The amount of any balance or shortage or of any expenditure of a kind or made in a manner prohibited or not authorized by statute or which causes a financial loss to the borough shall be a surcharge against any officer against whom such balance or shortage shall appear or who by vote act or neglect has made permitted or approved such expenditure

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Blair,
Bluett,
Blumberg,
Boback,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Fowler, A. I.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, E. P.,
Jones, E. P.,
Keene,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Lucas.
Ludlow,
Lynch,
MacKinney,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McVicar,
Metcalf,
Millar,
Moffatt,
Moore,
Morrison,
Munley.
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Pitts,
Posey,
Post,
Price,
Raymond,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Stevens, A. F.,
Stevens, A. J..
Thomas, M. G.,
Thomas. L. D.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that he Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 671, as follows:

An Act to amend sections one and three of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An Act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An Act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties" is hereby amended to read as follows

Section 1 Be it enacted &c. That in each county of the Commonwealth which by the action of its county commissioners accepts the provisions of this act the Governor shall appoint a board of trustees composed of seven women residents of the county to be called the Board of Trustees of the Mothers' Assistance Fund

Except as herein otherwise provided such trustees shall hold office for a term of six years and until their successors are duly appointed and qualified

Whenever any county shall hereafter accept the provisions of this act the first board of trustees shall be appointed as follows two for two years each two for four years each and three for six years each from the first day of June next succeeding

In all counties which have heretofore accepted the provisions of this act the board of trustees now in office shall continue in office as heretofore unless removed by the Governor but the Governor shall before the first day of June one thousand nine hundred and twenty-three designate two of said trustees to hold office for two years each two for four years each and three for six years each and where such board has less than seven trustees the Governor shall appoint additional trustees so that the total number may be seven and he shall accordingly fix their terms

If the terms of trustees shall expire the Governor shall apappoint successors for terms of six years each

Vacancies other than those due to the expiration of a term shall be filled by appointment by the Governor for the unexpired term

All counties which have heretofore availed themselves of the provisions of the acts repealed by this act shall be deemed to have accepted the provisions of this act and shall be entitled to the benefits thereof

Section 2 That section three of said act is hereby amended to read as follows

Section 3 The State Supervisor shall have general supervision over the boards of trustees of the several counties and shall act as general field organizer she shall be on the staff of the Department of Public Welfare

The State Supervisor shall formulate and issue to the boards of trustees of the various counties rules of procedure by which they shall be governed to the end that uniformity of interpretation and practice shall obtain throughout the Commonwealthh She shall visit at least twice each year the board of trustees of each county accepting the provisions of this act

She shall as general field organizer visit the county commissioners of those counties which have not availed themselves of the provisions of this act and shall explain to such commissioners the benefits accruing from the act and the advantages of coming within its provisions and shall assist such county commissioners in the organization of boards of trustees

She shall make a report annually to the Commission of Public Welfare reviewing the work done under the provisions of this act by the trustees of the various counties laying special stress upon educational conditions of the assisted families

On the question,

Shall the bill pass finally?

Mr. VICKERMAN. Mr. Speaker, this bill is the Mother's Assistance Act. This bill makes one amendment to the present act, it provides for the term of office of the trustees to be six years. Last week we amended the bill taking out a clause which met with some objection in the House, that clause was that the local investigator should have the approval of the Department of Welfare at Harrisburg. That has been taken out of the bill. The present bill simply makes one amendment to the present act, that the Governor shall appoint the trustees for a term of six years.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Aston,
Behney,
Bell, **F. A.,**
Bell, W. T.,
Bentley,
Berger,
Betts,
Blair,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Clutton,
Coldsmith,
Colville,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gibbon,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Hall,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Lucas,
Ludlow,
Lynch,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McVicar,
Metcalf,
Millar,
Minehart,
Moffat,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weaver,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that he Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1404, (Senate Bill No.439), entitled:

An Act to amend section one thousand one hundred five, and one thousand one hundred thirty-four of an act, approved the eighteenth day of May, one thousand nine hundred and eleven, (Pamphlet Laws, three hundred nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—191.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Horne.
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Moffatt,
Moore,
Morrison
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse.
Whiteman,
Williams, G. W.
Woner,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1416, (Senate Bill No. 634), entitled:

An Act to amend section one of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and three) entitled "An Act regulating the fees of notaries public"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168.

Albert,
Allman,
Anderson,
Armstrong,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, D.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McCaig,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Nolte,
O'Boyle,
Myers, P. M.,
Orr,
Parkinson,
Patterson,
Peelor,
Pitts,
Posey,
Price,
Richards,
Sample,
Sarig,
Sautter,
Schaeffer,
Schwartz,
Shambach,
Smith, G. A.
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Sprowls,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—5.

Miller,
Myers, G. C.,
Raymond,
Schoener,
Stavitski,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return same to the Senate with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1145, (Senate Bill No. 324), entitled:

An Act to amend section two thousand one hundred five of an act, approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of

Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith." authorizing other forms of teacher training in lieu of teachers' institutes in districts of the first, second and third classes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163.

Albert,
Allman,
Armstrong,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
elly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
MacKinney,
Mangan,
Marcus, J. C.,
Marshall, J. G.,
Mathay,
McBride,
McCaig,
McClure,
McCurdy,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Parkinson,
Patterson,
Perry,
Pitts,
Posey,
Post,
Price,
Rhodes,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
hleiter,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Weamer,
Wells,
Wettach,
Whitehouse,
Whiteman,
Williams, G. W.,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—3.

Anderson,
Peelor,
Sample,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 275, as follows:

An Act providing for the recovery and collection of taxes assessed on personal property by action of assumpsit against the owner or owners of the personal property upon which or against the owner of which the said taxes have been assessed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the other remedies provided by law that all counties cities boroughs incorporated towns townships school district and poor districts may proceed for the collection of any taxes lawfully imposed and assessed on personal property of any nature or character including stocks bonds mortgages and money at interest or assessed against the owner or owners of such personal property by action of assumpsit against the owner or owners thereof such action to be brought before any Magistrate Justice of the Peace or Court of Record of competent jurisdiction depending on the amount involved with similar rights of appeal as in other actions of assumpsit Judgments obtained in such actions of assumpsit to collect any of the taxes aforesaid shall include interest and penalties as provided by law and shall have the same effect to all intents and purposes as judgments in other cases Upon such judgments a writ of execution may be issued as in other actions of assumpsit for the collection thereof together with costs of suit without any stay of execution and no defendant in any such judgment shall have the right to any exemption of property levied upon to collect the same Provided That this act shall also extend to and include all taxes personal heretofore assessed which became due and payable at any time not exceeding six (6) years prior to the passage of this act

Section 2 All acts or parts of acts and all laws inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. BLUETT. Mr. Speaker, I move that House Bill No. 275, be recommitted to the Committee on Judiciary Special, for amendment.

Mr. DILSHEIMER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 936, as follows:

An Act for the repression of prostitution and assignation making it unlawful to solicit aid or permit prostitution or to use or permit the use of any place for the purpose of prostitution or assignation making certain evidence admissible in proceedings under this act authorizing the commitment of prostitute to private institutions providing for their parole and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

(a) The word "prostitution" as used in this act shall mean the offering or using of the body for sexual intercourse for hire

(b) The word "assignation" as used in this act shall mean the making of an appointment or engagement for prostitution or any act in the furtherance of such appointment or engagement

(c) The word "faith" as used in this act shall mean religious belief or connections according to the following classifications Jewish Roman Catholic Protestant

Section 2 It is unlawful

(a) To occupy use place structure building or conveyance for the purpose of prostitution or assignation or for any person knowing or having reasonable cause to know that same is to permit any place structure or building owned by him or under his control to be used for the purpose of prostitution or assignation

(b) To commit prostitution or assignation or to aid or abet prostitution or assignation by any means whatsoever

(c) To use any conveyance for the purpose of prostitution or assignation or to direct take or transport or to offer or agree to direct take or transport any person to any place structure or building or to any other place with knowledge or reasonable cause to know that the purpose of such directing taking or transporting is prostitution or assignation

Section 3 Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars and to undergo imprisonment for a period not exceeding one year In the case of prostitutes said imprisonment may at the discretion of the Court be by commitment to a private institution in the Commonwealth adapted to the proper control of women of this class and approved by the State Department of Health and State Department of Public Welfare In no case shall the accused be committed to a religious institution other than of her own faith if any faith is professed All institutions accepting persons for commitment under the provisions of this act shall at all times be open to State inspection so far as the welfare of the persons so committed is concerned

Section 4 In the trial of any person charged with the violation of any of the provisions this act testimony concerning the reputation of any place structure or building and of the person or persons who reside in or frequent the same and of the defendant shall be admissible in evidence in support of the charge

Section 5 Any person committed under the provisions of this act may be released on parole at the discretion of the committing court and shall be placed in charge and under the supervision of a designated probation officer Such parole shall continue until the time for the expiration of the sentence The court shall have the power to recommit for any violation of the parole shown by the probation officer

Section 6 All acts or parts of acts inconsistent herewith are hereby repealed but nothing in this act shall be construed to repeal any of the provisions of an act approved the twelfth day of July one thousand nine hundred and thirteen entitled "An Act establishing a court for the County of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" its supplements or the amendments thereto

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. DUNN. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Vickerman, the sponsor of this bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. Vickerman, permit himself to be interrogattd?

Mr. VICKERMAN. Yes sir, Mr. Speaker.

Mr. DUNN. Mr. Speaker, I would like to ask the gentleman from Allegheny, what the purpose of this bill is.

Mr. VICKERMAN. Mr. Speaker, and ladies and gentlemen of the House, this bill, No. 936, was prepared by the Department of Health of the State of Pennsylvania. They drafted this bill, and I understand that it has the approval of the Governor of the State. There has been a general desire for many years for a bill of this kind. Other bills have come here, but they haven't got upon the floor or on the calendar. I am not familiar with the details of this bill; this circular you have on your desks explains the bill in detail, and it is signed by the Commissioner of Health, Dr. Miner. I think it explains fully the provisions of this bill.

Mr. MANGAN. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Vickerman.

The SPEAKER. Will the gentleman from Allegheny, Mr. Vickerman, permit himself to be interrogated?

Mr. VICKERMAN. Yes, sir, Mr. Speaker.

Mr. MANGAN. Mr. Speaker, I feel that the question asked by my friend from Philadelphia, was not answered.

Mr. VICKERMAN. I think if the gentleman will read this letter he will find the answer there.

Mr. MANGAN. I have read the letter, and I can find nothing in the letter than answers the interrogation of the gentleman from Philadelphia.

Mr. SPEAKER. I desire to ask the gentleman from Allegheny if the law now does not cover exactly what this law that he is endeavoring to pass covers.

Mr. VICKERMAN. Mr. Speaker, I might say not in my opinion and the Department of Health has told me that this act is absolutely necessary if they hope to accomplish the things they desire in Pennsylvania, and that our present law does not cover the situation as they desire. Therefore I ask you to vote for this bill.

Mr. MANGAN. Who asked those questions?

Mr. VICKERMAN. Who asked those questions? I asked the department of health myself, Dr. Miner.

Mr. MANGAN. Does not the present law cover it just as it is now?

Mr. VICKERMAN. They say it does not.

Mr. MANGAN. I desire to say to the members of this House that in the county of Allegheny they do cover this question. In the case of a female or a male who is questionable as to health, that is covered now in Allegheny county. I cannot answer for other counties, but in Allegheny county, if they are taken, they are sent to places to be taken care of, and there is no appropriation for it other than what the county appropriates. I don't know why this bill should be presented at the present time, therefore, I cannot myself vote for the act as it is presented today. I think the members of this House ought to vote this bill down. I feel that it is a question of an appropriation to be made by the State to the various counties. I feel that the various counties take care of cases of that kind, I know that the one county of Allegheny does. I don't know what they do in other counties, but in the county of Allegheny they do take care of these cases. I feel that this bill ought to be voted down.

Mr. DAVID FOWLER. Mr. Speaker, if this bill carried with it the question of health I would not voice my sentiment against it. This bill goes further than that. I feel, from the work that has been done, especially in my county and from the threatening attitude of telegrams and letters and from lobbyists who have come here to intimidate the members of our county, that for that reason I shall also be against it. A lady from our section, who has created a great deal of notoriety in the past, Mrs. Fraser, came here just recently, in the presence of my colleague and said, "If you are not for this bill, four thousand women are going to be against you." Well, the four thousand women are not going to be against me. I feel that in this measure there is a blackmailing proposition. I feel that under this bill a man or woman can be blackmailed, and I want to say to you that it was very evident that this lady who happens to be connected with the state constabulary, had that in mind when she threatened me. She answers the argument directly. I believe that the welfare workers and the women, especially the women, should go out and do something in the interest of girls. Let them do something for the uplift of girls, not run them into jails or throw them into our institutions for a year and then expect them to come out as angels. I say to you that once a girl has disgraced the name of "girl" it is mighty hard for that girl to come back. May I read to you an argument that is far stronger, my friends, then I can present here this evening, far stronger than the words of any man or woman in this House, the words of a dying girl in Pittsburgh on the 19th of this month, who took her own life in the Fort Pitt Hotel.

"Girl in death note stresses need for love and education. The note was written by a girl who took her life at the Fort Pitt Hotel last night." This was on April 19th of this year. "Please don't cause notoriety on my part, but do publish this: 'My last wish is to have the world know that every day it is the cause of a girl's steadfast inclination to do worse and worse. Just because a girl has gone wrong, often through force, so-called human beings throw them aside and don't give them a chance. What a girl needs is love, education and someone to consider their faults as a mere mistake. Please give the unfortunate girl a chance. Don't throw her open to public opinion; don't shut her in reformatories, and after a couple of years expect her to be a good angel.'

This note was signed by Ruth A. Hardy, 126 Elizabeth Street, Denver, Colorado, who committed suicide in Pittsburgh.

I want to say to you and I say it honestly as the father of a girl, that I shall try my best to protect that girl and never see that the door of my house is shut against her; and I shall say to you, if she drops to the depths of hell, I would never shut my heart or my door against that child. And I am going to do everything I can to stop fanatics who are looking for positions in this state to become notorious. This is a bill that some notoriety seeker is behind. Nothing else. We have sufficient laws to do the very thing that this bill says. It only provides a weapon whereby a man or woman can be blackmailed. Only recently, and I do not need to mention the names of prominent men, but it is only recently that that same game was played in New York City. I feel, my friends, the same as the warden at Sing Sing says, that, "our penal institutions only teach them vice and do not do the desired thing." Let us, if we are men, let us pass laws in this House and Assembly that will make it possible for a working girl to make a decent wage and give her proper living conditions. Those are the things, if we want to do something for the working girl or woman, to do something whereby we can uplift them, and let's keep their names from being spread by the newspapers, where everybody can assassinate their characters. For those foregoing reasons, I ask each and every one of you to vote against this bill.

MOTION TO DROP BILL FROM CALENDAR.

Mr. MANGAN. Mr. Speaker, I move that House Bill No. 936 be dropped from the calender.

Mr. McCANN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. VICKERMAN. Mr. Speaker and ladies and gentlemen of the House: I sincerely hope that this motion will not prevail. I am not seeking notoriety. I tried my best not to make a speech upon this bill. I had no desire even to do so. There has been put on your desks a plain statement of the fact by the Department of Health of Pennsylvania, and my good friend from Lackawanna stands up here and tells us he knows more about this bill than the State Department of Health of Pennsylvania does. Who wants the notoriety? Who is seeking it? Who is getting it? I am here tonight, members of this Legislature, to try to make Pennsylvania a better state for the boys and girls of the next generation to live in, and I am willing to take the advice of the Department of Health of this State when they tell me over their own signature in this House, on your desks tonight, that this bill is necessary for them to do certain things in Pennsylvania. I can stand here for twelve hours and recite to you the vice in Pennsylvania. You know the story of the war. You know the things that have happened. These men here know all these things. I am not going to take your time, but I am going to say to you that the members of this House will live long enough to realize that this bill will pass in this House before many years if we don't pass it tonight. There is a demand for this bill. The State Grange of Pennsylvania, in their last session in Pennsylvania, appointed a committee to draft this act and bring it here and suggest it in this House. The Women's Congress of Clubs at Reading, Pennsylvania last October passed a resolution in favor of this bill, and I have the honor Mr. Speaker to———

POINT OF ORDER.

Mr. LAFFERTY. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. LAFFERTY. Mr. Speaker, the gentleman is speaking on the bill, not on the motion.

The SPEAKER. The Chair rules that the point of order is well taken, and the gentleman will confine himself to the motion to drop the bill from the calendar.

Mr. VICKERMAN. Mr. Speaker and ladies and gentlemen of the House, I am very sorry, indeed, that through the rules I am hampered by this motion. This, I believe, is the first motion of this kind that has been made during this session. I know of no bill yet that has been stricken from this calendar, and I ask the men and women in this House, in all fairness, that we don't vote for this motion.

Miss MacKINNEY. Mr. Speaker, may I say, for the women of Pennsylvania, that they would like very much to have this House go on record on this bill that is before you today. It is not one woman's organization, but almost every woman's organization in the State. The State Federation of churches and the State W. C. T. U. are on record in favor of this bill, and we desire you to go on record in favor of or against this bill.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. VICKERMAN and Mr. McVICAR and were as follows:

YEAS—35.

Allman,
Arthur,
Boback,
Dilsheimer,
Donahue
Fowler, D.,
Glasgow,
Golder,
Gorham,
Greeby,
Haws,
Heyburn,
Hontz,
Keene,
Kohler,
Lafferty,
Little,
Lucas,
Lynch,
Mangan,
Marcus, J. C.,
McCann,
McGowan,
Millar,
Miller,
Munley,
Nolte,
O'Boyle,
Perry,
Sautter,
Sheridan,
Soffel,
Sowers,
Stavitski,
Wettach,

NAYS—143.

Albert,
Alexander,
Anderson,
Armstrong,
Aston,
Baker,
Behney,
Bell, F. A.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brenneman,
Bromley,
Brewster,
Brown,
Brownmiller,
Burchinal,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dietz,
Driggs,
Drinkhouse,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Goehring,
Goss,
Griffith,
Grimes,
Gundy,
Hall,
Harter,
Haslett,
Heffernan,
Heffran,
Henderson,
Hetrick,
Himes,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Irvin,
Jones, C. B.,
Kunkle,
Labar,
Lauver,
Long,
Ludlow,
Mack,
MacKinney,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
McVicar,
Minehart,
Moffatt,
Moore,
Morrison,
Ogle,
Parkinson,
Patterson,
Peelor,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Sorig,
Schaeffer,
Schleiter,
Schoener,
Shambach,
Smith, G. A.
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Stark,
Staudenmeier,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,

Dunn,
Eaches,
Earley,
Edmonds,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Richards,
Rinn,
Rippman,
Sample,
Wright,
Zook,
Goodnough,
Speaker.

So the question was determined in the negative, and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. BLUMBERG. Mr. Speaker and members of the House, I believe that there is quite a bit of merit in the bill, and yet as drawn it is open to objection, as voiced on the floor of the House, and in one or two particulars as can be pointed out easily, the bill ought to be amended. In section 3 it provides, that "Any person violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars and to undergo imprisonment for a period not exceeding one year." That provision makes it mandatory not only to a fine of one hundred dollars, but to imprisonment for a period not to exceed one year. Under the present law, the punishment has been a flat fine of $100.00. Under this law, it would be the hundred dollar fine and amandatory prison sentence. I believe that if that section were amended so that it would be discretionary with the judge in sentencing the offender to fine or imprisonment in his discretion, that a great deal of objection to this bill would be removed.

MOTION TO RECOMMIT.

Mr. BLUMBERG. Mr. Speaker, for the reasons I have just given I move that this bill be recommitted to the committee on Law and Order for the purpose of amendment.

Mr. NOLTE. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair is unable to decide and calls for a division.

Whereupon a division was had and forty-three members voting in the affirmative, and ninety-four in the negative, and the question was determined in the negative, and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the gentlemen from Allegheny, Mr. Vickerman.

The SPEAKER. Will the gentleman from Allegheny, Mr. Vickerman, permit himself to be interrogated?

Mr. VICKERMAN. I will, Mr. Speaker.

Mr. ALEXANDER. I desire to call the gentleman's attention to paragraph "b": "The definition of the word, 'Assignation', as used in this act, shall mean the making of an appointment or engagement for prostitution." Is it your idea that if a man or women, or perhaps, a boy or girl, should make such an engagement and not keep that engagement, that they would still be guilty under this act?

Mr. VICKERMAN. Mr. Speaker, I want to say that I am not an expert on this matter, therefore, I cannot answer that question.

Mr. ALEXANDER. Mr. Speaker, I desire to further interrogate the gentleman.

The SPEAKER. Will the gentleman permit himself to be further interrogated?

Mr. VICKERMAN. I will Mr. Speaker.

Mr. ALEXANDER. It is not my intention to embarrass the gentleman; I thought he was too old for that. Can you put any other construction on that paragraph than that?

Mr. VICKERMAN. I would say to the gentleman, Mr. Alexander, this evening I submitted this bill to the attorney for the Department, and he tells me that this is exactly how he wanted the bill. Therefore, I have no authority to change it or put anything else in it but what you find in the bill.

Mr. ALEXANDER. Mr. Speaker, I desire to still further interrogate the gentleman on this bill.

The SPEAKER. Will the gentleman permit himself to be further interrogated?

Mr. VICKERMAN. I will Mr. Speaker.

Mr. ALEXANDER. On line 10, page 2, I noticed there a bracket.

Mr. VICKERMAN. I have some amendments that will cover that in the Senate.

Mr. ALEXANDER. What are the amendments?

Mr. VICKERMAN. Why, the amendments have been looked over and provide for some corrections.

Mr. ALEXANDER. Won't you tell us what they are, so that we might know?

Mr. VICKERMAN. Well, now, on page 2, section 2, line 10, by inserting a "brarcket" after the word "be" In section 2, page 2, line 10, by inserting a bracket after the word "occupy,"—a bracket after "be" and a bracket after "occupy." It is simply my desire not to take the time of the House. I want to avoid that at this time.

Mr. ALEXANDER. Mr. Speaker and members of the House: It is my opinion that the laws at the present time in the Commonwealth of Pennsylvania cover offenses that are set out in this bill. I had read the letter that has been referred to by Mr. Vickerman and the object of the bill as it is in that letter, and I have no hesitancy in saying that I agree with him. But there are things in this bill that I think should be amended. There are matters in this bill, the gentleman from Philadelphia called attention to one, which takes away entirely the discretion of the court as to whether or not he shall fine the defendant or whether he shall imprison him. It makes it compulsory on the part of the judge to imprison and fine. Now, on the other hand, I want to call your attention to that paragraph which I asked the gentleman about, and that is paragraph "B" on page 1. The word "assignation," as used in this act, shall mean the making of an appointment or an engagement for prostitution. You will notice, also, in this bill that there is absolutely nothing in this bill that refers to any age whatever. It is true that there are pranks, many a time, of children, of younger boys and girls, to do things that are not proper in this line, and notwithstanding that, they might make some foolish engagement and not carry that out. This bill makes him or her guilty of a misdemeanor, no matter how young they may be or how foolishly is was entered into for the purpose or anything else. Now, on the other hand, just as my friend from Lackawanna has said, this act, the way it is drawn, might well be used by a person endeavoring to blackmail somebody. The meaning of the bill as it is is too wide open and may result in blackmailing. Very easily that could be perpetrated by this bill, not only, as I referred to, in the case of boys and girls under the age of twenty-one, but carrying that further, persons over the age of twenty-one,—the fact that all it requires is an appointment. Now, I want to call your attention to the fact that a designing woman, who is endeavoring to perpetrate blaickmail on some man, need only show that a man made an appointment with her for that purpose, and this bill covers it exactly. In otherwords, if the act must be committed, if it provided that the act, in furtherance of that appointment must be committed, then she must go further and prove the act, which is much harder for her to prove than to prove, just by her word, that somebody had made an appointment with her for this purpose. I say, the way the act reads at the present time, it is too open for just such criticism that I am making on it at the present time, and while the purpose, as I say, in general, is good and as I say, after reading this letter, we cant help but agree with the purposes, yet the Act of Assembly as we have it at the present time, prohibits just what this bill prohibits. It prohibits the keeping of such houses; it prohibits the acts as set out in this bill, with the exception of the appointment, which hasn't been made a crime, and also, I may say the fine is left to the discretion of the court, who hears all the evidence. It seems to me, therefore, that before this bill should pass, it should be amended to cut out of it these objectionable features.

Mr. DILSHEIMER. Mr. Speaker, ladies and gentlemen of this House: I did not intend to make any remarks on this bill, but it seems to me it would be unfair and unjust if I wouln't call to your attention a few points. So far as the legal points are concerned in this bill, it has been explained to use by various members here, but it appears to me that a bill of this kind should never have reached this House for this reason: In the first place, we have at the present time enough laws on our statute books to cover those conditions. It appears to me, members of this House, that there are always some people ready to punish, and punish, and punish. And I believe that it would be better to try to uplift human beings instead of punishing and punishing and punishing; and while the sponsor of this bill has positively refused to amend those points which were called to our attention by Mr. Alexander and Mr. Blumberg, I believe, ladies and gentlemen of this House, that it is our duty then to vote this bill down. I believe in fairness; I believe in law; but I don't believe in punishing and punishing and punishing! I believe in uplifting, and don't forget, ladies and gentlemen, the majority of you here in the House are raising familes of your own. Consider your own flesh and blood. Suppose there is blackmail charge made against you, what is to become of you under this bill? There is no alternative for the judge than to punish you, and I say the bill is wrong entirely and I ask you, in fairness to yourselves and in fairness to the public at large, to vote this bill down.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Golder, Lafferty, Haws, Lucas, Dunn, Edmonds, Fratt, Orr, Burd P. Evans, Glasgow, Heyburn, Aston, Armstrong and others.

The SPEAKER. More than twenty members have joined in moving the previous quesiton.

On the question,

Shall the main question be put?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—123.

Albert,
Anderson,
Armstrong,
Aston,
Baker,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Brenneman,
Brewster,
Flynn,
Fowler, A. I.,
Frazier,
Gelder,
Gibbon,
Glasgow,
Goehring,
Goss,
Griffith,
Grimes,
Gundy,
Hall,
Haslett,
Heffran,
Lauver,
Long,
Ludlow,
MacKinney,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McClure,
McCurdy,
McDaniel,
McKim,
McVicar,
Minehart,
Sarig,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Stark,
Staudenmeier,
Sterling,
Stevens, A. J.,
Storer,
Thomas, L. D.,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Clutton,
Coldsmith,
Colville,
Craig,
de Young,
Diehm,
Dunn,
Earley,
Edmonds,
Eshelman,
Fields,
Flinchbaugh,
Henderson,
Hetrick,
Himes,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kunkle,
Labar,
Moffatt,
Moore,
Morrison,
Ogle,
Parkinson,
Patterson,
Peelor,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—62.

Alexander,
Allman,
Arthur,
Blumberg,
Boback,
Conner,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Eaches,
Evans, B. P.,
Evans, J.,
Fowler, D.,
Fratt,
Glasgow,
Golder,
Gorham,
Greeby,
Guerin,
Harer,
Harter,
Haws,
Heffernan,
Heyburn,
Hontz,
Huber,
Keene,
Kohler,
Lafferty,
Little,
Lucas,
Lynch,
Mack,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
McCann,
McCaig,
McDermott,
Metcalf,
Miller,
Munley,
Myers, G. C.,
Myers, F. M.,
Nolte,
O'Boyle,
Orr,
Perry,
Sautter,
Sheridan,
Smith, H.
Smith, J. W.,
Soffel,
Sowers,
Stavitski,
Steedle,
Storb,
Wettach,
Williams, J. M.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION RELATIVE TO EXAMINATION OF STATE BANKS.

Mr. BRENNEMAN offered the following resolution, which was twice read and laid over under the rules:

In the House of Representatives, April 30, 1293.

Whereas, The failure of the City Bank of York and a number of other State banks throughout the Commonwealth has injuriously reflected upon the banking business of this Commonwealth and greatly disturbed business in the respective communities, and has caused great financial loss and sore distress to a large number of persons, and

Whereas, Under the laws of this Commonwealth it is the duty of the Commissioner of Banking at least twice in each year to examine thoroughly every State bank, trust company, and the business of private bankers in this Commonwealth, and

Whereas, It appears that the banks which have failed were not examined as frequently as is required by law, and that the said City Bank of York was not examined by the State department for a period of over two years, and

Whereas, It appears that these bank failures by embezzlements and thefts committed over long periods of years, which thorough and efficient examinations should have revealed before said embezzlements and thefts had become so great as to seriously affect said banks, and

Whereas, It is possible that these large embezzlements and thefts could have been averted by a vigilent and efficient inspection and supervision by the Banking Department of this Commonwealth; therefore be it

Resolved, (if the Senate concur), That a commission of eight citizens is hereby created which shall be composed of three members of the Senate, to be appointed by the President Pro Tempore of the Senate, and five members of the House, to be appointed by the Speaker of the House, which commission is directed to investigate the cause, of the delinquency of the Department of Banking in its failurs to examine the State banks of this Commonwealth as directed by law, and the failure of the said Banking Department to discover upon inspection the embezzlements and thefts which were the cause of the failure of said banks.

Resolved, That the commission shall organize by the selection of a chairman and a secretary. It shall have power to hold hearings as may be deemed necessary to carry out the intent of this resolution. It shall have power to take testimony, to subpoena witnesses, and to require the production of books, papers, records and documents. If any person shall refuse to obey any subpoena issued by the commission, or fails or refuses to appear and testify, or to produce any books, papers, records or documents, the commission shall lay the facts before the General Assembly for action.

Resolved, That said Commission shall make its first report on the twenty-first day of May, one thousand nine hundred and twenty-three to the General Assembly, and thereafter from time to time to the Attorney General of Pennsylvania, who shall act as he deems advisable and said Commission shall make its final report to the General Assembly one thousand nine hundred and twenty-five. Such final report shall be accompanied by such legislation as the Committee shall deem necessary in the premises.

Resolved, That five thousand dollars, or as much thereof as is necessary, is appropriated from funds in the State Treasury, for the necessary expenses of the Commission.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 926, entitled:

An Act to amend section twenty-three of an act approved the first day of June Anno Domini one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred and twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine"

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HALL. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Butler, Mr. Woner, permit himself to be interrogated?

Mr. WONER. Yes, Mr. Speaker.

Mr. HALL. Mr. Speaker, I would like to ask the gentleman from Butler what changes have been made to the law of 1889, what particular changes have been made by this act?

Mr. WONER. Mr. Speaker, bill 926 was prepared very carefully by the efficient and thorough-going Auditor General of the State of Pennsylvania, after he had considered the many companies which had been organized since the act of 1889 was placed on the statute books, which act is an act to provide revenue by taxation, imposing a tax of 8 mills on each dollar of the gross receipts of certain companies. To these companies, which included every railroad company, pipe line company, conduit company, steamboat company, canal company, slack water navigation company, transportation company, street passenger railway company, and in addition to them telephone and telegraph companies, electric light companies, palace cars and sleeping car companies, the Auditor General has added to this list of joint stock companies and limited partnership, taxicab companies, autobus lines, truck transportation companies, every individual partnership, firm or unincorporated association engaged in or hereafter engaged in the transportation of freight or passenger or oil within the state; water power companies, hydro-electric companies, steam heating companies, natural or artificial gas companies incorporated or unincorporated, without regard to how such companies were originally formed or incorporated. That is the answer to your question. I want to say with regard to this bill that it was unanimously voted out by the Ways and Means Committee as a part of the plan of that Committee to raise the sum of eighteen or twenty millions of dollars, whatever it is that it is decided is necessary under the program which this legislature has already approved. Now these truck lines and taxicab lines are competing lines with the companies already paying the 8 mills on the dollar on their gross receipts. We feel that they ought to be included in this bill, and I would ask that you support it.

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the sponsor of the bill?

The SPEAKER. Will the gentleman from Butler, Mr. Woner, permit himself to be interrogated?

Mr. WONER. Yes, sir.

Mr. ALEXANDER. Mr. Speaker, I would like to ask the gentleman if it is not a fact that this bill takes in and includes the utilities companies that were not in existence in 1889 when the original act was passed?

Mr. WONER. Absolutely, that is the purpose of the bill. It simply takes in those companies which were not in existence at the time the original act was passed.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—90.

Alexander,
Anderson,
Armstrong,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Blair,
Brewster,
Burchinal,
Bush,
Clutton,
Coldsmith,
de Young,
Diehm,
Edmonds,
Evans, B. P.,
Flynn,
Fowler, A. I.,
Fratt,
Frazier,
Gelder,
Gibbon,
Goehring,
Goss,
Griffith,
Grimes,
Haines,
Harter,
Haslett,
Heffran,
Henderson,
Hetrick,
Himes,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kunkle,
Labar,
Little,
Ludlow,
MacKinney,
Marshall, J. G.,
McCurdy,
McDaniel,
McKim,
McVicar,
Moffatt,
Morrison,
Ogle,
Peelor,
Price,
Raymond,
Richards,
Sample,
Schleiter,
Shambach,
Smith, G. A.,
Stark,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—89.

Allman,
Arthur,
Bluett,
Blumberg,
Boback,
Brenneman,
Bromley,
Brownmiller,
Colville,
Conner,
Dietz,
Dilsheimer,
Donahue
Driggs,
Dunn,
Eaches,
Earley,
Eshelman,
Evans, J.,
Fields,
Flinchbaugh,
Glasgow,
Golder,
Gorham,
Greeby,
Guerin,
Gundy,
Haas,
Hall,
Harer,
Haws,
Heffernan,
Heyburn,
Hontz,
Johnson,
Keene,
Kohler,
Long,
Lucas,
Lynch,
Mack,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McDermott,
McGowan,
Metcalf,
Millar,
Miller,
Minehart,
Moore,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Patterson,
Perry,
Pitts,
Posey,
Post,
Rhodes,
Rinn,
Rippman,
Sarig,
Sautter,
Schoener,
Schwartz,
Sheridan,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Sprowls,
Staudenmeier,
Stavitski,
Stevens, A. J.,
Stevens, A. F.,
Van Alen,
Wettach,
Williams, J. M.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 859, entitled:

An Act to amend section thirty-five of the act approved the thirtieth day of June, one thousand nine hundred and nineteen, (P. L 678), entitled "An Act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof, and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. EDMONDS. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. Little, permit himself to be interrogated?

Mr. LITTLE. Yes, sir, Mr. Speaker.

Mr. EDMONDS. Mr. Speaker, may I ask the sponsor how much revenue does this take away from the State?

Mr. LITTLE. All the automobile fees received by the State in 1922 amounted to $87,219.79.

Mr. EDMONDS. May I ask the gentleman further, what is the object of taking that revenue away from the state, where it is used for highway purposes?

Mr. LITTLE. In the first place the cities and towns have all the expenses connected with this. Take the city of Pittsburgh, for instance, every officer carries two tags, a yellow tag which is for state offenses and for which the state receives the fines and penalties from this source. It includes no registration, failure to have registration certified, using license tags on motor vehicle other than for which issued, license tag illegible, failure to display weight limit, driving while intoxicated, operating with one tag, no license, operator under age, operating when license is revoked or suspended, speeding, parking without lights, improper registration, reckless driving, no lights, signal or mirror, racing—failure to stop after accident, glaring headlights, using cutouts, excess weight, passing car, or other road laws, failure to stop on signal by officer. All the penalties for the violation of this automobile act go to the state. Now the police officer also carries a red tag and that is for parking. That is where the complication comes in, the officer can give one tag or both tags. The case goes before the police magistrate or justice of the peace and the defendant is fined, but on account of two tags used, the magistrate is compelled to keep two separate accounts. We have had a case in Pittsburgh in the last year of some erroneously paid into the state treasury. We had one where the state highway received a check for $11,170.25, covering fines imposed by the Pittsburgh police magistrates, erroneously deposited in the state treasury. The Department a few weeks ago received a check from the city of Pittsburgh for $41,702, covering the years 1918, 1920 and 1921. I venture to say that of the smaller boroughs and townships not 50% of them make any return to the state on account of the complications in keeping the two different accounts, and I think, especially in the large districts, where every cent of the expense to provide for the machinery of law enforcement is placed upon the tax payers, that in all fairness and justice they are entitled to some return for their outlay. I would, therefore, ask the memebers of this House to support this bill.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—61.

Allman,
Arthur,
Beaver,
Bell, W. T.,
Blair,
Bluett,
Blumberg,
Brenneman,
Bromley,
Burns,
Conner,
Diehm,
Dilsheimer,
Dunn,
Eaches,
Evans, J.,
Gelder,
Glasgow,
Goehring,
Goss,
Greeby,
Grimes,
Guerin,
Gundy,
Huber,
Keene,
Kelly,
Kennedy,
Little,
Lucas,
Lynch,
Mangan,
Marcus, J. C.,
McBride,
McCann,
McCaig,
McClure,
McKim,
Millar,
Myers, P. M.,
Nolte,
Patterson,
Perry,
Price,
Rhodes,
Rinn,
Sautter,
Sheridan,
Smith, H.,
Sowers,
Steedle,
Sterling,
Stevens, A. F.,
Storer,
Thomas, L. D.,
Van Alen,
Walker,
Wells,
Wettach,
Whitehouse,

NAYS—106.

Albert,
Alexander,
Armstrong,
Aston,
Baker,
Behney,
Bentley,
Berger,
Betts,
Bidelspacher,
Boback,
Brewster,
Brown,
Brownmiller,
Burchinal,
Bush,
Clutton,
Coldsmith,
Colville,
Craig,
Dietz,
Donahue
Driggs,
Earley,
Edmonds,
Evans, B. P.,
Fields,
Flynn,
Fratt,
Frazier,
Gibbon,
Gorham,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffran,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hontz,
Horne,
Howell,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kohler,
Kunkle,
Lauver,
Long,
Ludlow,
Mack,
MacKinney,
Marshall, W. F.
McCurdy,
McDermott,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
O'Boyle,
Ogle,
Orr,
Peelor,
Pitts,
Posey,
Post,
Raymond,
Richards,
Rippman,
Sarig,
Schleiter,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Storb,
Thomas, M. G.,
Thompson,
Weamer,
Wheeler,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 998, entitled:

An Act to amend section one of the act approved the twenty-fourth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, one thousand one hundred sixteen), entitled, "An act appropriating to the Department of Health any moneys to be received from the United States Government in the promotion of sanitation, public health, and health education, the protection and care of maternity infancy and old age, and the prevention, treatment, and cure of disease."

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Miss THOMAS. Mr. Speaker, in order to allay any fear in regard to this bill, I should like to say that it is simply a re-wording of the Act of 1921, under which we accepted the provisions of the Sheppard-Towner federal law. There was some slight mistake as to the wording of the Act of 1921 and this is an amendment to it, which brings it into conformity with the federal act.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as folows, viz:

YEAS—196.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Blumberg,
Boback,
Brenneman,
Brewster,
Brown,
Brownmiller,
Burchinal,
Bush,
Clutton.
Coldsmith,
Colville,
Conner,
Coyne,
Craig.
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. L.,
Fowler, D.,
Fratt,
Frazier,
Geider,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter.
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz.
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Thomas, L. D.,
Thomas. M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—1.

Steedle,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 911.

The Clerk of the Senate being introduced, informed that the Senate insists upon its amendments, nonconcurred in by the House of Representatives, to HOUSE BILL NO. 911, entitled:

An Act to provide for the erection of new or additional buildings for the maintenance care and treatment of the poor indigent insane and indigent persons afflicted with tuberculosis in poor districts in counties of the second class which now maintain or which shall hereafter maintain a poor house or a hospital or sanitarium for such purposes authorizing the county commissioners to borrow moneys issue and negotiate the sale of bonds and to levy taxes for the payment of the same

Mr. JOSEPH C. MARCUS. Mr. Speaker, I move that the House insist on its non-concurrence in the amendments of the Senate to House Bill No. 911, and that a committee of conference be appointed.

Mr. STEEDLE. I second the motion.

The motion was agreed to.

The SPEAKER. The Chair appointed as a Committee of Conference, the gentleman from Allegheny, Mr. Joseph C. Marcus; the gentleman from Delaware, Mr. Craig; and the gentleman from Monroe, Mr. Rhodes.

Ordered that the Clerk inform the Senate accordingly.

SENATE MESSAGE.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 681.

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to HOUSE BILL No. 681, entitled:

An Act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundrtd eighty-nine (Pamphlet Laws two hundred fifty-eight entitled "A supplement to an act 'to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three" as amended by fixing the maximum amount for maintenance weekly per capita

Mr. DAVID J. JONES. Mr. Speaker, I move that the House insist on its non-concurrence in the amendments of the Senate to House Bill No. 681, and that a Committee of Conference be named.

Mr. BEAVER. Mr. Speaker, I second the motion.

The motion was agreed to.

The SPEAKER. The Chair appointed as a Committee of Conference, the gentleman from Lawrence, Mr. David J. Jones; the gentleman from Susquehanna, Mr. Gelder; the gentleman from McKean, Mr. Moore.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON SECOND READING.

The SPEAKER. If there are no objections the Chair will take up the second reading calendar. Are there objections? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1308, as follows:

An Act to amend section two and section six of article three section nine section fourteen and section twenty-two of article four section four of article five article ten rule thirty-eight of section three of article eleven section two of article thirteen rule twenty-five of article twenty-five section two of article twenty-six and article twenty-eight of an act approved June nine one thousand nine hundred and eleven (Pamphlet Laws page seven hundred fifty-six) entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connectd therewith" and to further amend section one of article five of the said act said section one of article five having previously been amended by an act approved June one one thousand nin ehundred and fifteen (Pamphlet Laws page seven hundred sixteen) repealing all acts or parts of acts inconsistent with this act and providing when this act shall go into effect

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in

General Assembly met and it is hereby enacted by the authority of the same That section two of article three of an act approved June nine one thousand nine hundred and eleven (Pamphlet Laws page seven hundred fifty-six) entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" be amended to read as follows

Section 2 The superintendent shall not obstruct the mine foreman or other official in the fulfillment of any of their duties as required by this act but he shall direct provide the means and see that the mine foreman and all the other employes under him comply with the law in all its provisions especially when his attention is called by the inspector to any violation of the law At any mine where a superintendent is not employed the duties that are herein prescribed for the superintendent shall devolve upon the mine foreman in addition to his regular duties

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. BIDELSPACHER. Mr. Speaker, I move that this bill be recommitted to the Committee on Mines and Mining for the purpose of amendment.

Mr. HEYBURN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 827, as follows:

An Act to amend section six of the act approved the twentieth day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred and eighteen) entitled "An Act relating to the appointment of persons to the police department in cities of thethird class providing for and regulating examinations the manner of appointments and the manner and power of removal of employees of said department and providing a method for fixing compensation" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same. That section six of the act approved the twentieth day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred and eighteen) entitled "An Act relating to the appointment of persons to the police department in cities of the third class providing for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation" which was amended by the act approved the seventeenth day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and four) entitled "An Act to amend section six of an act approved the twentieth day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred and eighteen) entitled 'An Act relating to the appointment of persons to the police department in cities of the third class providing for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation' so as to permit temporary suspensions by the superintendent of public affairs" is hereby further amended to read as follows

Section 6 All employes of said police department shall be subject to suspension by the superintendent of the department of public affairs for misconduct or violation of any law of this Commonwealth any ordinance of the city or regulation of the said police department pending action by the city council upon the charges made against any such employes and on hearing before the city council where they may be represented by counsel they may be fined or suspended for a period not to exceed thirty days with or without pay or they may be discharged by city council if found guilt of the charges made against them Provided however That the said superintendent of the department of public affairs may for misconduct or violation as aforesaid suspend any employe of said department of police for a period not to exceed ten days with or without pay without preferring charges and without a hearing of council Provided further however if it should become necessary to reduce the number of men in said department for purposes of economy seniority rights shall prevail and any and all removals for such cause or causes shall be from the members last appointed and the member or members serving the shortest time shall be removed first but members with longer times of service may be discharged for cause

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No, 819, entitled:

An Act to amend section six of the act approved the third day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred and thirty-eight) entitled "An act relating to the appointment of persons to the fire department in cities of the third class constituting a civil service board in relation thereto providing for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation of a secretary"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the third day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred and thirty-eight) entitled "An act relating to the appointment of persons to the fire departments in cities of the third class constituting a civil service board in relation thereto providing for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation of a secretary" is hereby amended to read as follows

Section 6 All employes of said department shall be subject to suspension by the superintendent of the department for misconduct or violation of any law of this Commonwealth any ordinance of the city or regulation of the department pending action by the city council upon charges made against any of such employes and on hearing before the city council where they may be represented by counsel they may be fined suspended for a period not exceeding thirty days with or without pay or they may be discharged by city council if found guilty of the charges made against them Provided however If it should become necessary to reduce the number of men in said department for purposes of economy seniority rights shall prevail and any and all removals for such cause or causes shall be from the members last appointed and the member or members serving the shortest time shall be removed first but members with longer times of service may be discharged for cause

On the question,

Will the House agree to the section?

Mr. MOFFATT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 2, line 11 by inserting after the word "upon" the word "the."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section six of the act approved the third day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred and thirty-eight) entitled "An Act relating to the appointment of persons to the fire department in cities of the third class constituting a civil service board in relation thereto providing for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation of a secretary"

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1275, as follows:

An Act abolishing the office of high constable in the boroughs of this Commonwealth and authorizing and directing the borough councils to designate the police or a constable of the borough to perform the duties now by law imposed on high constables

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in eneral Assembly met and it is hereby enacted by the authority of the same That after the first Monday in January one thousand nine hundred and twenty-four the office of high constable is hereby abolished in all boroughs incorporated under general law and in all boroughs incorporated under special law which have accepted the provisions of the Act of Assembly of April third one thousand eight hundred and fifty-one entitled "An Act regulating boroughs" and in all boroughs incorporated since April third one thousand eight hundred and fifty-one by special Act of Assembly which by the act of incorporation have been given the general powers of boroughs incorporated under the general law and in all boroughs which have accepted the provisions of the "General Borough Act" of nineteen hundred and fifteen

Section 2 Nothing herein shall be construed to terminate or abridge the terms of the various high constables now serving

Section 3 On or before the first Monday of January nineteen hundred and twenty-four the town councils of the boroughs of this Commonwealth shall by ordinance designate the police department or a constable of the borough to perform the duties now by law imposed upon high constables

Section 4 Sections one two four and five of article three chapter seven of the "General Borough Act" of nineteen hundred and fifteen (Pamphlet Laws three hundred and twelve) are repealed and all other acts or parts of acts of assembly supplied by inconsistent with or appertaining to the subject matter covered by this act are repealed

And said bill having been read at length the second time, and agreed to,,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1134, as follows:

An Act fixing the per diem compensation of assistant or registry assessors of boroughs and second class townships for attendance at election

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the per diem compensation of all assistants or registry assessors of boroughs and second class townhips for attendance at general municipal primary and special elections is hereby fixed at five dollars ($5.00) to be paid by the county

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time, and agreed to,,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 603, as follows:

An Act concerning declaratory judgments and decrees and to make uniform the law relating thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That (Scope) Courts of record within their respective jurisdictions shall have powers to declare rights status and other legal relations whether or not further relief is or could be claimed No action or proceeding shall be open to objections on the ground that a declatory judgment or decree is prayed for The declaration may be either affirmative or negative in form and effect and such declarations shall have the force and effect of a final judgment or decree

Section 2 (Power to Construe et cetera) Any person interested under a deed will written contract or other writings constituting a contract or whose rights status or other legal relations are affected by a statute municipalordinance contract or franchise may have determined any question of construction or validity arising under the instrument statute ordinance contract or franchise and obtain a declaration of rights satus or other legal relations thereunder

Section 3 (Before Breach) A contract may be construed either before or after there has been a breach thereof

Section 4 (Executor et cetera) Any person interested as or through an executor administrator trustee guardian or other fiduciary creditor devisee legatee heir next of kin or cestui que trust in the administration of a trust or of the estate of a decedent an infant lunatic or insolvent may have a declaration of rights or legal relations in respect thereto

(a) To ascertain any class of creditors devisees legatees heirs next of kin or others or

(b) To direct the executors administrators or trustees to do or abstain from doing any particular act in their fiduciary capacity or

(c) To determine any question arising in the administration of the estate or trust including questions of construction of wills and other writings

Section 5 (Enumeration Not Exclusive) The enumeration in Sections two three and four does not limit or restrict the exercise of the general powers conferred in Section one in any proceeding where declaratory relief is sought in which a judgment or decree will terminate the controversy or remove an uncertainty

Section 6 (Discretionary) The court may refuse to render a declaratory judgment or decree where such judgment or decree if rendered or entered would not terminate the uncertainty or controversy giving rise to the proceeding

Section 7 (Review) All orders judgments and decrees under this act may be reviewed as other orders judgments and decrees

Section 8 (Supplemental Relief) Further relief based on a declaratory judgment or decree may be granted whenever necessary or proper. The application therefor shall ge by petition to a court having jurisdiction to grant the relief If the application be deemed sufficient the court shall on reasonable notice require any adverse party whose rights have adjudicated by the declaratory judgment or decree to show cause why further relief should not be granted forthwith

Section 9 (Jury Trial) When a proceeding under this act involves the determination of an issue of fact such issue may be tried and determined in the same manner as issues of fact are tried and determined in other civil actions in the court in which the proceeding is pending

Section 10 (Costs) In any proceeding under this act the court may make such award of costs as may seem equitable and just

Section 11 (Parties) When declaratory relief is sought all persnos shall be made parties who have or claim any interest which would be affected by the declaration and no declaration shall prejudice the rights of persons not parties to the proceedings In any proceeding which involves the validity of a municipal ordinance or franchise such municipality shall be made a party and shall be entitled to be heard and if the statute ordinance or franchise is alleged to be unconstitutional the Attorney-General of the State shall also be served with a copy of the proceeding and be entitled to be heard

Section 12 (Construction) This act is declared to be remedial its purpose is to settle and to afford relief from uncertainty and insecurity with respect to rights status and other legal relations and is to be liberally construed and administered

Section 13 (Words Construed) The word "person" wherever used in this act shall be construed to mean any person partnership joint stock company unincorporatedassociation or society or municipal or other corporation of any character whatsoever

Section 14 (Provisions Severable) The several sections and provisions of this act except sections one and two are hereby declared independent and severable and the invalidity if any of any part or feature thereof shall not affect or render the remainder of the act invalid or inoperative

Section 15 (Uniformity of Interpretation) This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those States which enact it and to harmonize as far as possible with federal laws and regulations on the subject of declaratory judgments and decrees

Section 16 (Short Title) This act may be cited as the Uniform Declaratory Judgments Act

And said bill having been read at length the second time, and agreed to,,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 970, as follows:

An Act to amend section one of an act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand and sixty-five) entitled "A further supplement to an act approved the twenty-fourth day of July one thousand nine hundred thirteen (Pamphlet Laws nine hundred seventy-seven) entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith' "

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand and sixty-five) entitled "A further supplement to an act approved the twenty-fourth day of July one thousand nine hundred thirteen (Pamphlet Laws nine hundred seventy-seven) entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of the provisions and to repeal acts inconsistent herewith" is hereby amended to read as follows

Section 1 Bt it enactad et cetera That any person employed in the service of this State or in the service of the Federal Government and required thereby to be absent from the city wherein he resided when entering such employment his wife or her husband shall on petition to the proper registration commissioners verified by affidavit and without appearing personally before the commissioners be registered as of the district wherein he or she shall have resided prior to entering such service In such case a residence by street and number shall not be required but the person shall be registered as of the proper district In the case of persons employed by this Commonwealth no such petition shall be considered unless it be accompanied by a certificate from the Auditor General under the seal of his office setting forth that the proper person or the husband or wife of the person is actually employed in the service of this Commonwealth and also setting forth the nature of such employment and the time when such person first entered employment In the case of persons employed by the Federal Government no such petition shall be considered unless it be accompanied by a certificate from the head of the proper department or chief of the proper division or bureau under the seal of his office setting forth that the proper person or the husband or wife of the person is actually employed in the service of the United States and also setting forth the nature of such employment and the time when such person first entered such employment No such person shall be registered unless he or she shall produce to the registration commissioners satisfactory proof that he or she is by payment of taxes and otherwise entitled to registration When any such person so registered shall vote he or she shall be required by the proper election officers to sign the ballot check list of the proper district

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 466, entitled:

An Act to further amend section twenty-one of an act approved the first day of June one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred and twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as amended by changing the rate of taxation on capital stock and removing the exemption granted corporations limited partnerships and joint-stock associations organized for laundering and manufacturing purposes

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the twenty-first section of an act approved the first day of June one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred and twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine " as amended by the act approved the twenty-second day of June one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and three) entitled "An act to amend section twenty-one of an act approved the first day of June one thousand eight hundred and eighty-nine entitled 'A further supplement of an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' as amended" is hereby further amended to read as follows

Section 21 That every corporation joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the Treasury of the Commonwealth annually a tax at the rate of four mills upon each dollar of the actual value of its whole capital stock of all kinds including common special and preferred as ascertained in the manner prescribed in said twentieth section and it shall be the duty of the treasurer or other officers having charge of any such corporation joint-stock association or limited partnership upon which a tax is imposed by this section to transmit the amount of said tax to the treasury of the Commonwealth within thirty days from the date of the settlement of the account by the Auditor General and the State Treasurer Provided That for the purposes of this act interest in limited partnerships and joint-stock associations shall be deemed to be capital stock and taxable accordingly Provided also That corporations limited partnerships and joint-stock associations liable to tax on capital stock under this section shall not be required to pay any further tax on mortgages bonds and other securities owned by them and in which the whole body of stockholders or members as such have the entire equitable interest in remainder but corporations limited partnerships and joint-stock associations owning or holding such securities as trustees executors administrators guardians or in any other manner than for the whole body of stockholders or members thereof as sole equitable owners in remainder shall return and pay the tax imposed by this act upon all securities so owned or held by them as in the case of individuals Provided further In case of fire and marine insurance companies the tax imposed by this section shall be at the rate of three mills upon each dollar of the actual value of the whole capital stock Provided That nothing in this act shall be so construed as to apply to building and loan associations chartered by the State of Pennsylvania

On the question,

Will the House agree to the section?

Mr. STARK. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 2, line 7 by striking out the word "of" and inserting in lieu thereof the word "to"

Amend Sec. 1, page 2, line 16 by striking out the brackets around the word "five" and eliminating them from the bill.

Amend Sec. 1, page 2, line 16 by striking out the word "four" and eliminating it from the bill.

amend Sec. 1, page 2, line 28 by striking out the word "and" and eliminating it from the bill and inserting in lieu thereof the word "or"

Amend Sec. 1, page 3, line 4 by inserting after the word "on" the word "the"

Amend Sec. 1, page 3, line 14 by striking out the bracket before the word "And" and eliminating it from the bill

Amend Sec. 1, page 3, line 18 by inserting a bracket before the word "which"

Amend Sec. 1, page 3, line 20 by inserting a bracket after the word "State."

Amend Sec. 1, page3, line 23 by inserting a bracket before the word "but"

Amend bill, page 4, by inserting at the end thereof the following:

Section 2. Said act is hereby further amended by adding thereto the following sections:

Section 22 (a) Every corporation, jointstock association, limited partnership, copartnership and company whatsoever, now or hereafter organized or incorporated by or under any law of this Commonwealth for laundering or manufacturing purposes shall be subject to and pay into the treasury of the Commonwealth annually a tax at the rate of three mills upon each dollar of actual value of the whole of its property and franchises. Every corporation, joint-stock association limited partnership, copartnership and company whatsoever now or hereafter incorporated or organized by or under the laws of any state or trritory of the United States, or by the United States or any foreign government for laundering and manufacturing purposes, and doing business in this Commonwealth, or having capital or property employed or used in this Commonwealth by or in the name of any limited partnership, joint-stock association, company, corporation copartnership of person whatsoever, or in any other manner, shall pay such tax on all its property employed in this Commonwealth. Every individual engaged in this Commonwealth in laundering or manufacturing business shall be subject to and pay into the treasury of the Commonwealth annually a tax at the rate of three mills upon each dollar of actual value of the whole of his or its property used in such laundering or manufacturing business.

The provisions of this section do not apply to limited partnerships, joint-stock associations or corporations engaged in the brewing or distilling of spirits or malt liquors, nor to such as enjoy and exercise the right of eminent domain.

Section 22 (b) Every individual and the president, vice-president, secretary or treasurer or other officer having charge of any corporation, joint-stock association, limited partnership, company or copartnership, required to pay the tax imposed by the provisions of the preceding section of this act, shall make a report in writing and under oath annually on or before the last day of February, for the calendar year next preceding, to the Auditor General on a form to be prescribed and furnished by him. If any corporation, company, joint-stock association, or limited partnership shall certify to the Auditor General that its fiscal year closes, not upon the thirty-first day of December, but upon some other date, and that it reports to the United States Government as of such other date, then such corporation may, in the discretion of the Auditor General, be permitted to make the returns herein provided for within sixty days after such date, subject in all other respects to the provisions of this act. The Auditor General may, upon proper cause shown, extend the time of filing returns for a period not exceeding thirty days.

The first report made under the provisions of this act shall cover the period from the date of the approval of this act to the end othe current fiscal or calendar year; and the accounting officers shall settle the tax for the period covered by such report at the proportionate annual rate imposed by this act. If in any case such fiscal year shall end within thirty days from the approval of this act, no separate report shall be required for such portion of such fiscal year, but the same shall be included in the report covering the next succeeding fiscal year.

Section 22 (c). The report required by the preceding section of this act shall state specifically:

(a) All real property held in this Commonwealth and used for laundering or manufacturing purposes, and the value thereof.

(b) All tangible personal property employed within this Commonwealth and the value thereof.

(c) All franchises enjoyed and exercised.

(d) Debt account.

(e) Income account, together with the disposition of any net income, and its profit and loss statement.

(f) General balance sheet.

(g) Such other information as the Auditor General may require.

The report required to be made by any individual shall include a statement of the property of such individual employed in laundering or manufacturing business only.

Section 22 (d). If the Auditor General and State Treasurer, or either of them, is not satisfied with the assessment and estimate of valuation so made and returned, they are hereby authorized and empowered to make an assessment and valuation based upon the facts contained in the report herein required or upon any information within their possession or that shall come into their possession, and to settle an account on the assessment and valuation so made by them for the taxes, penalties, and interest due the Commonwealth therein, with right to the person, corporation, company, limited partnership, copartnership or joint-stock association dissatisfied with any settlement so made against him, it, or them. For the purpose of making such assessment and settlement, said officers may require the production of such books, papers, and reports as may be necessary to enable them to assess and settle the tax.

In the event of the failure, neglect, or refusal to make the report and valuation to the Auditor General as hereinbefore provided, it shall be the duty of the Auditor General to estimate an assessment and valuation, and settle an account for taxes, penalty and interest thereon, from which settlement there shall be no right of appeal.

Section 22 (e). Every person, corporation, joint-stock association, limited partnership, copartnership and company from which a report is required under the provisions of this act, shall pay into the treasury of the Commonwealth the amount of the tax herein imposed, within sixty days from the date of settlement of the account by the Auditor General and State Treasurer, plus a penalty of ten per centum for every failure to assess said tax and to make report as required by this act. When any tax is settled, it shall bear interest from sixty days after approval by the State Treasurer, at the rate of one per centum per month until paid.

If any individual, or the officers of any corporation, limited partnership, or joint-stock association copartnership or company shall neglect or refuse to furnish the Auditor General with the assessment and report as required by the provisions of this act or cause the same to be done, or shall make or cause to be made any false report, it shall be the duty of the accounting officers of the Commonwealth to add ten per centum to said tax for each and every year for which assessment and report were not so furnished, which percentage shall be settled and collected with the said tax in the usual manner of settling accounts and collecting such taxes.

Section 22 (f) If said persons or officers, or any of them, shall intentionally make or cause to be made any false assessment and report, or intentionally neglect or refuse to furnish the Auditor with the assessment and report as required by the provisions of this act, he or they shall be guilty of a misdemeanor, and, on conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars (3500.00), and undergo imprisonment not exceeding one year or both.

Section 22 (g). The provisions of this act shall be independent of each other; and, if any of its provisions shall be held to be unconstitutional, the decision of the court shall not affect or impair any of the remaining provisions of this act, nor prevent the collection of the tax imposed by this act. It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein.

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act to further amend section twenty-one of an act approved the first day of June one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred and twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine", as amended, by changing the rate of taxation on capital stock; and removing the exemption granted corporations limited partnerships and joint-stock associations organized for laundering and manufacturing purposes.

On the question,

Will the House agree to the title?

Mr. STARK. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 1, by striking out the word **"further"**

Amend title page 1, line 1 ,by striking out "section twenty-one of"

Amend title, page 1, lines 7, 8 and 9, by striking out "as amended by changing the rate of taxation on capital stock, and removing the exemption granted" and inserting in lieu thereof the following: "imposing a tax on individuals, copartnerships,"

Amend title, page 1, line 11, by inserting after the word "for" the following: "or engaged in"

Amend title, page 1, line 11, by striking out the word "purposes"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1091, entitled:

An Act providing for the safe-keeping of ballot boxes by the Sheriff wherein any vacancies occurs in the office of justice of the peace or persons designated by the Court of Common Pleas to receive ballot boxes and making the Sheriff responsible for the safe-keeping of such ballot boxes while in his possession

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any vacancy shall occur either by death resignation removal from office or from the county in the office of ustice of the peace or such person or persons designated by the Court of Common Pleas to receive ballot boxes the sheriff of such county shall take for safe keeping all such ballot boxes for which he shall be responsible until a successor to said justice of the peace or custodian may be elected or appointed The Sheriff upon satisfactory proof shall deliver such ballot boxes in his possession to the successor to the justice of the peace or custodian of ballot boxes as above provided

The title was read as follows:

An Act providing for the safe-keeping of ballot boxes by the Sheriff wherein any vacancies occurs in the office of justice of the peace or persons designated by the Court of Common pleas to receive ballot boxes and making the Sheriff responsible for the safe-keeping of such ballot boxes while in his possession

On the question,

Will the House agree to the title?

Mr. GOEHRING. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 2, by striking out the words "wherein any vacancies" and inserting in lieu thereof "when any vacancy".

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading?

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole bing in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 521, entitled:

An Act imposing an emergency State luxury tax providing for its collection restricting the use of the revenue derived therefrom and fixing penalties

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an emergency State tax is hereby imposed on the articles hereinafter named sold in this Commonwealth for any purpose whatsoever of re-sale The tax hereby provided for shall be paid by the person association co-partnership or corporation selling any such article to purchasers who purchase for purposes other than re-sale and shall be paid in the manner and within the time hereinafter specified

On the question,

Will the House agree to the section?

Mr. ALEXANDER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 1, line 10, by striking out "and within the time"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to as follows:

Section 2 All money derived from the tax hereby imposed shall be applied to the payment of appropriations made prior to the first day of June one thousand nine hundred and twenty-one and for the payment of appropriations for deficiencies existing prior to the first day of June one thousand nine hundred and twenty-three Any balance remaining may be applied to any other deficiencies or may be expended for such other purpose as the General Assembly may prescribe

The third section was read as follows:

Section 3 There shall be paid upon the following articles sold or leased except for the purpose of re-sale a tax equivalent to the following per centum of the price for which so sold or leased

Cigars five per centum

Plug tobacco smoking tobacco cigarette paper snuff and other tobacco products three per centum

Fire arms shells and cartridges except those sold for the use of the United States any State territory or possession of the United States any political subdivision thereof or the District of Columbia ten per centum

Hunting and bowie knives ten per centum

Dirk knives daggers sword canes stilettos and brass or other metallic knucklers one hundred per centum

Cigar or cigarette holders and pipes composed wholly or in part of meerschaum or amber humidors and smoking stands ten per centum

Automatic slot-device vending machines five per centum on the gross receipts therefrom

Automatic slot-device weighing machines ten per centum on the gross receipts therefrom

Liveries and livery boots and hats ten per centum

Hunting and shooting garments and riding habits ten per centum

Yatch and motor boats not designed for trade fishing or National defense and pleasure boats and pleasure canoes ten per centum

Articles commonly or commercially known as jewelry either real or imitation pearls precious and semi-precious stones and imitations thereof articles made of or ornamented mounted or fitted with precious stones or imtations thereof or ivory not including surgical instruments eyeglasses and watches clocks opera glasses lorgnetts marine glasses field glasses and binoculars five per centum

Cigaretts and chewing gum five per centum payment of the tax to be evidenced by a stamp attached to the package

Perfumes cosmetics proprietory medicine one cent on each twenty-five cent sale or fractional part thereof payment of the tax to be evidenced by a stamp attached to the package

On the question,

Will the House agree to the section?

Mr. ALEXANDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 3, page 2, line 11, by inerting after the word "cigars" the following: "and cigarettes"

Amend Sec. 3, page 2, by inserting between lines 13 and 14 "Chewing gum, five per centum"

Amend Sec. 3, page 3, by striking out the whole of lines 11, 12, 13 and 14.

Amend Sec. 3, page 4, by striking out the whole of lines 3, 4 and 5.

Amend Sec. 3, page 4, lines 7, 8 and 9, by striking out the words "payment of the tax to be evidenced by a stamp attached to the package"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read as follows:

Section 4 Every person or the treasurer or other proper officer of every association co-partnership or corporation selling any of the articles made taxable by this act except for the purpose of re-sale shall on or before the last day of March June September and December of each year while this act remains in effect transmit to the Auditor General a statement under oath or affirmation on such forms as the Auditor General shall prescribe of the total amount of business made taxable by this act during the preceding quarter and shall at the same time pay to the State Treasurer the amount of tax due for such preceding quarter This section does not require any report of articles sold where payment of the tax was evidenced by a stamp attached to the package

The report made on or before the last day of June one thousand nine hundred and twenty-three shall be for the time preceding such last day of June and since the date of approval of this act

If any person association co-partnership or corporation neglects or refuses to make said return or to pay the tax at the time hereinbefore provided the amount thereof with an addition of ten per centum thereof shall be collected on an accounted settled by the Auditor General and State Treasurer as other taxes are settled and collected

The Auditor General is authorized to prepare and place on sale at his office or any agency by him appointed adhesive stamps of such denominations as shall be deemed necessary to evidence the payment of the tax herein imposed on articles where stamps are required to be attached to a package and such stamp shall plainly show the value thereof which shall be the amount paid therefor as a tax to the Commonwealth

Whenever the Auditor General shall appoint an agent for the sale of stamps for the purpose of paying the State tax herein provided and shall sell consign or deliver to such agent any such stamps for sale or use such agent shall be entitled to receive as compensation for his services and expenses as agent and to retain out of the moneys to be paid by him for such stamps a commission of one percentum of the par value thereof and the Auditor General and State Treasurer are hereby directed and required to allow such commission or compensation in the settlement of the accounts of such agent

Whenever any article is sold which is taxable under the provisions of this act and the tax is required to be evidenced by a stamp such stamp shall be attached to the package by the person making the sale before the article leaves the possession of the seller

On the question,

Will the House agree to the section?

Mr. ALEXANDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 4, page 4, lines 15 to 27 both inclusive, by striking out the whole of said lines after the figure "4" in line 15

Amend section 4, page 5, by striking out the whole of lines 1 to 11, both inclusive, and insert in lieu thereof the following:

"Payment of the tax imposed upon any article by the provisions of this act shall be evidenced by an adhesive stamp attached to the package, box or container in which or from which the article is sold, or if not sold in or from a package, box or container, then to the article itself. Such stamps shall be purchased from the Auditor General of the Commonwealth or any of his duly appointed agents, and shall be attached to the package, box or container, or to the article sold, by the person making the sale before the article leaves the possession of the seller, except in the case of cigars, sold separately from a box or container, where the stamp shall be attached to the box or container when the same is placed on sale, and at that time a stamp equal to the tax as ascertained by the value of the cigars in such box or container when sold shall be attached thereto in such manner that when the box or container is opened, the stamp will be defaced. The seller shall also in the case of cigars, cancel such stamp when the same is attached by writing across the face thereof his initials and the date the stamp was attached. In all other cases, stamps shall be defaced by writing or otherwise in such manner that the same cannot again be used."

Amend section 4, page 5, line 12, by striking out the words "is authorized to" and insert in lieu thereof "shall"

Amend section 4, page 5, lines 16 and 17, by striking out the words "on articles where stamps are required to be attached to a package"

Amend section 4, page 6, by striking out the whole of lines 3 to 7, both inclusive.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth section was read as follows:

Section 5 The Auditor General or any agent appointed in writing by him is hereby authorized to examine the books and papers of any person association co-partnership or corporation pertaining to the business made taxable by this act to verify the accuracy of any return made under the provisions of this act and in the collection of said tax the Auditor General and State Treasurer shall have all the powers now vested in them by the laws of the Commonwealth for the collection of State taxes but any information gained by the Auditor General or any other person as a result of the reports investigations or verifications herein required to be made shall be confidential and any person divulging such information shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than one thousand dolars ($1,000) or to undergo an imprisonment of not more than one year or both

On the question,

Will the House agree to the section?

Mr. ALEXANDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 5, page 6, line 10, by striking out the word "and"

Amend Sec. 5, page 6, line 10, by inserting after the word "papers" "and effects"

Amend Sec. 5, page 6, lines 12 and 13, by striking out the words "any return made" and inserting in lieu thereof "the payments of taxes by the purchase and use of stamps"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixth section was read as follows:

Section 6 Any person association co-partnership or corporation or the officers directors trustees or members of any association co-partnership or corporation who fail neglect or refuse to make the returns and to pay the tax as herein prescribed or who refuse to permit the Auditor General or any agent appointed by him in writing to examine the books or papers of such person association co-partnership or corporation pertaining to the business made taxable by this act or who makes any incomplete false or fraudulent return hereunder or who fails or refuses to attach any adhesive stamp to any article required to be stamped by this act or attaches any false or fraudulent stamp or who does or attempts to do anything whatsoever to avoid a full disclosure of the amount of business done or to avoid the payment of the whole or any part of the tax due shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding one thousand dollars (1,000) or in the case of an individual to undergo imprisonment not exceeding six months or both Such penalty shall be in addition to the penalty imposed by section five of this act

On the question,

Will the House agree to the section?

Mr. ALEXANDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 6, page 6, lines 27, 28 and 29, by striking out "who fail, neglect or refuse to make the returns and to pay the tax as herein prescribed or"

Amend section 6, page 7, line 2, by striking out the word "or"

Amend section 6, page 7, line 2, by inserting after the word "papers" "or effects"

Amend section 6, page 7, lines 4 and 5, by striking out "or who makes any incomplete, false or fraudulent returns hereunder"

Amend section 6, page 7, line 7, by inserting after the word "article" "package, box or container"

Amend section 6, page 7, line 8, by inserting after the word "stamp" "or who fails to cancel any stamps as required by this act"

Amend section 6, page 7, lines 15 and 16, by striking out "Such penalty shall be in addition to the penalty imposed by section five of this act"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventh and eighth sections were separately read and agreed to as follows:

Section 7 All fines collected under this act shall be paid to the State Treasurer and by him credited and paid as provided in section two hereof

Section 8 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of the act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

The ninth section was read as follows:

Section 9 This act shall remain in effect until the first day of June one thousand nine hundred and twenty-five and no longer The expiration of this act shall not affect or impair the lien of any taxes assessed due owing or payable before such expiration of this act or any remedies for the collection of the same nor shall it surrender any remedies powers rights or privileges acquired by the Commonwealth under this act or relieve any person association co-partnership or corporation from any tax or penalty imposed by this act

On the question,

Will the House agree to the section?

Mr. ALEXANDER. Mr. Speaker, I desire to offer the folowing amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 9, page 8, by striking out the whole of lines 1, 2, 3 and 4

Amend Sec. 9, page 8, line 5, by striking out the words "quired by the Commonwealth under this act or"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act imposing an emergency State luxury tax providing for its collection restricting the use of the revenue derived therefrom and fixing penalties

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 972, as follows:

An Act imposing an emergency State tax in addition to the present taxes on all subjects now taxable for State purposes providing for its collection and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an emergency tax for State purposes in addition to the present taxes is hereby imposed on all subjects of taxation now taxable for State purposes Such tax shall be equal to twelve and one-half per centum (12½%) of the total amount of the tax imposed under the provisions of existing law such tax shall be assessed and collected in the manner and during the periods hereinafter provided

Section 2 The Auditor General and State Treasurer in settling all accounts for State taxes payable by the parties liable therefor into the State Treasury on reports required to be made annually semi-annually or at any other stated periods shall add twelve and one-half per centum (12½%) of the amount of such tax to all such accounts settled on all reports required under the provisions of existing law to be made at any time during the two fiscal years commencing on the first day of June one thousand nine hundred and twenty-three and ending on the thirty-first of May one thousand nine hundred and twenty-five and shall collect the same together with the tax imposed under the provisions of existing law in the same manner and subject to the same liabilities and penalties as such taxes are now collected

Section 3 In the case of all taxes not paid directly into the State Treasury by the parties liable therefor the individual or the public or corporate officer or agent charged under the provisions of existing law with the duty of collecting the same shall collect in addition to the tax now required an amount equal to twelve and one-half per centum (12½%) thereof on all taxes payable during the two fiscal years commencing on the first day of June one thousand nine hundred and twenty-three and ending on the thirty-first day of May one thousand nine hundred and twenty-five except in the case of the mercantile license tax where such additional tax shall be determined on the amount of the license tax collected for the years one thousand nine hundred and twenty-four and one thousand nine hundred and twenty-five as ascertained by the volume of business done during the years one thousand nine hundred and twenty-three and one thousand nine hundred and twenty-four respectively The individual or the public or corporate officer or agent collecting such tax shall pay the same into the State Treasury at the same time and in the same manner as provided by existing law for each of the taxes so collected

Section 4 All corporations incorporating increasing their capital stock merging or consolidating under any of the laws of this Commonwealth and all foreign corporations limited partnerships and joint stock associations (except foreign fire insurance companies) chartered or created or increasing their capital employed within this Commonwealth and all partnership associations formed or increasing their capital stock under any of the laws of this Commonwealth at any time during the two fiscal years commencing on the first day of June one thousand nine hundred and twenty-three and ending on the thirty-first day of May one thousand nine hundred and twenty-five and which are required under the provisions of existing law to pay a bonus tax on their capital stock and the increases thereof shall in addition to such bonus tax pay to the State Treasurer a bonus equal to twelve and one-half per centum (12½%) of the amount of the bonus required under the provisions of the existing law

Section 5 In the case of the transfer tax imposed by the provisions of the act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" and its amendments the additional tax imposed by section one of this act shall be levied and collected on all transfers of property and estates taking effect by the death of the original grantor devisor donor or intestate or by the death of the person holding an intermediate life estate or by the expiration of an intermediate term of years or the happening of any other contingency at which time said transfer tax becomes payable at any time during the two fiscal years commencing on the first day of June one thousand nine hundred and twenty-three and ending on the thirty-first day of May one thousand nine hundred and twenty-five

Section 6 In the case of the stock transfer tax imposed by the provisions of the act approved the fourth day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and twenty-eight) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations copartnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" and its supplements and amendments additional stamps to the amount of twelve and one half per centum (12½%) of the amount now required shall be affixed in the manner provided by said acts on all transfers taxable under said acts during the two fiscal years commencing on the first day of June one thousand nine hundred and twenty-three and ending on the thirty-first day of May one thousand nine hundred and twenty-five

Section 7 In collecting the tax imposed by the provisions of this act the Auditor General and State Treasurer shall have all the powers and shall perform all the duties conferred and imposed on them in the collection of taxes under existing laws All persons copartnerships associations and corporations liable for any such tax shall be subject to the same liabilities and penalties for failure to pay the same as is provided in the case of the original tax The procedure for the assessment and collection of such tax shall be the same as prescribed by teh provisions of existing law for the corresponding tax now imposed

Section 8 In the event that any of the provisions of any existing law relating to taxation for State purposes is altered or amended by any law enacted by the General Assembly of one thousand nine hundred and twenty-three whether such acts were adopted prior to the passage of this act or shall be adopted subsequent to the passage of this act such change or amendment shall also be effective as to the provisions of this act In the event that any new tax for State purposes is imposed by any such law so enacted an additional tax amounting to twelve and one-half per centum (12½%) of the amount of such tax is hereby imposed during the first two years such tax shall be in force Such additional tax shall be assessed and collected in the manner and subject to the regulations and penalties provided for by such law

Section 9 This act shall remain in effect as to each tax hereby imposed until the date herein specified for each and no longer The expiration of this act as to any of such taxes shall not affect or impair the lien of any taxes assessed due owing or payable before such expiration or any remedies for the colection of the same nor shall it surrender any remedies powers rights or privileges acquired by the Commonwealth under this act or relieve any person association copartnership or corporation from any tax or penalty imposed by this or any other act of assembly

Section 10 The provisions of this act shall be independent of each other and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act nor prevent the collection of any of the taxes imposed by this act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. HARER. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of amendment.

Mr. HAWS. Mr. Speaker. I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 871, entitled:

An Act relating to pillows bolsters feather beds comfortables cushions and upholstered furniture regulating the making remaking renovating sterilizing disinfecting sale leasing delivering and consigning thereof and the possession thereof with intent to sell lease deliver or consign

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "new" as used in this act shall mean any material or article of which prior use has not been made

The word "secondhand" shall mean any material or article of which prior use has been made

The word "shoddy" shall mean any material which has been spun into yarn knit or woven into fabric and subsequently cut up torn up broken up or ground up

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "mattress" shall mean any quilted pad mattress mattress pad mattress protector bunk quilt or box spring stuffed or filled with excelsior straw hay grass corn husks moss fibre cotton wool hair jute kapok or other soft material to be used on a couch or other bed for sleeping or reclining purposes

The words "pillow" "bolster" or "feather bed" shall mean any bag case or covering made of cotton or other textile material and stuffed or filled with excelsior straw hay grass corn husks moss fibre cotton wool hair jute feathers feather down kapok or other soft material to be used on a bed couch divan sofa lounge or other article of upholstered furniture for sleeping or reclining purposes

The word "comfortable" shall mean any cover quilt or quilted article made of cotton or other textile material and stuffed or filled with fibre cotton wool hair jute feathers down kapok or other soft material to be used as a cover or covering for reclining or sleeping persons

The word "cushion" shall mean any bag or case made of leather cotton or other textile materials and stuffed or filled with excelsior hay grass corn husks tow moss fibre cotton wool hair feathers feather down kapok or other soft material to be used on a hammock chair couch divan sofa lounge or other article of furniture for reclining resting or sleeping purposes

The word "upholstered furniture" shall mean any article of furniture stuffed or filled with excelsior straw hay grass corn husks tow moss fibre cotton wool hair jute feathers feather down kapok or other soft material to be used for sitting resting or reclining purposes"

The word "new" as used in this act shall mean any material which has been spun into yarn knit or woven into fabric and subsequently cut up broken up or ground up

The word "person" as used herein shall include persons corporations co-partnerships and associations

Words used in the singular number shall include the plural and the plural the singular

On the question,

Will the House agree to the section?

Mr. PARKINSON. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 1, line 1, by inserting a bracket before the word "Section"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to as follows:

Section 2 No person shall employ or use in the making remaking or renovating of any mattress pillow bolster feather bed comfortable cushion or article of upholstered furniture (a) any material known as "shoddy" or any fabric or material from which "shoddy" is constructed (b) any secondhand material unless since last used such secondhand material has been thoroughly sterilized and disinfected by a reasonable process approved by the Commissioner of Labor and Industry (c) any new or secondhand feathers unless such new or secondhand feathers have been steralized and disenfected by a reasonable process approved by the Commissioner of Labor and Industry

The third section was read as follows:

Section 3 Any person engaged in the making remaking or renovating of any mattress pillow bolster comfortable cushion or article of upholstered furniture in which secondhand material is used or in the making of any new or secondhand feather or down filled article or engaged in sterilizing and disinfecting any material feathers or article comming under the provisions of this act shall submit to the Commissioner of Labor and Industry for approval a reasonable and effective process together with duplicate plans of apparatus or auxiliary devices for the sterilization and disinfection of secondhand material feathers and secondhandarticles herein enumerated

Upon the approval of such process for sterilization and disinfection a numbered permit for its use shall be issued to the applicant by the Commissioner Such permit shall expire one year from date of approval Every person to whom a permit has been issued shall keep such permit conspicuously posted in his office or place of business Refusal to display such permit in accordance with this act shall be sufficient reason to revoke and forfeit the permit

Nothing in this act shall prevent any person engaged in the making remaking renovating or sale of any article herein described which require sterilizing and disinfecting under the provisions hereof from having sterilized and disinfecting performed by any person to whom a permit for such purposes has been issued providing the number of the permit shall appear in the statement on the tag attached to the article

On the question,

Will the House agree to the section?

Mr. PARKINSON. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 3, page 8, line 23, by striking out the word "require" and inserting in lieu thereof: "requires."

Amend section 3, page 8, line 24, by striking out the word "sterilized" and inserting in lieu thereof: "such sterilizing."

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth, fifth sixth and seventh sections were separately read and agreed to as follows:

Section 4 All places where any mattress pillow bolster bed comfortable cushion or article of upholstered furniture is made remade or renovated or where materials for the herein named articles are prepared or establishment where said articles are offered for sale or are in possession of any person with intent to sell deliver or consign them or establishment where sterilizing and disinfecting is performed shall be subject to inspection by the Department of Labor and Industry to ascertain whether the materials and the finished articles herein enumerated conform to the requirements of this act

Section 5 No person shall sell lease offer to sell or lease or deliver or consign in sale or lease or have in his possession with intent to sell lease deliver or consign in sale or lease (a) any mattress pillow bolster feather bed comfortable cushion or article of upholstered furniture made remade or renovated in violation of this act (b) any secondhand mattress pillow bolster feather bed comfortable or upholstered furniture unless since last used it has been thoroughly sterilized and disinfected by a reasonable process approved by the Commissioner of Labor and Industry

Section 6 Each and every mattress or article covered by this act other than a feather or down filled pillow bolster bed comfortable or cushion shall bear securely attached thereto and visible on the outside covering a tag to be procured from the Department of Labor and Industry upon which shall be plainly and indelibly stamped or printed in English (a) a statement showing whether the materials used in filling said mattress or article are wholly new or secondhanded or partly secondhanded (b) the name and address of maker and vendor (c) the word secondhanded upon any article of which prior use has been made (d) the number of the permit issued for sterilizing and disinfecting

Each and every pillow or other article covered by this act in which feathers or down are used shall bear securely attached thereto and visible on the outside covering a tag to be procured from the Department of Labor and Industry upon which shall be plainly and indelibly stamped or printed in English (a) a statement that the feathers or down used in filling have been sterilized and disinfected in accordance with this act (b) the number of the feathers or the permit issued for sterilizing and disinfecting the feathers or down (c) the name and address of maker and vendor (d) the word secondhand upon a feather or down filled article of which prior use has been made (c) the number of permit issued for sterilizing and disinfecting

No additional information shall be contained in said statements

Section 7 The statement on the tag required by this act to be attached to any article covered by this act shall be not less than three by four and a half inches in size

The tag with the replica of the seal of this Commonwealth printed thereon shall be in the following form

OFFICIAL STATEMENT

Materials used in filling ....
....
....
....
Made by ....
Address ....
Vendor ....
Address ....

This article is made in compliance with the Act of Assembly of Pennsylvania approved ....
....
Permit number ....

It shall be unlawful for any person to imitate counterfeit sell or have in his possession any imitated or counterfeited tag required under the provisions of this act

It shall be unlawful to use exclusively in the said statement concerning any mattress pillow bolster comfortable cushion or article of upholstered furniture the word "Felt" or words of like import if any other than garnetted materials are used in filling or the words "Curled Hair" or words of like import if other than curled hair is used in filling

It shall be unlawful to stamp or print on a tag any misleading term or designation or to remove deface alter or in any manner attempt the same or cause to be removed defaced or altered any statement on a tag placed upon any article included in the provisions of this act

The eighth section was read as follows:

Section 8 The Commissioner of Labor and Industry is hereby authorized to contract for the printing of tabs required by the provisions of this act The Commissioner shall upon the application to him by any person furnish tags with the name and address printed thereon of the maker or renovator of any article covered by this act in quantities of not less than one thousand tags for which the applicant shall pay ten dollars for each one thousand tags

All fees collected under the provisions of this act shall be paid to the Commissioner of Labor and Industry and when so collected and paid shall thereafter be by the Commissioner of Labor and Industry paid into the State Treasury

The State Treasury shall establish a separate fund to be known as the Bedding and Upholstery Fund into which all moneys collected under the provsions of this act shall be paid and from which all expenditures necessary in carrying into effect the provisions of this act shall be paid

All moneys in the Bedding and Upholstery Fund from time to time are hereby specifically appropriated to the Department of Labor and Industry for the purpose of carrying into effect and provisions of this act and for the payment of salaries and expenses of Inspectors employes and for research or any other necessary expenses of the Department of Labor and Industry connected with the enforcement of this act

The money in the Bedding Upholstery Fund shall be paid to the use of the Department of Labor and Industry in advance from time to time as the same is required upon requisition by the Commissioner of Labor and Industry

The Auditor General shall upon requisition from time to time of the Commissioner of Labor and Industry and the proper accounting for moneys already advanced from the fund draw his warrant upon the State treasurer for the amount specified in such requisition not exceeding however the amount in such fund available for the purposes herein specified at the time such requisition is made

On the question,

Will the House agree to the section?

Mr. PARKINSON. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 8, page 16, line 21, by striking out the word "Upholtery" and inserting in lieu thereof: "Upholstery"

Amend section 8, page 17, line 1, by striking out the word "and" following the word "effect" and inserting in lieu thereof: "the"

Amend section 8, page 17, line 6, by inserting after the word "Bedding" the word: "and"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The ninth and tenth sections were separately read and agreed to as follows:

Section 9 The Department of Labor and Industry through its officers and employes is hereby charged with the administration and enforcement of this act

Section 10 Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof in a summary action before a magistrate alderman or justice of the peace shall be sentenced to pay a fine of not less than ten dollars and not more than fifty dollars for each offense and in fault of the payment of such fine to undergo an imprisonment of not less than ten days for each separate offense Provided That the total term of imprisonment at one time for additional offenses shall not exceed six months

Each mattress pillow bolster feather bed comfortable cushion or article of upholstered furniture made remade or renovated sold offered for sale delivered consigned or possessed with intent to sell deliver or consign contrary to the provisions hereof shall constitute a separate offense

Each imitated or counterfeited tag made used sold offered for sale delivered or consigned contrary to the provisions hereof shall constitute a separate offense

The Commissioner may revoke any permit issued under the provisions of this act if the person to whom the permit was issued has violated any provisions of this act or the rules of regulations etablished thereunder

The eleventh section was read as follows:

Section 11 It is the intention of the General Assembly that if this act cannot take effect in its entirety because the judgment of any court of competent jurisdiction holding unconstitutional any part or parts hereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

On the question,

Will the House agree to the section?

Mr. PARKINSON. Mr. Speaker, I desire to offer the followin amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 11, page 19, line 16, by inserting after the word "cause" the word: "of"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twelfth and thirteenth sections and title were separately read and agreed to as follows:

Section 12 The following acts which this act is to replace Act Number 90 approved May first one thousand nine hundred and thirteen (Pamphlet Laws one hundred and thirty-four) entitled "An Act defining mattresses regulating the making remaking and sale thereof prohibiting the use of unsanitary and unhealthy materials therein requiring that the materials used shall be accurately described and prescribing the manner in which mattresses shall be labeled providing for the enforcement of the provisions of this act making certain acts criminal and punishing the same imposing certain duties upon the Commissioner of Health and the Chief Factory Inspector and repealing Legislation inconsistent with this act" which was amended by Act two hundred and nineteen approved May fourteenth one thousand nine hundred and fifteen (Pamphlet Laws five hundred and ten) and all other acts or parts of acts inconsistent herewith or replaced hereby are repealed

Section 13 This act shall take effect January first one thousand nine hundred and twenty-four

An Act relating to pillow bolsters feather beds comfortables cushions and upholstered furniture regulating the making remaking renovating sterilizing disinfecting sale leasing delivering and consigning thereof and the possession thereof with intent to sell deliver or consign

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1426, (Senate Bill No. 649), entitled:

An Act to repeal the act approved the sixth day of June one thousand eight hundred and seventy-three (one thousand eight hundred and seventy-four Pamphlet Laws four hundred and ten) entitled "An Act to provide for the creation of a board of examiners and the appointment of an inspector of steam engines and steam boilers for the county of Allegheny"

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1456, (Senate Bill No. 570), entitled:

An Act providing for the merging of moneys held in certain special funds in the State Treasury with moneys in the general fund providing for the use of all moneys in the general fund for the payment of appropriations and for the payment from the general fund of moneys appropriated and dedicated for special purposes

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1392 (Senate Bill No. 600), entitled:

An Act to amend section one of the act approved the eighth day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred and fifteen) entitled "An Act to fix the salaries of the deputies in the offices of the clerk of the courts county controller recorder of deeds county treasurer chief deputy sheriff and chief clerk to the county commissioners in counties of this Commonwealth having over two hundred and fifty thousand population and less than four hundred thousand population by changing the manner of fixing salaries and prescribing the minimum thereof and making the act apply to counties of the third class

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1379, (Senate Bill No. 282), entitled:

An Act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of **House Bill No. 1118, entitled:**

An Act to further amend sections three nine and twenty-four of an act approved the thirtieth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred and seventy-eight) entitled "An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by or trailing after motor vehicles requiring the registration of the same and the licensing of all operators thereof providing the fees therefor and the disposition of such fees prohibiting the unauthorized use of and tampering with motor vehicles limiting and defining the powers of cities boroughs incorporated towns townships and counties as to the regulation of the use and equipment of motor vehicles and the taxing registration or licensing thereof imposing certain duties on the State Highway Commissioner and on proprietors of public garages providing procedure and penalties for violations thereof and the disposition of fines collected and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle" as amended changing the fees upon trucks limiting the weight of trucks and the number of trailers

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of an act approved the thirtieth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred and seventy-eight) entitled "An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by or trailing after motor vehicles requiring the registration of the same and the licensing of all operators thereof providing the fees therefor and the disposition of such fees prohibiting the unauthorized use of and tampering with motor vehicles limiting and defining the powers of cities boroughs incorporated towns townships and counties as to the regulation of the use and equipment of motor vehicles and the taxing registration or licensing thereof imposing certain duties on the State Commissioner and on proprietors of public garages providing procedure and penalties for violations thereof and the disposition of fines collected and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle" which was amended by an act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and eighty-two) entitled "An act to amend an act approved the thirtieth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred and seventy-eight) entitled 'An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by or trailing after motor vehicles requiring the registration of the same and the licensing of all operators thereof providing the fees therefor and the disposition of such fees prohibiting the unauthorized use of and tampering with motor vehicles limiting and defining the powers of cities boroughs incorporated towns townships and counties as to the regulation of the use and equipment of motor vehicles and the taxing registration or licensing thereof imposing certain duties on the State Highway Commissioner and on proprietors of public garages providing procedure and penalties for violations thereof and the disposition of fines collected and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle' providing additional requirements with regard to applications for and transfers of registrations and with regard to speed and weight of and lights upon motor vehicles requiring operators to carry registration certificates providing standard tests to ascertain the vision and hearing of operators providing for the payment of certain witness fees authorizing officers to stop and examine motor vehicles designating the officers before whom information may be brought and imposing additional penalties" is hereby further amended to read as follows

Section 3 Application for the registration of motor vehicles shall be made to the State Highway Department upon a blank provided for the purpose by the department The application shall contain the full name and residence of the owner or owners (not in excess of two in the case of joint ownerships) together with a sworn statement containing the name manufacturer's number motor number the character of the motive power and the horsepower and in the case of commercial vehicles the chassis of which weighs more than two thousand (2,000) pounds the gross weight of the chassis as given and certified to by the manufacturer and also such description of the motor vehicle including lights and other equipment as the State Highway Department shall require If the owner or owners of a motor vehicle be a natural person or natural persons desirous of operating the motor vehicle the application shall contain a sworn statement that such person is more than sixteen (16) years of age and is mentally and physically qualified to operate a motor vehicle as refined in this act The application shall be signed by the owner or owners if natural persons and in cases where the owner is a corporation by the president vice-president secretary treasurer or other executive officer thereof or some person specifically authorized by said corporation to execute the same

Applicants for registration who are not residents of this Commonwealth shall in their application in addition to the above requirements designate the State Highway Commissioner as their authorized agent upon whom process may be served

The horsepower of motor vehicles except those propelled by steam or electricity shall be computed by the following formula Diameter of the bore in inches squared times the number of cylinders times four-tenths (4) The accepted horsepower for the registration of motor vehicles propelled by steam or electricity shall be that given and certified to by the manufacturer

Upon receipt of the application and the proper fee the State Highway Department shall register the said motor vehicle in a book or index kept for that purpose and shall issue to the owner or owners a registration certificate and in case the motor vehicle is owned by a natural person who in the application has expressed a desire to operate the same shall issue to the owner or owners (not exceeding two) an owner's license which shall entitle the holder or holders provided such person is more than sixteen (16) years of age and is not mentally or physically disqualified to lawfully operate any motor vehicle Said license shall not be valid until signed by the holder or holders thereof The registration certificate shall show the name and address of the owner or owners the name type horsepower manufacturer's number the motor number of the vehicle and the registration number thereof and shall at all times be carried with the motor vehicle for which registration has been issued but shall not be valid until signed by the holder or holders thereof

No motor vehicle on which the manufacturer's number or motor number has been omitted obliterated or defaced shall be registerable without special permit from the State Highway Commissioner

Before issuing a registration certificate for any such motor vehicle the Highway Commissioner shall require information as to the date of purchase of such vehicle and the name and address of the person whom it was purchased together with satisfactory evidence that the number was not removed for the purpose of concealing the identity of such vehicle He shall require that a special number designated by him shall be immediately stamped thereon Such number shall be preceded by the letter "S" and followed by "Pa" and the registration will not be valid until this requirement has been complied with

No motor vehicle or trailer except hook-and-ladder trucks and water-towers shall be registerable that exceeds an outside over-all length of three hundred thirty-six inches (336) or width of ninety (90) inches or that exceeds a gross weight including chassis body and load of twenty thousand (20,000) pounds Provided That the restriction as to length shall not apply to motor vehicles registered or contracted for prior to the passage of this act And further provided

That vehicles registered in classes E and F may be operated with an over-all width of vehicle and load not exceeding ninety-six (96) inches on highways of cities of the first second and third class

Any person or persons knowingly making any misstatement of facts in his or their application for registration of a motor vehicle shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than two hundred ($200) dollars or more than five hundred ($500) dolars or imprisonment for one year or both at the discretion of the court and the State Highway Commissioner shall upon proper evidence of such misstatement revoke the registration of the motor vehicle so registered

It shall be the duty of the registered owner of every motor vehicle to notify the State Highway Department of any change in his place of residence within one week after such change is made

On the question,

Will the House agree to the section?

Mr. BLAIR. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 5, line 27, by inserting after the word "without" the word "a."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 That section nine of the said act is hereby further amended to read as follows

Section 9 The fee for the registration of a motorcycle shall be three ($3) dollars and for the registration of a bicycle with motor attached two ($2) dollars

The fee for registration of motor vehicles except such as are equipped with metal tires when registered prior to August first of any year shall be at the rate of forty (40) cents for each horsepower or fractional part thereof Provided That the minimum fee shall be ten ($10) dollars

The fees for the registration of commercial motor vehicles the chassis of which weighs less than two thousand (2,000) pounds shall be on the basis of horsepower Provided That the minimum fee shall be fifteen ($15) dollars

Commercial vehicles with pneumatic tires the chassis of which weighs two thousand (2,000) pounds or more shall be divided into seven (7) classes

The fees for each such vehicle in class AA the chassis of which weighs two thousand (2,000) pounds and less than three thousand (3,000) pounds shall be twenty-four ($24) dollars

The fee for each such vehicle in class A the chassis of which weighs three thousand (3,000) pounds and less than four thousand (4,000) pounds shall be thirty-two ($32) dollars

The fee for each such vehicle in class B the chassis of which weighs four thousand (4,000) pounds and less than five thousand (5,000) pounds shall be forty ($40) dollars

The fee for each such vehicle in class C the chassis of which weighs five thousand (5,000) pounds and less than six thousand (6,000) pounds shall be fifty-six ($56) dollars

The fee for each such vehicle in class D the chassis of which weighs six thousand (6,000) pounds and less than seven thousand five hundred (7,500) pounds shall be eighty ($80) dollars

The fee for each such vehicle in class E the chassis of which weighs seven thousand five hundred (7,500) pounds and less than eight thousand five hundred (8,500) pounds shall be one hundred ($100) dollars

The fee for each such vehicle in class F the chassis of which weighs over eight thousand five hundred (8,500) pounds shall be one hundred and forty ($140) dollars

Commercial vehicles with solid rubber tires the chassis of which weights two thousand (2,000) pounds or over shall be divided into seven (7) classes

The fees for each such vehicle in class AA the chassis of which weighs two thousand (2,000) pounds and less than three thousand (3,000) pounds shall be thirty ($30) dollars

The fee for each such vehicle in class A the chassis of which weighs three thousand (3,000) pounds and less than four thousand (4,000) pounds shall be forty ($40) dollars

The fee for each such vehicle in class B the chassis of which weighs four thousand (4,000) pounds and less than five thousand (5,000) pounds shall be fifty ($50) dollars

The fee for each such vehicle in class C the chassis of which weighs five thousand (5,000) pounds and less than six thousand (6,000) pounds shall be seventy ($70) dollars

The fee for each such vehicle in class D the chassis of which weighs six thousand (6,000) pounds and less than seven thousand five hundred (7,500) pounds shall be one hundred ($100) dollars

The fee for each such vehicle in class E the chassis of which weighs seven thousand five hundred (7,500) pounds and less than eight thousand five hundred (8,500) pounds shall be one hundred and twenty-five ($125) dollars

The fee for each such vehicle in class F the chassis of which weighs eight thousand five hundred (8,500) pounds or over shall be two hundred ($200) dollars

The fees for registration of electrically operated commercial motor vehicles whether equipped with pneumatic or solid rubber tires shall be on the same basis as the fees specified in this section for commercial motor vehicles with pneumatic tires

Tractor trucks with semi-trailer attachments shall be registered as one vehicle the registration fee for which shall be computed according to the table of weights and fees specified in this act for commercial motor vehicles and upon the basis of the chassis weight of tractor plus the weight of semi-trailer attachment

No registration shall be required of a trailer weighting less than five hundred (500) pounds

The fee shall be two ($2) dollars for each trailer weighing five hundred (500) pounds and less than seven hundred and fifty (7503 pounds

Five ($5) dollars for each trailer weighing seven hundred and fifty (750) pounds and less than one thousand (1,000) pounds

Ten ($10) dollars for each trailer weighing one thousand (1,000) pounds and less than two thousand (2.000) pounds

Fifteen ($15) dollars for each trailer weighing two thousand (2,000) pounds or more

The fee for the registration of any motor vehicle or trailer equipped with metal tires shall be double the regular fee for such vehicles

The fees for registration when issued on or after August first shall be one-half those hereinbefore named

The fee shall be five ($5) dollars for each certificate and number plate issued to persons registered as motorcycle dealers and ten ($10) dollars for each certificate and pair of number plates issued to persons registered as dealers in other motor vehicles

In addition to the registration fees hereinbefore provided there shall be collected by the State Highway Department for the registration or license years of one thousand nine hundred and twenty-four (1924) and one thousand nine hundred and twenty-five (1925) an additional registration fee for the registration of motor-cycles motor vehicles and trailers and for dealer's registration plates equal to fifty per centum of the registration fees hereinbefore fixed and such additional registration fee when collected and received by the State Highway Department shall be paid into the general fund of the State Treasury Such additional registration fees hereinbefore provided for are collected and no motor-cycle motor vehicle or trailer shall be registered by the State Highway Department unless said additional license fees have ben paid as herein provided

The fees herein set forth for the registration of motor vehicles and trailers shall be in lieu of any other fees or taxes to be imposed by this Commonwealth or any subdivision thereof and no city borough incorporated town township or county shall require or collect any registration or license fee or tax for any motor vehicle or license from any operator thereof except as to motor vehicles transporting passengers for pay or hire within the limits of any city or from points within such city to points outside the city limits

No fee shall be charged for the registration of motor vehicles owned and used by the United States the State of Pennsylvania or by any city borough incorporated town township or county duly authorized volunteer fire department hospital hunmane society or anti-cruelty society in this Commonwealth or by the American Red Cross but all such vehicles shall be registered and shall display number plates as is provided for privately owned vehicles

All registrations shall expire December thirty-first of the year issued unless sooner revoked for cause by the State Highway Commissioner

On the question,

Will the House agree to the section?

Mr. BLAIR. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 2, page 7, line 10, by inserting after the word "act" the following: as amended by the act approved the sixteenth day of May, one thousand nine hundred and twenty-one, (Pamphlet Laws five hundred and eighty two)

Amend sec. 2, page 12, line 13, by inserting after the word "outside" the word "of"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 That section twenty-four of the said act is hereby further amended to read as follows

Section 24 No motor vehicle of any description shall be used or operated on the public highways unless the engine be muffled so that the explosions thereof shall not constitute a nuisance to the public and no muffler cut-out shall be used on any public highway

No motor vehicle shall be used upon any public highway with chains or other devices projecting more than one (1) inch upon the tires thereof

No commercial motor vehicle shall be used or operated on any public highway the weight of which including chassis body and load shall be in excess of seven thousand (7,000) pounds for a vehicle in class AA (11,000) pounds for a vehicle in class A thirteen thousand (13,000) pounds for a vehicle in class B eighteen thousand (18,000) pounds for a vehicle in class C twenty-two thousand (22,000) pounds for a vehicle in class D and twenty-five thousand (25,000) pounds for a vehicle in class E and twenty-six thousand (26,000) pounds for a vehicle in class F and no commercial motor vehicle the chassis of which weighs less than two thousand (2,000) pounds shall be used or operated on any public highway when the weight of said chassis body and load combined exceeds five thousand (5,000) pounds

No motor vehicle or trailer shall be operated upon any public highway having a gross weight of vehicle and load combined in excess of twenty-six thousand (26,000) pounds or in excess of nineteen thousand five hundred (19,500) pounds on any axle or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel or that exceeds an over-all length of vehicle of three hundred and thirtysix (336) inches except hook-and-ladder trucks and water-towers or an overall vehicle and load of ninety (90) inches No motor vehicle shall be operated upon any public highway with more than one trailer thereto attached All commercial vehicles or trailers registered under this act shall have painted on a conspicuous place on the outside and on both sides of said vehicle or trailer the maximum weight limit of said vehicle or trailer including chassis body and load in figures three (3) inches high Any person or persons carrying on any motor vehicle or trailer a load in excess of the maximum carrying capacity as so fixed by this act or any person or persons who remove or disfigure said signs shall upon summary conviction thereof before a justice of the peace alderman or magistrate be subject to a fine of not less than one hundred ($100) dollars or more than two hundred ($200) dollars and the justice of the peace alderman or magistrate imposing such fine shall forthwith certify such convictions to the State Highway Commissioner of Pennsylvania who may forthwith revoke the license of any licensee so convicted

Any person intending to use a truck or trailer for special hauling gross weight of vehicle and load combined or of length in excess of the specifications hereinbefore mentioned shall apply to the State Highway Commissioner for permission so to do upon a blank in such form as the State Highway Department shall prescribe Such application shall set forth the location of the roads over which it is proposed to haul the counties townships and municipalities in which such roads are located the weight and length of truck and its number the number of trailers to be used the maximum capacity of such trailers the weight of each when empty the the kind of materials to be hauled and the date at which said hauling will be completed

The State Highway Commisisoner upon receipt of such application and a fee of five ($5) dollars shall immediately inform himself as to the condition of the highway mentioned in said application by referring the same to the local authorities or otherwise and if satisfied that the purposed use of such roadways will not result in damage thereto may grant a permit for such number of days and under such restrictions as in his discretion may be necessary to prevent extraordinary damage to the roads by reason of such hauling

All the provisions of this section shall apply to the owner of the motor vehicle or the person having control thereof who causes or permits such motor vehicle to be operated or equipped contrary to such provisions and any such person shall be deemed equally guilty with the operator of any violation thereof

On the question,

Will the House agree to the section?

Mr. BLAIR. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 3, page 12, line 25, by inserting after the word "act" the following: as amended by the act approved the sixteenth day of May, one thousand nine hundred and twenty-one, (P. L. 582)

Amend section 3, page 13, line 10, by inserting after the word "thirteen" the word thousand

Amend section 3, page 14, lines 3 and 4, by underscoring all the words after the word "inches" in line 3, to and including the word "attached" in line 4

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act to further amend sections three, nine and twenty-four of an act approved the thirtieth day of June, one thousand nine hundred and nineteen, (P. L. 678), entitled "An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof, and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle," as amended; changing the fees upon trucks, limiting the weight of trucks and the number of trailers

On the question,

Will the House agree to the title?

Mr. BLAIR. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, by striking out the following "changing the fees upon trucks" in next to the last line of the title, and insert in lieu thereof the following: "increasing registration fees for a temporary period of two years."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 48, entitled:

An Act relating to public service companies limiting their charges to services actually rendered or furnished requiring such companies to supply all instruments and devices necessary and incidental to their service prohibiting the discontinuance of service as a means collecting charges in certain cases and prescribing penalties

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person whether in his individual right or as trustee or other fiduciary copartnership of any kind whatsoever joint stock company or corporation entitled under any present or future law to carry on within this Commonwealth the business of furnishing manufacturing or selling gas water electric light electric power or telephone service shall impose upon the patrons or consumers of its service any charge commonly called a ready to serve charge or meter charge or meter rental charge or any other charge of any kind whatsoever except the charge imposed at its legal schedule rates for the service and commodity actually furnished or rendered to consumers thereof that those charges which are commonly called customers' costs or charges including meter reading meter inspection billing and bookkeeping may be divided among all customers receiving said service

It shall be the duty of every such person whether in his individual right or as trustee or other fiduciary copartnership of any kind whatsoever joint stock company or corporation entitled under any present or future law to carry on within this Commonwealth the business of furnishing manufacturing or selling gas water electric light electric power or telephone service to supply all instruments equipment and devices of whatsoever kind and charcter necessary and incidental to the ascertainment and measurement of the commodity furnished and without charge or expense to its consumers except as such expense may be reflected in its legal and fixed schedule rate for the commodity actually furnished

The second section was read as follows:

Section 2 If any public service corporation or company shall collect or attempt to collect any charge in If any person whether in his individual right or as trustee or other fiduciary copartnership of any kind whatsoever joint stock company or corporation entitled under any present or future law to carry on within this Commonwealth the business of furnishing manufacturing or selling gas water electric light electric power or telephone service shall collect or attempt to collect any charge in violation of the provisions of section one of this act by a discontinuation of service or otherwise such company shall be liable to a penalty of three hundred ($300.00) dollars for each offense which shall be recovered by an action in the name of the Commonwealth as penalties of like amount are now by law recoverable

On the question,
Will the House agree to the section?
Mr. HARER. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend section 2, page 2, line 25 by inserting before the first word in said line the following bracket "['

On the question,
Will the House agree to the amendment?
It was agreed to,
On the question,
Will the House agree to the section as amended?
It was agreed to.

The third and fourth sections and title were separately read and agreed to as follows:

Section 3 This act shall take effect on the first day of April one thousand nine hundred and twenty-four

Section 4 All acts and parts of acts inconsistent herewith are hereby repealed and all rulings or decisions of the Public Service Commission or of the courts inconsistent herewith are hereby declared null and void

An Act relating to public service companies limiting their charges to services actually rendered or furnished requiring such companies to supply all instruments and devices necessary and incidental to their service prohibiting the discontinuance of service as a means collecting charges in certain cases and prescribing penalties

And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 142, as follows:

An Act making an appropriation to the County of Philadelphia for the payment of a judgment obtained by the said county against the Commonwealth of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of six hundred and fifty thousand dollars ($650,000.00) or so much as may be necessary is hereby specifically appropriated to the County of Philadelphia for the following purposes

To pay the County of Philadelphia a judgment in the sum of five hundred ninety-one thousand one hundred nineteen dollars and twenty-three cents ($591,119.23) with interest thereon from May five one thousand nine hundred and twenty-two and costs in the sum of nine hundred ninety-five dollars and eighty-six cents ($995.86) recovered by the County of Philadelphia in an action against the Commonwealth of Pennsylvania instituted in the court of Common Pleas number five of Philadelphia County number two thousand three hundred and forty three of December Term one thousand nine hundred and seventeen under and pursuant to the terms of an act of general assembly of the Commonwealth of Pennsylvania approved the twenty-second day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred and thirty-six) and affirmed by the Supreme Court of Pennsylvania on May two one thousand nine hundred and twenty-one two hundred and seventy Pennsylvania three hundred and fifty-three as to procedure therefor and affirmed thereafter by the Supreme Court of Pennsylvania on January three one thousand nine hundred and twenty-three two hundred and seventy-five Pennsylvania as to the amount of the judgment to be entered The said judgment being for moneys advanced by the County of Philadelphia for the payment of expenses in the conduct of the Fall Primary Election held in the County of Philadelphia on September thirtieth one thousand nine hundred and eleven of the Spring Primary Election held in the County of Philadelphia on April thirtenth one thousand nine hundred and twelve of the Fall Primary Election held in the County of Philadelphia on September sixteenth one thousand nine hundred and thirteen and of the Spring Primary Election held in the County of Philadelphia on May nineteenth one thousand nine hundred and fourteen together with interest thereon as affirmed by the Supreme Court of Pennsylvania

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 581, as follows:

An Act imposing a poll tax for county purposes on male and female residents over the age of twenty-one years and abolishing the occupation tax

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all persons male and female over the age of twenty-one years residing within any county of this Commonwealth shall be required to pay an annual poll tax of fifty cents for county purposes which tax shall be assessed and collected in the same manner as other county taxes All county taxes now assessed and collected on salaries and emoluments of office on offices and posts of profit professions trades and occupations by the laws of this Commonwealth are hereby abolished saving the right to counties to collect all such taxes assessed prior to the passage of this act

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1244, entitled:

An Act relating to the regulation of brick work and inspection of same in cities of the second third and fourth class and other municipalities within the Commonwealth wherein such work is performed and inspectors are employed providing for the appointment of inspectors and penalties for the violation of this act

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in cities of the second third and fourth class and in municipalities within the Commonwealth of Pennsylvania all brick work shall be performed in accordance with this act and not otherwise that all brickwork performed in and about the erection of hospitals schools dwellings apartments warehouses and other buildings wherein human beings shal be housed collected or assembled in numbers or wherein shall be placed or stored machinery and materials or both being of excessive or dangerous weight said buildings being recognized and known as "strong" durable and slushed built buildings with mortars specified by the Architects' Association of Pennsylvania

On the question,

Will the House agree to the section?

Mr. McCAIG. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 1, line 4, by inserting after the word "second" the word "and"

Amend section 1, page 1, line 4, by striking out the words "and fourth"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second, third and fourth sections were separately read and agreed to as follows:

Section 2 All floors partitions and furred walls in hospitals schools dwellings apartments warehouses and other buildings where tile shall be used the tile shall be hard burnt durable and of sufficient strength to stand the necessary stress and strain required in said buildings and be laid with full bed cross joints made from good trowel motar

Section 3 That all brickwork upon such buildings shall be laid plumb level and straight and in a workmanlike manner under the supervision of practical inspectors as hereinafter provided for

Section 4 Nothing in this act shall affect the laws of this Commonwealth relative to the erection of tenement houses in cities of the first second third and fourth class and in municipalities wherein brickwork and inspectors are employed

The fifth section was read as follows:

Section 5 In cities of the second class not less than two inspectors both of whom shall be competent and practical bricklayers of not less than ten years' experience having certificates of approval as competent and practical bricklayers by the Board of Examiners of the recognized bricklayers' organization of the particular district or districts in which they are appointed

On the question,

Will the House agree to the section?

Mr. McCAIG. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 5, page 2, line 20, by striking out the word "and" before the word "second"

Amend sec. 5, page 2, line 20, by inserting after the word "class" the following: "there shall be appointed by the Director of Public Works"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixth section was read as follows:

Section 6 It shall be the duty of the Bureau of Building Inspection in said cities and in such other bodies in other municipalities wthn the Commonwealth having authority and supervision over the erection of buildings as aforesaid to pass the necessary ordinance or ordinances to put this Act of Assembly in force and effect and to prescribe reasonable penalties for failure to comply with the provisions of the said ordinance or ordinances

On the question,

Will the House agree to the section?

Mr. McCAIG. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 6, page 2, lines 27 and 28, by striking out the words "it shall be the duty of the Bureau of Building Inspection in" and inserting in lieu thereof "the councils of"

Amend sec. 6, page 2, by striking out all the words beginning with "and" in line 28, page 2, and including the word "to" in line 2, on page 3, and inserting in lieu thereof "shall"

Amend sec. 6, page 3, line 4, by inserting after the word "effect" the following: "to fix the salaries of inspectors when authority has been given for their appointment"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventh and eighth sections were separately read and agreed to as follows:

Section 7 This act shall take effect on the first day of January one thousand nine hundred and twenty-four

Section 8 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

The title was read as follows:

An Act relating to the regulation of brick work and inspection of same in cities of the second third and fourth class and other municipalities within the Commonwealth wherein such work is performed and inspectors are employed providing for the appointment of inspectors and penalties for the violation of this act

On the question,

Will the House agree to the title?

Mr. McCAIG. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, page 1, lines 2 and 3, by striking out the words "and fourth"

Amend title, page 1, line 1, by inserting after the word "brick" the words "and tile"

Amend title, page 1, line 2, by inserting after the word "second" the word "and"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1338, as follows:

An Act providing a means whereby the individual justice of the peace may better inform himself as to the law changes in the law and decisions of the Courts on the law of this Commonwealth

Whereas The income of the office in a great majority of cases does not permit the maintaining of a private library therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That within six months after the pasage of this act the County Commissioners of each county in this Comonwealth may provide furnish and thereafter maintain to date in the court house an approved digest of the laws and court decisions of this Commonwealth which shall be available at all reasonable times for the use of the Justice of the peace of the Commonwealth

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1368, (Senate Bill No. 30), entitled:

An Act to amend an act approved May fifth one thousand nine hundred and twenty-one (Pamphlet Laws three hundred seventy-nine) entitled "An Act to amend an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand fifty-nine) entitled 'An Act extending the powers of judges of courts of quarter sessions and of oyer and terminer in relation to releasing prisoners in jails and workhouses on parole' by extending said act to include houses of correction conferring similar powers on other courts of record and providing that the power of parole shall extend for a period not to exceed the maximum sentence as provided by law" providing the procedure in cases of parole conferring power to parole upon the several courts instead of judges thereof and fixing the time when petitions for parole may be first presented.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 861, (Senate Bill No. 46), entitled:

An Act making an appropriation to carry into effect the provisions of an act approved the ninth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred fourteen), entitled "An Act providing for the erection and construction by the Commonwealth of Pennsylvania and the state of New Jersey of a bridge over the Delaware River, connecting the city of Philadelphia and the city of Camden and the approaches thereto; providing for a joint commission for that purpose and defining its powers and duties; providing for an independent commission in this Commonwealth in relation thereto and defining its powers and duties; providing for the payment of a part of the cost thereof by the city of Philadephia and providing for the acquiring, taking and condemenation of the real estate for the site and approaches thereof; providing for the turning over of said bridge upon its completion and making an appropriation for the purposes of this act" and its amendments.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1449, (Senate Bill No. 496), entitled:

An Act to further amend section two of an act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as amended

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 673, entitled:

An Act to amend section one of the act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and eighty) entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll-bridges over the Delaware River and making an appropriation therefor"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and eighty) entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll-bridges over the Delaware River and making an appropriation therefor" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "bridge" wherever used in this act shall mean any bridge over the Delaware River between the Commonwealth of Pennsylvania and the State of New York which is municipally owned or to cross which toll is charged except such bridges as are used exclusively for railroad or railway purposes and shall include the actual bridge the approaches thereto and all real and personal property including the franchise belonging to the owner or owners of such bridge used in the operation and maintenance of same

On the question,

Will the House agree to the section?

Mr. GILCHRIST. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, lines 20 and 21, by underscoring the following: "which is municipality owned or."

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section one of the act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and eighty) entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll-bridges over the Delaware River and making an appropriation therefor"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1448, (Senate Bill No. 448), entitled:

An Act providing for the transfer to Pennsylvania of the titles to and liens affecting any lands heretofore regarded as being in the State of Delaware but found to be in Pennsylvania in accordance with the interstate boundary run by the joint commission of said States appointed by virtue of the act of Assembly of Pennsylvania approved the fourth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws eighty-one) entitled "An act relative to the boundary lines and boundary line monuments"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1435, (Senate Bill No. 686), entitled:

An Act relating to the registration and re-registration of nurses by the State Board of Examiners for Registration of nurses and the issuance of a license to practice nursing

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

TIME EXTENDED ON BILL.

Mr. HALL. Mr. Speaker, I move that an extension of five days be granted on House Bill No. 808, file folio 2879, entitled:

An Act to prohibit corporations from interposing the defense of usuary in any action

on page 17 of today's calendar. Bills on Third reading. Postponed.

Mr. ALEXANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

ADJOURNMENT.

Mr. ZOOK. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 11:00 o'clock.

The motion was agreed to and at 11:59 P. M. the House adjourned until tomorrow at 11:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

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SENATE

TUESDAY, May 1, 1923.

The Senate met at 11:00 o'clock A. M.

The PRESIDENT (Lieutenant-Governor David J. Davis) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Almighty God: As we come together this morning, we are reminded how swiftly the days are passing. One month is gone and another has begun. We cannot recall the past. Whether for good or for ill it has left us forever. Nor are we certain of the future on earth. We have no mortgage on a single day. Only the present is ours. Help us to accept it thankfully and to spend it well. May we always live so that whenever the end may come and Thou shalt call us hence, we may have the blessed consciousness that we have tried to do our duty.

We ask it in the name of our Lord and Savior, Jesus Christ. Amen.

JOURNAL APPROVED.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when on motion of Mr. LESLIE the further heading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE.

Mr. MANSFIELD asked and obtained leave of absence for the Senator from Clearfield, Mr. Betts, for the balance of the week.

BILLS SIGNED.

The PRESIDENT (Lieutenant-Governor, David J Davis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Asembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 461, entitled:

An Act defining and regulating the business of dry cleaning and dyeing providing for the manintenance construction and inspection of dry cleaning and dying buildings and establishments providing for enforcing the act and penalties for violation thereof

Senate Bill No. 500, entitled:

An Act to amend section one of the act approved the twenty-second day of April, one thousand nine hundred and fifteen, (P. L. 167), entitled "An Act authorizing the Commissioner of Labor and Industry to appoint additional officers and employes in the Department of Labor and Industry; fixing their duties and salaries, and increasing the salaries of the chief medical inspector, chief of the bureau of statistics and information, and the chief clerk;" by providing for additional supervising inspectors.

Senate Bill No. 645, entitled:

A supplement to an act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Appropriation Acts page 142) entitled "An act making an appropriation to the State Industrial Home for Women at Muncy reappropriating certain appropriations heretofore made to the State Industrial Home for Women at Muncy

Senate Bill No. 47, entitled:

An act to amend section eleven of the act approved June 13, 1840 (P. L. 683), entitled "A supplement to an act entitled 'an act, relating to the elections of this Commonwealth,' passed the second day of July, A. D. 1839, and for other purposes;" allowing constables mileage for advertising elections, and compensation for advertising elections where there is more than one polling place in a district. Said mileage and compensation to be paid by counties.

Senate Bill No. 198, entitled:

An act to amend section seventy-four of an act approved the second day of July 1831 (Pamphlet Laws five hundred and nineteen) entitled "An act relating to the Elections of this Commonwealth" as amended

Senate Bill No. 203, entitled:

A joint resolution proposing an amendment to Article three Section six of the Constitution of the Commonwealth of Pennsylvania so that the subject of an amendment or supplement to a law and the subject to which such law is extended or on which it is conferred shall be clearly expressed in its title

Senate Bill No. 217, entitled:

An Act to amend section one of an act approved the thirteenth day of April one thousand eight hundred and eighty-seven (Pamphlet Laws twenty-one) entitled "An act for the establishment of a uniform standard of time throughout the Commonwealth" prohibiting the adoption of other standard time

Senate Bill No. 233, entitled:

An act to further amend section one of an act approved the fifth day of March A. D. 1906 (Pamphlet Laws sixty-three) entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for the violation of its provisions"

Senate Bill No. 366, entitled:

An act to permit the service of writs of scire facias in certain cases in any county of the Commonwealth and providing by whom such service shall be made

Senate Bill No. 489, entitled:

An act to amend section two of the act of April nineteenth one thousand nine hundred and one Pamphlet Laws eighty-eight entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued

Senate Bill No. 589, entitled:

An act authorizing sheriffs in counties of the fourth class to appoint a solicitor prescribing the duties of said solicitor and fixing his salary

Senate Bill No. 601, entitled:

An act authorizing boards of revision of taxes and boards for the assessment and revision of taxes to hear and dispose of appeals away from the county seat

Whereupon,

The PRESIDENT (Lieutenant Governor David J. Davis) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES.

Mr. MacDADE from the Committee on Judiciary General, reported as committed, Senate Bill No. 878, entitled:

An Act to amend section eleven of the act approved June 20, 1919, (P. L. 521), entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal."

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 848, (House Bill No. 962) entitled:

An Act to amend sections twenty, forty, and forty-seven of an act entitled "An act relating to Warehouse Receipts approved the eleventh day of March A. D. one thousand nine hundred and nine."

Mr. NORTON, from the Committee on Elections, reported as committed, Senate Bill No. 933, (House Bill No. 882), entitled:

An Act to amend section thirteen of the act approved January 30, 1874 (P. L. 31) entitled "A further supplement to the act regulating elections in this Commonwealth" as amended by authorizing the members of the Board for receiving computing and certifying election returns to act when a majority of the members thereof are not qualified.

Also from the Committee on Elections, reported as committed, Senate Bill No. 934, (House Bill No. 883), entitled:

An Act to amend the fourth paragraph of section fourteen of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

Also from the Committee on Insurance, reported as committed, Senate Bill No. 524, (House Bill No. 317), entitled:

An Act to amend section one of an act approved the seventeenth day of May, one thousand nine hundred and nineteen, (P. L. 208), entitled "An Act prohibiting, under certain conditions, the commutation, encumbrance, or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto; prohibiting the attachment of such proceeds and income; and authorizing life insurance companies to hold such proceeds as part of the general corporate funds," by extending the same to the proceeds and income from policies issued by both domestic and foreign companies.

Mr. SNYDER, from the Committee on Education, reported as committed, Senate Bill No. 799, entitled:

An Act to amend section seven hundred and nine of the act approved the 18th of May, 1911, (P. L. 509) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Mr. CULBERTSON, from the Committee on Judiciary General, reported as amended, Senate Bill No. 782, entitled:

An Act to amend section nineteen of an act approved the second day of May, one thousand nine hundred and five (Pamphlet Laws, three hundred and fifty-two), entitled "An Act to regulate the employment, in all kinds of industrial establishments, of women and children employed at wages or salary, by regulating the age at which minors can be employed and the mode of certifying the same, and by fixing the hours of labor for women and minors; to provide for the safety of all employes in all industrial establishments, and of men, women and children in school-houses, academies, seminaries, colleges, hotels, hospitals, storehouses, office buildings, public halls and places of amusements, in which proper fire escapes, exits and extinguishers are required; to provide for the health of all employes, and of men, women and children in all such establishments, storehouses and buildings, by proper sanitary appliances; and to provide for the appointment of inspectors, office clerks and others who, with the Chief Factory Inspector, shall constitute the Department of Factory Inspection; to enforce the same, and providing penalties for violations of the provisions thereof; fixing the term and salaries of the Chief Factory Inspector and his appointees," by providing for inspection of boilers by the Department of Labor and Industry, for examination and certification of boiler inspectors and a fee therefor, for issuance of certificates of operation and a fee therefor, and, for the use of the fees collected.

Also from the Committee on Judiciary General, re-reported as committed, Senate Bill No. 661, (House Bill No. 276), entitled:

An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior Acts of Assembly.

Mr. ARON, from the Committee on Judiciary General, reported as amended, Senate Bill No. 535, (House Bill No. 536), entitled:

An Act to amend sections two, three, four, five as amended, seven, eight, nine and ten of the act approved March 30, 1917 (P. L. 21) entitled "An Act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given to said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith."

Mr. KUTZ, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1073, entitled:

An Act to amend section 301 and sections 306 and 307, as amended, of an act approved the second day of June 1915, (P. L. 736), entitled "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," defining injuries to include occupational diseases, and injuries in the course of employment, and injuries occuring anywhere upon the premises of the employer upon which the employe is employed; extending the right of compensation to employes working in violation of the laws of the Commonwealth; increasing compensation periods and schedules, and fixing the time when compensation shall begin; removing the limitation of compensation in cases of total disability; providing compensation for partial disability upon termination of total disability; providing compensation for loss of toes hearing, vision, mutilations and disfigurements, permanent loss of use of thumbs, fingers and toes, and permanent loss of the industrial use of a hand, foot, leg, or eye; lengthening the period during which medical services, medicines and supplies and hospital treatment shall be furnished by the employer, and increasing the maximum cost thereof; granting compensation to fathers mothers and sisters actually dependent, and presuming conclusively and dependency of minors; and providing for payment of compensation to children immediately after the remarriage of a widow.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 977, entitled:

An act prohibiting the purchase, sale, acceptance as a pledge or pawn, offering for sale, stealing or conversion of medals, buttons, insignias or decorations granted by the Government of the United States for service in the army, navy, marine or nurses corps.

Mr. CHRISTLEY, from the Committee on Judiciary General, reported as committed, Senate Bill No. 923, (House Bill No. 598), entitled:

An Act declaring the construction to be given deeds, wills and other instruments in writing in which real and personal property is donated, granted devised or bequeathed either directly or in trust for the benefit of one or more persons for years or for life or upon condition with remainder over to the heirs or next of kin or to the persons thereunto entitled under the interstate laws or other similar or equivalent phrase.

Mr. STEELE, from the Committee on Banks and Building and Loan Associations, reported, as committed Senate Bill No. 1024, (House Bill No. 885), entitled:

An Act limiting the power of State banks banking companies trust companies savings banks and unincorporated banks to become surety on bonds

Mr. DERRICK, from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 980, entitled:

An Act to amend section one of an act approved the fifth day of April, one thousand nine hundred and seventeen, (P. L. 47), entitled "An Act specifying additional securities in which trustees or directors of savings banks, savings institutions, and provident institutions, chartered under general or special acts of Assembly, may invest moneys deposited therein."

Also from the Committee on Education, reported as committed Senate Bill No. 985, entitled:

An Act to amend section three hundred and twenty-nine, as amended, and section five hundred and fifty-four of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Mr. LONG, from the Committee on Elections, reported as amended, Senate Bill No. 802, entitled:

An Act to regulate nominations and elections for all offices of judges of courts of record; providing for non-partisan nominations and elections for said offices; abolishing certain existing methods of nomination in such cases and the use of party or political names or appellations at elections with respect to said offices; imposing certain duties upon the Secretary of the Commonwealth, county commissioners, and election officers and clerks; and providing penalties for the violation of the provisions hereof, and the punishment of certain offenses.

Mr. WOODWARD, from the Committee on Elections, reported as committed, Senate Bill No. 914, (House Bill No. 246), entitled:

A Joint Resolution proposing an amendment to section eleven of article eight of the Constitution of Pennsylvania.

Mr. VARE, from the Committee on Elections, reported as committed, Senate Bill No. 1038, (House Bill No. 469), entitled:

An Act to amend section three of an act, approved the twelfth day of July, one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to national party conventions, and of certain officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," as amended.

Mr. STINEMAN, from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 924, (House Bill No. 632), entitled:

An Act to amend an act approved May 20, 1921, (P. L. 991), entitled "An act restricting the appointment of corporated fiduciaries by testator or by any court or register of wills to corporations fully subject to supervision and examination by the Banking Department" by exempting certain corporations from the provisions thereof.

Also from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 1033, (House Bill No. 1335), entitled:

An Act relating to certain county officers in counties of the fifth class providing for their salaries and the compensation of deputies and clerks in the respective county offices establishing a salary board and defining its powers and duties placing certain duties on the county commissioners county controllers and county auditors, requiring the payment into the respective county treasury of the fees of such county officers and providing penalties for violations of this act.

Mr. SISSON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 961, (House Bill No. 1224), entitled:

An Act regulating service of process and authorizing the service of writs of summons and other process in actions for damages for breaches of covenants of warranty in any deed or conveyance of real estate in any county of the Commonwealth.

Mr. BARR, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1035, (House Bill No. 19), entitled:

An Act to provide for the physical welfare of all persons confined (whether such persons are tried or untried Prisoners) in any Penitentiary or County Prison in this Commonwealth.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 720, (House Bill No. 774), entitled:

An Act authorizing courts of quarter sessions to commit the care of certain burial grounds to the councils of boroughs townships commissioners and township supervisors of townships and requiring boroughs and townships to pay the expenses in connection therewith.

Mr. STITES, from the Committee on Judiciary General, reported as committed, Senate Bill No. 783, entitled:

An Act to amend section one of an act approved May 30, 1895, entitled "An act to provide for safety guards upon passenger elevators and providing a penalty for violation thereof."

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 784, entitled:

An Act to amend section twelve of an act approved May 2, 1905, (P. L. 352) entitled "An act to regulate the employment, in all kinds of industrial establishments, of women and children employed at wages or salary, by regulating the age at which minors can be employed and the mode of certifying the same, and by fixing the hours of labor for women and minors; to provide for the safety of all employes in all industrial establishments, and of men, women and children in school-houses, academies, seminaries, colleges, hotels, hospitals, storehouses, office buildings, public halls and places of amusements, in which proper fire-escapes, exits and extinguishers are required, to provide for the health of all employes, and of men, women and children in all such establishments, storehouses and buildings, by proper sanitary appliances; and to provide for the appointment of inspectors, office clerks and others, who with the Chief Factory Inspector, shall constitute the Department of Factory Inspection; to enforce the same, and providing penalties for violations of the provisions thereof; fixing the term and salaries of the Chief Factory Inspector and his appointees" by providing for inspection of elevators by the Department of Labor and Industry, for examination and certification of elevator inspectors for an examination fee for issuance of certificates of operation and a fee therefor, and for the use of the fees collected.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 1071, entitled:

An Act to validate deeds and conveyances defectively acknowledged prior to the fourth day of April, one thousand nine hundred and one.

Also from the Committee on Insurance, reported as committed, Senate Bill No. 1006, entitled:

An Act exempting in certain cases the net proceeds of life insurance policies or annuities from the claims of creditors.

Mr. JOYCE, from the Committee on Judiciary General, reported as committed, Senate Bill No. 751, entitled:

An Act to amend section two hundred and eighty-six of an act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An act concerning townships; and revising, amending and consolidating the law relating thereto."

Mr. SMITH, from the Committee on Elections, reported as committed, Senate Bill No. 993, entitled:

An Act to amend section seventeen of an act, approved the twelfth day of July, one thousand nine hundred and thirteen, (P. L. 719) entitled "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation."

Mr. SCHANTZ, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 508, entitled:

An Act constituting the board of trustees of Washington and Jefferson College a commission to provide a memorial to the memory of the late James A. Beaver.

Also from the Committee on Appropriations, re-reported as amended, Senate Bill No. 763, entitled:

An Act relating to the preparation of a new Constitution of the Commonwealth by a convention and its adoption or rejection by the people and making an appropriation.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 956, (House Bill No. 1203), entitled:

An Act providing a method through which the Commonwealth may cooperate with individuals in building fences to protect farm crops and fruit orchards against damage from wild deer and making an appropriation.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 969, (House Bill No. 1345), entitled:

An Act to enable an incorporated hospital association to acquire by lease or purchase any State owned hospital specially devoted to the reception, care and treatment of injured persons or of any State owned general medical and surgical hospital and to provide for the regulation and management thereof.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 979, entitled:

An Act to authorize the trustees of The Pennsylvania State College to borrow funds for the erection and equipment of buildings and to liquidate present mortgage indebtedness.

Mr. HUFFMAN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1078, entitled:

An Act regulating the sale, offering for sale, barter, exchange and giving of tickets, cards, or other tokens evidencing the right to reserve seat in and of admission to any theatre, concert hall, circus, show, ball-park, athletic hall, or fields, or other place of amusement; and providing penalties.

Mr. CLARK, from the Committee on Game and Fisheries, re-reported as amended, Senate Bill No. 660, (House Bill No. 234), entitled:

An Act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto.

Also from the Committee on Banks and Building and Loan Associations, re-reported as amended, Senate Bill No. 101, entitled:

An Act for the registration and regulation of certain individuals and entities selling offering for sale or delivery soliciting subscriptions to or orders for or undertaking to dispose of inviting offers for or inquiries about or dealing in any manner in securities defined therein conferring powers and imposing duties on the Commissioner of Banking and otherwise providing for the administration of this act prescribing penalties and making an appropriation.

Mr. WEAVER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 580, entitled:

An Act to enable city, county, poor, ward, school, borough, and township tax collectors, their executors and administrators or their surety or sureties, to collect taxes for the payment of which they have become personally liable by the expiration of the authority of their respective bonds, or warrants or terms of office, and to extend the time for the collection of the same, for a period of two years from the passage of this act; and authorizing such taxes to be entered as municipal liens, and the land of which such taxes were assessed to be sold.

Mr. SNYDER, from the Committee on Public Health and Sanitation, re-reported as committed, Senate Bill No. 786, entitled:

A supplement to an act approved the twenty-first day of March one thousand nine hundred twenty-three entitled "An Act for the prevention of fraud and the protection of the public health relating to milk cream or skimmed milk whether or not condensed evaporated concentrated dried powdered or dessicated prohibiting the introduction of foreign fats into them regulating the sale of and defining condensed concentrated and evaporated milk stipulating penalties for the infraction thereof and providing for the enforcement thereof" defining condensed concentrated and evaporated skimmed milk and compounds thereof regulating the manufacture sale and exchange thereof and providing penalties.

Mr. SALUS, from the Committee on Elections, reported as committed, Senate Bill No. 80, entitled:

An Act to repeal the act approved the fifth day of March, one thousand, nine hundred and six, (P. L. 63), entitled "An Act to provide for the personal registration of electors in cities of the third class of this Commonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for violation of its provisions," and the amendments and supplements thereto.

Also from the Committee on Elections, reported as committed, Senate Bill No. 81 entitled:

An Act to amend sections two, three, four and six of the act approved the twenty-fifth day of July, one thousand nine hundred and thirteen, (P. L. 1043), entitled "An act to provide for the registration and enrollment of the voters of the State according to their respective party preferences; fixing the compensation of assessors and registry assessors for making said registration and enrollment; and prescribing penalties for false registration or enrollment, and for voters voting or attempting to vote, and for the election officers wilfully permitting or conspiring to permit them to vote, at a primary, by or on any other than their own party ticket;" providing for the enrollment of electors in cities of the third class by assessors and registry assessors.

Also from the Committee on Elections, reported as committed, Senate Bill No. 516, entitled:

An act providing for the appointment and election of assistant assessors for election purposes in certain wards in cities of the third class; fixing their terms of office; and providing for their compensation.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 1063, entitled:

An act to amend section seventeen of the act approved the twentieth day of June, one thousand nine hundred and nineteen, (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal."

Mr. WEAVER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 833, (House Bill No. 830), entitled:

An Act amending section one of an Act entitled, "A further supplement to an Act, entitled 'An Act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expense thereof,' approved the fifth day of May, one thousand nine hundred and eleven; constituting the said court the juvenile court of said county and prescribing its organization, jurisdiction and powers therein and otherwise," approved the nineteenth day of March, one thousand nine hundred and fifteen, by providing that the said county court sitting as a juvenile court shall have sole jurisdiction in all proceedings for the custody of dependent, neglected, incorrigible and delinquent children.

Mr. ARON, from the Committee on Judiciary General, re-reported as committed, Senate Bill No. 539, (House Bill No. 588), entitled:

An Act to regulate the allotting or subdividing of land in cities of the second class by regulating the recording in the office of the Recorder of Deeds of a map or plat prior to the sale conveyance or mortgaging of any part thereof and providing penalties for the violation of the act.

Also from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1039, (House Bill No. 704), entitled:

An Act requiring the filing of plans and specifications for buildings, public works highways or improvements undertaken by boroughs, townships poor districts or school districts in the office of the clerk of the court of quarter sessions and requiring copies to be published by the secretary architect or engineer of the municipality to applicants therefor

Mr. KRAUSE, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1080, entitled:

An Act amending section 2 of article XV, of an act, entitled "An act for the better government of cities of the first class of this Commonwealth."

Mr. MacDADE, from the Committee on Judiciary General, reported as committed, Senate Bill No. 834, (House Bill No. 848), entitled:

An Act to provide for the care, treatment and maintenance of dependent crippled children conferring powers in connection therewith upon the Department of Public Welfare and Juvenile Courts and imposing certain expenses upon counties.

Mr. SCHANTZ, from the Committee on Appropriations, reported as committed, Senate Bill No. 1070, entitled:

An Act to amend part of section two of the act approved the twenty-seventh day of May, 1921 (Appropriation Acts, page 33), entitled "An act to provide for the ordinary expenses of the Executive, Judicial, and Legislative Departments of the Commonwealth, interest on the public debt and the support of the public schools, for the two fiscal years beginning June first, one thousand nine hundred and twenty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1921."

RECESS.

Mr. SCHANTZ. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

BILLS INTRODUCED.

Mr. CULBERTSON read in his place and presented to the Chair Senate Bill No. 1084, entitled:

An Act requiring all State institutions to use bread stuffs made from Pennsylvania milled flour and corn meal and milled from Pennsylvania grown wheat, rye and corn.

Which was committed to the Committee on Agriculture.

Mr. NORTON read in his place and presented to the Chair Senate Bill No. 1085, entitled:

An Act making an appropriation to the Saint Joseph's Hospital of Reading, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. MANSFIELD read in his place and presented to the Chair Senate Bill No. 1086, entitled:

A Joint Resolution proposing an amendment to section one, article eight of the Constitution of Pennsylvania.

Which was committed to the Committee on Elections.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 1087 entitled:

A Joint Resolution proposing an amendment to section sixteen or article eight of the Constitution of Pennsylvania.

Which was committed to the Committee on Elections.

Mr. HARRIS read in his place and presented to the Chair Senate Bill No. 1088, entitled:

An Act providing that at the close of each general municipal, primary and special election in counties of the second class, the contents of the ballot box in each district shall be deposited as a court record with the prothonotary of the county and providing for its preservation and inspection and repealing acts inconsistent herewith.

Which was committed to the Committee on Elections.

Mr. McCLINTOCK read in his place and presented to the Chair Senate Bill No. 1089, entitled:

A Joint resolution proposing an amendment to section fourteen of article eight of the Constitution of Pennsylvania.

Which was committed to the Committee on Elections.

Mr. SPROWLS read in his place and presented to the Chair Senate Bill No. 1090, entitled:

An Act reappropriating certain moneys to the Trustees of the Pennsylvania Training School at Morganza, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. STITES read in his place and presented to the Chair Senate Bill No. 1091, entitled:

An Act to amend sections four hundred and twenty-eight and four hundred twenty-nine and to repeal section four hundred and twenty-six of the act approved July 14, 1917, (P. L. 840) entitled "An act concerning townships; and revising, amending, and consolidating the law relating thereto."

Which was committed to the Committee on New Counties and County Seats.

QUESTION OF PERSONAL PRIVILEGE.

Mr. DAIX. Mr. President, I arise to a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia, Mr. Daix, will state his question of personal privilege.

Mr. DAIX. On behalf of the Committee on the Memorial Services for the late Senator Penrose, I want to call the attention of the members of the Senate to the fact that there are a number of Congressmen here from the various districts; they are not known by the members of this Committee, and I ask you to see your respective Congressmen and ask them to meet with you here in the Senate at two o'clock, to proceed in a body over to the House to attend the joint session.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 449, as follows:

An Act to amend so much of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution" is hereby amended to read as follows

The county of Chester shall elect three members and shall be divided into two districts as follows

The city of Coatesville the boroughs of Atglen Avondale Oxford Parkesburg and Westgrove and the townships of East Fallowfield East Nottingham Elk Franklin Highland London Britain London Grove Londonderry Lower Oxford New Garden New London Penn Upper Oxford West Fallowfield West Marlboro and West Nottingham shall constitute the first district and elect one member

The boroughs of Downingtown Elverson Honeybrook Kennett Square Malvern Phoenixville Spring City and West Chester and the townships of Birmingham Caln Charlestown East Bradford East Brandywine East Caln East Coventry East Goshen East Marlboro East Nantmeal East Pikeland East Vincent East Whiteland Easttown Honeybrook Kennett Newlin North Coventry Pennsbury Pocopson Sadsbury Schuylkill South Coventry Thornbury Tredyffryn Upper Uwchlan Uwcnlan Valley Wallace Warwick West Bradford West Brandywine West Caln West Goshen West Nantmeal West Pikeland West Sadsbury West Whiteland Westtown and Willistown shall constitute the second district and elect two members

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
DeWitt,
Einstein,
Leslie,
Long,
Sisson,
Smith,

Barr,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
MacDade,
Mansfield,
McClintock,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate rsumed the consideration of Senate Bill No. 267, as follows:

An Act relating to the collection of city county school poor and other taxes in the several cities of the third class in this Commonwealth providing that the city treasurer of each of said cities shall be the collector of the said several taxes prescribing his duties providing for his compensation authorizing him to appoint deputy collectors and clerks and providing for their compensation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter the city treasurer of each of the cities of the third class in this Commonwealth by virtue of his office shall collect all city county school poor and other taxes levied and collected in said cities

Section 2 At the same time said city treasurer enters upon his duties he shall take and subscribe his oath of office as collector of said city county school poor and other taxes which oath shall be filed with the city clerk of the proper city

Section 3 The several city county school poor and other authorities now or which may hereafter be empowered to levy taxes upon persons and property within said cities of the third class shall make out and deliver their respective duplicates of taxes levied to the said treasurer at the times now required to be made out and delivered which duplicates shall be accompanied with the warrants of the proper authorities directing and authorizing the said city treasurer as collector of taxes to collect the same Said warrants shall be executed by the same officers of the respective authorities and in the same manner as they now are

Section 4 Said city treasurer as such collector of taxes shall have power to appoint each year as many deputies and clerks not exceeding the number fixed each year by the said several authorities as he in his judgment may need

Section 5 The said treasurer as collector of taxes before entering upon his duties shall give bond in the usual form to the respective authority levying the taxes in an amount to be by it fixed with corporate or at least two sufficient sureties to be by said authority approved conditioned that the said treasurer as collector of taxes shall and will well and truly collect and pay over or account for according to law the whole amount of the taxes charged and assessed in the duplicates which shall be delivered to him during his term of office In the case of city taxes the said treasurer shall be required to give but one bond which shall include his duties as city treasurer and as collector of city taxes All bonds given as aforesaid shall cover the full term of office of the said treasurer Provided always That should any of the said authorities levying any tax be of the opinion at any time that the bond given as aforesaid is not sufficient the said authority may require the said treasurer as collector to give additional security to be approved in the manner aforesaid but the said collector shall not in any event be required to give bond or bonds aggregating an amount in excess of the tax to be collected by him

Section 6 The said treasurer as collector of taxes shall keep his office in the same place occupied by him as city treasurer which shall be kept open for the receipt of taxes at all times during business hours All printing and stationery shall be furnished by the proper authorities respectively and upon the expiration of the office of said Treasurer he shall turn over to his duly qualified successor in office all duplicates books papers accounts receipts and other matters

Section 7 The said treasurer as collector of taxes shall at least once a month pay over to himself and to the treasurers of the other authorities for whom he collect taxes or charge himself therewith all the city county school poor and other taxes collected by him and at the same time he shall make a return or report to the proper city authority and to the treasurers of the other authorities verified by affidavit showing the amount of and what have been collected by him

Section 8 The said treasurer as collector of taxes shall finally settle with the respective authorities whose taxes he collects at the times the collectors for said taxes now settle and pay over the amounts respectively charged against him except such sums as he may be exonerated from collecting by the proper authorities which exonerations may be in the manner heretofore practiced

Section 9 Upon the settlement of the duplicates of said taxes which by law are a lien on real estate it shall be the duty of the said treasurer as collector of said taxes to make out separate schedules of each of said taxes uncollected upon his duplicates with a brief description of the properties against which the same are assessed for the purpose of having the same entered for lien or sold in accordance with existing laws or which may hereafter be enacted Each schedule shall be accompanied by his affidavit thereto setting forth that after the proper efforts he could not find sufficient personal property out of which the said taxes or any part thereof could be made or collected as provided by law Provided however That the failure of the said collector to to collect the said taxes from personal property when the same could have been collected shall not impair the lien thereof or affect any sale made for the collection thereof And provided further That in case any collector shall make any willfully false return he shall be liable therefor to any person or persons injured thereby The schedule of unpaid city taxes shall be certified to the city solicitor of the respective city for filing in court with like force and effect as if certified by the city treasurer under existing laws Each of the other schedules of unpaid county school poor and other taxes when a lien shall be certified to such officer or person as is now or shall hereafter be designated to receive the same for filing as a lien in court and where no such person is designated the said schedule may be certified to the solicitor of the authority levying the tax who may cause the said taxes to be registered as a lien in court under existing laws and the certifying of the said schedules by the said treasurer as collector of taxes shall in all cases have the like effect as if the same had been certified by the city treasurer as aforesaid

Section 10 The final accounts and monthly returns of the said treasurer as collector of taxes shall be settled by the proper authorities and persons entitled to examine and audit the same and said collector shall in settling his duplicates state a separate account for each different tax collected by him

Section 11 Prior to the appointment or election of said treasurer the authorities for whom he is or will collect taxes shall together fix his annual compensation as such collector of taxes and in the determination of such compensation each of such authorities shall have but one vote The amount of compensation so fixed shall not be increased or decreased during the term of the appointment or election of said treasurer

Section 12 Prior to the beginning of each calendar year the authorities for whom said treasurer collects taxes shall fix the number of deputy collectors and clerks which he may be allowed to appoint to assist him during said year and the amount of compensation to be paid each deputy collectors and clerks during said year and in determining the number of said deputy collectors and clerks and their compensation each of said authorities shall have one vote

Section 13 The part of the compensation for said treasurer as tax collector and his deputy collectors and clerks to be paid by each of the respective authorities for whom said treasurer is collecting taxes shall be in the same proportion to his total compensation as the taxes collected by him for each of said respective authorities bears to the total taxes collected for all of said authorities

Section 14 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. SCHANTZ. Mr. President, I move to reconsider the vote by which the bill passed third reading.

Mr. LESLIE. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. SCHANTZ. Mr. President, I ask unanimous consent to amend by inserting the following section as section 14; "Section 14, This Act shall go into effect upon the expiration of the present terms of the City Treasurers hereby affected; also page 6, line 20, by striking out "14" and inserting in lieu thereof "15".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL OVER IN ORDER.

Mr. STITES. Mr. President, I ask that Senate Bill No. 613, on final passage reading, entitled:

An act amending sections one two and eleven of an act approved the twenty-third day of April one thousand nine hunded and three (Pamphlet Laws two hundred seventy-four) entitled "An act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such powers may be exercised " providing that the Juvenile Courts in the several counties of this Commonwealth shall have exclusive jurisdiction in all cases of juvenile delinquency

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 792, as follows:

An Act to amend section nine hundred six of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended conferring sole power of supervision over certain schools and institutions wholly or partly by the State upon the Council of Education

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section nine hundred six of the act approved the eighteen day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation tthereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which was amended by the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand and fourteen) entitled "An act to amend article nine of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' as amended creating a State Council of Education defining its powers and duties and transferring thereto the powers and duties now vested in the State Board of Education" is hereby further amended to read as follows

Section 906 To supervise and inspect to adopt standards for and to require reports financial or otherwise from schools and institutions wholly or partly supported by the State which are not supervised by the public school authorities including schools and institutions for the blind and the deaf and dumb To make recommendations to the Governor and the General Assembly of the amount of appropriations to be made to or for the use of any such school or institution and to supervise the expenditure thereof (Provided that) a copy of the report of the inspection of any such institution which may be made to the State Council of Education shall be sent to the head of such instituiton The powers conferred by this section shall be vested solely in the State Council of Education and shall not be exercised by any other department or State agency

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 846, (House Bill No. 928), as follows:

An Act providing for and regulating the public printing and binding the editing for publication and the distribution of all documents reports bulletins and other publications for the use of the Commonwealth the several departments boards commissions and other agencies engaged in the legislative judicial and administrative work of the State government the sale of waste paper the appointment of a Director and other employes and repealing inconsistent and conflicting legislation

ARTICLE I

Section 1 The term "director" as used in this act is declared to be the Director of Publications or such other officer or person who shall be designated in conformity with law and is charged with the responsibility for the public printing and binding

The term "public printing and binding" as used in this act is declared to include the editing for publication of all matter to be printed the reading and revising of all proof and the procurement of all printing binding lithographing cuts plates dies and supplies and materials incident thereto for the use of the Commonwealth and the several departments boards bureaus commissions divisions and other agencies engaged in the legislative judicial and administrative work of the State government and the distribution of the same

The term "proposal" as used in this act is declared to be and include all bids in writing upon specifications furnished by the Director

The term "contract" as used in this act is declared to be any agreement in writing between the Commonwealth and any person firm or corporation for public printing and binding and the word "contractor" any person firm or corporation so contracting

The term "specification" as used in this act is declared to be detailed information schedules lists plans and data with maximum prices therefor upon which proposals shall be based and contracts made

Section 2 The Director shall have the power and his duty shall be

(a) To edit for publication all reports bulletins and other publications of the various departments boards and commissions of the State government

(b) With the approval of the President pro tempore of the Senate and the Speaker of the House of Representatives to determine the size and character of the various publications to be printed for the use of the General Assembly provided that the quantity of any new publication for the members and officers of the General Assembly shall be fixed by act or resolution and provided that the members and officers of the General Assembly shall receive not less than the same number of advance sheets of the Laws Bills Calendars Journals Pamphlet Laws Department Reports and other publications as is now authorized by law which shall be distributed to the members and officers of the General Assembly only on the requisition of the Librarian of the Senate and the Resident Clerk of the House of Representatives

With the approval of the Governor to determine the need size character quantity and method of distribution of the various publications to be printed for the use of the several departments boards commissions and other agencies engaged in the administrative work of the government Provided That in the case of reports made by the several departments boards or commissions the department board or commission making the report shall be consulted with regard to the size character quantity and method of distribution of such reports

With the approval of the Governor and of the Chief Justice of the Supreme Court of Pennsylvania to determine the size character quantity and method of distribution of the various publications to be printed for the use of the judicial department

(c) To enter into contracts for furnishing all printing used in hte legislative and other departments of government and the printing binding and distributing of the laws journals department reports and all other printing and binding which contracts shall be given to the lowest responsible bidder below such maximum price and under such regulations not inconsistent with this act as may now or hereafter be fixed by law and shall be subject to the approval of the Governor Auditor General and State Treasurer

Section 3 For the purpose of carrying out the provisions of this act the Director is hereby authorized by and with the consent and approval of the Governor to appoint such assistants clerks and other employes as shall in his opinion be necessary and fix their salaries

Section 4 All contracts for public printing and binding shall be for a term of not less than one year nor more than four years and said Director shall have the right to divide said printing and binding into as many classes and enter into as many contracts therefor as he shall deem proper and advisable in carrying out the provisions of this act and said Director is hereby authorized to make said classifications and to prepare specifications schedules and contracts subject to the approval of the Governor State Treasurer and Auditor General and all contracts shall be executed by the Director the Governor State Treasurer and Auditor General

Section 5 That not less than two months prior to the termination of any contract now existing or the termination or expiration of any contract hereafter entered into the Director shall advertise for proposals for public printing and binding said advertisements for such proposals shall be published for at least three days the first and last insertion of which shall be published at least ten days apart in one or more newspapers of general circulation published in Philadelphia Pittsburgh Harrisburg and five other places within the Commonwealth

Section 6 All proposals shall be submitted upon blanks furnished by the Director on or before the time fixed for opening said proposals and each proposal shall be in duplicate one of which shall be marked "Duplicate Proposal" each proposal shall be accompanied by certified check to the order of the State Treasurer in such an amount as shall be determined by the Director the Governor Auditor General and State Treasurer and designated in said advertisement the Director shall open all proposals received in the presence of those bidding and shall proceed publicly to award the contract or contracts for which bids were asked to the lowest responsible bidder or bidders below the maximum price or prices fixed in the schedule or schedules prepared by the Director and if any such bidder refuses or neglects to accept a contract awarded to him within ten days then such contract may be awarded to the next lowest bidder and so on until such contract shall be awarded and accepted Provided however That the Director shall have the right to reject any and all bids and when all bids shall be so refused the Director shall advertise again for proposals giving at least ten (10) days' notice thereof by advertisement and said proposals to be opened awarded and approved in like manner as hereinbefore provided

Section 7 The certified checks of all unsuccessful bidders to whom no contracts were awarded shall be returned to the makers thereof but any bidder to whom a contract has been awarded and who has neglected or failed to enter into the contract or contracts awarded to him in the manner and upon the terms herein provided shall be liable to the Commonwealth for the difference between the amount of his bid and the bid of the person or persons to whom said contract shall afterwards be awarded and in addition thereto all costs and expenses necessarily incurred by reason of his neglect or failure and as liquidated damages therefor there shall be retained by the Commonwealth out of the amount of said certified check the amount required to reimburse the Commonwealth for said loss

Section 8 No contract shall be entered into with any contractor until after such contractor has furnished a sufficient bond to the Commonwealth in such form and amount as may be prescribed by the Director conditioned for the faithful performance of the terms of the contract and shall have as surety a surety company authorized to act as such surety in this Commonwealth said bond and the terms thereof to be approved by the Attorney General

Section 9 No public printing and binding shall be performed for any department board commission or other agency of the State government or any officer thereof unless authorized in writing by the Director and no printing or binding whatsoever shall be done by the contractor at the expense of the Commonwealth except upon such written order or authorization and the contractor shall not proceed with any work until he shall have received from the Director a written order and full instruction therefor And provided that all printing and binding required for the work of the General Assembly shall be furnished only on requisition made by the Chief Clerk or Librarian for the Senate and the Chief Clerk or Resident Clerk for the House of Representatives

Section 10 The rates of compensation for the public printing and binding for all objects of charge against the Commonwealth by the contractor shall be according to the schedules set out in the specifications furnished by the Director and incorporated in the contract and no printing and binding or other work or material whatsoever shall be done or frnished by the contractor that is not set forth in the schedules or specifications incorporated in the contract unless authorized in writing by the Director and the price therefor designated by him and if the contractor shall proceed with any such printing and binding without such authorization in writing the Director shall have the right to condemn such unauthorized work whereupon the contractor shall not be entitled to receive any compensation whatsoever therefor or the Director if he shall accept such unauthorized printing and binding shall fix a reasonable price therefor which said price shall in no case exceed the lowest rate or rates at which the same can be obtained elsewhere by said Director and said contractor shall be bound by the rate or rates so fixed by said Director and shall in no case recover any additional sum or amount

Section 11 There shall be provided by the Director and incorporated in every contract made hereunder provision for delivery of all printing binding and other work done by the contractor the time when delivery must be made and reasonable penalties for delay in such delivery

Section 12 All documents shall be distributed upon requisitions of the persons entitled to make requisition therefor as determined under section two of this act and upon receipt of any proper requisition the Director shall cause the same to be packed in packages or boxes as the case may be addressed as required in the requisition and delivered personally at the office of the Director or free at the post office express or freight office indicated in the requisition and the Director shall furnish blank requisition forms to officials or persons entitled to make requisitions for documents

Section 13 The librarian of the Senate the resident clerk of the House the heads of the various departments of the government the chairman of each commission or committee on or before the first day of June of each year shall file with the Director a statement showing the number of documents of each kind respectively on hand in excess of the number needed in the performance of the work of the respective departments committees or other branches of the State government which excess shall be turned over to the Director and his receipt taken therefor All such documents not needed shall be sold as waste paper by the Director and as hereinafter provided and all money received from the sale thereof shall be paid into the State Treasury for the use of the Commonwealth

Section 14 The Director from time to time shall solicit by advertising proposals for the purchase of all the waste paper documents and other materials that have been accumulated and are no longer needed and the Director is hereby authorized to make sale thereof by contract or contracts to the highest bidder upon such terms and conditions as he shall determine provided that he shall have the right to reject any and all proposals for the sale and further provided that it shall be unlawful for any officer or employe of the State government other than the said Director to sell or offer for sale any document waste paper or other materials incident thereto

Section 15 For the purpose of carrying out the provisions of this act there shall be appointed by the Governor by and with the advice and consent of the Senate within thirty days after this act shall go into effect and every four (4) years thereafter a Director of Publications who shall have had at least five (5) years' experience in practical editorial work and who shall be a qualified printer who shall be commissioned by the Governor to serve for a term of four (4) years from the date of his appointment and until his successor is duly qualified who shall receive an annual salary of Seven Thousand Dollors ($7,000.00) and in case of vacancy in the office of Director by reason of death resignation or otherwise the Governor shall appoint a qualified person to fill such vacancy for the unexpired balance of the term

Section 16 The Director shall before entering upon the duties of his office take and subscribe to the oath of office prescribed by the Constitution the same to be filed in the office of the Secretary of the Commonwealth and give a bond in such penal sum as shall be fixed by the Governor with surety to be approved by the Attorney General conditioned for the faithful discharge of the duties of his office

Section 17 The Director shall have an office in the Capitol Building which shall be kept open and accessible throughout the year to all persons interested in the performance of his official duties and he shall not be interested directly or indirectly in the public printing and binding nor in furnishing the material therefor nor in supplying stationery blanks or other materials whatsoever to the State government or any part thereof

Section 18 The Director shall keep complete records of all printing and binding and of all materials and supplies incident thereto furnished by the Commonwealth for the use of any department board commission or other agency of the State Government ordered to be done by the contractor or contractors and shall examine and approve all accounts before payment thereof and after approval thereof by the said Director the Auditor General shall draw his warrant on the State Treasurer in favor of the contractor for the amounts due and owing under the terms and provisions of the contract in the same manner as other public accounts are now payable

Section 19 Nothing contained in this act shall in any way interfere with any contract now existing for supplying the State with printing and binding or material and supplies incident thereto

Section 20 The following acts and parts of acts are specifically repealed

The act entitled "An act to create the Department of Public Printing and Binding to carry out the provisions of Section twelve Article three of the Constitution in relation to the public printing and binding and the supply of paper and other materials therefor" approved the seventh day of February Anno Domini one thousand nine hundred and five (Pamphlet Laws three) also the act entitled "An act to amend sections one ten fourteen sixteen eighteen twenty-one twenty-three twenty-five twenty-eight thirty-one thirty-four thirty-five thirty-seven thirty-eight and forty-two of an act entitled 'An act to create the Department of Public Printing and Binding to carry out the provisions of secion twelve article three of the Constitution in relation to the public printing and binding and the supply of paper and other materials therefor' approved the seventh day of February Anno Domini one thousand nine hundred and five by further regulating said department and by further regulating the public printing and binding and the supply of paper and other materials therefor" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws two hundred and ten) also the act entitled "An act to amend an act approved the seventh day of February one thousand nine hundred five (Pamphlet Laws three) entitled 'An act to create the Department of Public Printing and Binding to carry out the provisions of section twelve article three of the Constitution in relation to the public printing and binding and the supply of paper and other materials therefor' as amended" approved the twenty-third day of July Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws eleven hundred and twenty-eight) also the act entitled "An act to amend an act approved the seventh day of February one thousand nine hundred and five (Pamphlet Laws three) entitled 'An act to create the Department of Public Printing and Binding to carry out the provisions of section twelve article three of the Constitution in relation to the public printing and binding and the supply of paper and other materials therefor' as amended" approved the sixteenth day of February Anno Domini one thousand nine hundred and twenty-one (Pamphlet Laws five) also the act entitled "An act creating a Division of Documents defining its powers and duties regulating the number of documents to be printed bound and the requisition distribution and sale of the public documents of this Commonwealth providing penalties for the violation of this act and repealing certain acts" approved the twenty-second day of July Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws ten hundred and ninety-seven)

Section 21 All other acts and parts of acts inconsistent herewith are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown;
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—1.

Lanius,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 864, (House Bill No. 1313), as follows:

An Act to amend section ten of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) entitled "An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) entitled "An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" which was amended by the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and forty-three) entitled "An Act amending section ten of an act entitled 'An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) by changing the jurisdiction in civil actions" is hereby further amended to read as follows

Section 10 The said court hereby created shall have jurisdiction in all civil actions at law and in equity where the value of the matter or thing in controversy exclusive of interest and costs does not exceed the sum of two thousand five hundred dollars ($2,500) The amount claimed by the plaintiff where the said claim is for a sum certain shall be conclusive as to the jurisdiction of the court in all actions brought for the recovery of money and in actions at law or in equity not involving any sum certain the plaintiff shall file with his statement a certificate as to the amount of the thing or matter in controversy The said court shall also have jurisdiction in any civil cases transferred shall also have jurisdiction in adoption proceedings and in any civil cases transferred to it by order of a majority of the judges of any court of common pleas of Philadelphia County

The said court shall also have authority with the consent of the court of common pleas to transfer to that court all suits wrongfully brought in the municipal court in excess of its jurisdictions

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. DAIX. Mr. President, I move to reconsider the vote by which the bill passed third reading.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill?

Mr. DAIX. Mr. President, I ask unanimous consent to amend section 1, page 3, line 3, by striking out all of said line.

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL OVER IN ORDER.

Mr. SNYDER. Mr. President, I ask that Senate Bill No. 872, on final passage, entitled:

An act to amend section three Article seven of the act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred sixty-eight) entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 937, (House Bill No. 916), as follows:

An Act to amend sections eighteen twenty-six thirty-two thirty-four thirty-eight fifty-four fifty-five fifty-six fifty-seven fifty-nine and sixty-one of an act entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine)

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eighteen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" is hereby amended to read as follows

Term of Office of General Field and Line Officers.

Section 18 The term of every general field and line officer and department officer other than those provided for in section nineteen shall be permanent or until removed for cause or other reasons provided in this act Provided That commissions now in force and which have been issued for a period of five years shall continue until termination of such period unless such commission be otherwise lawfully determined and annulled

When authorized by the Federal Government warrant officers may be appointed by the Governor under such regulations as may be prescribed by the Federal Government Any person commissioned or warranted as an officer of the Pennsylvania National Guard shall hold his position until he shall have reached the age of sixty-four years unless retired prior to that time by reason of resignation or other (legal) cause

Section 2. That section twenty-two of said act is hereby amended to read as follows

Retirement of Officers.

Section 22 Commissioned officers who shall have served forty years either as an officer or enlisted man or both in the Pennsylvania National Guard shall upon application made to the Adjutant General be retired from active service and placed upon the retired list as of the next higher grade except a major general whose grade upon the retired list shall remain the same and when any commissioned officer is sixty-four years of age he shall be retired from active service and may be placed upon the retired list as of the next higher grade except a major general whose grade on the retired list shall remain the same Provided That service in the volunteer forces of the United States or in the Army Navy or Marine Corps thereof during the War with Spain in Mexican Border Service or in any other Federal service may be included as twice its actual length in computing the forty years of service required for retired Commissioned officers who shall have served as such in the Pennsylvania National Guard or the Pennsylvania Reserve Militia or both may upon application to the Adjutant General be placed upon the retired list as of the highest grade such officers may have held in their service Provided That he shall have held a commission as an officer of the Pennsylvania National Guard or the Pennsylvania Reserve Militia or both for a period of at least ten years in the aggregate Provided further That service in the volunteer forces in the United States Army in the War with Spain in Mexican border service in the World War or in any other Federal service may be computed as of twice its actual length Provided further that where service in the war with Spain or the World War is computed then such retirement shall be of the next higher grade held in the service except in the case of a major general when the grade shall remain the same The Governor as Commander-in-Chief shall have power and is hereby authorized to relieve from active service and place upon the retired list as of the next higher grade any commissioned officer who has served continuously in any one grade for fifteen years The commission of any officer so relieved from active duty and placed upon the retired list shall be considered terminated and the office held by him as vacated When an officer has become incapable from any cause of performing the duties of his office he may be ordered before an efficiency board created as herein provided and sitting as a retiring board If he is found disqualified by reason of physical disability incurred in the line of duty he may be retired as of the next higher grade but if he is found disqualified for any other reason he shall be retired without increase in grade The action of every such board shall be subject to the approval of the Governor as Commander-in-Chief All retired officers shall be entitled to wear the uniform of their grade as retired officers of the Pennsylvania National Guard on all proper military or semi-military occasions

Section 3 That section twenty-six of said act is hereby amended to read as follows:

Discharge of Enlisted Men From the National Guard.

Section 26 An enlisted man discharged from service in the Pennsylvania National Guard shall receive a discharge in writing in such form and with such classification as is or shall be prescribed for the Regular Army and in time of peace discharges may be given prior to the expiration of terms of enlistment under such regulations as the Governor may prescribe subject to the restrictions of the National Defense Act or amendments thereto

On termination of an emergency in which the officers and enlisted men of the Pennsylvania National Guard shall have been drafted into the Federal Service by the President of the United States in accordance with the provisions of the National Defense act such drafted officers and enlisted men shall continue to serve in the National Guard until the dates upon which their commission or enlistment entered into prior to their draft into the Federal service would have expired if uninterrupted

Section 4 That section thirty-two of said act is hereby amended to read as follows

Pay of Officers and Men on Active Duty in State Service

Section 32 When the Pennsylvania National Guard or any part thereof is ordered on active duty by the Governor as Commander-in-Chief and pay is authorized for such duty under the order prescribing the performance thereof the commissioned officers and warrant officers so ordered shall be entitled to the same pay and allowance as officers of like grade and length of service in the Regular Army of the United States Provided That no officer shall receive less than the base pay of his grade as provided by Federal statute The grades of enlisted men shall be such as the Governor as Commander-in-Chief may from time to time direct and shall conform to the grades authorized in tables of organization for the National Guard published by the War Department When enlisted men are ordered on active duty as above prescribed their per diem pay shall be as follows First grade three dollars and fifty cents second grade three dollars third grade three dollars fourth grade two dollars and fifty cents fifth grade two dollars sixth grade one dollar and seventy-five cents seventh grade one dollar and fifty cents Under such regulations as the Governor as Commander-in-Chief may prescribe and conform with tables of organization authorized for the National Guard by the War Department enlisted men of the sixth and seventh grades may be rated as specialists and receive extra pay per diem as follows First class one dollar and twenty-five cents second class one dollar third class seventy-five cents fourth class fifty cents fifth class forty cents sixth class fifteen cents. Hereafter enlisted men shall receive an increase of ten per centum of their base pay for every five years of service in the National Guard or in the United States Army Navy or Marine Corps or for any two or more of these services combined Provided That such increase shall not exceed forty per centum of their base pay All payments of per diem pay and service pay shall be made by the Adjutant General in the usual manner No deductions shall be made from the pay of officers or enlisted men in active service for dues or other financial obligations imposed by any by-laws rules or regulations of a civic character

Section 5 That section thirty-four of said act is hereby amended to read as follows

Annual Appropriations

Section 34 Organizations of the Pennsylvania National Guard found upon examination of the reports made by an inspecting officer duly detailed for that purpose to be up to the standard required in strength drill discipline and efficiency shall receive in annual allowance the following money per annum which shall be used and expended solely for military purposes and for the use and benefit of the organization For dismounted troops at the rate of ten dollars ($10) per man per year Provided That no organization shall receive less than a minimum sum of five hundred dollars or more than a maximum sum of seven hundred and fifty dollars per year for mounted or motorized troops at the rate of fifteen dollars ($15) per man per year Provided That no such mounted or motorized organization shall receive less per year than a mimimum sum of seven hundred and fifty dollars and more than a maximum sum of one thousand dollars per year Such allowances shall be computed by the Adjutant General from the strength of the unit as reported on May thirty-first of each year Newly organized units shall receive a pro rata share of the above named allowance for the portion of the fiscal year in which they are in service Provided That such allowance be based on the actual strength of the organization at the time of its entrance into the service the said allowances to be paid by the Adjutant General in the usual manner to the commanding officer of the respective organization but it shall be the duty of the Adjutant General before paying any of the said allowance in money to procure by purchase or otherwise and issue for each enlisted man not already provided therewith such articles of dress uniform and such articles of service uniform and equipment as are required for field service and also such mess tents kitchen tents and military stores required by the respective organizations not furnished and paid for out of Federal funds and charge the cost of same to the said annual allowance and the balance if any to be paid and disbursed as hereinafter provided Provided however any regiment battalion squadron or company may at its own expense provide itself with other uniforms of such style and pattern as a majority of its officers may select and the Governor as Commander-in-Chief approve which uniform shall be the property of the organization or the individual members thereof No portion of any allowance made by the State to any organization shall be expended in procuring such special uniforms or in repairing or caring for the same No part of the annual allowances paid under the provisions of this act to the several organizations of the Pennsylvania National Guard shall be used in the purchase erection or construction of any armory unless the title thereto be vested in the Commonwealth The commanding officer of each organization shall at such time as the Governor as Commander-in-Chief may direct make a return to the Adjutant General containing an itemized account and statement of all disbursements of the money appropriated and paid to said organization and not previously accounted for which account and statement shall be verified by the proper original vouchers for such disbursements this accounting to be made under and in accordance with such regulations as may be prescribed by the Commander-in-Chief

Section 6 That section thirty-eight of said act is hereby amended to read as follows

Necessary Expenses of Headquarters

Section 38 The necessary military expenses of general division brigade regimental and separate battalion headquarters including clerk hire and other actual outlays shall be paid by the Adjutant General in the usual manner on the usual lawful vouchers to that effect duly sworn to or affirmed to by the commanding officer or the officer charged with the payment of the same such expenses in no event to exceed four thousand dollars ($4,000) per annum for the division five hundred ($500) dollars for each brigade headquarters fifteen hundred dollars ($1,500) for each regimental headquarters five hundred dollars ($500) for each battalion headquarters and headquarters of trains

Section 7 That section fifty-four of said act is hereby amended to read as follows

Section 54 General courts-martial in the Pennsylvania National Guard may be convened by order of the Governor or the Division Commander and such courts shall have the power to impose fines not exceeding two hundred dollars ($200) and such reasonable costs as they may assess to sentence to forfeiture of pay and allowances to reprimand to dismissal or dishonorable discharge from the service to a reduction of non-commissioned officers to the ranks or any two or more of such punishments may be combined in the sentences imposed by such courts Provided That sentence shall not become operative until after the approval thereof by the appointing power

Section 8 That section fifty-five of the said act is hereby amended to read as follows

Section 55 When not in the active service of the United State the commanding officer of each garrison fort post camp or other place brigade detached regiment or separate battalion or other detached or separate command may appoint special courts-martial for his command but such special courts-martial may in any case be appointed by superior authority when by the latter deemed desirable Special courts-martial shall have power to try any person subject to military law except a commissioned officer for any crime or offense made punishable by the military laws of the United States or of the Commonwealth of Pennsylvania and such special courts-martial shall have the same powers of punishment as do general courts-martial except that fines imposed by such special courts-martial shall not exceed one hundred dollars ($100) and such reasonable costs as they may assess Provided That sentence shall not become operative until after the approval thereof by the appointing power

Section 9 That section fifty-six of the said act is hereby amended to read as follows

Section 56 When not in the active service of the United States the commanding officer of each garrison fort post or other place regiment detached or separate battalion or company or other detachment of the Pennsylvania National Guard may appoint for such place or command summary courts-martial to consist of one officer who shall have power to administer oaths and to try the enlisted men of such place or command for breaches of discipline and violations of the laws governing such organizations except civic by-laws and said court when satisfied of the guilt of such soldier may impose fines not exceeding twenty-five dollars ($25.00) and such reasonable costs as they may assess for any single offense may sentence non-commissioned officers to reduction to the ranks may sentence to forfeiture of pay and allowances The proceedings of such summary court shall be informal and the minutes thereof shall be so far as practicable the same as prescribed for summary courts of the Army of the United States Provided That the sentence shall not become operative until after the approval thereof by the appointing power Such summary courts-martial may in any case be appointed by superior authority when by the latter deemed desirable

Section 10. That section fifty-seven of the said act is hereby amended to read as follows:

Section 57 All courts-martial of the Pennsylvania National Guard when not in the active service of the United States shall have power to sentence to confinement in lieu of fines and costs or any part thereof authorized to be imposed Provided That such sentence of confinement shall not exceed one day for each dollar of fine authorized and imposed Provided further That the sentence shall not become operative until after approval thereof by the appointing power

Section 11 That section fifty-nine of said act is hereby amended to read as follows

Section 59 When not in active service of the United States presidents of courts-martial and summary court officers shall have power to issue warrants directed to the sheriff of the proper county or any constable to arrest accused persons and to bring them before the court for trial Whenever such persons shall have disobeyed an order in writing from the convening authority to appear before such court a copy of the charge or charges having been delivered to the accused with such order in the manner provided by law for service of civil process and to issue subpoenas and subpoenas duces tecum and to enforce by attachment attendance of witnesses and the production of books and papers and to sentence for a refusal to be sworn or to answer as provided in actions before civil courts And provided That a president of a court-martial or a summary court officer may issue a proper certificate of commitment to the sheriff of a county or to any constable who may commit such person to any county prison pending trial In all cases the party accused of any crime or misdemeanor against military law shall be admitted to bail by one or more sufficient sureties to be taken before the President of a court martial or before a summary court officer before whom the charges have been preferred and to whom the charges have been referred by higher military authorities The amount of bail will be fixed by the officer before whom the accused is brought for trial or for commitment pending trial

Section 12 That section sixty-one of said act is hereby amended to read as follows

Duties of Jailers

Section 61 The keepers and wardens of all county jails are required to receive and confine all military offenders when delivered by such sheriff or constable under the proper certificate of commitment of a general special or summary court-martial pending trial and for and during the term of sentence as set forth in said commitment

And the amendments made thereto having been printed by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Aron,
Baldwin,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
Norton.
Patton,
Phipps,
Schantz,
Sisson,
Smith,
Sprowls,
Steele,

NAYS—7.

Barr,
Derrick,
McClintock,
Quigley,
Snyder,
Stites,
Vare,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON FINAL PASSAGE POSTPONED FOR THE PRESENT.

Mr. CRAIG. Mr. President, I move the Senate do now resume the consideration of Senate Bill No. 225, (House Bill No. 372), on final passage, postponed for present, entitled:

An Act to amend section forty-five of an act approved the fifteenth day of April, one thousand eight hundred and thirty-four (P. L. 509), entitled "An act relating to county rates and levies and township rates and levies." by removing the exemption of females from arrest and imprisonment for non-payment of taxes.

Mr. SNYDER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 225 (House Bill No. 372) entitled:

An Act to amend section forty-five of an act approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws five hundred and nine) entitled "An act relating to county rates and levies and township rates and levies" by removing the exemption of females from arrest and imprisonment for non-payment of taxes

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. CHRISTLEY. Mr. President, when this bill was before the Senate I voted against it, fearing that some industrious tax collector might work a hardship against the women by arresting them. After further consideration it seems to me that while there may be some objection to it, there are objections on the other side. As I take it every American citizen should be one hundred per cent American under our form of government and pay taxes, if they are going to participate in the functions of our government. That being true it seems to me that the tendency would be against women participating in the government of this country if this bill were passed. I have discovered that the commissioners all over the State are in favor of the passage of this bill, and I have great regard for the opinion of the county commissioners of the state. I have discovered that the school directors of the state are in favor of this bill, as well as the great majority of the women. I say this, that my vote, as I propose to cast it at this time, in favor of the bill, will not be misinterpreted by the Senate.

Mr. VARE. President, I, like the distinguished Senator who has just taken his seat, voted against this bill when it was first brought up in the Senate. Since that time I have been waited upon by numerous delegations of women from the different parts of the state and they have assured me, speaking for the women, that they do not desire any special privilege, that they want to be classed as citizens in accordance with the Constitution of the United States and having received that additional information I am prepared to vote for the bill.

Mr. SCHANTZ. Mr. President, I did vote for the bill the other time and I am going to vote for it again. Nevertheless, I just want to say this: Of course in many cases, unless in cases where women have separate estate, the husbands must, as they should, pay their taxes; they must provide for them and take care of them in all other respects, but at the same time it will afford an opportunity for some fellows who would like to get rid of their women by refusing to pay their taxes and having the tax collector send them to jail.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Aron,
Baldwin,
Buckman,
Christley,
Clark,
Harris,
Homsher,
Jones,
Krause,
Leslie,
Schantz,
Sisson,
Norton,
Patton,
Phipps,
Smith,
Snyder,
Sprowls,
Steele,
Stites,
Craig,
Culbertson,
Eyre,
Long,
Mansfield,
McClintock,
Quigley,
Salus,
Vare,
Weaver,

NAYS—11.

Barr,
Brown,
Davis,
Derrick,
DeWitt,
Heaton,
Joyce,
Kutz,
Lanius,
MacDade,
Sones,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 86, entitled:

An act to further amend the fifth section of an act entitled "An act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof" approved May nineteenth Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six) as amended by fixing and determining the salaries of the assistant clerks of said court in counties of the first second third and fourth classes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,
Baldwin,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—2.

Barr,
Norton,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. SCHANTZ. Mr. President, I ask that Senate Bill No. 266, on third reading, entitled:

An Act providing for only one assessment of all property for taxation in cities of the third class within the Commonwealth directing said assessment to be made by the city assessors of said cities and said city assessors in addition to their duties as such assessors to perform all other duties now performed by the county assessors in said cities and requiring said cities to furnish copies of said assessment to each of the boards of school directors in said cities to each of the boards of county commissioners of the respective counties wherein said cities are located and to all other boards or authorities levying and collecting taxes in said cities and all taxes city school county poor and other taxes to be levied on said assessment

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 355, (House Bill No. 206), as follows:

An Act to further amend section three of the act approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued" as amended providing for the impounding of property where an affidavit is filed before issuing of the writ

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued" which was amended by the act approved the fourteenth day of April one thousand nine hundred and five (Pamphlet Laws one hundred and sixty-three) entitled "An act to supplement and amend section third of an act entitled 'An act relating to replevin and regulating the practice in cases where the writ of replevin is issued' approved the nineteenth day of April nineteen hundred and one permitting replevied property to be impounded in certain cases and regulating the practice in such cases" is hereby further amended to read as follows:

Section 3 The court or in vacation time a judge thereof at chambers may grant leave to any person upon an affidavit filed that the goods and chattels so replevied belong to him to intervene as party defendant in such suit and the defendant or party so intervening may file a counter bond within seventy-two hours after such goods or chattels have been replevied during which time said goods and chattels shall remain in the possession of the sheriff and which time may be extended by the court or in vacation time a judge thereof at chambers upon cause shown Such counter bond shall be given to the Commonwealth of Pennsylvania for the use of the parties interested in the same amount as the original bond and with like conditions Where several parties claim the right to give a counter bond and have possession of said goods and chattels the party who is in actual or constructive possession of the goods and chattels at the time the writ of replevin was served shall upon entering the proper counter bond be entitled to have said goods and chattels

Provided That in any action of replevin hereafter to be brought where the defendant or person intervening in such action claiming title to the property replevied shall enter a claim property bond therefor if the plaintiff at the time he files his bond and before the writ is issued did aver that by reason of the nature of such property or of any special circumstances connected with his alleged ownership thereof the actual pecuniary value of such property will not compensate him for the loss thereof the court or in vacation time any judge thereof at chambers shall order such property to be impounded in the custody of the sheriff or such other person as the court or in vacation time any judge thereof at chambers may designate to abide the final determination of the action provided the plaintiff shall exhibit an estimate of the probable necessary charges and expenses of the storage care or keep of such property pending the final determination of such action and shall pay or secure payment of such charges and expenses as the court or in vacation time any judge thereof at chambers shall approve

The amount of such security shall be fixed by the court or in vacation time by any judge thereof at chambers and said security shall be approved in the same manner as now provided for the approval of the security entered by the plaintiff on the issuing of the writ of replevin The bond shall be to the Commonwealth and shall be for the use of any party interested in the payment of the storage care or keep of the impounded property

Upon the final determination of such action the property so impounded shall be delivered to the party who shall have successfully maintained his title thereto and the charges and expenses of the storage care or keep of such property shall be assessed as costs of suit and shall be recoverable from the unsuccessful party in the same manner as damages and costs are now recoverable in action of replevin

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 381, (House Bill No. 227), entitled:

An act to further amend the fifth section of an act entitled "An act relating to the organization and jurisdiction of orphans' court and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof" approved May nineteenth Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six) as amended by fixing and determining the salaries of the assistant clerks of said court in counties of the first second third and fourth classes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Aron,
Baldwin,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—2.

Barr,
Norton,

A majority of all Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 393, entitled:

An act to amend section forty-three forty-four forty-five and fifty of article seventeen chapter six of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 515, entitled:

An act to regulate and standardize the manufacture and sale of clinical thermometers and to provide a penalty

And said bill having been read at length the third time, and agreed to,

And amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
MacDade,
Mansfield,
McClintock,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Sones,
Steele,
Stites,
Vare,

NAYS—3.

Long,
Snyder,
Sprowls,

A majority of all Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 520, (House Bill No. 212), entitled:

An Act to amend sections fourteen and sixteen of article six chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. VARE. Mr. President, I ask that Senate Bill No. 547, (House Bill No. 652), on third reading, entitled:

An act relating to suits against and service of process upon corporations organized and existing under the laws of the Commonwealth of Pennsylvania ceasing to do business or ceasing to maintain an office within the Commonwealth and the effect of such service

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 554, as follows:

An Act to amend section twelve of the act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and thirty-nine) entitled "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" providing for the reinstatement of licenses in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twelve of the act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and thirty-nine) entitled "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith which was amended by the act approved the twenty-fourth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and seventy-one) entitled "An act to further amend an act approved the third day of June one thousand nine hundred and eleven entitled 'An act relating to the right to practice medicine and surgery in the Commonwealth of Pennylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith' as amended by an act approved the twenty-fifth day of July one thousand nine hundred and thirteen entitled 'An act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" approved the third day of June one thousand nine hundred and eleven' by providing for further instruction prior to examination for licensure by clarifying sections five (5) and twelve (12)" and the act approved the twentieth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and fify-eight) entitled "An act to further amend an act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred thirty-nine) the title of which as amended by an act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws twelve hundred twenty) reads 'Relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith' by amending sections three (3) and four (4) and five (5) and six (6) and twelve (12) by providing certain equivalents for preliminary education by omitting certain required published notices by reconstituting a quorum by omitting second year examinations by recasting and extending terms on which reciprocity may be established and by clarifying the several sections" is hereby further amended to read as follows

Section 12 The Bureau of Medical Education and Licensure shall refuse to grant a license to practice medicine and surgery to an applicant upon the presentation to said Bureau of Medical Education and Licensure of a court record showing the conviction in due course of law of said persons for producing or aiding or abetting in producing a criminal abortion or miscarriage by any means whatsoever and further the Bureau of Medical Education and Licensure upon such evidence and proof shall cause the name of any physician licensed to practice medicine and surgery in the Commonwealth of Pennsylvania to be removed from the record in the office of the Superintendent of Public Instruction

The Bureau of Medical Education and Licensure may for a definite or indefinite time refuse revoke or suspend the right to practice medicine and surgery in this State for any or all of the following reasons to wit The conviction of a crime involving moral turpitude habitual intemperance in the use of ardent spirits or stimulants narcotics or any other substances or any condition which impairs intellect and judgment to such an extent as to incapacitate for the performance of professional duties

Any person who is licensed to practice medicine and surgery or any of its branches in the Commonwealth of Pennsylvania or who is an applicant for examination for licensure to practice medicine and surgery in this State against whom are preferred any of the foregoing charges for causing the revocation or suspension of licenses or for causing refusal of the right to be examined for licensure shall be furnished by the Bureau of Medical Education and licensure with a copy of the complaint and shall have a hearing before the Bureau or by attorney and witnesses may be examined by said Bureau respecting the guilt or innocence of said accused

The revocation or suspension of license of any person licensed to practice medicine and surgery shall be removed when said narcotic or vicious habit hereinbefore specified shall have been adjudged by the said Bureau to be cruel or overcome and said suspended licentiate deemed capable of practicing his or her profession The revocation or suspension for any other cause of the license of any person licensed to practice medicine and surgery may be removed at such time as it shall appear to the Bureau to be just and proper to do so Provided however That any action taken in regard to suspension or revocation of a license or removal of any suspension or revocation (a) and the reinstatement of any licentiate must be by an unanimous vote of by the members of the Bureau at the meeting at which such action is taken

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 639, entitled:

An act to further amend the act approved the twenty-seventh day of April one thousand nine hundred and nine (Pamphlet Laws two hundred fifty-eight) entitled "An act authorizing the employment of stenographers by the district attorneys of certain counties" as amended extending said act to counties of the fourth fifth sixth seventh and eighth classes and fixing the salaries of said stenographers

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 664, (House Bill No. 540), entitled:

An act prohibiting persons from concealing changing or destroying manufacturers' serial numbers or identification marks upon machines or apparatus or from knowingly having any such machine in the possession and prescribing penalties for violation thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 666, (House Bill No. 691), entitled:

A supplement to the act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundred twenty-two) entitled "An act creating a Commission to select an historic spot as a cemetery for the burial of bodies of soldiers sailors marines war nurses and members of the National Guard defining powers and duties of the Commission and making an appropriation" extending the time for the making of the report of the Commission and making an additional appropriation

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. EYRE, Mr. President, I move that Senate Bill No. 699, (House Bill No. 857) on third reading, entitled:

An Act providing for the lapsing of unexpended or unencumbered balances of appropriations

be recommitted to the Committee on Finance, for further consideration.

Mr. VARE Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 702, entitled:

An Act to amend section twelve of the act approved the eighteenth day of July, one thousand nine hundred and seventeen, (P. L. 1043), entitled "An Act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," as amended.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 736, as follows:

An Act authorizing the State Highway Commissioner to use funds appropriated for State-aid highway purposes by the act of March tenth one thousand nine hundred and twenty-one entitled "An act making an appropriation to the State Highway Department for the construction of permanent State Highways for the payment of the Commonwealth's share in the expenses of constructing State-aid highways for the maintenance and repair of State Highways within the limits of boroughs for the maintenance and repair of State-aid highways for the payment of rewards due townships of the second class for the payment of damages to property caused or occasioned in connection with the work of the State Highway Department" for the construction or reconstruction of State highways and to enter certain charges against the State-aid highway accounts of those counties in which State Road Bond Fund money has been used to pay State-aid highway contracts so as to reimburse accounts available heretofore for highway purposes which were used for State-aid highway purposes and making an appropriation thereof

Whereas The act approved the tenth day of March one thousand nine hundred and twenty-one (Appropriation Acts page eleven) entitled "An act making an appropriation to the State Highway Department for the construction of permanent State Highways for the payment of the Commonwealth's share in the expense of constructing State-aid highways for the maintenance and repair of State Highways within the limits of boroughs for the maintenance and repair of State-aid highways for the payment of rewards due townships of the second class for the payment of damages to property caused or occasioned in connection with the work of the State Highway Department" appropriated four million dollars ($4,000,000) to the State Highway Department for the payment of the Commonwealth's share in the expense of constructing State-aid highways and

Whereas Under the provisions of the act approved the tenth day of March one thousand nine hundred and twenty-one (Pamphlet Laws page twenty-three) entitled "An act to amend section twenty-seven of an act approved the thirty-first day of May one thousand nine hundred and eleven entitled 'An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act' " said appropriation of four million dollars ($4,000,000) was apportioned by the State Highway Commissioner among the several counties of the Commonwealth and

Whereas The State Highway Commissioner in pursuance of the authority vested in him by law entered into various contracts for the construction of State-aid highways and

Whereas When certain payments under the aforesaid contracts became due the money for the payment thereof not being available from said appropriation for State-aid highways because the receipts in the General Fund in the State Treasury were not sufficient to meet its obligations the Commonwealth's share of the money due thereon was paid out of money in "The State Road Bond Fund" established by the act approved the eighteenth day of April one thousand nine hundred and nineteen (Pamphlet Laws page sixty-two) The total amount of money so paid as the Commonwealth's share of the contract price under said contracts is one million five hundred eight thousand nine hundred eighty-three and ninety-nine hundreths dollars ($1,508,983.99) and

Whereas No part of the aforesaid appropriation of four million dollars ($4,000,000) for State-aid highways has become available for use or has been used for any purpose

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Highway Commissioner is hereby authorized and directed in the cases of those counties of the Commonwealth where payments were made as aforesaid from the State Road Bond Fund for the construction of State-aid highways to charge against the State-aid appropriation as made by the aforesaid Appropriation Act of the tenth of March one thousand nine hundred and twenty-one (Pamphlet Laws page eleven) and as apportioned to said counties under the provisions of the aforesaid act of the tenth of March one thousand nine hundred and twenty-one (Pamphlet Laws page twenty-three) an amount equal to the total amount of money so used out of the State Road Bond Fund toward the payment of the Commonwealth's share of contracts for the construction of State-aid highways within said counties

Section 2 The State Highway Commissioner is hereby authorized to use for the construction or reconstruction of State highways such amount of State-aid appropriations made by the aforesaid act to one thousand nine hundred and twenty-one as is equivalent to the amount of the deductions authorized in the first section of this act and for such purposes said moneys are hereby specifically reappropriated

Section 3 The Auditor General shall issue his warrant and the State Treasurer honor the same in the total sum of one million five hundred eight thousand nine hundred eighty-three and ninety-nine hundredths dollars ($1,508,983.99) for the payment of money heretofore appropriated to the State Highway Department for construction of State-aid highways upon the requisition of the State Highway Commissioner for the construction or reconstruction of State highways

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

BILLS RECOMMITTED.

Mr. EYRE. Mr. President, I move that Senate Bill No. 752, on third reading, entitled:

An Act to amend section seventeen of an act approved May thirty-first one thousand nine hundred eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by the State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended authorizing the Department to collect fees for permits and making an appropriation thereof

And Senate Bill No. 753, on third reading, entitled:

An Act to amend section seven hundred and twenty-seven of an act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An Act concerning townships; and revising amending, and consolidating the law relating thereto," as amended; authorizing the State Highway Department to charge permit fees for constructions in, over and under townships highways and making an appropriation thereof.

be recommitted to the Committee on Public Roads and Highways.

Mr. LONG. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER.

Mr. LESLIE. Mr. President, I ask that Senate Bill No. 837, (House Bill No. 880) on third reading, entitled:

An Act to amend section two hundred and seven of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenues to establish and maintain the same and collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JOYCE. Mr. President, I ask that Senate Bill No. 844, (House Bill No. 924), on third reading, entitled:

An Act to amend part of section one of an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four fifty-five) entitled "An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 855, (House Bill No. 1153), entitled:

An act to relieve life tenants of land from the payment of taxes on the underlying veins of coal which they have no right to operate and providing that such coal shall be assessed to and the taxes thereon paid by the owner of said veins of coal

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. BARR. Mr. President, I move that Senate Bill No. 896, (House Bill No. 1229) on third reading entitled:

An Act to further amend section one thousand two hundred ten as amended, of an act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

be recommitted to the Committee on Education.

Mr. LONG. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 921, (House Bill No. 454), entitled:

An Act providing for the examination of the Locust Mountain Memorial Hospital of Shenandoah Pennsylvania providing for the transfer thereof to the Commonwealth and for its management thereafter and making an appropriation

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 929, (House Bill No. 715), entitled:

An Act to amend section eighteen of an act approved the seventh day of June Anno Domini one thousand nine hundred and fifteen entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of birth and death and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practioners of medicines and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" by requiring that parents be notified of the registration of birth certificates

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 931, (House Bill No. 837), entitled:

An Act to assure to persons within the jurisdiction of every county the equal protection of the laws by providing for their removal from the county and their trial in certain criminal cases by the Superior Court imposing penalties upon the counties and officers thereof for the failure to provide proper protection and upon individuals for interfering with or obstructing the carrying out of the provisions of this act giving the Superior Court jurisdiction in all prosecutions arising out of this act

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SALUS. Mr. President, I ask unanimous consent to amend title page 1, line 4 by striking out "the Superior Court" and inserting in lieu thereof the following: "a court of quarter sessions of the peace or oyer and terminer of another county"; also lines 8, 9 and 10 by striking out all the words in said lines after the word "act" in line 8 and inserting in lieu thereof "and imposing certain duties upon the Superior Court"; also Section 4, page 3, line 24 by striking out the word "court" and inserting in lieu thereof "said Superior Court"; also line 25 by inserting after the word "petition" the following: "before one of the judges thereof"; also page 4, line 6 by inserting after the word "protection" the following: "or committed to a proper penal institution"; also by inserting after the word "in" the following: "a court of quarter sessions of the peace or oyer and terminer of some other county to be selected by"; also line 10 by inserting after the word "court" the following: "so selected"; also line 12 by inserting before the word "county" the word "other"; also section 6, page 5, lines 15 and 16 by striking out all of the words in said line after the word "murder" in line 15; also Section 8, page 5, line 27 by inserting after the word "by" the word "which"; also page 6, lines 1, 2 and 3 by striking out all words in said lines after the word "murder" in line 1; also in Section 9, page 6, line 11, by inserting after the word "General" the following: "in a court of common pleas of any county within the Commonwealth other than the county in which such unlawful putting to death occurred"; also line 12 by striking out the word "Superior"; also line 13 by inserting after the word "court" the following: "in which said judgment was recovered"; also Section 11, page 7, line 16 by striking out "in the Superior Court"; also lines 17, 18 and 19 by striking out all the words in said lines after the word "of" in line 17 to and including the word "court" in line 19 and inserting in lieu thereof "a felony"; also Section 12, page 8, lines 3 and 4 by striking out all the words in line 3 and in line 4 to and including the word "court" and inserting in lieu thereof the following: "a felony".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 966, (House Bill No. 1297), entitled:

An act to amend section three hundred and three of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1009, (House Bill No. 787), entitled:

An Act making a deficiency appropriation to the Cottage State Hospital at Philipsburg Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1011, (House Bill No. 1078), entitled:

An act to amend section twelve of the act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and thirty-nine) entitled "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an apropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" providing for rehearings in cases where licenses have been suspended or revoked and for the reinstatement of licenses in certain cases

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1015, (House Bill No. 306), entitled:

An Act making a deficiency appropriation to the State Hospital for the Criminal Insane at Farview Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 310, (House Bill No. 225), entitled:

A Supplement to an act approved the twenty-seventh day of May, one thousand nine hundred and twenty-one (P. L. 1173), entitled "An Act constituting a commission to make an investigation of the battlefields of France and Belgium, and to select points for the erection of monuments and markers of appropriate design to commemorate the achievements of Pennsylvania soldiers during the World War; defining the powers and duties of the commission; and making an appropriation;" continuing said commission; providing for the erection of certain memorials in France and Belgium; and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 482, as follows:

An Act providing for a referendum to ascertain the preferences of the voters of the Commonwealth relative to the adoption of daylight saving time for a portion of the year

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "daylight saving time" wherever used in this act shall mean a time one hour faster than Eastern Standard Time for a period beginning at midnight on the last Sunday of April and ending at midnight on the last Sunday of September order that the preferences of the voters of the Commonwealth relative to the adoption of "daylight saving time" instead of Eastern Standard time may be ascertained it is hereby provided that at municipal election in the year one thousand nine hundred and twenty-three there shall be submitted to the qualified voters of the Commonwealth the following question

"Do you favor the adoption of Daylight Saving time?"

Section 2 Said question shall be printed at the foot of the ballot used at said municipal election The Secretary of the Commonwealth shall certify to the county commissioners of each county prior to said election a copy of such question and the form thereof upon the ballot in accordonce with the provisions of the general election laws

Section 3 The question hereinbefore provided for shall however not be printed upon said ballot unless a petition or petitions therefor from at least ten counties of the Commonwealth signed in the aggregate by citizens who are qualified voters equal in number to at least two per centum of the total number of votes cast for the office of Governor at the preceding general election shall be filed in the office of the Secretary of the Commonwealth at least sixty days prior to the election at which the question is to be submitted

The petitions to have said question submitted shall be prepared by the Secretary of the Commonwealth and shall be substantially in the following form

To the Honorable .... Secretary of the Commonwealth of Pennsylvania

We the undersigned citizens and qualified voters of the Commonwealth of Pennsylvania respectfully order that there shall be referred to the people of the Commonwealth for their approval or rejection at the municipal election in the year one thousand nine hundred and twenty-three the following question

"Do you favor the adoption of Daylight Saving time?"

Each separate petition shall have attached thereto the affidavit of the person circulating the same stating that the signatures thereon were signed in his or her presence and that he or she believes each signature to be that of a citizen and qualified elector

Section 4 Application to set aside any one or more petitions filed in office of the Secretary of the Commonwealth may be made by petition of the Court of Common Pleas of Dauphin county setting forth specifically the matters objected to Any such petition must be filed in said court within ten days after the last day for the filing of petitions with the Secretary of the Commonwealth Upon the presentation of said petition the court shall make an order fixing a time for hearing which shall be not later than ten days from the date of such presentation The court shall specify the time and manner of notice to parties interested

No such petition shall be set aside by the court except for

(a) Material error or defects apparent on the face thereof or on the face of the appended or accompanying affidavits or

(b) Material alterations made after signing without the consent of the signers or

(c) Want of a sufficient number of genuine signatures of citizens who are qualified electors

Section 5 Every person voting at the municipal election of one thousand nine hundred and twenty-three may vote on said question hereinbefore provided for Such vote shall be expressed by a cross (X) mark placed after the question he favors in a block provided for that purpose and nothing except the words "yes" and "no" shall be printed after any of said questions except the block in which the voter's X is placed

Section 6 The votes cast upon said question at each election poll shall be counted by the election officers and a return thereof made to the prothonotary of the county The votes cast in each county shall be computed by the return board and the result thereof shall as soon as possible be certified to the Secretary of the Commonwealth The final count of the votes cast at such election shall be publicly proclaimed by the Secretary of the Commonwealth as soon as returns from all counties have been made to his office

Section 7 Except as otherwise in this act provided such election shall be governed and conducted and the result thereof computed in the manner provided by law for the government conduct and computation of the result at general election

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 504, as follows:

An Act making an appropriation to the Sesqui-Centennial Exhibition Association situated in the city of Philadelphia State of Pennsylvania

Whereas The Legislature of the Commonwealth of Pennsylvania on April twenty-eighth one thousand nine hundred and twenty-one by resolution unanimously adopted approved the holding in the city of Philadelphia of an international exposition to celebrate the sesqui-centennial of American Independence for which preliminary steps had been taken by the Mayor the council and a citizens' committee of the city of Philadelphia and declared it to be the sense of the Legislature "that the Commonwealth of Pennsylvania should prepare for and participate in the celebration by making a suitable exhibit therein" requesting also that the Federal Government give approval and that appropriate steps be taken to invite the participation and cooperation of the nations of the world and

Whereas The Legislature of the Commonwealth of Pennsylvania on May twenty-seventh one thousand nine hundred and twenty-one by joint resolution duly approved provided for appointment of a Commission to arrange for an international exposition to be held in Philadelphia in celebration of the one hundred fiftieth anniversary of American Independence in conjunction with the Congress of the United States the Councils of the city of Philadelphia the Legislatures of the several States and the Governments of foreign powers and

Whereas In response to the resolutions adopted by the Legislature and the request of the Governor of the Commonwealth of Pennsylvania the President of the United States in a special message under date of March twenty-fourth one thousand nine hundred twenty-two called the attention of the Congress to the importance of this celebration and urged the sanction of Congress for the Sesqui-Centennial Exhibition "to emphasize the advantages of peaceful and friendly intercourse and remind all mankind that its greater achievements are along the ways of peace" and

Whereas The Congress of the United States acting upon the recommendation of the President adopted the joint resolution signed by the President August twenty-ninth one thousand nine hundred and twenty-two reciting the request of the Legislature of the Commonwealth of Pennsylvania and approved the holding of a national and international exposition in the city of Philadelphia as an appropriate celebration of the one hundred fiftieth anniversary of the signing of the Declaration of Independence and conferred authority upon the President to invite participation and cooperation of the States of the Union and nations of the world and

Whereas The Legislatures of other Commonwealths have similarly responded to the invitation of the Commonwealth of Pennsylvania with approval of the proposed Sesqui-Centennial celebration and assurance of participation in the exhibition and have provided for the appointment of commissions to co-operate with the authorities conducting the Exhibition and to plan and prepare exhibits for these Commonwealths and

Whereas The Commissioners of Fairmount Park of Philadelphia have approved as suitable the site in the Parkway and Fairmount Park of that city selected for the Exhibition and

Whereas The Sesqui-Centennial Exhibition Association chartered under letters patent issued by the Governor of the Commonwealth of Pennsylvania in the name and by the authority of that Commonwealth "for the purpose of educating the public by exhibiting artistic mechanical agricultural and horticultural products and providing public instruction in the arts and sciences thereby celebrating the one hundred and fiftieth anniversary of the signing of the Declaration of Independence by holding in the city of Philadelphia in the State of Pennsylvania an exhibition of the progress of the United States in art science and industry in trade and commerce and in the development of the products of the air the soil the mine the forest and the seas to which exhibition the people of all other nations shall be invited to contribute evidences of their own progress to the end that better international understanding and more intimate commercial relationship may hasten the coming of universal peace" has prepared plans and is taking steps to carry through in a creditable manner the holding of a national and international Exhibition of the one hundred and fiftieth anniversary of an event second to none in importance in the development of free government therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five million dollars be and the same is hereby specifically appropriated to the Sesqui-Centennial Exhibition Association situated in the city of Philadelphia State of Pennsylvania for the purpose of celebrating the one hundred and fiftieth anniversary of the signing of the Declaration of Independence by holding in the city of Philadelphia an international exhibition of world progress in science art and industry

Section 2 Be it further enacted that the moneys shall be paid from said appropriation by warrant of the Auditor General upon the State Treasury upon itemized vouchers duly signed by the President or other duly authorized officer of the Sesqui-Centennial Exhibition Association situated in the city of Philadelphia State of Pennsylvania

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr SCHANTZ. Mr. President, I move that Senate Bill No. 504, the bill just read, be recommitted to the Committee on Appropriations.

Mr. LONG. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 638, as follows:

An Act to amend section four of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and ninety) entitled "An act authorizing the sale of certain property owned by the State the title to which is in the State Livestock Sanitary Board and providing for the use of the proceeds of such sale"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and ninety) entitled "An act authorizing the sale of certain property owned by the State the title to which is in the State Livestock Sanitary Board and providing for the use of the proceeds of such sale" is hereby amended to read as follows

Section 4 The proceeds of the sale shall be paid into the State Treasury and shall be held in a separate fund which is hereby specifically appropriated to the Department of Agriculture and shall be withdrawn upon the requisition of the Secretary of Agriculture to the following extent and for the following purposes namely sixty thousand dollars thereof for the purpose of defraying the general expenses of the Department of Agriculture and all the balance thereof for the purchase of other lands within the Commonwealth and for the purchase erection and equipment of such buildings for laboratory or experimental work or for experimental or educational work by the Bureau of Animal Industry Such other lands and buildings shall be purchased by the Secretary of Agriculture in the name of the Commonwealth at any time after the final passage of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 695, (House Bill No. 593), entitled:

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. NORTON. Mr. President, I ask that Senate Bill No. 738, on second reading, entitled:

An Act to amend sections one four eight thirteen and fifteen and to repeal sections five and six of the act approved the seventh day of June one thousand eight hundred and eighty-seven (Pamphlet Laws three hundred sixty-five) entitled "An Act to encourage and authorize the formation of co-operative associations productive and distributive by farmers mechanics laborers or other persons providing for the formation of such associations by five or more natural or legal persons eliminating the provisions with regard to the giving credit and the sale and leasing of real estate and the clause requiring the keeping posted of a balance sheet for three months

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED.

Mr. EYRE. Mr. President, I think that Senate Bill No. 745, on third reading, entitled:

An act relating to depositories of county funds in counties of the second third fourth fifth sixth seventh and eighth classes providing for the selection thereof by the county treasurer county commissioners and controller if any there be and for the payment of interest on county funds for the use of the county imposing certain expenses upon counties in connection therewith and providing penalties

has not been given proper consideration up to this time, and I move that it be recommitted to the Committee on New Counties and County Seats for the purpose of a hearing.

Mr. CLARK. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 824, (House Bill No. 740), entitled:

To amend section four hundred and eighty-seven of article one of chapter ten of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 904, (House Bill No. 134), as follows:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section sixteen

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine be amended by adding thereto the following section

"Section 16 In addition to the purposes stated in article nine section four of this Constitution the State may be authorized by law to issue bonds to the amount of twenty-five millions of dollars for the purpose of acquiring land in the State for forest purposes"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 916, (House Bill No. 358), entitled:

An Act to amend sections one and eighteen of the act approved May 16, 1921, (P. L. 559), entitled "An Act for the better protection of fish, requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth, or in the waters bounding or adjacent thereto, and regulating the issuance of such license providing penalties for the violation of this act, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the penalties recovered and license fees received"; changing the age limit of persons required to procure licenses; and providing for the purchase with surplus moneys of land and water and the impounding of waters.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and fifty-nine) entitled "An act for the better protection of fish requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth or in the waters bounding or adjacent thereto and regulating the issuance of such license providing penalties for the violation of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties recovered and license fees received" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the word "persons" as used in this act except where the context otherwise indicates means citizens of the State of Pennsylvania over (twenty-one) eighteen years of age

On the question,

Will the Senate agree to the section?

Mr. LESLIE. Mr. President, I move to amend section 1, page 2, line 20 by striking out the word "sixteen" and inserting in lieu thereof the word "eighteen"; also by underscoring the word "sixteen"; also by removing the underscoring from under the words "of age".

Mr. SMITH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

Mr. BALDWIN. Mr. President, it does not seem to me that these amendments should prevail. The Committee made a very careful consideration as to changing the age from 21 to 18. As the members of this Senate know, two years ago the bill that was introduced provided that the age should be 16, but in order to get the bill through the Senate and House the age was agreed upon at 21, but it now happens that the revenues that are received from fishermen's licenses are inadequate to properly carry on that Department, and the object of changing the age was to produce more revenue for the purpose of propogating the fish. I do not believe that any Senator for a minute would think that any young man or young woman would object to paying a license fee if they knew the fishing was going to be as much better as it should be if this money is spent for the propogation of fish. We know that men, boys and girls, between ages of 18 and 21, are probably our best fishermen. They probably spend more time fishing than men and women past 21, and it seems to me that the amendments ought to be opposed by this Senate.

I may say to you that in the section of the State which I represent all the sportsmen practically are in favor of lowering the age from 21 to 18, as is provided in this bill, in fact they are in favor of lowering the age to 16 years, but we have again compromised in committee, and instead of insisting upon the age being 16 we have compromised on 18, and I sincerely hope that the members of the Senate will sustain the committee in its action and oppose these amendments.

Mr. LESLIE. Mr. President, while I am not a member of the Committee I take myself back to my youth and while it would not apply but to a very small portion of the youths of the cities adjacent to Allegheny county, because we have very little fishing, I am thinking a great deal more about the young men that come from Potter county, Indiana county and the interior counties, who are going to be deprived of the opportunity of fishing unless they contribute to the State Government the sum of one dollar. Many of these boys will take advantage of their position and ofttimes boys that have no knowledge of this law will be out fishing in violation of the law and a great number of them will deliberately violate the law. My purpose is to deprive them of fishing unless they pay for it. The great Commonwealth of Pennsylvania, which has been propagating and cultivating fish of all character and description in accordance with the streams that they could be supplied with, come now and say to this State that the youths of this State will have to contribute this money for the purpose of fishing. Any young man that lives in the interior, on the farm, has but little opportunity other than in the evening and possibly on the Sabbath. They get a bite of fresh fish and then you tell them that we have to tax them for that privilege.

Now that is the only objection that I have to the bill. I had the same objection four years ago and two years ago and I think it is cultivating a sense of law violation among the young boys in the country. I do not think that there will be twenty-five percent of them who will have to make an effort to pay this tax but the seventy-five percent that does not pay are violating the law. I care not for myself because I do not have the opportunity to go fishing but I am looking upon the youth and that is my position in offering the amendment, of taking these young men who have to pay this tax up to their majority. I put them in as violators of the law, which they will be, and I doubt if there is a man in the Senate who knows where there is trout fishing or bass fishing that does not appreciate that fact, and, therefore, I am not going to be a party to vote for a bill that will restrict the youth of eighteen years of age from fishing without paying a tax. On the other side of the bill, in discussing it with the Secretary of the Senate and the Senator from Indiana, Mr. Clark, we found that there were errors in the title. I appeal to the members of the Senate to not first tax the youth to get a few thousand dollars to help the fishermen. My second proposition is, I may cut it down, fifty per cent. of the youth of this State violate this law and know they violate it. Therefore you are encouraging the future generation not to pay any respect to your laws that you put upon the statute books.

Mr. EYRE. Mr. President, I have great respect for the judgment of my distinguished colleague from Allegheny county, who said that he did not hear the discussion on this proposed bill. I did hear the discussion and I was convinced that this bill was right by the judgment of men of the type of the distinguished Senator from Potter and others who expressed themselves in favor of reducing the age limit to 18. I do not share in the belief of my distinguished Senator from Allegheny so far as law breaking on the part of the boys in the country districts is concerned. I know nothing about the qualifications of the boys between 18 and 21 in the cities of the state from which he comes, but I do know that the boys of the country districts that I represent are law abiding citizens, and I do not believe that it would place any undue hardship upon the boy who is fond of fishing as a sport to pay the one dollar here which would go to greatly increase the facilities of enjoying the sport of fishing, because without this money the fish cannot be propagated and cannot be sent to the various localities to stock the streams, as has been done in the past and as is being done at the present time.

I was one of the members of this Senate who had to be converted originally to the idea of paying any license for fishing. I believed originally that everybody should be allowed to enjoy the sport of fishing without any tax being placed on them, but I was converted to this bill, not by the Senators from the cities, but by the Senators from the country districts that want the streams stocked with fish when they talk about the necessity of stocking streams in order to make the sport worth anything to anybody, and, therefore, based upon that proposition, based upon what I believe to be the sense and the judgment of the people representing the districts in the State that are favored with streams that are being fished, I think that the amendments should not prevail, but that the bill should be allowed to stand after the long hearing given to it by the Game and Fish Commission and the honest effort of the Game and Fish Commission to get the best thought that was obtainable on the subject.

Mr. LONG. Mr. President, I just want to add a word with respect to the boys in the country districts not being law abiding. If there is anything in the argument at all why does it not apply to the license for hunting. The hunting act provides that boys of the age of 14 and upwards must have a license. Now we have no difficulty about the boys in the country violating the hunting law because of that requirement and certainly if they do not violate the law so far as hunting is concerned they will not violate the law so far as fishing is concerned. This provision of the age is intended not to deprive the boys of fishing but to increase their opportunities for fishing by making provision by the propogation and the enlargement of the fishing facilities.

And the question recurring,

Will the Senate agree to the amendment?

It was not agreed to.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second section of the bill was read as follows:

Section 2 That section eighteen of said act is hereby amended to read as follows

Section 18 All license fees fines and penalties collected under the provisions of this act and paid into the State Treasury shall be kept separate and apart in a fund known as the "Resident Fish License Fund" and an amount not in excess of four hundred thousand dollars ($400,000) in any one year shall be used solely under the direction of the Department of Fisheries for the purpose of the payment of the salaries of the Commissioners of Fisheries clerks stenographers fish wardens traveling expenses counsel fees court expenses and contingent expenses for the propagation and protection distribution of fish the stocking of the waters and the employment of necessary labor and the purchase of material motor vehicles machinery and implements therefor for necessary repairs and improvements to fish hatcheries for field work stream investigations gathering spawn transferring fish and the employment of necessary labor and the purchase of necessary motor vehicles machinery and implements therefor for the purchase of necessary land and water supplies for State fish hatcheries for the purchase and erection of buildings ponds and other extensions incidental to State fish hatcheries for the maintenance and operation of a boat on Lake Erie and the cruiser Anna at Torresdale on the Delaware River and for dredging the approach to the fish hatchery at Erie

Any moneys in said fund at any time in excess of the amount hereinbefore limited shall be used solely under the direction of the Department of Fisheries with the consent of the Governor for the purchase of lands and waters and for the impounding of waters and to make the same available for use by the citizens of the Commonwealth for fishing hunting and forest purposes and said lands and waters so purchased shall be under the supervision direction and control of the Department of Fisheries

All moneys in such separate fund from time to time are hereby specifically appropriated to the Department of Fisheries and may be expended for the purposes hereinbefore enumerated The Auditor General shall upon requisition from time to time of the Commissioner of Fisheries draw his warrant on the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund at the time of making such requisition

On the question,

Will the Senate agree to the section?

Mr. LESLIE. Mr. President, I move to amend section 2, page 2, line 24, by striking out "lect" and inserting in lieu thereof "lected"; also line 25 by striking out the parenthesis before the word "not" and inserting in lieu thereof a bracket; also line 26 by striking out the parenthesis after the word "year" and inserting in lieu thereof a bracket; also line 28 by underscoring the words "not in excess of"; also line 29 by underscoring all the words in said line; also page 4, line 2, by striking out the parenthesis before the word "not" and inserting in lieu thereof a bracket; also line 3 by removing the parenthesis after the word "year" and inserting in lieu thereof a bracket; also line 10, by striking out the parenthesis in front of the word "All" and inserting in lieu thereof a bracket; also line 13 by striking out the parenthesis after the word "Treasury" and inserting in lieu thereof a bracket.

Mr. Smith. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was not agreed to.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The title of the bill was read as follows:

An Act to amend sections one and eighteen of the act approved the sixteenth day of May one thousand nine hundred and fifty-nine) entitled "An act for the better protection of fish requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth or in the waters bounding or adjacent thereto and regulating the issuance of such license providing penalties for the violation of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties recovered and license fees received" changing the age limit of persons required to procure licenses and providing for the purchase with surplus moneys of lands and waters and the impounding of waters

On the question,

Will the Senate agree to the title?

Mr. LESLIE. Mr. President, I move to amend the title line 2 by inserting after "hun-" the following "dred and twenty-one (Pamphlet Laws one hun-"

Mr. SMITH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

Mr. BALDWIN. Mr. President, these are errors in the title and should be corrected. This amendment should carry.

And the question recurring,

Will the Senate agree to the amendment,

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 920, (House Bill No. 448), entitled:

An act requiring the display of the United States flag at all polling places providing for its purchase by the county commissioners and its care between elections

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 984, as follows:

An Act granting water companies organized after April the thirteenth one thousand nine hundred and five the rights of eminent domain and requiring such water companies and also water companies incorporated under clause eighteen section two of the act approved April the twenty-ninth one thousand eight hundred and seventy-four entitled "An act to provide for the incorporation and regulation of certain corporations" to secure certificates from the Water Supply Commission prior to the exercise of the power of condemnation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That water companies formed by purchase merger or consolidation or by incorporation after April the thirteenth one thousand nine hundred and five under and pursuant to any of the provisions of the act of April the twenty-ninth one thousand eight hundred and seventy-four entitled "An act to provide for the incorporation and regulation of certain corporations" and the respective amendments thereof and supplements thereto shall have the right of eminent domain but the exercise of such right shall be subject to the following limitations and qualifications which shall apply to the exercise of such right by companies incorporated either under clause nine of the said act or under clause eighteen section two thereof

Before any company as aforesaid shall exercise the power of eminent domain it shall apply to and secure from the Water Supply Commission a certificate of public convenience and in its application such company shall set forth the uses proposed to be made by it of the property or rights sought to be acquired and no such company shall have power to take possession of any lands and waters under the right of eminent domain unless and until the said Commission shall find and shall so certify through and by means of a certificate of public convenience to be issued to the company making such application that the uses which it proposes to make of the property which it is seeking the right to acquire are in whole or in part public and not private uses and that the public interests will be subserved by the acquisition of such property or rights

Section 2 Condemnation proceedings under this act shall be governed by section one of the act approved on the fifth day of May one thousand nine hundred and eleven (Pamphlet Laws one hundred twelve) entitled "An act to amend section forty-one of an act approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four entitled 'An act to provide for the incorporation and regulation of certain corporations' by fixing the number of viewers at three"

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1013, (House Bill No. 667), entitled:

An Act providing for the return by the Board of Game Commissioners to persons entitled thereto of moneys erronaously paid into the State Treasury

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1025, (House Bill No. 955), entitled:

An Act making an appropriation to the legal representative of the estate of Honorable Samuel A. Whitaker deceased elected a Representative in the General Assembly of the Commonwealth from Chester County

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1029, (House Bill No. 1034), entitled:

An Act to promote the health and efficiency of firemen in cities of the first class by providing for a two-platoon system for the certain officers of the uniformed fire force of the Department of Public Safety of such cities

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1055, as follows:

An Act to amend section one hundred of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one hundred of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto" is hereby amended to read as follows

Section 100 No person shall be eligible to any office in any township of the first class unless he is an elector of the township for which he is chosen nor shall any employee of the township or any officer or employee of the school district of such township be hereafter eligible to be elected to the office of township commissioner

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FINAL PASSAGE.

Mr. STITES. Mr. President, I move the Senate do now resume the consideration of Senate Bill No. 613, on final passage, entitled:

An Act amending sections one two and eleven of an act approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred seventy-four) entitled "An Act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such powers may be exercised" providing that the Juvenile Courts in the several counties of this Commonwealth shall have exclusive jurisdiction in all cases of juvenile delinquency

Mr. LONG. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No 613, as follows:

An Act amending sections one two and eleven of an act approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred and seventy-four) entitled "An act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such power may be exercised" providing that the Juvenile Courts in the several counties of this Commonwealth shall have exclusive jurisdiction in all cases of juvenile delinquency.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred and seventy-four) entitled "An act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such power may be exercised" is hereby amended to read as follows

Section 1 Be it enacted etc. That the courts of quarter sessions of the peace within the several counties of this Commonwealth shall have and possess full and exclusive jurisdiction in all proceedings (which may be brought before them) affecting the treatment and control of dependent neglected incorrigible and delinquent children (under the age of sixteen years and for the purpose of this act the words "dependent child" and "neglected child" shall mean any child who is destitute homeless abandoned or dependent upon the public for support or who has not proper parental care or guardianship The words "incorrigible children" shall mean any child who is charged by its parent or guardian with being unmanageable The words "delinquent child" shall mean any child including such as have heretofore been designated "incorrigible children" who may be charged with the violation of any law of this Commonwealth or the ordinance of any city borough or township

The powers of the court of quarter sessions of the peace as provided for in this act may be exercised by any one or more judges of such court who may be assigned for the purpose at a session of said court which shall be known as the juvenile court and all sessions of such juvenile court shall be held separate and apart from any session of the court held for the purpose of its general criminal or other business and the records of the proceedings of such juvenile court shall be kept in a docket seperate from all other proceedings of said court)

Section 2 That section two of said act is hereby amended to read as follows

Section 2 The powers of the court may be exercised

1 Upon the petition of any citizen resident of the county setting forth that a child is neglected dependent or delinquent and is in need of the care and protection of the court

2 Whenever any magistrate or justice of the peace (in committing) shall commit a child arrested (for an indictable offense shall certify that in his opinion the good of the child and the interests of the State do not require a prosecution upon an indictment under the criminal laws of the Commonwealth) for any indictable offense other than murder or for the violation of any other law of this Commonwealth or the ordinance of any city borough or township

(3 Whenever after return made by a magistrate of the proceedings upon the arrest of such delinquent child for an indictable offense the district attorney of the county either before or after the indictment shall certify that in his opinion the good of the child and the interests of the State do not require a prosecution upon an indictment under the criminal laws of this Commonwealth)

(4 Whenever upon the trial of any indictment of such delinquent child the judge trying the case is of the opinion that the good of the child and the interests of the State do not require a conviction under the criminal laws of this Commonwealth)

Upon the filing of any petition as above set forth or whenever the jurisdiction of the court has attached by the (filing of a certificate of a) commitment of a child by any magistrate or justice of the peace (or the district attorney or by the action of a judge as above set forth) it shall be (within the power) the duty of the judge holding said juvenile court to make all necessary orders for compelling the production of such child and the attendance of the parents and all persons having the custody or control of the child or with whom the child may be and pending the final disposition of any case the child shall be subject to the order of the court and may be permitted to remain in the control of its parents or the person having it in charge or the probation officer or may be kept in some place provided by the State or county authorities or by any association having for one of its objects the care of delinquent or neglected children as the court may order

Section 3 That section eleven of said act is hereby amended to read as follows

Section 11 Whenever any child being above the age of fourteen years has been held by any magistrate or justice of the peace for any offense other than murder punishable by imprisonment in a State penitentiary the judge of the juvenile court having jurisdiction if in his opinion the interests of the State require a prosecution of such case on an indictment may certify the same to the District Attorney of the county who shall thereupon proceed with the case in the same manner as though the jurisdiction of the juvenile court had never attached and nothing (herein) in this act contained shall be in derogation of the powers of the court of quarter sessions and of oyer and terminer to try upon an indictment any delinquent child whose case may as above provided have been certified to the district attorney and who may in due course (may) be brought to trial before such court

Nothing in this act shall be construed to repeal any of the provisions of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" or the amendments thereto nor to repeal any of the provisions of an act approved the twelfth day of July one thousand nine hundred and thirteen entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" or the amendments thereto

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

JUSTICES OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 1, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate Charles M. Sheeler, of Rohrerstown, as Justice of the Peace, in and for the Township of East Hempfield, Lancaster County, vice Amos C. Brown, deceased, to serve until the first Monday in January 1924.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 1, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate William L. Klinestiver, of Sheffield, for appointment as Justice of the Peace, in and for the Township of Sheffield, Warren County, vice Jerimiah Borden deceased, to serve until the first Monday in January 1924.

GIFFORD PINCHOT.

COMMISSIONERS OF DEEDS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 1, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate James O. Keane, of Atlantic City, N. J. for appointment as Commissioner of Deeds for the State of Pennsylvania with residence in New Jersey, for a term of five years, to compute from date of confirmation.

Also, Charles E. Fell, of Atlantic City, N. J., for appointment as Commissioner of Deeds for the State of Pennsylvania with residence in New Jersey, for a term of five years, to compute from date of confirmation.

GIFFORD PINCHOT.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 1, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

F. Rea Bailey, Pittsburgh, April 1, 1923.

LACKAWANNA COUNTY.

A. S. Prokopovitsh, Scranton, April 7, 1923.

LUZERNE COUNTY.

J. A. Opp, Plymouth, Mar. 12, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 1, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

Charles H. Bode, Pittsburgh.
John C. Feick, Avalon.

DAUPHIN COUNTY.

Miss Martha M. Hall, Mechanicsburg.
Thos. M. Rodgers, Harrisburg.
Miss Anna Z. Smeltzer, Harrisburg.

LACKAWANNA COUNTY.

Harry A. Kolb, Scranton.

McKEAN COUNTY.

E. G. Potter, Smethport.
Miss Josephine Welch, Bradford.

PHILADELPHIA COUNTY.

Frank C. Forderer, 2729 N. Front St., Phila.
Joseph T. Veasy, 5011 Germantown Ave., Phila.

WASHINGTON COUNTY.

Miss Edna Loughman, Washington.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. PATTON,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. PATTON,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. PATTON. Mr. President, I move that the Executive Session do now rise.

Mr. PHIPPS. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGES.

SENATE BILL NO. 153, RETURNED WITH AMENDMENTS.

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 153, entitled:

An Act providing for and regulating subject to certain restrictions limitations and liabilities assistance to certain aged persons and providing for their burial creating an Old Age Assistance Commission of this Commonwealth and an Old Age Assistance Board in each county defining their powers and duties providing for the appointment and fixing the compensation of an Old Age Assistance Superintendent and assistants and investigators making counties liable for certain expenses providing penalties and making an appropriation

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. SALUS. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution were twice read, as follows:

Amend section 3, page 3, line 2, by striking out the word "Governor" and inserting in lieu thereof the words "County Commissioners"; also section 28, page 11, line 13, by inserting after the word "instalment" the word "grant".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—0.

NAYS—46.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward.

A majority of all the Senators having voted "nay" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL NO. 324.

He also returned to the Senate, Senate Bill No. 324, entitled:

An Act to amend section two thousand one hundred five of the act approved May 18, 1911, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith," authorizing other forms of teacher training in lieu of teachers' institutes in districts of the first, second and third classes.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 439.

He also returned to the Senate, Senate Bill No. 439, entitled:

An Act to amend sections one thousand one hundred five and one thousand one hundred thirty-four of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

with the information that the House has passed the same without amendment.

SENATE BILL NO. 634 RETURNED WITH AMENDMENTS.

He also returned to the Senate, Senate Bill No. 634, entitled:

An Act to amend section one of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred three) entitled "An Act regulating the fees of notaries public"

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. McCLINTOCK. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution were twice read, as follows:

Amend section 1, page 2, line 3, by striking out the word "each" and inserting in lieu thereof the word "first"; also by adding after the word "cents" the following: "and each additional notice five cents".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE APPOINTS COMMITTEE OF CONFERENCE.

He also informed the Senate that the House insists on its non-concurrence in the amendments made by the Senate to House Bill No. 681, entitled:

An Act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight) entitled "A supplement to an act 'to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in the State hospitals for the insane' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three" as amended by fixing the maximum amount for maintenance weekly per capita

and has appointed Messrs. D. Jones, Gelder and Moore, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two Houses in relation to said bill.

APPOINTMENT OF COMMITTEE OF CONFERENCE.

Mr. SCHANTZ. Mr. President, I move that a Committee of Conference be appointed to confer with a Committee of the House of Representatives (already appointed) to consider the differences existing between the two houses in relation to said bill.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. Schantz, Baldwin and Sones, be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

HOUSE APPOINTS COMMITTEE OF CONFERENCE.

He also informed the Senate that the House insists on its non-concurrence in the amendments made by the Senate to House Bill No. 911, entitled:

An act to provide for the erection of new or additional buildings for the maintenance care and treatment of the poor indigent insane and indigent persons afflicted with tuberculosis in poor districts in counties of the second class which now maintain or which shall hereafter maintain a poor house or a hospital or sanitarium for such purposes authorizing the county commissioners to borrow moneys issue and negotiate the sale of bonds and to levy taxes for the payment of same

and has appointed Messrs. J. Marcus, Craig and Rhodes, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

APPOINTMENT OF COMMITTEE OF CONFERENCE.

Mr. MANSFIELD. Mr. President, I move that a Committee of Conference be appointed to confer with a Committee of the House of Representatives (already appointed) to consider the differences existing between the two Houses in relation to said bill.

Mr. LONG. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. Mansfield, Long and DeWitt be said Committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

HOUSE BILLS FOR CONCURRENCE.

He also presented for concurrence bills of the House of Representatives as follows:

House Bill No. 1234, (Senate Bill No. 1092), entitled:

An act authorizing the creation of a commission to negotiate with the duly constituted agents of the states of New York and New Jersey for the regulation of the flow of the Delaware River the conservation apportionment and utilization of the water resources thereof providing the method for ratification of such compact by this Commonwealth and prescribing the conditions of its being in full force and effect

Which was committed to the Committee on Judiciary Special.

House Bill No. 1235 (Senate Bill No. 1093) entitled:

An act authorizing the Department of Forestry to grant on terms conditions and stipulations rights to occupy and use any portions of the State Forestry for dams reservoirs canals pipe lines and other water conduits for water supply purposes and providing for forfeiture and other remedies for breach of such terms conditions and stipulations

Which was committed to the Committee on Judiciary Special.

House Bill No. 1236, (Senate Bill No. 1094) entitled:

An act providing for a giant power survey creating a Giant Power Survey Board defining the powers and duties thereof requiring officers departments commissions and other agencies of the Commonwealth to give information thereto and making an appropriation

Which was committed to the Committee on Judiciary Special.

House Bill No. 1238, (Senate Bill No. 1095) entitled:

An act authorizing the Department of Forestry to lease for periods of not more than fifty years on terms conditions and stipulations expressed in each lease any portions of the State forests for dams reservoirs canals pipe lines and other water conduits power houses and transmission lines for the development of water power for steam raising and condensation and for the generation and transmission of electric energy

Which was committed to the Committee on Judiciary Special.

House Bill No. 671, (Senate Bill No. 1096) entitled:

An Act to amend sections one and three of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and ninety-three) entitled "An Act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties"

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 936. (Senate Bill No. 1097) entitled:

An Act for the repression of prostitution and assignation making it unlawful to solicit aid or permit prostitution or to use or permit the use of any place for the purpose of prostitution or assignation making certain evidence admissible in proceedings under this act authorizing the commitment of prostitutes to private institutions providing for their parole and prescribing penalties

Which was committed to the Committee on Law and Order.

House Bill No. 998, (Senate Bill No. 1098) entitled:

An Act to amend section one of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and sixteen) entitled "An act appropriating to the Department of Health any moneys to be received from the United States Government in the promotion of sanitation public health and health education the protection and care of maternity infancy and old age and the prevention treatment and cure of disease"

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 1319, (Senate Bill No. 1099) entitled:

An act to amend section one article four chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" as amended

Which was committed to the Committee on New Counties and County Seats.

BILLS SIGNED.

The PRESIDENT (Lieutenant Governor David J. Davis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 232, entitled:

An Act to amend chapter eleven article two of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

House Bill No. 777, entitled:

An Act making a deficiency appropriation to the Pennsylvania Institution for the Instruction of the Blind.

Whereupon,
The PRESIDENT (Lieutenant-Governor David J. Davis) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE.

Mr. CULBERTSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The chair hears none.

Mr. CULBERTSON from the Committee on New Counties and County Seats reported as committed, Senate Bill No. 796, entitled:

An Act providing for the alteration of the boundaries of counties, in certain cases, for the adjustment of the indebtedness thereof; providing the effect thereof.

MOTION TO READ BILL FIRST TIME.

Mr. PATTON. Mr. President, I move that all bills reported from Committees at to-day's session be read the first time.

Mr. JONES. Mr. President I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 80, entitled:

An Act to repeal the act approved the fifth day of March one thousand nine hundred and six, (P. L. 63), entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities, and to provide penalties for the violation of its provisions" and the amendments and supplements thereto.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 81, entitled:

An Act to amend sections two, three, four and six of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen, (P. L. 1043), entitled "An act to provide for the registration and enrollment of the voters of the State according to their respective party preferences; fixing the compensation of assessors and registry assessors for making said registration and enrollment; and prescribing penalties for false registration or enrollment, and for voters voting or attempting to vote, and for election officers wulfully permitting or conspiring to permit them to vote at a primary, by or on any other than their own party ticket;" providing for the enrollment of electors in cities of the third class by assessors and registry assessors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 516, entitled:

An Act providing for the appointment and election of assistant assessors for election purposes in certain wards in cities of the third class; fixing their terms of office; and providing for their compensation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 524, (House Bill No. 317), entitled:

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and eighty) entitled "An act prohibiting under certain conditions the commutation encumbrance or assignment of the proceeds of life insurance and annuity policies and the income accruing therefrom by persons entitled thereto prohibiting the attachment of such proceeds and income and authorizing life insurance companies to hold such proceeds as part of the general corporate funds" by extending the same to the proceeds and income from policies issued by both domestic and foreign companies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Blil No. 535, (House Bill No. 536), entitled:

An Act to amend sections two, three, four, five as amended seven, eight, nine and ten of the act approved March 30, 1917 (P. L. 21) entitled "An Act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given to said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 580, entitled:

An Act to enable city, county, poor, road, school, borough, and township tax collectors, their executors and administrators or their surety or sureties, to collect taxes for the payment of which they have become personally liable by the expiration of the authority of their respective bonds, or warrants or terms of office, and to extend the time for the collection of the same, for a period of two years from the passage of this act; and authorizing such taxes to be entered as municipal liens, and the land on which such taxes were assessed to be sold.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 720, (House Bill No. 774), entitled:

An Act authorizing courts of quarter sessions to commit the care of certain burial grounds to the councils of boroughs township commissioners and township supervisors of townships and requiring boroughs and townships to pay the expenses in connection therewith.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 751, entitled:

An Act to amend section two hundred and eighty-six of an act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840) entitled "An act concerning townships; and revising, amending, and consolidating the law relating thereto."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 782, entitled:

An Act to amend section nineteen of an act approved the second day of May, 1905 (P. L. 352) entitled "An act to regulate the employment, in all kinds of industrial establishments, of women and children employed at wages or salary by regulating the age at which minors can be employed and the mode of certifying the same, and by fixing the hours of labor for women and minors; to provide for the safety of all employes in all industrial establishments, and of men, women and children in schoolhouses, academies, seminaries, colleges, hotels, hospitals, storehouses, office buildings, public halls and places of amusement, in which proper fire-escapes, exits and extinguishers are required to provide for the health of all employes, and of men, women and children in all such establishments, storehouses and buildings, by proper sanitary appliances; and to provide for the appointment of inspectors, office clerks and others who, with the Chief Factory Inspector, shall constitute the Department of Factory Inspection; to enforce the same, and providing penalties for violations of the provisions thereof; fixing the term and salaries of the Chief Factory Inspector and his appointees," by providing for inspection of boilers by the Department of Labor and Industry, for examination and certification of boiler inspectors and a fee therefor, for issuance of certificates of operation and a fee therefor, and for the use of the fees collected.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 783, entitled:

An Act to amend section one of an act approved May 30, 1895, entitled "An act to provide for safety guards upon passenger elevators and providing a penalty for violation thereof."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 784, entitled:

An Act to amend section twelve of an act approved May 2, 1905, (P. L. 352) entitled "An act to regulate the employment in all kinds of industrial establishments of women and children employed at wages or salary, by regulating the age at which minors can be employed and the mode of certifying the same, and by fixing the hours of labor for women and minors; to provide for the safety of all employes in all industrial establishments, and of men, women and children in school-houses, academies, seminaries, colleges, hotels, hospitals, storehouses, office buildings, public halls and places of amusements, in which proper fire-escapes, exits and extinguishers are required, to povide for the health of all employes, and of men, women and children in all such establishments, storehouses and buildings, by proper sanitary appliances; and to provide for the appointment of inspectors, office clerks and others, who with the Chief Factoy Inspector, shall constitute the Department of Factory Inspection; to enforce the same, and providing penalties for violations of provisions thereof; fixing the term and salaries of the Chief Factory Inspector and his appointees" by providing for inspection of elevators by the Department of Labor and Industry, for examination and certification of elevator inspectors for an examination fee for issuance of certificates of operation and a fee therefor, and for the use of the fees collected.

And said bill having been read at length the first time, Ordered, To be transcribed for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 796, entitled:

An Act providing for the alteration of the boundaries of counties, in certain cases, for the adjustment of the indebtedness thereof; providing the effect thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 799, entitled:

An Act to amend section seven hundred and nine of the act approved the eighteenth day of May, 1911, (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general special or local, or any parts thereof, that are or may be inconsistent therewith."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 802, entitled:

An Act to regulate nominations and elections for all offices of judges of courts of record; providing for nonpartisan nominations and elections for said offices; abolishing certain existing methods of nomination in such cases and the use of party or poltical names or appellations at elections with respect to said offices; imposing certain duties upon the Secretary of the Commonwealth, county commissioners, and election officers and clerks; and providing penalties for the violation of the provisions hereof and the punishment of certain offenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 833, (House Bill No. 830), entitled:

An Act amending section one of an act entitled "A further supplement to an act entitled 'An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expense thereof' approved the fifth day of May one thousand nine hundred and eleven, constituting the said court the juvenile court of said county and prescribing its organization, jurisdiction and powers therein and otherwise" approved March 19, 1915 (P. L. 5) by providing the said county court sitting as a juvenile court shall have sole jurisdiction in all proceedings for the custody of dependent, neglected, incorrigible and delinquent children.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 834, (House Bill No. 848), entitled:

An Act to provide for the care, treatment and maintenance of dependent crippled children conferring powers in connection therewith upon the Department of Public Welfare and Juvenile Courts and imposing certain expenses upon counties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 848, (House Bill No. 962), entitled:

An Act to amend sections twenty, forty, and forty-seven of an act entitled "An act relating to Warehouse Receipts approved the eleventh day of March, A. D. one thousand nine hundred and nine."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 878, entitled:

An Act to amend section eleven of the act approved June 20, 1919, (P. L. 521) entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 914, (House Bill No. 246), entitled:

A Joint Resolution proposing an amendment to section eleven of article eight of the Constitution of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 923, (House Bill No. 598), entitled:

An Act declaring the construction to be given deeds, wills and other instruments in writing in which real personal property is donated, granted devised or bequeathed either directly or in trust for the benefit of one or more persons for years or for life upon condition with remainder over to the heirs or next of kin or to the persons thereunto entitled under the intestate laws or other similar or equivalent phrase.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 924, (House Bill No. 632), entitled:

An Act to amend an act approved May 20, 1921, (P. L. 991) entitled "An act restricting the appointment of corporated fiduciaries by testatore or by any court or register of wills to corporations fully subject to supervision and examination by the Banking Department" by exempting certain corporations from the provisions thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 933, (House Bill No. 882), entitled:

An Act to amend section thirteen of the act approved January 30, 1874 (P. L. 31), entitled "A further supplement to the act regulating elections in this Commonwealth" as amended by authorizing the members of the Board for receiving computing and certifying election returns to act when a majority of the members thereof are not qualified.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 934, (House Bill No. 833), entitled:

An Act to amend the fourth paragraph of section fourteen of an act approved July 12, 1913 (P. L. 719) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National Party conventions and of certain party officers including State committeemen, a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same, authorizing the State Committee of a political party to make and to alter, amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 956, (House Bill No. 1203), entitled:

An Act providing a method through which the Commonwealth may cooperate with individuals in building fences to protect farm crops and fruit orchards against damage from wild deer and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 961, (House Bill No. 1224), entitled:

An Act regulating service of process and authorizing the service of writs of summons and other process in actions for damages for breaches of covenants of warranty in any deed or conveyance of real estate in any county of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 969, (House Bill No. 1345), entitled:

An Act to enable an incorporated hospital association to acquire by lease or purchase any State owned hospital specially devoted to the reception, care and treatment of injured persons or of any State owned general medical and surgical hospital and to provide for the regulation and management thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 977, entitled:

An act prohibiting the purchase, sale accepting as a pledge or pawn, offering for sale, stealing or conversion of medals, buttons, insignias or decorations granted by the Government of the United States for service in the army navy, marine or nurses corps.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 979, entitled:

An act to authorize the trustees of The Pennsylvania State College to borrow funds for the erection and equipment of buildings and to liquidate present mortgage indebtedness.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 980, entitled:

An Act to amend section one of an act approved the fifth day of April, one thousand nine hundred and seventeen, (P. L. 47), entitled "An act specifying additional securities in which trustees or directors of savings banks, savings institutions, and provident institutions, chartered under general or special acts of Assembly, may invest moneys deposited therein."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 985, entitled:

An Act to amend section three hundred and twenty-nine, as amended, and section five hundred and fifty-four of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 993, entitled:

An act to amend section seventeen of an act, approved the twelfth day of July, one thousand nine hundred and thirteen, (P. L. 719) entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1006, entitled:

An act exempting in certain cases the net proceeds of life insurance policies or annuities from the claims of creditors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1024, (House Bill No. 885), entitled:

An Act limiting the power of State banks banking companies trust companies savings banks and unincorporated banks to become surety on bonds.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1033 (House Bill No. 1335), entitled:

An Act relating to certain county officers in counties of the fifth class providing for their salaries and the compensation of deputies and clerks in the respective county offices establishing a salary board and defining its powers and duties placing certain duties on the county commissioners county controllers and county auditors requiring the payment into the respective county treasury of the fees of such county officers and providing penalties for violation of this act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1035 (House Bill 19), entitled:

An act to provide for the physical welfare of all persons confined (whether such persons tried or untried Prisoners) in any Penitentiary or County Prison in this Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1038 (House Bill No. 469), entitled:

An act to amend section three of an act approved the twelfth day of July one thousand nine hundred thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act reglating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1039 (House Bill No. 704), entitled:

An Act requiring the filing of plans and specifications for buildings, public works highways or improvements undertaken by boroughs, townships poor districts or school districts in the office of the clerk of the court of quarter sessions and requiring copies to be furnished by the secretary architect or engineer of the municipality to applicants therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1063, entitled:

An act to amend section seventeen of the act approved the twentieth day of June, one thousand nine hundred and nineteen, (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident o. this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal." —

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1070, entitled:

An Act to amend part of section two of the act approved the twenty-seventh day of May, 1921 (Appropriation Acts, page 33), entitled "An act to provide for the ordinary expenses of the Executive, Judicial, and Legislative Departments of the Commonwealth, interest on the public debt and the support of the public schools, for the two fiscal years beginning June first, one thousand nine hundred and twenty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1921."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1071, entitled:

An act to validate deeds and conveyances defined acknowledged prior to the fourth day of April one thousand nine hundred and one.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1073, entitled:

An Act to amend section 301 and sections 306 and 307, as amended, of an act approved the second day of June, 1915, (P. L. 736) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure the determination of liability and compensation thereunder;" defining injuries in the course of employment, and injuries occurring anywhere upon the premises of the employer upon which the employe is employed; extending the right of compensation to employes working in violation of the Laws of the Commonwealth; increasing compensation periods and schedules, and fixing the time when compensation shall begin; removing the limitation of compensation in cases of total disability; providing compensation for partial disability upon termination of total disability; providing compensation for loss of toes, hearing, vision, mutilations and disfigurments, permanent loss of use of thumbs, fingers and toes and permanent loss of the industrial use of a hand, foot, leg, or eye; lengthening the period during which medical services, medicines and supplies and hospital treatment shall be furnished by the employer, and increasing the maximum cost thereof; granting compensation to fathers and mothers principally dependent and brothers and sisters actually dependent, and presuming conclusively and dependency of minors; and providing for payment of compensation to children immediately after the marriage of a widow.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1078, entitled:

An Act regulating the sale, offering for sale, barter, exchange and giving of tickets, cards, or other tokens evidencing the right to reserve seat in and of admission to any theatre, concert hall, circus, show, ball-park, athletic hall, or fields, or other place of amusement; and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. EYRE. Mr. President, I move that Senate Bill No. 1078, the bill just read, be recommitted to the Committee on Judiciary Special for the purpose of a hearing.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1080, entitled:

An Act amending section 2 of article XV of an act, entitled "An act for the better government of counties of the first class of this Commonwealth."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

SENATE PROCEEDS TO HOUSE TO ATTEND MEMORIAL SERVICES IN HONOR OF THE LATE BOIES PENROSE, SENATOR FROM PENNSYLVANIA IN CONGRESS OF THE UNITED STATES.

The hour of two P. M. having arrived, Messrs Golder McCaig and Flynn, a Committee from the House of Representatives, being introduced, informed the Senate that the House of Representatives was ready for the reception of the President and Members of the Senate to attend the memorial service in honor of the late Boies Penrose, Senator from Pennsylvania in Congress of the United States.

Whereupon,

The President and Members of the Senate proceeded to the hall of the House of Representatives.

SENATE RETURNS FROM HOUSE.

After some time, the President and Senators returned to the Senate Chamber.

RECESS.

Mr. EYRE. Mr. President, I move that the Senate do now take a recess until four o'clock this afternoon.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

BILLS SIGNED.

The PRESIDENT. (Lieutenant Governor David J. Davis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 324, entitled:

An Act to amend section two thousand one hundred five of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenues to establish and maintain the same and the method of collecting such revenues and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing other forms of teacher training in lieu of teachers' institutes in districts of the first second and third classes

Senate Bill No. 439, entitled:

An Act to amend sections one thousand one hundred five and one thousand one hundred thirty-four of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Senate Bill No. 634, entitled:

An Act to amend section one of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred three) entitled "An Act regulating the fees of notaries public"

Whereupon,

The PRESIDENT, (Lieutenant-Governor David J. Davis) in the presence of the Senate signed the same.

ADJOURNMENT.

Mr. SMITH. Mr. President, I move that the Senate do now adjourn until tomorrow morning at ten o'clock.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:23 P. M., until Wednesday morning, May 2, 1923, at ten o'clock.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 1, 1923.

The House met at 11:00 o'clock A. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Almighty God, we thank Thee for this beautiful day, wonderful in its natural beauty, wonderful in its opportunities and privileges for service. We thank Thee for the privilege of living. Help us to realize that those only truly live who truly serve and those only truly serve who serve in harmony with Thy will. Enable us to realize that all service essential for the welfare of mankind is sacred in Thy sight, whether we function as priests of the temple or tillers of the soil, labor with brain or brawn. We have the assurance of Thy word that if we bring to our task a whole-hearted service as unto Thee, humanity shall be blessed and we shall not go without reward. Therefore, we pray the hastening of the coming of the day when Thy will shall be done on the earth as in Heaven. We ask it in the name of Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of Yesterday's proceedings, when, on motion of Mr. Philip M. Myers, the further reading was dispensed with and the Journal approved.

RESOLUTION.

REQUESTING INFORMATION FROM THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC WELFARE.

Mr DUNN offered the following resolution, which was twice read, considered and adopted:

In the House of Representatives, May 1, 1923.

Whereas, Section No. 15 of an act approved the 25th day of May, 1921, entitled "An act creating a Department of Public Welfare, defining its powers and duties, etc.," reads as follows:

"All State institutions and any charitable or other institutions under the supervision of the Department, desiring to receive State aid, shall give notice to the Department at such time as may be prescribed by the rules and regulations thereof, of any application for State aid proposed to be made and of the several purposes to which the same is to be applied, together with the reason in support of such application. It shall be the duty of the Commissioner to examine carefully into such application and request and into all matters connected therewith and set forth the result of his investigation in a biennial report of the department to the Governor. It shall also be the duty of the Commissioner to make a specific and detailed report relative thereto to the General Assembly with his recommendations thereupon," and

Whereas, The Commissioner of the Department of Public Welfare has not up to the present date furnished a specific and detailed report to the General Assembly as required according to section No. 15 of the Act approved May 25, 1921, be it, therefore

Resolved, That the Commissioner of the Department of Public Welfare be requested to submit to the General Assembly a detailed report of all charitable institutions desiring to receive State aid, and the recommendations thereupon, as required by section No. 15 of the Act approved May 25, 1921, and

Resolved, That the Commissioner of the Department of Public Welfare be requested to prepare and submit this report to this body at the earliest date possible.

BILLS SIGNED BY SPEAKER.

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 461.

An Act defining and regulating the business of dry cleaning and dyeing; providing for the maintenance, construction and inspection of dry cleaning and dyeing buildings and establishments; providing for enforcing the act, and penalties for violation thereof.

SENATE BILL No. 500.

An Act to amend section one of the act approved the twenty-second day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and sixty-seven) entitled "An Act authorizing the Commissioner of Labor and Industry to appoint additional officers and employes in the Department of Labor and Industry fixing their duties and salaries and in increasing the salaries of the chief medical inspector chief of the bureau of statistics and information and the chief clerk" by providing for additional supervising inspectors

SENATE BILL No. 645.

A supplement to an act approved the twenty-seventh day of May, one thousand nine hundred and twenty-one (Appropriation Acts, page 142) entitled, "An act making an appropriation to the State Industrial Home for Women at Muncy," reappropriating certain appropriations heretofore made to the State Industrial Home for Women at Muncy.

SENATE BILL No. 489.

An Act to amend section two of the Act of April nineteen one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued"

SENATE BILL No. 233.

An Act to further amend section one of an act approved March 5, A. D. 1906, (P. L. 63), entitled "An Act to provide for the personal registration of electors in cities of the third class of the Commonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for violation of its provisions."

SENATE BILL No. 366.

An Act to permit the service of writs of scire facias in certain cases in any county of the Commonwealth and providing by whom such service shall be made.

SENATE BILL No. 217.

An Act to amend section one of an act approved the thirteenth day of April one thousand eight hundred and eighty-seven (Pamphlet Laws twenty-one) entitled "An Act for the establishment of a uniform standard of time throughout the Commonwealth" prohibiting the adoption of other standards of time

SENATE BILL No. 47.

An Act to amend section eleven of the act approved June 13, 1840 (P. L. 683), entitled "A Supplement to an act entitled 'An Act, relating to the elections of this Commonwealth,' passed the second day of July, A. D. 1839, and for other purposes;" allowing constables mileage for advertising elections, and compensation for advertising elections where there is more than one polling place in a district. Said mileage and compensation to be paid by counties.

SENATE BILL No. 203.

A Joint Resolution proposing an amendment to Article 3, Section 6, of the Constitution of the Commonwealth of Pennsylvania, so that the subject of an amendment or supplement to a law and the subject to which such law is extended or on which it is conferred shall be clearly expressed in its title.

SENATE BILL No. 589.

An Act authorizing sheriffs in counties of the fourth class to appoint a solicitor prescribing the duties of said solicitor and fixing his salary

SENATE BILL No. 601.

An Act authorizing boards of revision of taxes and boards for the assessment and revision of taxes to hear and dispose of appeals away from the county seat

SENATE BILL No. 198.

An Act to amend section seventy-four of an act approved the second day of July one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen) entitled "An act relating to the Elections of this Commonwealth" as amended

HOUSE BILL No. 232.

An Act to amend chapter eleven article two of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

HOUSE BILL No. 777.

An Act making a deficiency appropriation to the Pennsylvania Institution for the Instruction of the Blind

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 30, 1923.

Resolved (if the Senate concur), that House Bill No. 277, file folio No. 451, entitled "An Act to validate tax liens filed in the office of the Prothonotary of the various counties by any of the cities of this Commonwealth since the twenty-fourth day of May one thousand nine hundred and twenty-one under the provisions of an act approved the fourth day of June one thousand nine hundred and one entitled 'An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvement and for the removal of nuisances the procedure upon claims filed therefore the methods of preserving such liens and enforcing payment of such claims the effect of judicial sales or the properties liened and the manner of distributing the proceeds of such sales and its supplements and amendments thereto and providing for their collection' ", be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 30, 1923.

Be it resolved that if the Senate concur that House Bill No. 532, white folio 2923, entitled "An Act to provide for the registration and protection of artificial, assumed, trade or association names, titles or designations" be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills form the House of Representatives numbered an entitled as follows:

HOUSE BILL No. 389.

An Act to amend chapter six article twenty section three of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and prevising amending and consolidating the law relating to boroughs"

HOUSE BILL No. 682.

An Act to amend the forty-first clause of section two, article one, chapter five, of the act, approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 312) entitled, "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs," as amended.

HOUSE BILL No. 798.

An Act relating to building construction in cities of the first class by presenting the maximum undivided floor areas permitted and permitting the use of non-fire-proof steel roof trusses and purlins in certain cases prescribing limitations on garages automobile service stations and buildings for similar purposes and constructions permitted for curtain and spandrel walls permitting the use of wood furring and stud-partitions in certain cases and repealing inconsistent laws

HOUSE BILL No. 633.

An Act to amend section one of the act approved the twelfth day of June one thousand nine hundred and one (Pamphlet Laws five hundred and fifty-nine) entitled "An

Act to provide for the election of one person to fill the office of prothonotary one person to fill the office of clerk of the courts of general quarter sessions and oyer and terminer one person to fill the office of register of wills and clerk of the orphans' court and one person to fill the office of recorder of deeds in counties containing forty thousand inhabitants and hereafter created separate judicial districts under the Constitution" providing that said act shall be in effect only upon the acceptance thereof

HOUSE BILL No. 1163.

An Act making unlawful the wearing of the discharge button issued by the United States Government by any person not entitled to wear the same

HOUSE BILL No. 617.

An Act to amend clauses (b) and (c) of section fifty-six of an act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decendents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" so as to permit the orphans' court in its discretion to permit a corporation appointed as trustee in the place of an executor or executors trustee or trustees dying renouncing dismissed or refusing to act to give its own bond without surety

HOUSE BILL No. 678.

An Act to amend clause three, section ten, article two of chapter seven and section seven article one of Chapter twelve of the act approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 312) entitled, "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

HOUSE BILL No. 957.

An Act to provide for the laying out altering and vacating roads lying partly in one county and partly in an adjoining county forming or intended to form a continuous highway from one county to another and providing for the location construction of a joint county bridge on said road

HOUSE BILL No. 1033.

An Act providing that any person who was engaged in the military or naval service of the United States during any war in which the United States was engaged, and having an honorable discharge therefrom, shall receive credit for the experience and training derived from such service, in civil service examinations.

HOUSE BILL No. 1312.

An Act to amend sections one two three and four of an act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An act defining consolidating of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the tranportation of pupils to and from consolidated schools"

With the information that the Senate has passed the same without amendment.

BILL RECOMMITTED.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I move that House Bill No. 1185, file folio 5531, entitled:

An act establishing and creating the office of the fire marshall in counties of the second class in the Commonwealth of Pennsylvania, providing for the appointment of fire marshals, deputies and assistant fire marshals in such counties, providing for the fixing and determining of the salaries to be paid such fire marshals, deputies and assistant fire marshals, defining their powers and duties and providing for a review by the courts of common pleas of such counties of all the orders of such fire marshals and providing for the filling of liens for the costs of removal of nuisances and regulating the adjustment of fire losses, authorizing the county commissioners of such counties to provide suitable offices for such fire marshals and the necessary equipment stationery and clerk hire therefor, authorizing the appointment and fixing the salary of a solicitor for such fire marshals, prescribing his duties, and providing fines and penalties for violation of the orders of the fire marshals

on page 4 of today's calendar be recommitted to the Committee on Insurance for the purpose of amendment.

Mr. STORER. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. VICKERMAN. Mr. Speaker, I move that House Bill No. 1252, file folio 4825 entitled:

An Act providing for the licensing of certain stills and other distilling apparatus; imposing certain duties upon the Secretary of the Commonwealth; providing for the search for, and seizure and destruction of, unlicensed stills and distilling apparatus; and providing penalties

on page 4 of today's calendar, be recommitted to the Committee on Law and Order for the purpose of a hearing.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Gibbon.

The House resumed the consideration on third reading of House Bill No. 1394 (Senate Bill No. 296), entitled:

An Act to amend section two of the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and forty-four) entitled "An Act authorizing the establishment by counties of hospitals for the treatment of persons afflicted qwith tuberculosis providing for the management and maintenance thereof and authorizing the incurring of indebtedness and the levy of taxes therefor" by empowering the county commissioners and county controller where such office exists to take by eminent domain proceedings land necessary for the establishment of such hospitals giving the board of trustees powers concurrent with the county commissioners and county controller in reference to the planning and construction of such hospitals

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Luzerne, Mr. Gibbon, permit himself to be interrogated?

Mr. GIBBON. Yes, Mr. Speaker.

Mr. ALEXANDER. I would like to ask the gentleman from Luzerne to explain the purpose of this bill.

Mr. GIBBON. Mr. Speaker and members of the House, the purpose of this bill is simply to permit the trustees and the authorities of hospitals for the tuberculous to condemn lands surrounding their institutions, or proposed institutions, In Luzerne county we have a lot of waste land, wild land that cannot be used for any other purpose; it cannot be farmed—perhaps it could, but only with a lot of effort—and the citizens of Luzerne have voted to establish a tuberculosis hospital as per the law passed two years ago. They want to place themselves in a position where they can get additional ground if they want it. They do not want to place themselves in a position where they are obliged to be held up by people who have land that is not worth anything, but simply want to hold them up because the land is to be used for an institution of this kind.

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the gentleman further.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. GIBBON. Yes, sir.

Mr. ALEXANDER. In other words, this is an extension of the right of eminent domain?

Mr. GIBBON. I do not know anything about the law; I am not an attorney and I am not entirely familiar with the law as governing eminent domain.

Mr. ALEXANDER. It is true then that there is nothing to prevent commissioners of any county if they see fit from condemning a homestead in order to build a tuberculosis hospital on it?

Mr. GIBBON. Yes.

Mr. ALEXANDER. Mr. Speaker and members of the House, this is the bill to which I called your attention when it was put on the postponed calendar some time ago. You will remember that at that time I called your atatention to the fact that this is an extension of the right of eminent domain. Now, if there ever was a weapon put in the hands of any person that was obnoxious, it was the right of eminent domain. True it is that in many instances for the public good it is necessary that we have such a right of eminent domain, but that is when, as I said before, a public improvement starts at a certain place, like a railroad for the benefit of the public, which must start at a certain point and end at a certain point and may be used to prevent somebody in the line of that railroad from interfering with that public convenience or railroad. It was only for that that the right of eminent domain was given. It was never intended that the right of eminent domain be taken for such a purpose as this.

Now, sometime ago, under the Act of Assembly, Delaware County voted to spend $50,000 for a tuberculosis hospital and they are now endeavoring to buy land in Delaware County right among homesteads upon which to erect a tuberculosis hospital, right on some of the most important ground there is in Delaware county, and when you take it that the counties like Delaware and Montgomery in the eastern part of this state are almost solidly built up, the idea of giving the County Commissioners the right to condemn land whereby they may build a tuberculosis hospital right under your nose, and especially in districts like Delaware and Montgomery in which we all know the climate is not suitable for tuberculosis hospitals, I say it is not right to extend the right of eminent domain to questions where it should not be extended.

Under the former act, the county commissioners have the right to go out and purchase lands. In many counties they may not be able to purchase the lands because of the fact that people do not want these hospitals right under their noses and right on their homesteads where they have lived and where they have built their homesteads for the future. How would you like to have a country site and have the commissioners come out and say "This is a very pretty place for a tuberculosis hospital" and they would condemn that by the right of eminent domain and there erect a tuberculosis hospital right under your nose and compel you and your neighbors to move out of there. Of course, if you go up in the mountains, go up where the climate is suitable for tuberculosis patients, go up perhaps in Luzerne county where it is a good place to cure tubercular patients, it is all right to pass a bill of this kind, but counties of that kind are only one among a hundred, I should say one among many in the state, and in many in the state where they are built up like Delaware, Montgomery and Bucks counties are, these counties surrounding large cities, this bill extends the right of eminent domain where it should not be extended. It places a burden on municipalities where it should not be placed, and I ask you to vote against it.

Mr. EDMONDS. Mr. Speaker, may I interrogate the gentleman from Delaware, Mr. Alexander?

The SPEAKER. Will the gentlman from Delaware permit himself to be interrogated?

Mr. ALEXANDER. Yes Mr. Speaker.

Mr. EDMONDS. What was the object of the legislation that allowed counties to build tuberculosis hospitals within each county, when it was so self evident that there were certain section of the State wherein such hospitals should not be located from the standpoint of health?

Mr. ALEXANDER. I cannot tell what the idea of the legislation was. From my idea, I thought that it was wrong at the time and I voted against it.

Mr. EDMONDS. How old was the act?

Mr. ALEXANDER. The act was in 1921.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, in reading the bill I see that the authority for condemnation of land for the purpose indicated in the bill is limited to the laws under which land is now condemned by school districts for school purposes. I would like the gentleman from Delaware to explain that a little more fully. That thought has not been brought out

Mr. ALEXANDER. Mr. Speaker and members of the House, this is simply extending the right of eminent domain. The law under existing procedure, permits land to be acquired by school districts for school purposes and that is an extension of the right of eminent domain, the condemnation of private property for public use. That is all that means. I do not know whether it was put in there to confuse or not; I don't think so. It is simply the old right of eminent domain under which, at the present time, the school districts have the right to condemn land for building school houses thereon. That simply is the right of eminent domain with the exception that the old right of eminent domain was only for the purpose of building railroads. As I said before, these rights have usually been restricted to the purpose of railroads and buildings such as that

Mr. GIBBONS. Mr. Speaker, may I interrogate the gentleman from Delaware?

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. GIBBON. May I ask the gentleman from Delaware whether or not the county is very hilly, or very mountainous?

Mr. ALEXANDER. We have a few hills, but nothing that you might call mountains.

Mr. GIBBON. Is there any place in Deleware county where authorities might suggest the erection of a tuberculosis hospital?

Mr. ALEXANDER. Mr. Speaker, there is no place in Delaware county, to my mind, and to the mind of many others, suitable for tuberculosis hospitals, although the county a year ago voted on the subject and there was no open opposition to the movement, and it was carried to erect a tuberculosis hospital in that county, if the vote was taken today, it would be defeated five to one because the people have seen the error they made at that time, especially the fact that many of the people who voted for it, at the present time have been threatened with having a tuberculosis hospital built right under their noses. They see the trouble of it, and if this bill goes through, within a month or two right in the best section of Delaware county the property will be condemned for the purpose of building a hospital that will kill people rather than cure them.

Mr. GIBBON. Mr. Speaker, may I ask the gentleman from Delaware whether he will not make an effort to so amend this law that it might be possible for the counties of Delaware and other counties that do not have flat land, to buy land in other sections to take care of the people suffering from tuberculosis in their county?

Mr. ALEXANDER. The reason I did not do that is because there is no danger of buying land in Delaware county for that purpose. I am opposed to the extension of the right of eminent domain on the general principle that it is wrong to take a man's property or a woman's property either for the purpose set forth in this bill. It was never intended that the right of eminent domain, in other words, the power of the Commonwealth, should extend to purposes of this kind and that is what is meant by the right of eminent domain, the power of the Commonwealth to take private property for public improvements.

Mr. GIBBON. Mr. Speaker, may I ask the gentleman from Delaware whether he is more interested in this question of eminent domain than he is in the health and up-building of the citizens of his community?

Mr. ALEXANDER. Mr. Speaker, I am more interested in the people of this Commonwealth than I am in any particular question. I am more interested in the people in general of this Commonwealth of Pennsylvania than I am in certain individual fads here and there throughout the counties. I am not here to help pull the chestnuts out of the fire for any particular district. I am here to legislate for the whole commonwealth and not for one part, or any county.

Mr. KOHLER. Mr. Speaker and members of the House, I remember about two weeks ago the gentleman from Delaware, Mr. Alexander, on the floor of this House eulogized the honesty of the public officials of Delaware county, and he is here today questioning their discretion. Now whether the county of Deleware wants the right of eminent domain or not, some of the more progressive counties do. I speak very particularly concerning Lackawanna county. Two years ago the pepole of Lackawanna county voted to erect and maintain a tuberculosis hospital and we believe that they did not make a mistake in doing that. On account of conditions in the anthracite region where miners' asthma frequently turns into tuberculosis it became necessary to extend the grounds, and we found that some designing farmers had purchased the surrounding land and in some cases they asked as high as 2000 per cent profit. Now in a case like that, in fairness to the sick, and in fairness to the institution already established we believe we should have the right of eminent domain. It is the only way in which we can take care of the sick. I believe it is very un-Christian to oppose any measure which makes for the welfare of our sick and I ask the members of this House to vote for this bill.

Mr. GIBBON. Mr. Speaker, may I interrogate the gentleman from Delaware, Mr. Alexander, further?

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. ALEXANDER. Yes, sir.

Mr. GIBBON. May I ask the gentleman if there is anything in the law now which prevents an individual from selling his property for this purpose?

Mr. ALEXANDER. Absolutely nothing.

Mr. GIBBON. There is not?

Mr. ALEXANDER. Absolutely none.

Mr. GIBBON. Mr. Speaker and members of the House, under this law there is nothing which is not going to be fair to the persons who own the ground. Where the health of the community is involved, it seems to me the county commissioners or the authorities in charge of the erection of such institutions should have the right to appeal to the courts to condemn this land. The people will be paid a fair price and there will be no real injury involving anyone and I cannot see any reason in the world why anyone should oppose a measure of this kind.

Mr. ALEXANDER. In further answer to the gentleman from Luzerne, there is nothing in this bill that prohibits a person from selling his property, of course not. If this bill is going to be so fair to the people who own property, what is the use of having the bill?

POINT OF ORDER.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. JOSEPH C. MARCUS. The gentleman from Delaware has spoken more than twice on the same subject matter.

The SPEAKER. The Chair rules that the point of order is well taken.

Mr. ALEXANDER. On the question of the point of order, the question was asked of me, and now I have a right to answer that question as I see fit. I simply said, no sir, in my answer but I have a right to add to that answer, and that is all I have been doing.

The SPEAKER. If the gentleman is speaking in answer to an interrogation he is perfectly right, but the Chair did not so understand it.

Mr. ALEXANDER. I started in in my first remarks, and I said, "In further answer to the gentleman's question", and it is entirely in answer to his question, absolutely. I said in further answer to that question, because I simply said in answer to that question, "no sir."

The SPEAKER. The Chair is firmly of the opinion that if the gentleman had been interrogated by the gentlman from Luzerne, Mr. Gibbon, he would be within his right, but no such interrogation is made.

Mr. ALEXANDER. The interrogation was made.

The SPEAKER. The gentleman is now speaking on an argument. His argument is in answer to argument made upon the floor of this House.

Mr. ALEXANDER. All right, sir.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—100.

Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Blair,
Bluett,
Blumberg,
Boback,
Brewster,
Burns,
Clutton,
Coldsmith,
Conner,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Fields,
Fowler, A. L.,
Fowler, D.,
Gelder,
Gibbon,
Gilchrist,
Golder,
Gorham,
Goss,
Greeby,
Grimes,
Guerin,
Heffernan,
Henderson,
Himes,
Holcombe,
Huber,
Irvin,
Jones, E. P.,
Keene,
Kohler,
Lucas,
Mack,
MacKinney,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Mathay,
McBride,
McDaniel,
McDermott,
McKim,
McVicar,
[illegible]ar,
Miller,
Morrison,
Munley,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Patterson,
Pitts,
Posey,
Post,
Raymond,
Richards,
Rippman,
Sautter,
Sample,
Schaeffer,
Schleiter,
Schwartz,
Shambach,
Sheridan,
Smith, H.,
Smith, J. W.,
Sowers,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Stevens, A. F.,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Wheeler,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, W. P.,

NAYS—64.

Albert,
Alexander,
Behney,
Betts,
Brenneman,
Bromley,
Brown,
Brownmiller,
Bush,
Craig,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Flinchbaugh,
Flynn,
Fratt,
Frazier,
Griffith,
Gundy,
Hall,
Harter,
Heffran,
Hetrick,
Heyburn,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Johnson,
Jones, C. B.,
Jones, D. J.,
Kelly,
Kennedy,
Kunkle,
Labar,
Lauver,
Little,
Ludlow,
Malie,
Marshall, W. F.,
McClure,
Metcalf,
Minehart,
Moffatt,
Moore,
Orr,
Peelor,
Price,
Rhodes,
Rinn,
Sarig,
Schoener,
Spangler,
Storb,
Walker,
Weamer,
Wells,
Wettach,
Wood, N.,
Zook,
Goodnough,
Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

RESOLUTION

TO INVESTIGATE THE DEPARTMENT OF BANKING.

Mr. BRENNEMAN asked and obtained unanimous consent to offer the following resolution which was twice read and laid over under the rules:

In the House of Representatives, May 1, 1923.

Whereas, The failure of the City Bank of York and a number of other State banks throughout the Commonwealth has injuriously reflected upon the banking business of this Commonwealth and greatly disturbed business in the respective communities, and has caused great financial loss and sore distress to a large number of persons, and

Whereas, Under the laws of this Commonwealth it is the duty of the Commissioner of Banking at least twice in each year to examine thoroughly every State bank, trust company, and the business of private bankers in this Commonwealth, and

Whereas, It appears that the banks which have failed were not examined as frequently as is required by law, and that the said City Bank of York was not examined by the State department for a period of over two years, and

Whereas, It appears that these bank failures were caused by embezzlements and thefts committed over long periods of years, which thorough and efficient examinations should have revealed before said embezzlements and thefts had become so great as to seriously affect said banks, and

Whereas, It is possible that these large embezzlements and thefts could have been averted by a vigilant and efficient inspection and supervision by the Banking Department of this Commonwealth, therefore be it

Resolved, (if the Senate concur) That a commission of eight citizens is hereby created which shall be composed of three members of the Senate, to be appointed by the President Pro Tempore of the Senate, and five members of the House, to be appointed by the Speaker of the House, which commission is directed to investigate the cause of the delinquency of the Department of Banking in its failure to examine the State banks of this Commonwealth as directed by law, and the failure of the said Banking Department to discover upon inspection the embezzlements and thefts which were the cause of the failure of said banks.

Resolved, That the commission shall organize by the selection of a chairman and a secretary. It shall have power to hold such hearings as may be deemed necessary to carry out the intent of this resolution. It shall have power to take testimony, to subpoena witnesses, and to require the production of books, papers, records and documents. If any person shall refuse to obey any subpoena issued by the commission, or fails or refuses to appear and testify, or to produce any books, papers, records or documents, the commission shall lay the facts before the General Assembly for action.

Resolved, That said commission shall complete its duties by the fourteenth day of May, one thousand nine hundred and twenty-three, and shall on said day make a report to the General Assembly, and in said report shall include such recommendations as it may deem necessary for the correction of the evils now existing. Such report shall be accompanied by such drafts of legislation as the commission may deem necessary in the premises.

BILL ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Wells.

The House resumed the consideration on final passage of House Bill No. 1408 (Senate Bill No. 511), entitled

An Act making it a misdemeanor to forge or to make or manufacture any object with intent of representing or of permitting the same to be represented as an archeological specimen; or to sell or exchange or to possess for the purpose of selling or exchanging as such any object so unlawfully forged, made or manufactured; and providing penalties.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. WELLS. Mr. Speaker, I move that the vote by which House Bill No. 1408, (Senate Bill No. 511), passed on third reading be reconsidered.

Mr. EACHES. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WELLS. Mr. Speaker, I move that House Bill No. 1408, (Senate Bill No. 511), be postponed for the present.

Mr. EACHES, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Craig.

The House resumed the consideration on final passage of House Bill No. 831, entitled:

An Act providing punishment for the selling and furnishing of intoxicating liquors or liquids represented as intoxicating liquors contrary to law thereby causing the death of persons drinking the same

RECONSIDERATION OF VOTE.

On the question,

Shall the bill pass finally?

Mr. CRAIG. Mr. Speaker, I move that the vote by which House Bill No. 831, passed on third reading be reconsidered.

Mr. HEYBURN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. CRAIG. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend the title, page 1, line 1, by inserting after the word "furnishing" the following for beverage purposes

Amend the bill, page 1, Sec. 1, line 5, by adding after the word "liquors" the following: for beverage purposes

Amend the bill, page 1, Sec. 1, lines 6, 7 and 8, by striking out the following: "or any Act of Congress of the United States or of the Constitution of the United States"

Amend the bill, page 1, Sec. 1, lines 11 and 12, by striking out the following: "or any other person"

Amend the bill, Sec. 1, page 2, line 2, by striking out the word "voluntary" and insert in lieu thereof involuntary

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. George W. Williams.

The House resumed the consideration on final pasage of House Bill No. 1235, entitled:

An Act authorizing the Department of Forestry to grant on terms, conditions and stipulations rights to occupy and use any portion of the State Forests for dams, reservoirs, canals, pipe lines and other water conduits for water supply purposes; and providing for forfeiture and other remedies for breach of such terms, conditions and stipulations.

On the question,

Shall the bill pass finally?

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I yield to the gentleman from Forest, Mr. Wheeler.

Mr. WHEELER. Mr. Speaker and members of the House, in view of the apparent misunderstanding which was present on the occasion of the previous appearance of these bills before this House, I feel that a word of explanation would be in place. I should like to say that I have had some experience with the doings of working power companies, and that I was on that occasion, and am now, in full sympathy with the popular feeling against water trusts, which seek to create a monopoly and which forget to safeguard the rights of life and property and to look out for the local things in the community. There is nothing of that sort contained in this bill, 1235, nor in its companion measure, 1238. The idea of these two bills is simply this: A year or so ago the deputy attorney general rendered an opinion that the Forestry Department had not the right to make grants for water power development involving the submergence of various lands, or trees; in other words the State Forestry Department has not as much right as a private owner at the present time to enter into an agreement to grant lands for water power developments. The object of this bill 1235, and its companion measure, is simply to give the state Forestry Department the same right which any private owner has to make a grant for water power development. It is further safeguarded by a clause in the bill protecting the popular interest. That clause reads: "Every such grant shall be on such terms conditions and stipulations as the Department shall deem necessary for the protection of the present and future interests of the Commonwealth and its people."

Now, that does not mean, should this bill pass, as it should, that does not mean that the Water Supply Commission is infringed upon in any way. In the case of any dam involving an important area a permit is still necessary from the Water Supply Commission. In other words, the passage of this bill has nothing to do with any future legislation; for instance, the reorganization code. It simply gives the State Department of Forestry the same right to use its land and administer its land that any private owner has at the present time, and so far as I can see, members of the House, there can be absolutely no valid objection to the passage of these two bills.

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the gentleman from Forest, Mr. Wheeler.

The SPEAKER. Will the gentleman from Forest, Mr. Wheeler, permit himself to be interrogated?

Mr. WHEELER. Yes sir, Mr. Speaker.

Mr. ALEXANDER. Did I understand the gentleman correctly to say that this does not take any powers out of the Water Supply Commission?

Mr. WHEELER. Yes sir.

Mr. ALEXANDER. That it is intended by this bill that the Water Supply Commission shall still control the water supply of the State, so far as that is concerned?

Mr. WHEELER. It shall still control the water supply of the state as at present in regard to the question of safety and the public interest.

Mr. ALEXANDER. Did I understand the gentleman correctly to say that this simply gives the power to the Forestry Commissioner to lease land for dams to water companies.

Mr. WHEELER. 1235 refers to water supply, chiefly reservoirs. Its companion measure refers to other parts of the water supply which come under the head of power.

Mr. ALEXANDER. I asked the gentleman does this only give the Forestry Department the right to lease land for water supply purposes?

Mr. WHEELER. Just as a private individual has now that right.

Mr. ALEXANDER. Just as an individual has at the present time?

Mr. WHEELER. Yes sir.

Mr. ALEXANDER. Mr. Speaker and members of the House, upon examining this bill it would appear that what the gentleman says is correct, and the other day when I read it, while I did not read this bill it was the bill next to it, I thought it was carrying out what was intended in the administration code, but it appears from what the gentleman from Forest has said here and as I look at it, that this only gives the Forestry Department the right to lease part of their forest reservation for the purposes set out in here, and the Water Supply Commission still has control of its duties.

On the question recurring,

Shall the bill pass finally?

Agreeably to the proviisons of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—158.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brewster,
Bromley,
Brown,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dilsheimer,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Fields,
Flynn,
Fowler, A. I.,
Fowler, D.,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Hall,
Harer,
Haslett,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hoover,
Horne,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kunkle,
Labar,
Lafferty,
Lauver,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marshall, J. G.,
Marshall, W. F.
McBride,
Mathay,
McClure,
McCurdy,
McDermott,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Patterson
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schleiter.
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse,
Williams, G. W.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough.
Speaker.

NAYS—12.

Boback,
Brenneman,
Dietz,
Donahue
Howell,
Johnson,
Little,
Marcus, J. C.,
Stavitski,
Stofflet,
Wettach,
Williams, J. M.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. GEORGE W. WILLIAMS.

The House resumed the consideration on final passage of House Bill No. 1238, entitled:

An act authorizing the Department of Forestry to lease for periods of not more than fifty years on terms conditions and stipulations expressed in each lease any portions of the State forests for dams reservoirs canals pipe lines and other water conduits power houses and transmission lines for the development of water power for steam raising and condensation and for the generation and transmission of electric energy

On the question,

Shall the bill pass finally?

Mr. GEORGE W. WILLIAMS. I yield to the gentleman from Forest, Mr. Wheeler.

Mr. WHEELER. Mr. Speaker and members of the House, I will not go into a lengthy discussion on this bill, because it is simply a companion bill to the other bill, 1235. The same points are involved in this bill, only it covers the question of power as distinguished from supply, The other bill was primarily for reservoir projects, and this covers other forms of water power such as steam condensation and hydroelectric projects but the bill is exactly as the other except that it was thought two bills were necessary instead of one.

On the question recurring

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—149.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Brewster,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Craig,
de Young,
Diehm,
Drinkhouse,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Fields,
Flynn,
Fowler, A. I.,
Fratt,
Frazier,
Gibbon,
Gilchrist,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Harer,
Haslett,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Little,
Lucas,
Ludlow,
Lynch,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McKim,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
O'Boyle,
Ogle,
Orr,
Patterson,
Peelor,
Pitts,
Posey,
Post,
Price,
Richards,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.
Smith, J. W.,
Sowers,
Stark,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright
Zook,
Goodnough,
Speaker.

NAYS—4.

Blumberg,
Brenneman,
Johnson,
Rhodes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. GEORGE W. WILLIAMS.

The House resumed the consideration on final passage of House Bill No. 1234, entitled:

An Act authorizing the creation of a commission to negotiate with the duly constituted agents of the states of New York and New Jersey for the regularization of the flow of the Delaware River, the conservation, apportionment, and utilization of the water resources thereof; providing the method for ratification of such compact by this Commonwealth; and prescribing the conditions of its being in full force and effect.

On the question,

Shall the bill pass finally?

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I yield to the gentleman from Somerset, Mr. Ogle.

Mr. OGLE. Mr. Speaker, this bill, House Bill No. 1234, and House Bill 1236, are companion bills with the two bills which we have just passed and go to make up a harmonious whole for what might be called the development of the water and natural resources of our Commonwealth. There has come into existence a new great thought called the giant power idea. This means the utilization of coal at the mine mouth in such a way that all the by-products will be saved and the coke only used without the cost of transportation for developing great quantities of electric energy to be used in conjunction with hydro-electric development in a never-failing reservoir of electric energy. Pennsylvania has numberless mines—

POINT OF ORDER.

Mr. ALEXANDER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. ALEXANDER. Mr. Speaker, my point of order is that the gentleman is not talking on the bill under consideration.

The SPEAKER. The Chair rules that the point of order is well taken. The gentleman will confine himself to a discussion of House Bill 1234.

Mr. OGLE. Mr. Speaker, I want to say that I regard the objection of the gentleman from Delaware as absolutely frivolous. This is a large and comprehensive measure and it requires amplification. I have noticed, Mr. Speaker, that when gentlemen get up here and file exceptions to the arguments that are being made by the members of this House when they undertake to amplify and to lucidate questions by reciting facts from profane and sacred history, that same gentleman calls them to order. Now I want to say if it will gratify the gentleman from Delaware, that this measure, House Bill No. 1234, is a very brief act of Assembly that authorizes the Governor of the Comonwealth to designate three officers of the Commonwealth as commissioners with power to negotiate with the duly authorized agent of the State of New York and New Jersey, a compact in accordance with the constitution of the United States for the regularization of the flow of the Delaware River, the conservation of the resources of the Delaware Basin, and the apportionment thereof among the states for domestic and municipal supplies, and the utilization thereof for power and other beneficial uses. Section 2 is as follows:

"The compact negotiated by the said commissioners shall be submitted by the Governor to the General Assembly, and the Congress of the United States having consented thereto, shall be in full force and effect upon its ratfication by a duly enacted law of this Commonwealth and by the states of New York and New Jersey as their laws may respectively prescribe." Under the act 1236 it is contemplated that the waters of the Delaware, together with the waters of the Niagara and the great river, St. Lawrence, shall be bridled and that they shall be brought to the Comonwealth of Pennsylvania to be used in generating power that will be delivered to the cities and towns and villages and homes in the Commonwealth. It will be a realization of a dream that could not have been entertained some years ago because science had not yet then developed this thing in harmony with the development of the great water powers that they have since developed in the western part of the United States, where the waters of the Rocky Mountain are conserved and carried down to the inhabitants of the Pacific Slope in California, where they have generated cheap electricity and water power. Now this looks forward to the making of such an agreement with the states that are foreign to us, and which will have to be approved by the Congress of the United States to finally make this effective and enable us to carry that out. What a grand thing it will be for us when we can sit in our homes and have our houses lighted by electricity and heated by electricity generated from power brought from the river St. Lawrence or the Niagara or from the River Delaware. This is a great project, and you gentlemen are fortunate to be members of this Assembly of 1923 when this was brought upon the floor of this Legislature to be enacted into law, because you will have the honor, and your posterity will have the honor, of saying that you helped to put forward this great movement for the conservation of the natural resources of this and other states for the use of our State. I cannot see why there should be one vote cast aganst so worthy and helpful an object as this is, which is for the betterment of every man, woman and child within the State.

Mr. ALEXANDER. Mr. Speaker, I am not opposing this bill because of the good purposes that are in it, but I am opposing it because of the fact that we have at the present time a Water Supply Commission which has been properly functioning. If it has not been properly functioning the Governor has the power to appoint members on that Water Supply Commission who will properly function, and I am opposed to any other department, I care not whether it is the Governor or who it is, intermeddling and taking away from these different departments those things upon which they are properly functioning at the present time. Why what will it mean? If the Governor, and this is with no disrespect to the Governor whatever, whether it is this Governor or past governors or future governors, if he is going to be permitted to take out of departments which have been organized for certain purposes by this Legislature, if he is going to take out of that department the power to function on these very things the time will soon be here when we will have no one working here but the Governor. He will be the only one for us to elect. We are nearing the stage when they will be doing away with the Legislature, both the House and the Senate, and the only one that will be up here will be the Governor who will do all these things and will be acting for us. If we are going to have a proper government we must let each department function in the proper way in which they are supposed to function, and I am opposed to any other department meddling or interfering with the functions of this department as this department is now in existence. That is my objection to this bill. The Water Suppley Commission at the present time has full power to act as the Governor proposes to act himself. This bill, and I am only taking the bill, 1234, this bill and 1236 are not companion bills to the other two that we just passed. What has the Delaware River directly to do with the forests of Pennsylvania? This bill provides that the Governor shall appoint three commissioners to act with him. Why doesn't he allow the Water Supply Commission to act for the Commonwealth of Pennsylvania? This bill provides that the commission shall act with the properly authorized agent of the states of New Jersey and New York, and that is what I want to do. I want the properly authorized agents of the Commonwealth, for whom I so far have respect, I want them to act with the authorized agent of the states of New York and New Jersey. The members of this legislature some years ago inaugurated and instituted the Water Supply Commission and under the Constitution it is properly defined what they shall do. We, as members of the legislature, said further than that by our acts of assembly what their duties should be, and now we have the Governor coming along, notwithstanding the fact that the members of the legislature have been elected the same as I have been elected, and saying, "You are not fit to say what these different departments shall do". I want to say that every step like this is an insult to you and to me and to your intelligence and my intelligence. I am getting tired of it. I feel that the people have as much confidence in you and me as they have in the Governor of this Commonwealth, and I say that every time he takes these functions out of our hands and hands a bill like this to us, it is a slap in my face and your face, a slap at your intelligence, and my intelligence and I do not propose to stand here and stand for it without resenting it. If I am not going to have anything to say, if I am not able to vote without being dictated to, either by promise or threat, then I want to stay at home where I can think for myself on the things I am doing. But since I have a seat in this Body I am going to have my say without going around the corner and asking him for advice. That is the position I take on this matter. I say to you that you and I have designated the power to act on these subjects to a certain department and I do not propose at this time to hand them over to any man, whether the Governor of the Commonwealth or one of the other agents which he has desinated.

Mr. BIDELSPACHER. Mr. Speaker House Bill No. 1234, as I take it, simply is designed to establish an orderly and systematic method of procedure for the development and utilization of the waters of the Delaware river. This utilization of the waters of the Delaware River is to be accomplished through a commission, it is an interstate project. The Governor, under this bill, is empowered to appoint three commissioners to represent the state of Pennsylvania in this project, and to meet with the authorities of the states of New Jersey and New York. As I take it, there is no thought here of taking out of our hunds any function. The work of these commissioners will be safeguarded and will be hedged by this bill because what they do shall not be effective until it is ratified by this assembly and by the Congress of the United States. There is no attempt here to take out of the hands of our Water Supply Commission any of its functions, and this is a project for the utilization of water, not only within the state but the waters without the state, and, I take it, it is entirely proper for the Governor to appoint a commission representing the state of Pennsylvania in this interstate project.

Mr. KOHLER. Mr. Speaker, I would like to state that I believe my friend from Delaware is unduly agitated about this bill, House Bill No. 1234. So far from its being an attack on or insult to the Water Supply Commission, my understanding is that the Water Supply Commission would welcome the passage of this bill. In other words, it is a step in the right direction. At the present time there are various obstacles in the way of the Water Supply Commission's dealing with water power projects on the Delaware. These obstacles run back to the eighteenth century,—an old treaty between Pennsylvania and New Jersey. Now, what in the world is the use of our going on under these old hindrances without any effort to remove them. The Water Supply Commission is not attacked, its authority is not extended explicitely, but there is nothing to prevent the Water Supply Commission from being represented among these officers by the Governor, in fact I believe it would be represented. There is nothing to prevent all three officers from being members of the Water Supply Commission, and I am sure that as far as our Water Supply Commission goes, they would be very glad to see this bill pass, making things easier for them. Furthermore, it would mean a vast deal to the people of Pennsylvania. It is an act which concerns the people of this Commonwealth, and I feel that any of us who should venture to oppose this bill, whether erroneously or not, would be playing the part of obstructionists.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—121.

Anderson,
Armstrong,
Arthur,
Aston,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Clutton,
Coldsmith,
Colville,
Conner,
de Young,
Diehm,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Flynn,
Fowler, A. I.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Goehring,
Goss,
Griffith,
Grimes,
Guerin,
Gundy,
Haines,
Hall,
Harer,
Harter,
Haslett,
Heffran,
Henderson,
Hetrick,
Himes,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kunkle,
Labar,
Lauver,
Long,
Ludlow,
MacKinney,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McClure,
McCurdy,
McDaniel,
McKim,
McVicar,
Metcalf,
Moffat,
Morrison,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Pitts,
Posey,
Price,
Raymond,
Richards,
Sample,
Schaeffer,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H.,
Soffel,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—41.

Alexander,
Betts,
Boback,
Brenneman,
Craig,
Dietz,
Dilsheimer,
Eshelman,
Evans, J.,
Flinchbaugh,
Fowler, D.,
Glasgow,
Golder,
Gorham,
Greeby,
Haas,
Heyburn,
Hontz,
Huber,
Johnson,
Kohler,
Little,
Lucas,
Marcus, J. C.,
McCaig,
McDermott,
Millar,
Miller,
Munley,
Nolte,
O'Boyle,
Post,
Rinn,
Rippman,
Sarig,
Sautter,
Schleiter,
Schoener,
Sheridan,
Smith, H. J.,
Stavitski,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. GEORGE W. WILLIAMS.

The House resumed the consideration on final passage of House Bill No. 1236, entitled:

An Act providing for a giant power survey: creating a Giant Power Survey Board; defining the powers and duties thereof; requiring officers, Departments, Commissions, and other agencies of the Commonwealth to give information thereto; and making an appropriation.

On the question,

Shall the bill pass finally?

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I yield to the gentleman from Somerset, Mr. Ogle, that he may complete his remarks on this bill.

Mr. OGLE. Mr. Speaker, this is the last of a series of bills, completing this series of bills, and it simply provides for a giant power survey board composed of the Governor, the Attorney-General, the Commissioner of Forestry, the Secretary of the Water Supply Commission, the Chairman of the Public Service Commission, the Secretary of Agriculture, the Commissioner of Labor and Industry, the State Geologist, a deputy attorney-general to be designated from time to time by the Governor, and a competent engineer to be designated from time to time by the Governor. Now the bill goes on to authorize this survey to be made, and they are to report their survey to this Legislature for its adoption and approval. It authorizes them to gather all statistics in connection with this subject and to the best method of utilizing the water and electric power, that shall be generated. This report is to be made at the opening of the regular session in 1925. The sum of $35,000 or so much thereof as necessary is appropriated to pay the expenses of the engineer, who will be a highly educated and technical man, and of course he will have to be paid. The other members of the commission serve without compensation except for necessary travelling expenses and for necessary printing, and that is all there is to the bill. It is absolutely essential in order that the other members that we have adopted may be worked out, that this measure shall also pass, and I hope that every member of the House will vote for this bill.

Mr. ALEXANDER. Mr. Speaker, the remarks I made on the former bill might also apply to this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—119.

Albert,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brewster,
Bromley,
Brown,
Burchinal,
Chaplin,
Clutton,
Colville,
Conner,
de Young,
Driggs,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flynn,
Fratt,
Frazier,
Gibbon,
Gilchrist,
Goehring,
Goss,
Griffith,
Grimes,
Guerin,
Haines,
Harer,
Harter,
Haslett,
Heffran,
Henderson,
Hetrick,
Himes,
Holcombe,
Hollis,
Hoover,
Horne,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Long,
Ludlow,
Lynch,
MacKinney,
Marshall, W. F.,
McBride,
McClure,
McCurdy,
McDaniel,
McKim,
McVicar,
Moffatt,
Morrison,
O'Boyle,
Ogle,
Orr,
Parkinson,
Peelor,
Pitts,
Posey,
Price,
Raymond,
Richards,
Rippman,
Sample,
Sautter,
Schaeffer,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H.,
Sowers,
Sprowls,
Stark,
Steedle,
Sterling,
Stevens, A. F.,
Stofflet,
Storb,
Stoner,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—26.

Alexander,
Allman,
Beaver,
Betts,
Craig,
Dietz,
Flinchbaugh,
Glasgow,
Golder,
Gorham,
Greeby,
Gundy,
Haas,
Haws,
Johnson,
Little,
Lucas,
Marcus, J. C.,
Miller,
Minehart,
Nolte,
Rhodes,
Rinn,
Sheridan,
Smith, H. J.,
Stavitski,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. WELLS,

The House resumed the consideration on third reading of House Bill No. 1408, (Senate Bill No. 511), entitled:

An Act making it a misdemeanor to forge or to make or manufacture any object with intent of representing or of permitting the same to be represented as an archaeological speciment or to sell or exchange or to possess for the purpose of selling or exchanging as such any object so unlawfully forged made or manufactured and providing penalties

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WELLS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title, page 1, line 1 by striking out the words "to forge or"

Amend title, page 1, line 6 by striking out the word "forged"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as mended lie over for printing.

ANNOUNCEMENT BY THE SPEAKER.

The SPEAKER. The Chair calls the attention of the members of the House to a resolution of the Senate, concurred in by the House, fixing Tuesday, May 1st, at two o'clock P. M., as the time for holding the memorial services in honor of the memory of the late Senator Boies Penrose.

Mr. GOLDER. Mr. Speaker, I move that the Speaker of the House appoint a committee of three to wait upon the Senate and invite the president of the Senate, the president Pro tempore, and the members of the Senate, to attend the services to be held at two o'clock in the hall of the House, in memory of the late Senator Boies Penrose.

Mr. GLASGOW. Mr. Speaker, I second the motion.

The motion was agreed to.

The SPEAKER. The Chair appoints as such committee, the gentleman from Philadelphia, Mr. Golder, the gentleman from Allegheny, Mr. McCaig, and the gentleman from Elk, Mr. Flynn.

APPOINTMENT OF COMMITTEE TO WAIT UPON THE GOVERNOR.

The SPEAKER. The Chair appoints as a committee to wait upon His Excellency, the Governor of the Commonwealth, Messrs. Haws, Whitehouse and Wells.

RECESS.

The SPEAKER. If there are no objections the Chair will declare a recess until 2:00 o'clock P. M. Are there objections? The Chair hears none.

Whereupon, at 1:00 o'clock P. M. the House took a recess until 2:00 o'clock P. M.

AFTER RECESS.

The House reconvened at 2 o'clock P. M.

The SPEAKER (C. J. Goodnough) in the Chair.

The SERGEANT-AT-ARMS. Mr. Speaker, I wish to announce the return of the Committee instructed to wait upon the Senate.

Mr. GOLDER. In conformance with the instructions of the Speaker of the House of Representatives, your committee has waited upon the President, President pro tempore, of the Senate and the members of the Senate, and are presenting with pleasure and with honor the gentleman before mentioned.

The SPEAKER. The members of the Senate will be seated.

The President of the Senate is invited to preside over the joint session, and the President pro tempore is invited to a seat at the desk.

The Chair has the distinguished honor of presenting his excellency, the Governor of the Commonwealth.

JOINT SESSION.

LIEUT. GOVERNOR DAVID J. DAVIS PRESIDING.

LIEUTENANT GOVERNOR DAVID J. DAVIS. The Assembly will be in order.

The Joint Session of the General Assembly is being held at this time to commemorate and in honor of the late Senator Penrose. We will be led in prayer by the chaplain of the Senate.

PRAYER.

The Chaplain of the Senate, Rev. Edward S. Ninde, offered the following prayer:

"O God our help in ages past,
Our hope in years to come;
Our shelter from the stormy blast,
And our eternal home."

We are met here today to honor the memory of one who for many years was a distinguished representative of this Commonwealth in our National Senate. He is no longer with us, but has passed into that bourne from which no traveler has ever returned. And yet, though absent, he is not forgotten. And at this memorial hour, we pause, O God, to thank Thee for his many services to this State, as well as to the Country at large.

He is missed, not only in the legislative groups where his voice was often heard, but still more in the familiar circles of his intimate friends.

In an hour like this, may every heart be subdued and every thought solemnized. May we remember that it is not all of life to live nor all of death to die. There is a never-ending hereafter. Help us to live well, day by day seeking to do our duty to God and our fellow men. Then can we face the future with untroubled assurance, cheered and strengthened by the words of Him who said: "I am the resurrection and the life; he that believeth on me, though he die, yet shall he live; and whosoever liveth and believeth on me shall never die."

All this we ask in the name of our Lord and Saviour, Jesus Christ. Amen.

RESOLUTION.

Mr. DAIX offered a resolution which was twice read as follows:

As the shadows of the night of December thirty-first, nineteen hundred twenty-one, had gathered and the dawn of a new day and the arrival of a new year approached, the spirit of the Honorable Boies Penrose, Senior Senator from Pennsylvania departed this life; And

In view of the distinguished and useful career of the Honorable Boies Penrose in the General Assembly of Pennsylvania, service as a member of the House of Representatives. then as a State Senator and President pro tempore of the Senate, and later as a United States Senator from Pennsylvania, it is but fitting that this General Assembly make expression of the loss sustained by the State and Nation in the death of the Honorable Bois Penrose; And

In noting our profound regret upon his death we feel impelled to refer to the fact that he, perhaps, was the most picturesque figure in the politics of Pennsylvania throughout the generations of all men now living; that he possessed personal magnetism which draw to him an endless column of passionately devoted followers; That

Though for over thirty years he engaged actively as a leader in politics, meeting with keen opposition, ill will and prejudices that such contests always engender, he never bore malice nor sought revenge; That

He abhorred cant and hypocrisy and always was ready to denounce them courageously; That

Though a partisan he always was one of conviction and once convinced he was right he never wavered in his advocacy of the principles of the party or of the cause he espoused; That

His wide mental vision and comprehensiveness of affairs place him among the great statesmen of the nation, and that Pennsylvania may for years look in vain for the counterpart of so able, useful and brilliant servant; Therefore be it

Resolved, That the General Assembly of Pennsylvania in joint meeting take official note of the loss mutually sustained by State and Nation in the death of Honorable Boies Penrose whose sterling qualities as a statesman and leader of men proved of inestimable benefit to the people of the country; And be it further

Resolved, That copies of these resolutions be duly engrossed and sent to the family of the deceased.

Augustus F. Daix, Jr.
Wm. S. Vare
Harvey Huffman
Edward Haws
J. Walter Wells
Robert S. Spangler
C. A. Whitehouse
James V. Lafferty

On the question,

Will the Joint Session adopt the resolution?

LIEUTENANT GOVERNOR DAVIS. We are gathered as you know to pay our tribute and respect and admiration to one who sat for many years in the Pennsylvania State Senate, and was afterwards elevated to the United States Senate, which office he occupied at the time of his death. It was not my privilege to be intimately acquainted with him, but we have men who were closely associated with him, both in his private and his official life,

LIEUTENANT GOVERNOR DAVIS. The Chair recognizes at this time the gentleman from York, Mr. Spangler.

Mr. SPANGLER. Senators, representatives, and ladies and gentlemen, we have gathered here today to do honor to one of the greatest men that Pennsylvania has produced. I feel that there are many friends and neighbors of Senator Penrose who knew him personally and more intimately than I, and I, therefore, feel that it is more or less of a presumption for me to assume to discuss a subject of such import as this great subject under discussion today. Senator Penrose has had an illustious career. He has filled a large niche in the history of his time, and it was an epoch-making time. He was not only a great senator, but at the same time he was the leader of the Republican Party of the nation and the leader of the Republican Party of the state of Pennsylvania. How one man could have filled all of these important positions at one time has always been a marvel to me, but Senator Penrose was devoted to his work. All of his time and all of his thoughts was concentrated on the measure of political questions that affected the state and the nation, and he not only performed all of these duties with great credit to himself and in a manner that redounded to the credit of the nation and the state, but he even had time among all his multifarious duties to devote his attention to the affairs of the city of Philadelphia. In the United States Senate he achieved in a manner that was truly marvelous. Having been elected to the United States Senate in 1897, he sat continuously until the time of his death, and during that time he was the chief counsellor of the national party and was the ranking member of the great committee of finance during the great World War. And when the financial history of the country shall have been written, touching that period, it will interweave the history and the biography of the great senator from Pennsylvania. I am told it was during the period from 1918 to 1921 that his work was so stupenduous, that it was so exacting as to undermine his health, which finally resulted in his death. I recall having visited the Senator in Washington during the year 1919, when he was engaged in the reconstruction of the tariff bill, and he said that his work then was so exacting, so momentous that he could scarcily leave it day or night. He was constantly engaged in the performance of the reconstruction work of the Government during that important period.

Pennsylvania has produced two great congressional figures. One was Thaddeus Stevens, who during the Civil War and immediately after the Civil War occupied the great position of chairman of the Ways and Means Committee of the House, and the other was Boies Penrose, who, during momentous period, but later, occupied the chairmanship of the most important committee in the Senate and was regarded as the dominant figure, not only of that committee, but in the Senate of the United States. There is a striking similarity between these two great men. Neither strove for popular applause, yet both wrought great accomplishment for their people. Both had gigantic intellects and an infinite capacity for hard work. Both were brief when they spoke, grasping immediately the pith of the subject to which they addressed themselves and both had a remarkable clarity of diction and a fine vein of satire, which thely could handle with the sting of the scorpion. Both were zealous, Stevens in the cause of anti-slavery, and Penrose in the cause of the great principles represented by the Republican Party, in which he believed and to which he adhered with striking fidelity; and it was that zeal, it was that honesty of purpose, it was that clear-sightedness, it was that truthfulness that made Senator Penrose the great figure that he became in national life. Nobody ever accused him of being afraid. Nobody ever accused him of going back on his word, and the greatest tribute, I think that Senator Penrose ever received was from the attitude of the newspaper men who loved, trusted and respected him. And of all classes of men, there are no men who are better judges of human character then the newspaper men. Senator Penrose had his faults. Every great man has, but as time goes on, he will be remembered for the great services that he has performed and the great achievements he has wrought for the people of a great state and a great nation.

LIEUTENANT GOVERNOR DAVIS. The Chair recognizes at this time the Senator from Philadelphia, Mr. Vare.

Mr. VARE. Mr. President and members of the General Assembly. Honorable Boies Penrose, the Senior United States Senator of Pennsylvania, answered the call of death at the very zenith of his senatorial career when the country most needed his ripe and extended experience and when the new national administration could ill afford to be deprived of his wise counsel. His long experience in handling the financial problems incident to the chairmanship of the Senate Finance Committee enabled him to perform invaluable services to the nation at large, while the great industries of his home state ever confidently relied upon his influence and his untiring advocacy of protective tariff legislation as the fundamental guarantees of successful enterprise. Senator Penrose brought to the political life of our state the sagacity of a politician, the acumen of a trained lawyer and learning acquired in earnest pursuit of higher education. While our political paths often led in different directions, still my two brothers, the late Senator George A. Vare and the late Senator Edwin H. Vare and myself, each in our own ways aided in his elevation to that great post of honor which he so long held and in which he performed such notable accomplishments for Pennsylvania that in the last days caused him to have outlived political rivalry and real opposition, and finally crowned his life by the return to the United States unopposed at the primaries of his party which evidenced a devotion and confidence that rarely comes to any man after over a quarter of a century in public life. Of magnificent stature and striking personality, Senator Penrose was distinguished at all times and marked as a most unusual and extraordinary man. He was equally at home in political conferences, assemblies of men of letters, or in the association of the leaders of the nation.

Born of distinguished parents he early evidenced a capacity for the acquisition of education that eventuated in his graduating as an honor man in Harvard University, as a young lawyer both by pen and speech he enriched the Bar of the great city of Philadelphia. The ambition that was in the man and the great activities of which he was capable soon prompted him to leap over the restrictions of the practice of law and he sought the laurels of political battles. From that time to the date of his death his career became an important part of the political and industrial life of Pennsylvania as well as the nation at large.

His struggle against the inroads of that disease that eventually conquered the mortal part of the man in one of written heroism. His spirit was apparently indomitable. He refused to yield to inevitable dissolution. His work is the United States Senate during the last few weeks of his life was performed when death had placed her finger upon his forehead and marked him as no more. When the sad intelligence was flashed over the country that the Honorable Boies Penrose had crossed to the great beyond, all political differences were forever forgotten, all disappointments vanished, criticisms became commendations, and a large percentage of the citizenry of this great Republic mourned the loss of the patriotic American and earnest statesman.

LIEUTENANT GOVERNOR DAVIS. The Chair recognizes at this time Honorable Charles L. Brown, President of the Municipal Court of Philadelphia, a life-long and close personal friend of the late Senator, Boies Penrose.

HON. CHARLES L. BROWN. Mr. President and members of this Joint Assembly, the Governor of the Commonwealth of Pennsylvania and citizens of this great State, here this afternoon, it is a great privilege for me to be permitted, although an ex-senator of this State, to come here and say a word in behalf of a man whom I always admired and with whom I was priviledged to associate in political circles until the day of his death. I recognized the tribute that you gave to me as a tribute to Penrose. He was a great man, and I do not come here like Mark Anthony at the bier of Caesar to say what he said, but to say differently, "I do not come to bury, but to praise Penrose." He comes from a distinguished family with long years of service in this State. His grandfather was a Senator of the State of Pennsylvania and a president of that body in troublous times, and helped to guide it into proper control.

His father was an eminent and a great physician and for many years a dean of the University of Pennsylvania's Medical School, and he left five children, every one of whom sought, in their different capacities, and attained the highest mark in medicine, mentallurgy, mining, engineering and in statecraft. Penrose was a man that didn't have to seek public life. He could have enjoyed luxury and traveled the world. Once, he told me that when he left Harvard, the call of the wilds was upon him and he went and spent months in the wilds of Canada. The call was strong, but, he said, "I was summoned home by my father on a matter affecting the estate of my mother, and as I was walking up the steps—" I will have to tell you this— "and put the latch key in the door, and a good friend of mine, Buck Devlin, came to me and said, 'Where have you been? We have nominated you for the Legislature.' And then," he says, "that was the call of the wild for me again, interesting myself in public affairs." And, oh, what a career his was! Starting in here in this House of Representatives and then in the State Senate. The battles that were fought there! And then I had the great privilege of voting for him for the Senate in 1897. It was a great privilege, and ever afterwards it was a great privilege for me to be present and assist, wherever it was possible, in the undying effort that he was making to properly guide the people of this great country. He was a master mind, wonderfully witty, great in sarcasm, great in learning, and he helped to guide the functions of this great country to the well-being of the country, and when he passed, I had no regrets, I had no sorrow, because it was a great privilege to me to have lived in the age of Penrose, and when he passed, he passed as the greatest man in this country of ours, far greater, because of the extent of this country, than was Pericles, who ruled Athens in Greece, in his day. I thank you for this great privilege.

LIEUTENANT GOVERNOR DAVIS. The Chair recognizes at this time, the Senator from Philadelphia, Mr. Daix.

Mr. DAIX. Mr. President, Governor, and members of the Joint Assembly and friends, it would take too long, as chairman of this committee for me to read to you the numerous communications that I have received from various men through all walks of life throughout this nation. The reason that a number of the United States Senators are not with us today is on account of the sudden death of United States Senator Nelson, and on that committee quite unfortunately for us, were placed men who had very much desire to be present with us on this occasion. But above all, there is one man in the cabinet of the President of the United States who made a personal request over the telephone, a request by telegram, a request by letter, and then followed the communication itself, and I would do him the honor of reading his letter at the services today. This communication is from an old friend of mine, a friend of most every man in political life, the Secretary of Labor, Jim Davis. The letter is dated April 30th, 1923, and reads as follows:

"Hon. Augustus F. Daix, Jr., Capitol, Harrisburg, Pa.

My dear Mr. Daix. I regret that I am unable to be with you personally to bear a small part in your tribute to the memory of Pennsylvania's great son, Boies Penrose. He was one of those who rose to rank in our republic through his loyalty to those essentially human principles which are the foundation of our representative form of government. In his personal relations he was lovable, in his public life he was honorable. He was Pennsylvania's contribution to American leadership in days when leadership meant much to the nation. He was an intensely loyal partisan, but his partisanship was founded deep in patriotism.

I knew him as friend and leader. No man knew a more devoted attachment to his friends, a greater loyalty to those who were loyal to him, than Boies Penrose. He was always ready to extend the helping hand to those in need, to give his best efforts for those who looked to him for aid. In all things he was a human soul, with a deep appreciation of the trials, the troubles, the aims and the hopes of those around him. Our tribute to him might well be summed up in the words of the great poet, "Nature might stand up and say to all the world, this was a man."

Sincerely yours,

(James J. Davis), Secretary of Labor."

I feel that I could do nothing less than read that letter, and with no reflection and no desire not to read the others, but after the three requests I felt that it was my duty to do so. It was within the confines of the old city of Philadelphia proper, and on the eve of the great national conflict, that there was born, on November 1st, 1860, to that distinguished Philadelphia physician, Dr. Penrose, a son, who was destined to play a part on the national stage of life. This son was born of an ancestry that dated back to the colonial days, many of whom were among Pennsylvania's and New England's early settlers. In the days of the Revolution, when freedom was at stake, and the question of liberty hung in the balance among those who fought and took their place in the ranks of the soldiers was this man's great grandfather. He was only a stripling, but he helped to throw up the breastworks at Bunker Hill and helped to keep the British back. Young Penrose, from such a fighting as well as an intellectual ancestry, inherited those qualities which helped to make him a leader among men, not only in the political world, but likewise in the educational also. He entered Harvard when only eighteen years of age, ranking among the very few that matriculated at such an early age, and graduated in 1881. Within a very short period, he was admitted to the practice of law in the Philadelphia Courts in 1883. They tell us that law is a very jealous mistress, and those who desire to follow in her footsteps must guard very carefully; and this young man or this young practioner found himself longing for a wider and a larger field, and the doors of politics opened up to him, and from then on he was shown to be a leader. He was elected to the House of Representatives in 1884, and to the Senate in 1886, in which body he served with distinction and was elected president pro tempore of that body in 1889. He was elected by the Legislature to the United States Senate, and took his seat March 4th, 1897, the time McKinley was inaugurated president.

It was, ladies and gentlemen, New Year's Eve in that great city of Washington. There were only thoughts of gaiety and mirth in the hearts of everyone. They tell us the scintillating rays of the light were throwing their glow all around and their were no thoughts of sleep for anyone, and then one great national figure seemed to go hand in hand with the dying year beyond and across the Great Divide. The bells were tolling their requiem for the dying year and for him. The silver chimes of the New Year were welcoming on the frosty air of night, and then the wires flashed throughout the nation that Penrose is dead, and men stood aghast. Dead? Yes, as far as this mortal life is concerned, but in the memory of every Pennsylvanian, he lives as a great statesman, a great scholar and a great gentleman.

On the question recurring,

Will the joint session adopt the resolution?

LIEUTENANT GOVERNOR DAVIS On this question, the yeas and nays will be taken. The Clerk will proceed to call the roll, calling that of the Senate first.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,

Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Bentley,
Bell, F. A.,
Bell, W. T.,
Bentley,
Beaver,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Loback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Gelder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

LIEUTENANT GOVERNOR DAVIS. Under the roll call the Chair declares the resolution to have been unanimously adopted.

Mr. DAIX. Mr. President, I move that the joint committee appointed by the Senate and House of Representatives to have this memorial service in charge be continued.

Mr. MacDADE. Mr. President, I second the motion.

The motion was agreed to.

LIEUTENANT GOVERNOR DAVIS. The purpose of the joint assembly having been concluded, the Chair declares the joint session adjourned. The Senators will please return to the Senate Chamber to carry on the work of the calendar.

SPEAKER GOODNOUGH IN THE CHAIR.

RECESS.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I move this House do now take a recess until 8:00 o'clock this evening.

The motion was agreed to, and, at 3:00 o'clock P. M., the House took a recess until 8:00 o'clock P. M.

AFTER RECESS.

The House reconvened at 8:00 o'clock P. M.

The SPEAKER (C. J. Goodnough), in the Chair.

SENATE MESSAGE.

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 449.

An Act to amend so much of section one of the act approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 455) entitled "An Act to fix the number of Representatives in the General Assembly of the State, and to proportion the State into representative districts as provided by the constitution."

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendment the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend section 1, page 2, line 17, by striking out the word "Thornbury", and inserting in lieu thereof the word "Thornbury."

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—121.

Albert,
Alexander,
Allman,
Armstrong,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brenneman,
Brewster,
Bromley,
Burns,
Chaplin,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Donahue
Drinkhouse,
Dunn,
Edmonds,
Evans, B. P.,
Evans, J.,
Fowler, A. I.,
Frazier,
Gibbon,
Glasgow,
Golder,
Goss,
Greeby,
Guerin,
Haas,
Hall,
Harer,
Harter,
Haws,
Heffernan,
Heyburn,
Holcombe,
Hontz,
Horne,
Howell,
Huber,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Labar,
Lauver,
Long,
Lucas,
Ludlow,
Malie,
Mangan,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McDermott,
McKim,
Metcalf,
Minehart,
Moffatt,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Orr,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Raymond,
Richards,
Rippman,
Sample,
Sarig,
Schleiter,
Schoener,
Schwartz,
Shambach,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Sprowls,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. J.,
Stofflet,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Vickerman,
Weamer,
Wettach,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments are concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 928.

An act providing for and regulating the public printing and binding the editing for publication and the distribution of all documents reports bulletins and other publications for the use of the Commonwealth the several departments boards commissions and other agencies engaged in the legislative judicial and administrative work of the State government the sale of waste paper the appointment of a Director and other employees and repealing inconsistent and conflicting legislation

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend article 1, section 2, page 2, by striking out lines 25 to 29 inclusive, as follows:

(b) With the approval of the Governor the President pro tempore of the Senate and the Speaker of the House to determine the size character quantity and method of distribution of the various publication to be printed for the use of the General Assembly

and inserting in lieu thereof the following:

(b) With the approval of the President pro tempore of the Senate and the Speaker of the House of Representatives to determine the size and character of the various publications to be printed for the use of the General Assembly provided that that quantity of any new publication for the members and officers of the General Assembly shall be fixed by act or resolution and provided that the members and officers of the General Assembly shall receive not less than the same number of advance sheets of the Laws Bills Calendars Journals Pamphlet Laws Department Reports and other publications as is now authorized by law which shall be distributed to the members and officers of the General Assembly only on the requisition of the Librarian of the Senate and the Resident Clerk of the House of Representatives

Amend section 9, page 6, line 25, by inserting after the word "therefor" the following:

"And provided that all printing and binding required for the work of the General Assembly shall be furnished only on requisition made by the Chief Clerk or Librarian for the Senate and the Chief Clerk or Resident Clerk for the House of Representatives.'

Amend section 13, page 8, line 14, by striking out after the word "hand" the words: "the first of June preceeding all documents:" Also, line 17, by inserting after the word "government" the words "which excess".

Amend section 18, page 10, line 13, by striking out after the words "and of all", the words "printing and binding and."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—157.

Albert,
Alexander,
Allman,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Bluett,
Blumberg,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dilsheimer,
Donahue,
Driggs,
Dunn,
Eaches
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, D.,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Hollis,
Hoover,
Howell,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kennedy,
Kohler,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McDermott,
McGowan,
McKim,
Metcalf,
Miller,
Moffat,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Orr,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Rhodes,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Sprowls,
Stark,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stofflet,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirm-

BILLS SIGNED BY SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 324.

An Act to amend section two thousand one hundred five of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing other forms of teacher training in lieu of teachers' institutes in districts of the first second and third classes

SENATE BILL No. 439.

An Act to amend sections one thousand one hundred five and one thousand one hundred thirty-four of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

SENATE BILL No. 634.

An Act to amend section one of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and three) entitled "An Act regulating the fees of notaries public"

Whereupon,

The SPEAKER in the presence of the House, signed the same.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1405, (Senate Bill No. 472), entitled:

An Act to amend section one of an act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand and seventy-two) entitled "An Act providing a methfod of establishing title to land acquired at a sale for unpaid taxes" extending the provisions of said act to all such sales

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—161.

Albert,
Alexander,
Allman,
Anderson,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Bluett,
Blumberg,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dietz,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, D.,
Fratt,
Gelder,
Gibbou,
Gilchrist,
Glasgow,
Goehring,
Golder,
Goss,
Greeby,
Grimes,
Guerin,
Gundy,
Haws,
Haines,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Heffran,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Labar,
Lafferty,
Little,
Long,
Ludlow,
Lynch,
MacKinney,
Mangan,
Marcus, J.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McClure,
McCurdy,
McGowan,
McVicar,
Metcalf,
Millar,
Minehart,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That he Clerk return the same to the Senate with the information that the House has passed the same without amendment.

RESOLUTION.

RECALLING HOUSE BILL No. 606 FROM THE GOVERNOR

Mr. GELDER offered the following resolution, which was twice read, considered and adopted:

In the House of Representatives, May 1, 1923.

Be it resolved by the House of Representatives of the Commonwealth of Pennsylvania (if the Senate concur) that House Bill No. 606, file folio 5371, be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

The SPEAKER. If there are no objections the Chair will pass over the next bill on the calendar, House Bill No. 835, until the sponser of the bill returns, with leave to call it up at that time. The Chair hears none.

Agreeably to order,

The House proceeded to the third reading and consideraderation of House Bill No. 558, entitled:

An Act supplementing and amending the act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and fifty-nine) entitled "An Act authorizing certain corporations to issue prefered or common stock of one or more classes providing for the manner of issuance restrictions and regulations in the manner of voting thereof and the rights and privileges of the holders thereof validating certain acts of corporations not participated in by the holders of non-voting stock and repealing all acts and parts of acts inconsistent therewith" further authorizing and empowering such corporations to issue shares of capital stock without nominal or par value and regulating such issuing of said stock

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viv:

YEAS—178.

Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haines,
Hall,
Harter,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hontz,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Lucas,
Ludlow,
Lynch,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
McKim,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Sample,
Sarig,
Sautter,
Schaeffer,
Schoener,
Schwartz
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whitehouse,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 235, entitled:

An Act to validate certain municipal assessments municipal claims and municipal liens in the several boroughs of the Commonwealth providing for the filing of claims therefor and the proceedings for the collection of such assessments and claims

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. BREWSTER. Mr. Speaker, I move that House Bill 235, file folio 5507, be placed on the postponed calendar for the present.

Mr. WRIGHT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

The SPEAKER. The sponsor of House Bill No. 835, being now in the House, the Chair states that the next bill on the calendar is House Bill No. 835.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 835, entitled:

An Act to further amend clause (d) section three hundred and six of an act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as amended

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viv:

YEAS—136.

Albert,
Alexander,
Allman,
Anderson,
Arthur,
Aston,
Baker,
Beaver,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brownmiller,
Burchinal,
Burns,
Clutton,
Coldsmith,
Colville.
Conner,
Coyne,
Craig,
Dietz,
Dilsheimer,
Donahue
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Fields,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haines,
Hall,
Harter,
Haslett,
Heffernan,
Heffran,
Henderson,
Heyburn,
Himes,
Holcombe,
Hoover,
Horne,
Howell,
Huber,
Jones, C. B.,
Jones, D. J.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lauver,
Long,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marshall, J. G.,
Marshall, W. F.,
McCann,
McClure,
McCurdy,
McDermott,
McGowan.
Metcalf,
Millar,
Miller.
Moffatt,
Morrison,
Munley,
Myers, G. C.,
Nolte,
O'Boyle,
Orr,
Parkinson,
Perry,
Post,
Rhodes,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Shambach.
Sheridan,
Smith, H.,
Smith, J. W.,
Sowers,
Stark,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet.
Thomas, L. D.,
Thomas, M. G.,
Thompson.
Vickerman,
Walker,
Wells.
Wheeler,
Whitehouse.
Williams, G. W.,
Woner.
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—22.

Bush.
Diehm,
Flynn,
Hollis,
Irvin,
Lucas,
Marcus, J. C.,
Mathay,
McBride,
McDaniel,
Myers, P. M.,
Peelor,
Pitts,
Posey,
Sample,
Smith, G. A.,
Smith, H. J.,
Stoner.
Storb,
Williams, J. M.
Wood, N.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1425, (Senate Bill No. 598), entitled:

An Act authorizing cities of the third class to sell certain real estate and prescribing the procedure to be followed

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viv:

YEAS—180.

Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig.
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fratt,
Frazier,
Gibbon,
Gilchrist,
Glasgow,
Gelder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Heyburn,
Hetrick,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Johnson,
Jones, C. B.,
Jones, C. B.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Stavitski,
Steedle,
Stevens, A. J.,
Stevens, A. F.,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendments.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1444, (Senate Bill No. 787), entitled:

An Act creating a Legislative Reference Bureau providing for the election of a Director by the General Assembly designating the officers and employees of such Bureau defining their duties fixing their salaries abolishing the present Legislative Reference Bureau and making an appropriation

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McVICAR. Mr. Speaker, the bill under consideration as I understood it, provides for the continuance of the Legislative Reference Bureau as it now is. This Bureau has rendered a very efficient service to the Legislature; it has been managed by officers who have been capable and courteous, and have always kept the confidence of the members of this House. It therefore seems to be an almost unanimous desire, I take it, of the members of this House that the Bureau continue as it now is. I have heard it said that probably the Governor was opposed to this bill, and I am authorized to say that while another recommendation was made for the purpose of economy, yet it is entirely agreeable to the Governor if the Legislature desires to pass this bill for its own service, that it be passed.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Bell, F. A.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brenneman,
Brewster,
Bromley,
Brown,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Eshelman,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hoover,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McDermott,
McGowan,
McVicar,
Metcalf,
Millar,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—3.

Johnson,
Raymond,
Schoener,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 352, as follows:

An Act to amend section three of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred twenty-two) entitled "An Act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" making the county treasurer the agent of the Commonwealth in the issuing of licenses and the collection of fees and providing his compensation for such services

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred twenty-two) entitled "An Act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" is hereby amended to read as follows

Section 3 On or before the fifteenth day of January one thousand nine hundred and twenty-two and on or before the fifteenth day of January of each year thereafter the owner of any dog six months old or over shall apply to the county treasurer of his respective county or to a qualified justice of the peace alderman magistrate or notary public of his respective district either orally or in writing for a license for each such dog owned or kept by him Such application shall state the breed sex age and color and marking of such dog and the name and address of the last previous owner and shall be accompanied by a license fee of one dollar for each male dog and each spayed female dog and a license fee of two dollars for each unspayed female dog The county treasurers of the several counties shall be agents of the Commonwealth for the issuing reporting and recording of such licenses and for the collection and reporting of license fees and for remitting fees and fines to the State Treasurer and for such services the said agents shall be allowed to retain for their own use the sum of ten cents for each license issued which amount shall be paid by the applicant for the license in addition to the license fee above provided

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175.

Albert,
Alexander,
Gilchrist,
Glasgow,
MacKinney,
Mangan,
Sautter,
Schaeffer,

Allman,
Armstrong,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brownmiller,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Fields,
Flinchbaugh,
Flynn,
Fratt,
Frazier,
Gelder,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harer,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.
Smith, J. W.
Soffel,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 985, as follows:

An Act providing that mortgages shall cease to be a lien upon the real estate described in the mortgage from and after the expiration of fifty years from the date the principal becomes due unless such mortgages are re-recorded or a declaration recorded that the principal or some part thereof remains unpaid and Providing further That every mortgage the principal of which is overdue more than fifty years at the time of the approval of this act shall not lose its lien under the provisions of this act if within five years after the approval of this act such mortgage shall be re-recorded or a declaration recorded that the principal or some part thereof remains unpaid

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every mortgage heretofore given or hereafter to be given and which is or hereafter shall become a lien on real estate in this Commonwealth shall cease to be a lien on the real estate covered by the said mortgage at the expiration of fifty years from the time when the principal of such mortgage becomes due unless before the expiration of the said period of fifty years from the time the principal of the said mortgage becomes due the holder and owner of the said mortgage shall either (a) re-record the said mortgage or (b) shall record a declaration setting forth the name of the holder or owner of such mortgage and such a description of the said mortgage and the real estate against which the same is a lien as is sufficient for purposes of identification and a statement that the principal secured thereby is unpaid or if not all of the principal is unpaid then a statement of how much of the principal is unpaid Such declaration shall be signed by the owner of the mortgage and duly acknowledged before some person authorized to take acknowledgments of deeds for lands and shall be recorded in the office of the Recorder of Deeds where the real estate on which the said mortgage is a lien is situated Such mortgages and declarations shall be recorded in books in which mortgages are recorded and shall be indexed in the mortgagor index in the name of the original mortgagor in the same manner as mortgages are indexed and shall also be noted on the margin of the record of such mortgage

Section II Every mortgage the principal of which has become due and payable more than fifty years prior to the approval of this act shall (unless sooner satisfied released or discharged) remain a lien for further period of five years following the approval of this act and shall cease to be a lien at the expiration of such further period of five years from and after the date of this act unless before the said period of five years the holder or owner of such mortgage shall either (a) re-record such mortgage or shall (b) record a declaration that the principal or some part thereof is unpaid in the manner provided in the first section of this act Such mortgages and declarations shall also be indexed in the mortgagor index as provided in the first section of this act

Section III All Recorders of Deeds of the several counties of this Commonwealth are hereby authorized and required to receive or record and to re-record every mortgage tendered for re-recording as hereinabove provided and also every declaration as hereinabove provided and the Recorder of Deeds shall record every such re-recorded mortgage and recorded declaration in the books in which mortgages are recorded and the Recorder of Deeds shall also cause the same to be noted upon the margin of the mortgage affected thereby and also to be indexed in the name of the original mortgagor on the mortgagor index in like manner as mortgages are indexed

Section IV Upon the re-recording of any mortgage or the filing of a declaration as provided in this act such mortgage so re-recorded or concerning which such declaration is filed shall continue a lien for and during the further period of fifty years from the date of such re-recording or recording unless sooner satisfied released or discharged

Section V All acts and parts of acts inconsistent herewith are hereby repealed Provided That nothing contained in this act shall be construed to repeal or vary the legal presumption of payment of a mortgage after a period of twenty-one years from the due date of the mortgage nor be construed to repeal any law providing a procedure to obtain satisfaction of a mortgage where the legal presumption of payment of a mortgage exists

On the question,

Will the House agree to the bill on third reading?

Mr. BLUETT. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend sec. 2, page 2, line 28 by striking out the numeral "II" and inserting in lieu thereof "2".

Amend section 3, page 3, line 13 by striking out the numeral "III" and inserting in lieu thereof "3".

Amend sec. 4, page 3, line 25 by striking out the numeral "IV" and inserting in lieu thereof "4".

Amend sec. 5, page 4, line 2 by striking out the numeral "V" and inserting in lieu thereof "5".

The SPEAKER. Will the House give unanimous to the insection of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1228, entitled:

An Act to repeal the act approved the twelfth day of June, one thousand nine hundred and nineteen, (P. L. 461), entitled "An Act to provide for the removal or retirement of judges of the Supreme, Superior, common pleas, orphans' municipal, and county court, permanently disqualified by reason of physical or mental disability to perform their regular judicial functions or duties, and providing for the payment of compensation to them during the balance of the term for which they may have been elected, and, in certain cases, for the remainder of their lives after resignation or retirement, and for filling the vacancies caused thereby; providing for judges who have been retired or who may have retired or resigned under provisions of previous acts or otherwise; and repealing certain acts."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SOWERS. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Wil the gentleman from Blair, Mr. Zook, permit himself to be interrogated?

Mr. ZOOK. Yes, Mr. Speaker.

Mr. SOWERS. Is not this bill a complete repeal of the judges retirement law?

Mr. ZOOK. It is.

Mr. SOWERS. Do you think it would be advisable to repeal this act and prevent the people of Pennsylvania from having a method of removing a judge who has become incompetent by reason of old age?

Mr. ZOOK. I do.

Mr. SOWERS. In other words, you think it would be better for us to lose our method of removing a judge who is incompetent?

Mr. ZOOK. Before 1921 we had gotten along a very long time without it.

Mr. SOWERS. Mr. Speaker and members of the House, the bill before you is a bill which provides for the absolute repeal of the act known as the judges retirement bill, or law. Now an erroneous impression has gone forth that this is a judges' pension law. The judges retirement law is not a pension bill, or a law, it is an act put on our statute books to enable the people of Pennsylvania to rid themselves of a judge who, by reason of age, becomes incompetent and unable to render to the people good service. The way the law works, or the law worked before this retirement law went into effect, the people elected a judge for ten years or they elected a judge for 20 years, and if the judge through some misfortune became incapable of performing the duties of his office, he just stayed in his home, warming his feet, and drew his salary and never attended Court, and the cases simply accumulated, one after the other, until the people were compelled to have another judge and to pay the salaries of two judges. Now which is the best policy for Pennsylvania to pursue? Is it the policy that we have been following for years? Is it the policy which we have been following for the last ten years, the procedure we have followed since the beginning of the Commonwealth, which was to elect a judge for a long term of years. And after he was elected, who could remove him? Who could tell him to go to court? Who could tell him to get to work? Who could tell him that he was not sick; that he had to stay there and hear cases? Not a soul. And that judge if he did not feel well stayed at home and did not work at all, and the people of Pennsylvania paid him a full salary. Then along came a modern thought, and that thought was the Judges Retirement Bill, and that thought was that if a judge is unable to perform the service of his office that it is better to retire him at one-half pay rather than to let him stay at home and draw full pay.

Now this bill, this repeal bill, which you are to vote on, is a bill to go back to the old system, and let the judge draw full pay.

I ask you to vote this bill down. I ask you to vote it down so that the people of Pennsylvania will not be burdened to pay the full salary of a judge when they can retire him under the present law at half pay. Which is cheaper? Which is the best policy?

My friend here on the right of me in the House, the other day said, "The true principle should be 'root hog or die'". That was his expression. Are you willing to apply a principle of that kind to the judiciary of this Commonwealth? Why, if you say to a judge, "root", whose pocket would be root in? He won't die, and if he does root, I hope he will root in the pocket of my friend who gave expression to such a thought.

The judiciary are in a peculiar position. They cannot engage in business; they cannot go out in the market and make money; they are compelled to live according to their position in life; they cannot go out into commerce; they cannot go out into commercial finance. They must stay on the bench and remain impartial, and if you don't provide for them in their old days, maybe they will then be compelled to root in the pockets of my friend, and maybe they will root in the pockets of the people. It is better to treat them fair and keep the judiciary on a high level, and keep it clean. Therefore, I ask you, men and women of this House, not to reverse the policy that this Commonwealth has adopted, and I ask you to defeat this bill.

Mr. EDMONDS. Mr. Speaker, may I interrogate the sponsor of this bill?

The SPEAKER. Will the gentleman from Blair, permit himself to be interrogated?

Mr. ZOOK. Yes, sir.

Mr. EDMONDS. Mr. Speaker, for information, I would like to ask how many judges there are on the pension at the present time, and what does it cost?

Mr. ZOOK. I think there about seven. I had the list but I gave it to another man. It cost $43,000 a year, and the Appropriation Committee has asked for $120,000 for the next biennium.

Mr. EDMONDS. May I ask the gentleman further, if this repealer goes through, what becomes of these gentlemen who are now receiving a pension. Does that stop then?

Mr. ZOOK. Absolutely.

Mr. EDMONDS. The thought in my mind, Mr. Speaker and members of the House, is this: I realize the very great degree of dissatisfatcion with pension plans that we go into in a hurry without considering things, and it always seems that when we do go into one of them the very necessary result is that there is more or less of a contract, and the good faith of the State is involved.

If we were to establish a new system of pensions at the present time we might very appropriately consider a great many questions as to whether we wanted to embark on that, or having embarked on that, and securing the election of judges with the expectation that there would be this provision for their old age, and having provided for a certain number of them for a period of their old age, is it fair then to suspend the operation of the law and go back where we were in the beginning? It is from that point of view, it seems to me, that this legislation is undesirable. It might be desirable to work out some amendment to the plan, it may be desirable to work out some further checks to check the plan which has been existence for several years, under which a number of men have trusted in the good faith of the Commonwealth, but to wipe it out at once seems to me to be very drastic and unfair, and for that reason I join with my colleague from Philadelphia in opposing the bill.

Mr. HORNE. Mr. Speaker and members of the House, as one who was here when this bill was passed, I felt then as I do now that we have passed no more ridiculous legislation in a number of years in Pennsylvania, than this act. We have heard of the lawyers who go on the bench as a matter of charity. We have heard the same thing of some fellows who became paupers on the bench. We have heard about the pension system. We have contradicted ourselves, year after year, on this measure. I do not believe that the honorable judge in Pennsylvania wants to be considered a pauper. I believe he is thoroughly capable of going out and making his own living, even though he is on the bench. I see no reason why we should keep on with a system that is wrong because we started it. We clamor for all kinds of taxes for schools and other purposes, yet here is $120,000 going for a purpose that nobody can justify. I believe in the eyes of the people of Pennsylvania it is ridiculous and outrageous, and we ought to repeal this act and be done with it. I believe the man on the bench even would like to have it repealed. Their election coming as it has in a period of years when the act was passed in many cases has been the cause of their defeat. I should like to appeal to every man in the House if we want to make a pension system, make it for the totally incapacitated and totally disabled, all people of that class, certainly not pick out a class on the bench and make them the subject to receive a pension in the State of Pennsylvania.

Mr. BREWSTER. Mr. Speaker and members of the House, I have listened to the arguments of the gentlemen from Philadelphia with a great deal of interest, but I want to represent the rural districts of this great Commonwealth in answer to what they have said. I am well aware of the fact that the gentlemen coming from the larger cities of this Commonwealth look upon this measure from a different angle than do we of the country counties. It may be true that in one or two, or perhaps three, instances, in the great city of Philadelphia, they may have judges on the bench who might need this extra pay of one-half their salary, after they get off the bench. Perhaps it is true that many of these judges are men who could make a great deal more money off the bench than on the bench, because before they can be elected to the high office of judge in these large cities they must be men who can be qualified to have a large practice as lawyers. Therefore, there is no question about it but that some of these judges in our large cities make a sacrifice perhaps to go on the bench and serve as judges, so that the people in these cities look at this question perhaps from a different angle than we do in the country districts. You take the salary of the present judge in counties of the size of that one from which I come, the county of Huntingdon, and there are mighty few lawyers that make as much as the president judge, and therefore, as has been said before, the people of the rural districts are up in arms against this judges retirement measure, which has been on our statute books for a number of years. I feel, ladies and gentlemen of this House, that this measure should be repealed. This law should be repealed, as has been said by the sponsor of the bill in answer to the interrogations of the gentlemen from Philadelphia because it is a measure that never should have been put on our statute books, and the people are aroused. Take the judges of our Appelate Courts, Mr. Speaker, ladies and gentlemen of the House, and think of the salaries that they are receiving today. The highest paid court in the United States is the Appelate Court of Pennsylvania, where their combined salaries amount to $235,000, per annum, higher than the supreme court of the United States, we pay our judges of the appellate court, and think of the salaries these judges in Philadelphia receive, $12,000.00. Now, as I say, that may seem like a small amount for a man in the city of Philadelphia, but when you take eight or nine thousand dollars out in one of our rural districts it is big pay and they are not expecting more. But the judges themselves are opposed to this measure in the rural districts. I hold in my hand a letter from my own president judge, whom we consider one of the best in this Commonwealth, saying that he is opposed to this measure, and he is supported in this by numerous other judges. Judge Bailey, in a letter to Senator Snyder of our district says this: "The country judges never wanted this pension. It is exceedingly unpopular with the people outside of the large cities, the people, whom, I may say, do their own thinking." Now, the people, as he says there in that letter, have been considering this question ever since this law has been on our statute books, and so I say, gentlemen, that this measure should pass. There is no question about it in my mind, and I trust that the members of the House will vote for the repeal of the Judges' Retirement Fund. You take the ministers of the gospel. What salaries do they receive in our great cities, and yet they have to live up to a standard, practically the same as your judges do. They don't receive but a mere pittance as a pension or a retirement allowance from some of their boards of ministerial relief in their old age, and yet they sacrifice their lives, as the gentlemen has said the judges do. They sacrifice everything. They can't educate their children any better than those judges, but they do it from a standpoint of loyalty to the church and to their country, and so, as I said before the committee on this measure, the old country doctor travels over the hills and the mountains of the Commonwealth in the various localities. He sacrifices his life; he has to pay for his education as a boy and he renders a great service to the people of his community. So, these judges should do likewise. There is an honor connected with the position which they hold. Long before this retirement act was passed, ladies and gentlemen of the House, we had such men on the bench of our Appellate Courts as Judge Gibson, and later on down as you all know from our own district judge Dean and men of that caliber. They never asked for, and I don't think they would have accepted a pension. This measure is one that the people of the State are aroused over, and I think rightly so, especially out in the rural districts, and I ask you members here who come from the rural districts to vote for the repeal of this measure, the Judges' Retirement Bill.

Mr. Sowers has called attention to the fact if a judge becomes incapacitated he can be retired. But I am gaing to call attention to this fact, that the judge serves for twenty years on the bench, and then he is retired on half pay. Now, what is the result in the rural districts? Take my own district as an illustration. Why, the people there are so opposed to this measure that if a judge comes up for reelection the second time, what happens? Why, they vote him out of office because, they say, if he is reelected a second time he will receive this pension, or so-called pension. Therefore, he is defeated and we are placed in the position, in the rural districts, of having to accept an inferior judge when we might have one of the best judges, now, in the State. And this is likewise true in every other district. The people are so opposed to it that they will vote a good judge out of office simply because he is going to get a pension at the end of his term, and then we have to accept an inferior judge. Now, these matters do not pertain alone to the cities, they pertain to our rural districts, and the members here should take that into consideration in voting upon this measure, and I hope that it will be supported by every member of this House.

Mr. DUNN. Mr. Speaker, I move the previous question.

The motion was seconded by the following: Messrs. Lucas, Haws, Harer, Horne, Fratt, Burd P. Evans, Dilsheimer, Burns, Colville, Conner, Heffernan, Mathay, and others.

The SPEAKER. More than 20 members having joined in moving the previous question,

On the question,

Shall the main question be put?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

Mr. Walker. Mr. Speaker, I ask for a verification of the roll.

The roll was verified as follows:

YEAS—67.

Albert,
Anderson,
Armstrong,
Aston,
Bell, F. A.,
Betts,
Boback,
Brenneman,
Brewster,
Brownmiller,
Coldsmith,
Dietz,
Driggs,
Eaches,
Flinchbaugh,
Frazier,
Gelder,
Gilchrist,
Goss,
Griffith,
Gundy,
Haslett,
Heffran,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kunkle,
Labar,
Lauver,
MacKinney,
Marshall, J. G.,
Marshall, W. F.,
McCurdy,
McDermott,
MeVicar,
Minehart,
Moffatt,
Moore,
Myers, G. C.,
Peelor,
Post,
Rhodes,
Richards,
Rippman,
Sample,
Schleiter,
Shambach,
Stark,
Thomas, L. D.,
Thompson,
Vickerman,
Wells,
Williams, G. W.,
Woner,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—115.

Alexander,
Allman,
Arthur,
Baker,
Behney,
Bell, W. T.,
Berger,
Bidelspacher,
Bluett,
Blumberg,
Bromley,
Brown,
Burchinal,
Burns,
Bush,
Clutton,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dilsheimer,
Donahue,
Drinkhouse,
Dunn,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flynn,
Fowler, A. I.,
Fratt,
Glasgow,
Goehring,
Golder,
Gorham,
Greeby,
Grimes,
Haas,
Haines,
Hall,
Harer,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Huber,
Johnson,
Keene,
Kohler,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McDaniel,
McKim,
Metcalf,
Millar,
Munley,
Myers, P. M.,
Nolte,
Ogle,
Orr,
Parkinson,
Patterson,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rinn,
Sarig,
Sautter,
Schaeffer,
Schoener,
Schwartz,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Sprowls,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, M. G.,
Walker,
Weamer,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, J. M.,
Wood, N.,
Wood, W. P.,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 433, as follows:

An Act to amend section one of an act approved the twentieth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and sixty-seven) entitled "An Act to amend sections two and three of the act approved the thirteenth day of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred and nineteen) entitled 'An Act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies' as amended by imposing certain duties on all persons having charge of dead human bodies required to be buried at the public expense requiring immediate notice of all such bodies limiting the time within which bodies may be claimed fixing the expense of burial on claimants and taking away the preference of incorporated anatomical societies colleges. physicians and surgeons of the county wherein the death occurs"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twentieth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and sixty-seven) entitled "An act to amend sections two and three of an act approved the thirteenth day of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred and nineteen) entitled 'An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies' as amended by imposing certain duties on all persons having charge of dead human bodies required to be buried at the public expense requiring immediate notice of all such bodies limiting the time within which bodies may be claimed fixing the expense of burial on claimants and taking away the preference of incorporated anatomical societies schools colleges physicians and surgeons of the county wherein the death occurs" is hereby amended to read as follows

Section 2 All public officers agents and servants and all officers agents and servants of any and every county city township borough district and other municipality and of any and every almshouse prison morgue hospital or other municipality or other public institution and all other persons having charge or control over dead human bodies required to be buried at the public expense are hereby required to immediately notify the said board of distribution or such person or persons as may from time to time be designated by said board or its duly authorized officers or agent whenever any such body or bodies come to his or their possession charge or control and shall without fee or reward deliver such body or bodies and permit and suffer the said board and its agents and the physicians and surgeons from time to time designated by them who may comply with the provisions of this act to take and remove all such bodies to be used within the State for the advancement of medical science Such notice shall be given to the board of distribution in all cases but no such body shall be delivered if any relative by blood or marriage shall claim the body for burial at the expense of such relative within seventy-two hours after death but the body shall be surrendered to said claimant for interment nor shall any such body be delivered if any friend or any representative of a fraternal society of which deceased was a member or a representative of any charitable organization shall claim the said body for burial within seventy-two hours after death said burial to be at the expense of such friend fraternal society or charitable organization nor shall the body be delivered if said person was a traveller who died suddenly or was an honorably discharged soldier sailor or marine of the United States or of the militia of the State of Pennsylvania in which case said body shall be buried in accordance with the provisions of existing laws In counties of the first class no dead human body shall be delivered to the anatomical board if the same is claimed by any fraternal society or charitable organization within seventy-two hours after death nor shall such body be delivered within seventy-two hours after death if said person was a traveller who died suddenly In case of the death of any person whose body is required to be buried at the public expense and the duly authorized officer or agent of the board deems such body unfit for anatomical purposes he shall notify in writing the poor directors overseers or in counties in which there are no poor directors or overseers then the county commissioners of the county where such person died who shall direct some person to take charge of the body of such deceased indigent person and cause it to be buried and draw warrants upon the treasurer of their county for the payment of such expenses which expenses shall not be less than thirty-five dollars nor more than fifty dollars on each body buried in accordance with the provisions of this act Such warrants shall be made payable to the persons so authorized and directed who shall have buried the bodies for which no warrants are to be drawn No warrants for the payment of the expenses of the burial of any person whose body is required to be buried at the public expense shall be drawn or paid except upon the certificate of the duly authorized officer or agent of the board to the effect that such body is unfit for anatomical purposes or that the body is that of a soldier sailor or marine required to be buried at the public expense and that the provisions of this act have been complied with Provided however That in counties of the first class where the Coroner of such county having the custody or control of the body of such deceased indigent person shall direct some person to take charge of the body and cause it to be buried and shall draw warrants upon the Treasurer of the county for the payment of such expense which expense shall not be less than five dollars nor more than ten dollars for each body buried in accordance with the provisions of this act

Wherever through the failure of any person to deliver the body of a deceased indigent as required by this act such body shall become unfit for anatomical purposes and is so certified by the duly authorized officer or agent of said board of distribution such body shall be buried in accordance with the provisions of this act and the person so failing to deliver such body shall pay to the county treasurer the expense so incurred and upon the refusal or failure of such person on demand to pay such expenses the poor directors or overseers or in counties in which there are no poor directors or overseers then the county commissioners shall bring suit to recover the same to be recovered as debts of like amount are by law collectible

Section 2 All acts or parts of acts general local or special inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LUDLOW. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Golder, permit himself to be interrogated?

Mr. GOLDER. Yes, Mr. Speaker.

Mr. LUDLOW. Mr Speaker, I should like to ask the sponsor of this bill to explain its purpose, and just what its effect will be in cities and counties of the first class, to which it refers.

Mr. GOLDER. Mr. Speaker, I should be pleased to inform the gentleman who, not being from a city of the first class, does not fully understand the bill, how this bill does affect those who do come from a city of the first class. The only change that this bill makes in the existing law is that, in a city of the first class the coroner, upon receiving a dead body, may hold the same for seventy-two hours instead of thirty-six hours before turning it over to the Anatomical Board. Under the existing law, when a dead body is turned over to a coroner or to any other official having charge of the same, he is entitled to hold the same for thirty-six hours in an effort to locate the family or a fraternal organization, or any other body, whether it be an individual or an organization, who will bury the same. In the city of Philadelphia, with its complex machinery, the many police stations and the many other agencies to which they must apply, the various fraternal organizations and other bodies to which the coroner necessarily must apply in an attempt to secure word as to the identity of the person, it was found that seventy-two hours would be a fairer time in which to locate the families before turning the body over to the Anatomical Board. I find no fault with the Anatomical Board, which is doing a wonderful work, but in cities of the first class, it has been found that seventy-two hours would be a better time in which to locate the family before turning over the body for the purposes of dissection. I trust tnat the member is sufficiently enlightened.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—136.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Eshelman,
Evans, B. P.,
Evans, J.,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gelder,
Gibbon,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Haines,
Hall,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes.
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Lauver,
Little,
Long,
Lucas,
Mack,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McBride,
McGowan,
Metcalf,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson.
Peelor,
Pitts,
Posey,
Post,
Price,
Richards,
Rinn,
Sample,
Sarig,
Sautter,
Schaeffer,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers.
Stark,
Staudenmeier,
Stavitski,
Stevens, A. F.,
Storb,
Storer,
Wells,
Wheeler.
Whitehouse,
Williams, G. W.,
Williams, J. M.,
Wood, W. P.,
Goodnough,
Speaker.

NAYS—10.

Edmonds,
Ludlow,
McCann,
McCurdy,
Raymond,
Steedle,
Thomas, M. G.,
Wettach,
Whiteman,
Zook,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1295, as follows:

An Act to amend section one thousand four hundred and six as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in

General Assembly met and it is hereby enacted by the authority of the same That section one thousand four hundred and six of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which was amended by the act approved the twenty-second day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand one hundred and seventeen) entitled "An act to amend section one thousand four hundred and six of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' is hereby further amended to read as follows

Section 1406 The board of school directors of any school district in this Commonwealth may on account of the small number of pupils in attendance or the condition of the then existing school building or for the purpose of better graduation and classification or for economical or other reasons close and consolidate any one or more of the public schools in its district and upon such school or schools being so closed the pupils who belong to the same shall be assigned to other schools Provided That whenever the average term attendance of pupils regularly enrolled at any one-room school in any one school district of the fourth class is ten or less than ten the board of school directors shall close such school and provide proper transportation for the pupils of such closed school to and from the nearest or most convenient school to which pupils shall be assigned If the board of school directors do not deem it feasible to close such school they may present their petition to the State Council of Education showing the reasons why such school should not be closed thereupon the State Council of Education shall consider such petition and shall make such order as may seem just in the premises Provided further That in any district of the fourth class pupils who belong to any such closed school shall not have transportation Provided If they reside less than one and one-half miles by the public road from the school to which they are assigned Provided however If any school as aforesaid has been closed because the average term attendance of pupils regularly enrolled was ten or less than ten and upon petition to the State Council of Education has been reopened and the average attendance is twelve or more after such reopening such school shall be considered reestablished Provided further That in any district of the fourth class pupils who belong to any such closed school and reside one and one-half miles or more from the school to which they are assigned shall be furnished proper transportation at the expense of the district to and from the school to which they are assigned except in case where schools are closed because of an average term attendance of ten or less than ten pupils regularly enrolled in which case one-half of the cost of such transportation not to exceed one dollar per diem per pupil shall be paid by the Commonwealth provision for which shall be made by separate appropriation in the general appropriation act

And provided further That whenever the board of school directors in any fourth class district agrees to or is required to provide transportation for any pupils such board of school directors may upon petition of the parent guardian or person in parental relation to any of said pupils in lieu of providing such transportation pay for suitable board and lodging for such pupils if such board and lodging is secured in the home of a near relative of the pupil or in a proper school dormitory or home approved by the person making the petition Provided That in no case shall the State pay more than one-half of the amount which it would be required to pay for the transportation of such pupil nor may the State's share exceed one dollar ($1.00) per day per pupil for the actual number of days such pupil is in attendance at school not exceeding five days in any one week and for attendance at a public school

On the question,
Will the House agree to the bill on third reading?

BILL DROPPED FROM CALENDAR

Mr. HORNE. Mr. Speaker, due to the fact that there is a similar bill in the Senate, I move that this bill be dropped from the calendar.

Mr. LUDLOW. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 607, entitled:

A Joint Resolution proposing an amendment to Section Fifteen of Article Five of the Constitution of the Commonwealth of Pennsylvania.

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. LITTLE. Mr. Speaker, In the absence of the sponsor I move that further consideration of this bill be postponed for the present.

Mr. McKIM. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 991, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania by adding thereto section thirty-four

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. LITTLE. Mr. Speaker, In the absence of the sponsor I move that further consideration of this bill be postponed for the present.

Mr. McKIM. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 444, entitled:

An Act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt.
Gibbon.
Gilchrist.
Goehring,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Marcus, J.,
Marcus, J. C.,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H.,
Smith, J. W..
Sowers,

Beaver,
Behney,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Dunn,
Eaches,
Earley,
Eshelman,
Evans, B. P.,
Fields,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haines,
Hall,
Harter,
Haws,
Heffernan,
Henderson,
Hetrick,
Himes,
Holcombe,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kunkle,
Labar,
Lafferty,
Little,
Long,
Marshall, J. G.,
Marshall, W. F.
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
McKim,
Metcalf,
Miller,
Minehart,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
O'Boyle,
Ogle,
Orr,
Peelor,
Perry,
Posey,
Post,
Price,
Raymond,
Richards,
Rinn,
Sample,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Spangler,
Sprowls,
Stark,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—2.

Bell, F. A.,
McBride,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1002, entitled:

An Act to further amend part of section six of an act, approved the thirty-first day of May, Anno Domini one thousand nine hundred and eleven, entitled "An act providing for the establishment of a State Highway Department. by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several township or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes, or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts, or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended.

On the question,

Will the House agree to the bill on third reading?

Mr. MOORE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title, page 1, line 3, by inserting after the word "eleven" the folowing: (P. L. 468)

Amend Section 1, page 3, line 11, by inserting before the word "jurisdiction" the word "the"

Amend Section 1, page 5, line 10, by striking out the word "which"

Amend Section 1, page 5, line 11, by striking out the word "reads" and inserting in lieu thereof the following: "is hereby amended to read"

Amend Section 1, page 5, lines 13 to 21, by striking out all the words in said lines, both inclusive

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded ta the third reading and consideration of House Bill No. 578, entitled:

An Act to amend route two hundred and forty-eight, of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State

Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman.
Brownmiller,
Burchinal.
Burns,
Bush,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Diehm.
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Edmonds,
Eshelman,
Evans, B. P.,
Flinchbaugh,
Fowler, A. I.,
Fratt,
Frazier,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Hall.
Harer,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hoover,
Horne,
Huber,
Irvin,
Johnson.
Jones, C. B.,
Jones, D. J..
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
McKim,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr
Parkinson.
Patterson,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Sample,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz.
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers.
Spangler,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 149, entitled:

An Act establishing a State highway in the counties of Clarion Forest Elk and McKean providing for its location construction improvement and maintenance by the Commonwealth and vacating certain sections of State road in the counties of Clarion Forest and Elk

BILL RECOMMITTED.

On the question,

Will the House agree to the bill on third reading?

Mr. HASLETT. Mr. Speaker, at the request of the sponsor of this bill, I move that it be recommitted to the Committee on Public Roads for amendment.

Mr. DIEHM. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1112, entitled:

An act to amend section one of an act, approved the twenty-second day of July Anno Domini, One thousand nine hundred and nineteen (Pamphlet Laws, one thousand and ninety-three), entitled, "An act creating, in counties having a population of from eight hundred thousand to one million five hundred thousand, a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; fixing their salaries, payable by the county; defining the powers and duties of such board, and regulating the assessment of property and occupations for State and county purposes; authorizing the appointment of subordinate assessors and clerks, defining their duties and providing for their compensation, payable by such counties; imposing a penalty on subordinate assessors for failure to comply with certain provisions of this act, and abolishing the office of ward, borough, and township assessor, in so far as respects the assessment of property and occupations for State and County purposes," as amended.

On the question,

Will the House agree to the bill on third reading?

Mr. GOEHRING. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, page 2, line 22, by striking out "which reads" and insert in lieu thereof "is hereby amended to read"

Amend section 1, page 2, lines 23 to 26, by striking out all the words in lines 23 to 26 inclusive.

Amend section 1, page 3, lines 1 to 15, by striking out everything in lines 1 to 15 both inclusive.

Amend section 1, page 3, line 20, by underscoring the words "second class"

Amend section 1, page 3, line 20, by inserting after the word "class" the following: (Commonwealth having a population of not less than eight hundred thousand nor more than one million, five hundred thousand inhabitants)

Amend section 1, page 3, line 25, by inserting after the word "for" the following: (the)

Amend section 1, page 3, line 25, by underscoring "a"

Amend section 1, page 3, line 26, by underscoring the word "and" after the word "twenty"

Amend section 1, page 3, lines 27 and 28, by underscoring all the words in said lines.

Amend section 1, page 3, line 29, by underscoring the word "thereafter" and the words "of such county"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1378 (Senate Bill No. 224), entitled:

An Act providing for the filing of vacancies in the office of tax-collector in boroughs by the council of the borough and repealing certain acts inconsistent therewith

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156.

Alexander.
Allman,
Anderson,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Drinkhouse,
Dunn,
Eaches,
Earley,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gelder,
Gibbon,
Glasgow,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Hetrick,
Heyburn,
Hollis,
Hontz,
Horne,
Huber,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kunkle,
Labar,
Lauver,
Little,
Lucas,
Ludlow,
Lynch,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCaig,
McDermott,
McKim,
Metcalf,
Millar,
Minehart,
Moffatt,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte.
O'Boyle,
Orr,
Parkinson,
Peeler,
Perry,
Posey,
Post,
Price,
Richards,
Rinn,
Sample,
Sautter,
Schaeffer,
Schoener,
Schwartz,
Sheridan,
Smith, G. A.
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Wood, N.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—2.

Johnson,
Rhodes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1420 (Senate Bill No. 584), entitled:

An Act extending and enlarging the powers and rights of Trust Companies and Banks organized and incorporated under the laws of the Commonwealth of Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Earley,
Edmonds,
Evans, B. P.,
Fields,
Fowler, A. I.,
Fowler, D.,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
Lynch,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
McKim,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schleiter,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—1.

Eaches,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1414 (Senate Bill No. 587), entitled:

An Act prescribing the effect of the merger of a trust company or a banking company possessed of trust company powers with another trust company or banking company possessed of trust company powers of the estate and property real and personal held by either of such merging corporations in any trust or fiduciary capacity.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169.

Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gelder,
Lucas,
Ludlow,
Lynch,
MacKinney,
Mangan,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schoener,

Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Blair,
Bluett,
Blumberg,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Gibbon,
Gilchrist,
Goehring,
Golder,
Gorham,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haines,
Hall,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Long,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McGowan,
McKim,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Stavitski,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 956, entitled:

An Act to amend section one of the act approved the twenty-fifth day of June one thousand eight hundred and eighty-five (Pamphlet Laws one hundred and eighty-one) entitled "An Act to authorize certain corporations to become sole surety for the faithful performance of any trust or duty and to authorize certain officers to approve the same" by requring the approval thereof when the certificates issued by the Insurance Department to said corporations have been filed in the prothonotary's office

On the question,

Will the House agree to the bill on third reading?

Mr. HUBER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend sec. 1, page 2, line 1, by striking out the word "which" and insert in lieu thereof is hereby amended to read

Amend sec. 1, page 2, lines 3 to 29 by striking out lines 3 to 29 both inclusive.

Amend sec. 1, page 3, lines 1 to 4, by striking out lines 1 to 4 both inclusive.

Amend sec. 1, page 3, line 8, by inserting after "execute" the word (and)

Amend sec. 1, page 3, line 17, by inserting after "shall" the following: (may in the descretion of such officer, accept such bond or undertaking, and)

Amend sec. 1, page 3, line 22, by inserting after "and" the following: (such company may become sole surety in any case where by law one or more sureties may be required for the faithful performance of any trust or duty: Provided however, That where such bond or undertaking shall involve the safe keeping or faithful application of the assets of any judiciary, such head of department, judge or other officer, shall make such order or decree as shall assure the retention of such assets within this Commonwealth, in such manner as such head of department, judge or officer may direct, until disposition thereof be made according to law.)

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1084, entitled:

A Supplement to an act approved the twenty-third-day-of June, one thousand nine hundred eleven, Pamphlet Laws one thousand one hundred twenty-three, entitled "An act establishing in each county a Board of Viewers, prescribing their duties, providing for their appointment as viewers road juries, juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" as the same was amended and supplemented by subsequent acts, by providing for the compensation to be paid to the members of the Board of Viewers in counties of the second class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Fowler, D.,
Fratt,
Frazier,
lder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McDaniel,
McDermott,
McGowan,
McKim,
Metcalf,
Millar,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schoener,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Williams, G. W.,
Williams, J. M.,
Wood, N.,

Edmonds,
Eshelman,
Evans. J.,
Fields,
Flinchbaugh,
Fowler, A. I.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Posey,
Post,
Price,
Raymond,
Rhodes,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker

NAYS—2.

Minehart,
Vickerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1004, entitled:

An Act to amend the act approved the fourth day of April one thousand eight hundred and seventy-two (Pamphlet Laws forty) entitled "An Act supplemental to an act entitled 'A Supplement to acts relating to incorporations by the courts of common pleas' approved on the ninth day of April Anno Domini one thousand eight hundred and fifty-six" providing for the publication of notice and the mailing of notices to stockholders in case of dissolution proceedings

On the question,

Will the House agree to the bill on third reading?

Mr. LYNCH. Mr. Speaker, I ask unanimous consent to offer amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend Section 1, by inserting in the proviso after the words "two newspapers" the following: "And in the legal periodical of any designated by the Rules of Court for publication of legal notices."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 894, entitled:

An Act to repeal an act, approved the eighth day of June, one thousand nine hundred and fifteen (Pamphlet Laws, nine hundred fifteen), entitled, "An Act to fix the salaries of the deputies in the offices of the clerk of the courts, county controller, recorder of deeds, county treasurer, chief deputy sheriff, and chief clerk to the county commissioners, in counties of this Commonwealth having over two hundred and fifty thousand population and less than four hundred thousand population."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Blair,
Bluett.
Blumberg,
Boback,
Brenneman,
Brewster,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
oldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn
Fowler, A. I.,
Fratt,
Gelder,
Gibbon,
Gilchrist,
Goehring,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Horne,
Howell,
Huber,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kunkle,
Labar,
Lauver,
Long,
Lucas,
Lynch,
Mack,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McClure,
McCurdy,
McDermott,
McGowan,
McKim,
Metcalf,
Millar,
Miller,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond,
Richards,
Rippman,
Sample,
Sautter,
Schaeffer,
Schleiter,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, J. W.,
Soffel,
Sowers,
Sprowls,
Stark,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1401, (Senate Bill No. 640), entitled:

An Act to amend section three of an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws on thousand two hundred and nine) entitled "An Act to authorize the acquisition by purchase or condemnation of lands for a park and the erection of a monument commemorative of Washington crossing the river Delaware and for the appointment of a commission to asquire said lands and erect such monument and making an appropriation for the purpose of this act"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Evans, J.,
Fields,
Flynn,
Fowler, A. I.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Greeby,
Griffith,
Grimes,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McCann,
McCaig,
Rhodes,
Richards,
Rinn,
Sample,
Sarig,
Sautter,
Schaeffer,
Schleiter.
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,

Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Goldsmith,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Guerin,
Haas,
Haines,
Harer,
Harter,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin.
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
McClure,
McCurdy,
McDaniel,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

BILLS SIGNED BY THE SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 389.

An Act to amend chapter six article twenty section three of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

HOUSE BILL No. 617.

An Act to amend clauses (b) and (c) of section fifty-six of an act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refuding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" so as to permit the orphans' court in its discretion to permit a corporation appointed as trustee in the place of an executor or executors trustee or trustees dying renouncing dismissed or refusing to act to give its own bond without surety

HOUSE BILL NO. 633.

An Act to amend section one of the act approved the twelfth day of June one thousand nine hundred and one (Pamphlet Laws five hundred and fifty-nine) entitled "An act to provide for the election of one person to fill the office of prothonotary one person to fill the office of clerk of the courts of general quarter sessions and oyer and terminer one person to fill the office of register of wills and clerk of the orphans' court and one person to fill the office of recorder of deeds in counties containing forty thousand inhabitants and hereafter created separate judicial districts under the Constitution" providing that said act shall be in effect only upon the acceptance thereof

HOUSE BILL NO. 678.

An Act to amend clause three section ten article two of chapter seven and section seven Article one of Chapter twelve of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

HOUSE BILL NO. 682.

An Act to amend the forty-first clause of section two article one chapter five of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" as amended

HOUSE BILL NO. 798.

An Act relating to building construction in cities of the first class by prescribing the maximum undivided floor areas permitted and permitting the use of non-fireproof steel roof trusses and purlins in certain cases prescribing limitations on garages automobile service stations and buildings for similar purposes and constructions permitted for curtain and spandrel walls permitting the use of wood furring and stud-partitions in certain cases and repealing inconsistent laws

HOUSE BILL NO. 957.

An Act to provide for the laying out altering and vacating roads lying partly in one county and partly in an adjoining county forming or intended to form a continuous highway from one county to another and providing for the location construction of a joint county bridge on said road

HOUSE BILL NO. 1163.

An Act making unlawful the wearing of the discharge button issued by the United States Government by any person not entitled to wear the same

HOUSE BILL NO. 1312.

An Act to amend sections one two three and four of an act approved the eighteenth day of June one thousand nine hundred and nineteen (PamphletL aws four hundred ninety-eight) entitled "An act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL NO. 372.

An Act to amend section forty-five of an act approved the fifteenth day of April, one thousand eight hundred and thirty-four (P. L. 509), entitled "An Act relating to county rates and levies and township rates and levies," by removing the exemption of females from arrest and imprisonment for non-payment of taxes.

HOUSE BILL NO. 227.

An Act to further amend the fifth section of an act, entitled "An Act relating to the organization and jurisdiction of orphans' courts, and to establish a separate orphans' court in and for counties having more than one hundred and fifty thousand inhabitants and to provide for the election of judges thereof," approved May nineteenth, Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six), as amended, by fixing and determining the salaries of the assistant clerks of said court in counties of the first, second, third, and fourth classes.

HOUSE BILL NO. 212.

An Act to amend sections fourteen and sixteen of article six, chapter seven of the act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312) entitled "An act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

HOUSE BILL NO. 540.

An Act prohibiting persons from concealing, changing or destroying manufacturers' serial numbers, or identification marks upon machines or apparatus or from knowingly having any such machine in the possession; and prescribing penalties for violation thereof.

HOUSE BILL NO. 691.

A Supplement to the act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (P. L. 322) entitled "An Act creating a Commission to select an historic spot as a cemetery for the burial of bodies of soldiers, sailors, marines, war nurses and members of the National Guard defining the powers and duties of the Commission and making an appropriation" extending the time for the making of the report of the Commission and making an additional appropriation.

HOUSE BILL NO. 1153.

An Act to relieve life tenants of land from the payment of taxes on the underlying veins of coal which they have no right to operate and providing that such coal shall be assessed to and the taxes thereon paid by the owner of said veins of coal

HOUSE BILL NO. 454.

Providing for the examination of the Locust Mountain Memorial Hospital of Shenandoah Pennsylvania providing for the transfer thereof to the Commonwealth and for its management thereafter and making an appropriation

HOUSE BILL NO. 715.

An Act to amend section eighteen of an act approved the seventh day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws nine hundred) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" by requiring that parents be notified of the registration of birth certificates

HOUSE BILL NO. 1297.

An act to amend section three hundred and three of an act approved the eighteenth day May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended

HOUSE BILL NO. 787.

An Act making a deficiency appropriation to the Cottage State Hospital of Philipsburg Pennsylvania

HOUSE BILL NO. 1078.

An Act to amend section twelve of the act approved the third day of June, one thousand nine hundred and eleven, (P. L. 639), entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction; and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act; and have been suspended or revoked and for the reinstatement said bureau; and providing penalties for violation thereof, providing for revocation or suspension of licenses given by and repealing all acts or parts of acts inconsistent thereof licenses in certain cases.

HOUSE BILL NO. 306.

An Act making a deficiency appropriation to the State Hospital for the Criminal Insane at Farview Pennsylvania

With the information that the Senate has passed the same without amendment.

REPORTS FROM COMMITTEES.

Mr. HAINES, from the Committee on Appropriations, reported as amended House Bill No. 84, entitled:

An Act making an appropriation to the Washington Crossing Park Commission for the purpose of the acquisition of land and property and the making of improvements in accordance with the provisions of the act of July twenty-fifth, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand two hundred and nine), entitled "An act to authorize the acquisition by purchase or condemnation of land for a park and the erection of a monument commemorative of Washington Crossing the River Delaware and for the appointment of a commission to acquire said lands and erect such monument, and making an appropriation for the purposes of this act.

Mr. BIDELSPACHER, from the Committee on Appropriations, reported as committed House Bill No. 85, entitled:

An Act making an appropriation to the Pennsylvania State Park and Harbor Commission of Erie.

Mr. CONNER, from the Committee on Appropriations, reported as amended House Bill No. 86, entitled:

An Act making an appropriation to the several fire companies of the city of Harrisburg.

Mr. METCALF, from the Committee on Counties and Townships, reported as amended House Bill No. 997, entitled:

An Act authorizing and empowering the District Attorneys of each county to organize themselves into a State Association, for the purpose of holding meetings and providing for the payment of the expenses thereof and of the District Attorneys attending by the several counties.

Mr. SOFFEL, from the Committee on Appropriations, reported as committeed House Bill No. 216, entitled:

An Act to provide for the payment of moneys by the Commonwealth to counties and townships, the tax funds of which are diminished by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions; and making an appropriation.

Mr. LUDLOW, from the Committee on Education, reported as amended House Bill No. 1325, entitled:

An Act to amend section eight, paragraph two of an Act approved July eighteenth, one thousand one hundred seventeen (Pamphlet Laws, ten forty-three), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties."

Mr. ALFRED I. FOWLER, from the Committee on Counties and Townships, reported as committed House Bill No. 351, entitled:

An Act to amend section forty-two of the act approved the fifteenth day of April, one thousand eight hundred and thirty-four, (Pamphlet Laws 537), entitled "An Act relating to counties and townships, and county and township officers," by making county treasurers agents of the Commonwealth in collecting and transmitting money for the Commonwealth; and providing their compensation for such services.

Mr. DRINKHOUSE, from the Committee on Public Health and Sanitation, reported as committed House Bill No. 1190, entitled:

An Act providing for the granting of licenses to practice dentistry to certain persons who served in the army or navy of the United States or any branch or unit thereof.

Mr. LONG, from the Committee on Appropriations, reported as committed House Bill No. 99, entitled:

An Act making an appropriation to the Commissioners of Valley Forge Park.

Mr. VICKERMAN, from the Committee on Appropriations, reported as committed, House Bill No. 93, entitled:

An Act making an appropriation to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State Supervisor and assistants, and fixing the salaries of such State Supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties."

Mr. ARMSTRONG, from the Committee on Appropriations, reported as committed, House Bill No. 653, entitled:

An Act making an appropriation to the Lake Erie and Ohio River Canal Board of Pennsylvania for the payment of expenses incurred in printing, distributing and making available for public use, reports, maps, documents and records of the board, in securing the cooperation and aid of the Government of the United States and other public authorities, in the construction of the canal or waterway authorized to be constructed by the board, for the payment of incidental office expenses, and for the payment of salaries, fees and expenses.

Mr. WHITEMAN, from the Committee on Appropriations, reported as committed, House Bill No. 217, entitled:

An Act making an appropriation to the Superintendent of Public Instruction to carry into effect the provisions of the act approved the twentieth day of May, one thousand nine hundred and twenty-one, (P. L. 1034), entitled, "An Act to provide for the payment of moneys to school districts the taxes of which are reduced by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions."

Mr. BROMLEY, from the Committee on Judiciary Special, reported as committed, House Bill No. 1443, (Senate Bill No. 798), entitled:

An Act to amend sections two and twenty of an act approved the seventh day of June, one thousand nine hundred and fifteen, (P. L. 888) entitled "An act regulating, through the Commissioners of Labor and industry, the business of assisting employers to obtain employes, and persons to secure employment, including the business of collecting information to the same end, and prescribing penalties."

Mr. GELDER, from the Committee on Public Roads, reported as amended House Bill No. 1384 (Senate Bill No. 435), entitled:

An Act to further amend section three hundred eighty-six clause four of the act approved the fourteenth day of July, one thousand nine hundred seventeen (Pamphlet Laws eight hundred forty), entitled "An Act concerning townships and revising, amending and consolidating the law relating thereto."

Mr. BUSH, from the Committee on Education, reported as committed House Bill No. 1457 (Senate Bill No. 657), entitled:

An Act empowering school districts to employ a police force.

Mr. LUDLOW, from the Committee on Banks and Banking, reported as committed House Bill No. 1466 (Senate Bill No. 761), entitled:

An Act to amend section two of an act approved the twenty-second day of April, one thousand nine hundred and nine (Pamphlet Laws, one hundred twenty-one), entitled "An act restricting the use of the word 'trust' as part of a corporate name; forbidding advertising or doing business as a trust company except by corporations under the supervision of the banking department and providing a penalty for violations thereof."

Mr. ORR, from the Committee on Constitutional Reform, reported as amended House Bill No. 1421 (Senate Bill No. 268), entitled:

A Joint Resolution proposing an amendment to article four, section eight of the Constitution of the Commonwealth of Pennsylvania, prohibiting after adjournment, the appointment to office of any person whose nomination the Senate failed to confirm.

Mr. HIMES. from the Committee on Counties and Townships, reported as committed House Bill No. 1460 (Senate Bill No. 793), entitled:

An Act to repeal the act approved May tenth, one thousand eight hundred seventy-one (P. L. six hundred sixty-seven) entitled "An act to empower the school directors of Tuscarora and Spruce Hill townships, in the county of Juniata, to annex certain lands in Spruce Hill Township and Tuscarora township, in the county of Juniata, for school purposes."

Mr. COLDSMITH, from the Committee on Appropriations, reported as committed House Bill No. 1446 (Senate Bill No. 285), entitled:

An Act making a deficiency appropriation to the Cottage State Hospital situated in Connellsville, Fayette county, Pennsylvania.

Mr. HEYBURN, from the Committee on Counties and Townships, reported as committed House Bill No. 1430 (Senate Bill No. 770), entitled:

An Act fixing the salary of sheriffs in counties of the eighth class; providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail; requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county; and prescribing penalties.

Mr. McCURDY, from the Committee on Education, reported as committed House Bill No. 1428 (Senate Bill No. 654), entitled:

An Act to amend sections one, two, three, and four of an act approved the eighteenth day of June, one thousand and nine hundred and nineteen, (Pamphlet Laws, four hundred ninety-eight). entitled "An act defining consolidation of schools providing for the establishment and regulation of consolidated schools; and providing for State aid for the transportation of pupils to and from consolidated schools."

Mr. HEFFRAN, from the Committee on Counties and Townships, reported as committed House Bill No. 1386 (Senate Bill No. 446), entitled:

An Act fixing the salaries of the county commissioners, county controller, county treasurer, register of wills, recorder of deeds and clerk of the courts in counties of the third class.

Mr. BROMLEY, from the Committee on Judiciary Special, reported as amended, House Bill No. 275, entitled:

An Act in cities of the first and second classes providing for the recovery and collection of taxes assessed on personal property by action of assumpsit against the owner or owners of the personal property upon which or against the owner of which the said taxes have been assessed.

Mr. MATHAY, from the Committee on Ways and Means, reported as amended, House Bill No. 1318, entitled:

An Act imposing a State tax on the premiums paid into the State Workmen's Insurance Fund and providing for collection thereof.

Mr. BREWSTER, from the Committee on Judiciary Special, re-reported as amended, House Bill No. 1173, entitled:

An Act providing that the address of holders of second mortgages shall be noted in the margin of the record of first mortgages and that notice of foreclosure proceedings shall be given to such holders of second mortgages.

Mr. McVICAR, from the Committee on Constitutional Reform, re-reported as amended, House Bill No. 992, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania by adding thereto section thirty-five.

Mr. BEAVER, from the Committee on Appropriations, reported with a negative recommendation, House Bill No. 24, entitled:

An Act making an appropriation to Charles E. Coppedge of Harrisburg, for damages to a Peerless automobile, caused by a trailer of the State Highway Department.

Mr. FLYNN, from the Committee on Appropriations, reported as amended House Bill No. 1442, (Senate Bill No. 769), entitled:

An Act to amend sections one two three and four of an act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools"

REPORT OF COMMITTEE TO INVESTIGATE PRINTING.

Mr. HOWARD SMITH presented the majority report of the Committee appointed to investigate the Department of Public Printing and Binding.

(For report, see appendix).

MINORITY REPORT OF COMMITTEE TO INVESTIGATE PRINTING.

Mr. RHODES presented the minority report of the committee appointed to investigate the Department of Public Printing and Binding.

(For report, see appendix).

TIME EXTENDED ON BILL.

Mr. MATHAY. Mr. Speaker, I move that the time on House Bill No. 850, file folio entitled:

An Act to amend section three of an act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand twenty-four) entitled "An Act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" as amended

on page 16 of today's calender, bills on third reading postponed be extended five days.

Mr. BUSH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1429 (Senate Bill No. 746), entitled:

An Act relative to the disposition of fines and forfeitures in counties of this Commonwealth of the fourth class and authorizing the expenditures of a portion of all of said fines for the support and maintenance of a law library in said counties

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. MORRISON. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. RAYMOND. Mr. Speaker, I second the motion.

The motion was agreed to

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1402, (Senate Bill No. 258), entitled:

An Act to amend section three hundred and twenty-five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" fixing the compensation of township auditors

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brenneman,
Brewster,
Edmonds,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDermott,
McGowan,
Metcalf,
Miller,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Raymond,
Richards,
Rinn,
Rippman,
Sample,
Sautter,
Schwartz.
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Stevens, A. F.
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Vickerman,
Walker,
Weamer,
Wettach,
Wheeler,
Whitehouse,
Williams, G. W.
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—5.

Kohler,
Minehart,
Post,
Stevens, A. J.,
Wells,

The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 827, entitled:

> An Act to amend section six of the act approved the twentieth day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred and eighteen) entitled "An act relating to the appointment of persons to the police department in cities of the third class providing for and regulating examinations the manner of appointments and the manner and power of removal of employees of said department and providing a method for fixing compensation" as amended

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. CRAIG. Mr. Speaker, this is a bill that affects cities of the third class. I want to call your attention to the last paragraph of the bill, in which it says:

> Provided further however if it should become necessary to reduce the number of men in said department for purposes of economy seniority rights shall prevail and any and all removals for such cause or causes shall be from the members last appointed and the member or members serving the shortest time shall be removed first but members with longer times of service may be discharged for cause

I want to say to you that I am not in favor of that. I grant you that if there was a pension fund in operation in cities of the third class in which the members of the police department paid in some money, that would be alright, but as there is no pension fund I do not think it is a good bill. In my own business, I have had to observe seniority rights with my employees. Occasions would arise whereby the man, through some act, was not entitled to these rights, and it was then necessary for me to drop him. The same rule should hold good in the police department in the various cities of the third class. I have in mind now a case where if it was necessary to drop any of the employees from the department, I doubt very much if the seniority rights would be observed for the reason that certain of the older men have been infringing upon certain rules, and while it is true that it has not been sufficient to bring them up before the board for a hearing, yet they are infractions of certain rules, and for that reason I believe that this is not a good bill.

Mr. MOFFATT. Mr. Speaker, this bill and the following bill, No. 819, one applying to the police department in third class cities and the other applying to the fire department in third class cities are amendments to the Civil Service law now in force. Under the Civil Service law, a municipality may dismiss a member of the police or fire department for cause, or the superintendent may suspend for cause for a period not exceeding ten or thirty days,—I think it is ten days. The principle of civil service is that a man shall not be disturbed in his position for purposes other than the determination of his services or the extent of his services, and as the gentleman who just spoke stated, the best determination is by a pension fund, but in a great many cities of the third class, there is no pension fund in force for firemen and policemen. Under the present Civil Service law, for the purpose of reducing the force of either the firemen or policemen, the municipality may dismiss anyone employed, regardless of the length of time they have been employed. This is absolutely opposed to the principle of civil service. This amendment is intended to provide, and it does provide in case it is necessary, to reduce the force for the purpose of economy, that the last man appointed shall be the first to be removed, thereby putting in force civil service as it was intended to be That is the purpose of the bill and also the purpose of the bill following, No. 819.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—92.

Anderson,
Armstrong,
Aston,
Beaver,
Bell, F. A.,
Bell, W. T.,
Betts,
Blair,
Blumberg,
Brenneman,
Grimes,
Gundy,
Hall,
Harer,
Harter,
Haslett,
Henderson,
Himes,
Holcombe,
Hoover,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McClure,
McCurdy,
McDermott,
McKim,
McVicar,
Minehart,
Moffatt,
Schleiter,
Smith, G. A.,
Smith, H. J.,
Stark,
Steedle,
Stevens, A. J.,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Walker,

Brewster,
Bush,
Clutton,
de Young,
Dietz,
Driggs,
Eaches,
Earley,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gelder,
Goehring,
Goss,
Huber,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lauver,
Little,
Long,
Mack,
MacKinney,
Malie,
Moore,
Morrison,
Munley,
Myers, P. M.,
Ogle,
Parkinson,
Peelor,
Perry,
Post,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Weamer,
Wells,
Wettach,
Wheeler,
Whiteman
Williams, G. W.,
Williams, J. M.
Wood, W. P.,
Wright,
Goodnough,
Speaker.

NAYS—52.

Alexander,
Allman,
Arthur,
Behney,
Berger,
Bidelspacher,
Bluett,
Bromley,
Brown,
Brownmiller,
Colville,
Craig,
Diehm,
Dilsheimer,
Drinkhouse,
Dunn,
Evans, B. P.,
Evans, J.,
Fields,
Fratt,
Greeby,
Haws,
Heffran,
Hetrick,
Heyburn,
Horne,
Howell,
Johnson,
Keene,
Labar,
Lucas,
Ludlow,
Marcus, J.,
Marcus, J. C.,
Mathay,
Metcalf,
Nolte,
Orr,
Posey,
Price,
Raymond,
Sautter,
Schaeffer,
Sheridan,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Staudenmeier,
Stavitski,
Storb,
Wood, N.,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 819, as follows:

An Act to amend section six of the act approved the third day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred and thirty-eight) entitled "An Act relating to the appointment of persons to the fire department in cities of the third class constituting a civil service board in relation thereto providing for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation of a secretary"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the third day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred and thirty-eight) entitled "An Act relating to the appointment of persons to the fire departments in cities of the third class constituting a civil service board in relation thereto providing for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation of a secretary" is hereby amended to read as follows

Section 6 All employes of said department shall be subject to suspension by the superintendent of the department for misconduct or violation of any law of this Commonwealth any ordinance of the city or regulation of the department pending action by the city council upon the charges made against any of such employes and on hearing before the city council where they may be represented by counsel they may be fined suspended for a period not exceeding thirty days with or without pay or they may be discharged by city council if found guilty of the charges made against them Provided however If it should become necessar to reduce the number of men in said department for purposes of economy seniority rights shall prevail and any and all removals for such cause or causes shall be from the members last appointed and the member or members serving the shortest time shall be removed first but members with longer times of service may be discharged for cause

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. MOFFATT. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. DAVID J. JONES. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL.

Mr. JEFFERSON W. SMITH. Mr. Speaker, I move that the time on House Bill No. 345 file folio 5251 entitled:

An Act imposing a State license tax upon public slot machines used for vending weighing telephone or other service amusement entertainment or any other purpose imposing certain powers and duties upon the Auditor General prescribing penalties for the violation of the provisions of this act and providing for the confiscation of certain machines

on page 16 of today's calendar, bills on third reading postponed be extended five days.

Mr. MATHAY. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I move that the time on House Bill No. 1237 file folio 5461 entitled:

An Act subjecting to terms conditions and stipulations permits by the Water Supply Commission for the construction of dams and other water obstructions for the supplying of water for certain purposes authorizing the condemnation of lands and waters describing the condemnation procedure and providing for revocation and other remedies for breach of such terms conditions and stipulations

on page 15 of today's calendar, bills on third reading postponed be extended five days.

Mr. STARK. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1275 entitled:

An Act abolishing the office of high constable in the boroughs of this Commonwealth and authorizing and directing the borough councils to designate the police or a constable of the borough to perform the duties now by law imposed on high constables

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—128.

Alexander,
Allman,
Anderson.
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Dunn,
Eaches,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Gundy,
Haines,
Hall,
Harer,
Haslett,
Irvin,
Johnson,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.
Mathay,
Morrison,
Myers, P. M.,
Nolte,
Orr,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond.
Rinn,
Rippman,
Sample,
Sautter,
Smith, G. A.,
Smith, H.,
Stark,
Sterling,
Storb,
Thomas, L. D.,
Thomas, M. G.,

Chaplin,
Clutton,
Coldsmith,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Haws,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Huber,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
Metcalf,
Moffatt,
Moore,
Vickerman,
Walker,
Wells,
Wheeler,
Williams, G. W.,
Williams, J. M.
Wood, N.,
Wood, W. P.,
Goodnough,
Speaker.

NAYS—19.

Berger,
Bush,
Eshelman,
Fields,
Frazier,
Heffran,
Henderson,
Jones, C. B.,
Miller,
Munley,
Ogle,
Sarig,
Schaeffer,
Schoener,
Shambach,
Sheridan,
Staudenmeier,
Stavitski,
Wright,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON SECOND READING.

The SPEAKER. If there are no objections, the Chair will take up the second reading calendar at this time. Are there objections? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 680, entitled:

An Act imposing a State tax on coal other than anthracite providing for the assessment and collection thereof and providing penalties

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a tax for State purposes is hereby imposed on every ton of the weight of two thousand pounds avoirdupois of all coal other than anthracite mined in this Commonwealth at that rate of one and one-half (1½%) per centum of the value thereof when washed screened or otherwise prepared for market or for cooking or other use Such tax shall be assessed at the time when said coal has been mined washed or screened or otherwise prepared and is ready for shipment or market or for cooking or any other use

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. KOHLER. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of a hearing.

Mr. DAVID FOWLER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1411, as follows:

An Act to amend section one of an act approved the twenty-seventh day of April one thousand nine hundred and eleven (Pamphlet Laws eighty-six) entitled "An act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants providing for the payment of the same by the particular county limiting the number of tipstaves to be appointed and repealing an act of Assembly entitled 'An act to regulate the fees of court criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants' approved the twenty-ninth day of April Anno Domini one thousand nine hundred and nine" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-seventh day of April one thousand nine hundred and eleven (Pamphlet Laws eighty-six) entitled "An act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants providing for the payment of the same by the particular county limiting the number of tipstaves to be appointed and repealing an act of Assembly entitled 'An act to regulate the fees of court criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants' approved the twenty-ninth day of April Anno Domini one thousand nine hundred and nine" which was amended by an act approved the third day of April one thousand nine hundred and twenty-three (Act number thirty-five) entitled "An act to amend section one of an act approved the twenty-seventh day of April one thousand nine hundred and eleven (Pamphlet Laws eighty-six) entitled 'An act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants providing for the payment of the same by the particular county limiting the number of tipstaves to be appointed and repealing an act of Assembly entitled "An act to regulate the fees of court criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants" approved the twenty-ninth day of April Anno Domini one thousand nine hundred and nine' as amended" is hereby further amended to read as follows

Section 1 Be it enacted et cetera That in the counties of this Commonwealth which contain more than ninety thousand and less than one hundred and fifty thousand inhabitants the court criers of the several courts shall be paid an annual salary of one thousand dollars and the tipstaves shall be paid an annual salary of not to exceed nine hundred dollars to be fixed by the court of common pleas said salaries to be paid monthly out of the treasury of the particular county in which the services shall be rendered Provided however That in none of the counties falling within the provisions of this act shall there be more than six tipstaves employed at any one time

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1434 (Senate Bill No. 685), entitled:

An Act to amend sections one two three five and seven as amended of an act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred twenty-one) entitled "An Act to provide for a State registration of Nurses to establish a State Board of Examiners in connection therewith and to provide penalties for the violation of certain provisions regarding such registration" by providing for a change in membership of the Board for a change in salary of the secretary treasurer the educational director and of the members of the Board

The first section was read as follows:

Section 1 Be it enacted et cetera That section one of the act approved the first day of May one thousand nine hundred and nine entitled "An Act to provide for State Registration of Nurses to establish a State Board of Examiners in connection therewith and to provide penalties for the violation of certain provisions regarding such registration" as amended by an act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and forty-five) is hereby amended to read as follows

"Section 1 Be it enacted et cetera That within sixty days after the passage of this act the Governor shall appoint a State Board of Examiners for Registration of Nurses composed of five members all of whom shall be registered nurses graduated from training schools connected with hospitals where practical and theoretical instruction is given in general surgical and medical nursing and who shall have been engaged in nursing in the State of Pennsylvania at least five years since graduation (The Governor shall also name two physicians as members of said board They shall be connected in an official capacity with public hospitals where nurses' training schools are maintained and shall have practiced their profession in the State of Pennsylvania for at least five years immediately preceding the time of their appointment) They shall be in good standing in the Graduate Nurses' Association of Pennsylvania

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, line 22, page 9 by striking out "is hereby amended to read as follows"

On the question,

Will the House agree to the amendments?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to as follows:

Section 2 That section two of said act as the same is amended by the act approved the twentieth day of June one thousand nine hundred and nineteen Pamphlet Laws five hundred and forty-five is hereby amended to read as follows

Section 2 The Governor shall appoint the original members of said board from a list of not less than twenty names submitted to him by the Board of Directors of the Graduate Nurses' Association of Pennsylvania one for one year one for two years one for three years one for four years one for five years and upon the expiration of the term of office of any member the Governor shall likewise appoint persons with the above specified qualifications from a list of not less than five names submitted to him by the Board of Directors of the Graduate Nurses' Association of Pennsylvania to fill the vacancy for a term of five years and until a successor is chosen The unexpired term of any member caused by death resignation or otherwise shall be filled by the Governor in the same manner as an original appointment (The Governor may remove any member for neglect of duty incompetence or dishonorable or unprofessional conduct

Upon the enactment of this amendment at the time fixed by this act for the appointment of the members of the board by the Governor the terms of the members of the board now in office shall terminate) except that not less than five names shall be submitted to him

Upon the enactment of this (amendment) law at the time fixed by this act for the appointment of the members of the Board by the Governor the terms of the members of the board now in office shall terminate

The third section was read as follows:

Section 3 That section three of said act which as the same is amended by the act approved the twentieth day of June one thousand nine hundred and nineteen Pamphlet Laws five hundred and forty-five is hereby amended to read as follows

Section 3 The said board as soon as appointed and annually thereafter on a date to be fixed by the by-laws shall meet for organization and shall also hold other meetings by call of the secretary upon written request of two members or under such other circumstances as may be prescribed by the by-laws three members shall constitute a quorum at such organization meeting the board shall elect from its members a president and a secretary (and an educational director) the secretary shall act as treasurer and shall give her entire time to the duties of the said office during working hours

The said officers shall be elected for a term of one year and until their successors shall be duly chosen and all vacancies arising in said office shall be filled by the board in like manner for the unexpired term The board shall adopt a seal and shall establish by-laws and regulations for its own government and for the execution of the provisions of this act The secretary shall keep a record of all proceedings of the board and also a register of all nurses and licensed attendants registered under this act which register shall at all reasonable times be open for public inspection

The board shall submit annually to the Governor or (State Board of Charities) at any other time required by (the said board) him a report of its findings or investigations and) the work of the board pertaining to the training schools in the several hospitals throughout the State"

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 3, page 11, line 16 by striking out the word "which" after the word "act"

Amend section 3, page 11, line 27 by striking out "three" and inserting in lieu thereof "Three"

Amend section 3, page 11, line 27 by striking out "at" and inserting in lieu thereof "At"

Amend section 3, page 12, line 18 by removing the parenthesis after the word "and"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourth section was read and agreed to as follows:

Section 4 That section five of said act as the same is amended by the act approved the twentieth day of June one thousand nine hundred and nineteen Pamphlet Laws five hundred and forty-five is hereby amended to read as follows

Section 5 The secretary of the board shall receive a salary of (eighteen hundred) three thousand ($3000.00) dollars (a) per year and in addition shall receive all actual expenses incurred while engaged in the transaction of official business All other members (excepting the educational director whose salary is otherwise provided for herein) shall receive (five dollars ($5.00) fifteen ($15.00)) dollars for each day actually engaged in the transaction of official business together with all actual expenses incurred as aforesaid (all) Expenditures shall in no case be paid from the State Treasury The treasurer of the board shall give bond in such sums as may be fixed by the by-laws which bond shall be subject to the approval of the State Treasurer The said treasurer shall pay necessary and current expenses of the board and may retain in the treasury a sum not exceeding five thousand ($5000.00) dollars to defray the ordinary expenditures but all moneys exceeding the (said) sum of five thousand dollars shall be paid by the treasurer of the board to the State Treasurer The said board shall have no power to fix prices or in any way control the compensation received by the registered nurse or the licensed attendant

The fifth section was read as follows:

Section 5 That section seven of said act as the same is amended by the act approved the twentieth day of June one thousand nine hundred and nineteen Pamphlet Laws five hundred and forty-five is hereby amended to read as follows

Section 7 (On and after August first one thousand nine hundred and fifteen) no application for registration as a registered nurse shall be considered unless accompanied by a fee of ten dollars ($10.00) Every applicant to be eligible for examination must furnish evidence satisfactory to the board that he or she is twenty-one years of age or over is of good moral character and has graduated from a training school for nurses which gives at least a two years' course of instruction or has received instruction in different schools or hospitals for periods of time amounting to at least a two years' course as aforesaid and then graduated and that such applicant during said period of at least two years has received practical and theoretical training in surgical and medical nursing Provided That a graduate nurse registered in any State of the United States where the requirements for registration in the judgment of the registration board for nurses of this State are at least equal to the requirements of law for such nurses in Pennsylvania may at the discretion of the board be registered without examination upon application in writing on forms provided by the board and upon the payment of a fee of ten dollars And provided further That it shall be the duty of the registration board to prepare and make a report for public distribution at intervals regulated by the by-laws of the said board of all training schools or combinations of training schools that are approved by the Board as possessing the necessary requirements for giving a pupil-nurse a full and adequate course of instruction And provided further That a State eduational director of training schools for nurses shall be appointed (from among its members) by the State Board of Examiners for (the) Registration of Nurses (of the State of Pennsylvania) This appointee shall have (all the powers of) the same qualifiations as a member of the board (while acting officially as a member of said board but) and shall be under the direction of the board of examiners in all matters pertaining to her position as eduational director and her duty shall be to assist in maintaining the necessary standards in the living working and eduational conditions of training schools for nurses The salary of the educational director shall be (twenty-five hundred) three thousand dollars ($3000.00) dollars per year and her railroad mileage and actual expenses incurred while engaged in official business to be paid from the (additional) registration fee provided for in this act

On the question,

Will the House agree to the section?

Mr. STEEDLE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 5, page 14, line 19 by inserting before the word "ten" the word "of"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixth section and title were separately read and agreed to as follows:

Section 6 All acts or parts of acts inconisstent with this act are hereby repealed

An Act to amend sections one two three five and seven as amended of an act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred and twenty-one) entitled "An act to provide for State registration of Nurses to establish a State Board of Examiners in connection therewith and to provide penalties for the violation of certain provisions regarding such registration" by providing for a change in membership of the Board for a change in salary of the secretary treasurer the educational director and of the members of the Board

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1092, entitled:

An Act to further amend part of section five of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as approved the seventeenth day of May Anno Domini one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty)

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That paragraph five of section five of an act approved the twelfth day of July one thousand nine hundred and thirteen (P. L. 719) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" which was amended by section one of the act approved the seventeenth day of May Anno Domini one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and eighty) entitled "An act to amend section five of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled 'An act regulating certain political partics providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' "

The ballot shall vary in form only as the names of districts offices candidates or the provisions of this act may require (Immediately after) At least one week before the last day fixed for filing of such nomination petitions with them the Secretary of the Commonwealth or the county commissioners as the case may be shall fix a day for the casting of lots for the position of names upon the primary ballot and shall give notice to the candidate by advertising in at least two newspapers of a large paid circulation published at each county seat of the time aforesaid and when to appear before them for that purpose Such candidates shall appear in person or by agent duly authorized by letter of attorney signed and acknowledged by an officer empowered to take acknowledgements In the event of any said candidates not being present in person or by representative at the time of casting of lots it shall be the duty of the

Secretary of the Commonwealth or the county commissioners to appoint some person to represent such absentee After said lots are cast the Secretary of the Commonwealth or the county Commissioners as the case may be shall establish the order in which the names of said candidates are to appear upon the primary ballot and to certify the same for printing upon the official primary ballot

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. GOEHRING. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purpose of a hearing,

Mr. JOSEPH C. MARCUS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1093, as follows:

An Act to amend section nineteen of an act approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three (Pamphlet Laws four hundred nineteen) entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section nineteen of an act approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three (Pamphlet Laws four hundred nineteen) entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" is hereby amended to read as follows

Section 19 The county commissioners of each county shall (provide) after petition has been made by the electors of a district as required by law to locate or relocate a suitable polling place at some specified place within said district furnish for each election district therein at each election a room large eonugh to be fitted up with voting shelves and a guard rail as hereinafter provided If in any district no such room can be rented or otherwise obtained the said commissioners shall cause to be constructed for such district a temporary room of adequate size to be used as a voting room they shall also cause all the said rooms to be suitably provided with heat and light and with a sufficient number of voting shelves or compartments at or in which voters may conveniently mark their ballots with a curtain screen or door at the upper part of the front of each compartment so that in the marking thereof they may be screened from the observation of others and a guard-rail shall be so constructed and placed that only such persons as are inside said rail can approach within six feet of the ballot box and of such voting shelves or compartments The arrangement shall be such that neither the ballot box nor the voting booths shall be hidden from view of those just outside the guard rail The number of such voting shelves or compartments shall not be less than one for every seventy-five names on the assessor's lists but shall not in any case be less than three for the voters qualified to vote at such voting place No persons other than the election officers and voters admitted as hereinafter provided shall be permitted within the said rail except by authority of the election officers for the purpose of keeping order and enforcing the law Each voting shelf or compartment shall be kept provided with proper supplies and conveniences for marking the ballots

BILL RECOMMITTED.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. GOEHRING. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purpose of amendment.

Mr. WILLIAM T. BELL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1094, entitled:

An Act to further amend part of the sixth section of an act entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen so as to change the time for filing petitions of nomination and the time for the organization of the State Committees as approved the eighteenth day of May Anno Domini one thousand nine hundred and seventeen (Pamphlet Laws two hundred forty-four)

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That paragraph (b) of section six of an act approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An act regulating certain political parties providing for the regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended by Section two of an Act approved the eighteenth day of May Anno Domini one thousand nine hundred and seventeen (Pamphlet Laws two hundred and forty-four) entitled "An act to amend the first sixth and seventh sections of an act entitled 'An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and the reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen so as to change the time for filing petitions of nomination and the time for organization of the State committees" is hereby amended to read as follows

(b) Each candidate for any State county or city borough township ward or district office shall file with his nomination petition his affidavit stating his residence with street and number if any and his postoffice address his election district the name of the office for which he consents to be a candidate that he is eligible or will be eligible by having been or becoming registered and enrolled before said primary at which he will be a candidate for such office and that he will not knowingly violate any election law or any law regulating and limiting nomination and election expenses and porhibiting corrupt practices in connection therewith Provided That in no event shall any person's name be printed upon the official ballot of any party as a delegate State committeemen National committeeman or party officer unless he is a qualified elector of said party

In the case of a candidate for nomination as President of the United States it shall not be necessary for such candidate to file the affidavit required in this section to be filed by candidates but the postoffice address of such candidate shall be stated in such nomination petition

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. GOEHRING. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purpose of a hearing.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1113, entitled:

An Act to further amend section ten of an act approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws, seven hundred and nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and for the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of an act Approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended by section two of an act approved the ninth day of July Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws eight hundred thirty-nine) entitled "An Act to amend sections seven ten thirteen fourteen and fifteen of an act entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party officers including State Committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) as amended so as to provide fully how many official and specimen ballots shall be provided for each party at the primaries and to whom the same shall be delivered what other election materials shall be furnished and what printed instructions shall be given voters and election officers how the official ballots shall be given to qualified electors how party membership shall be evidenced and how and when it may be challenged how the vote shall be counted recorded and returned by the election officers what shall be done with the ballots voted their stubs and the unused spoiled and void ballots tally papers oaths of election officers affidavits of voters et cetera lists of voters of each party triplicate and other return sheets and who shall have the custody of same to require the return and public inspection of all the spoiled and unused ballots from each election district before the computation of any returns therefrom to prescribe the method of computing and canvassing such returns publicly to provide who shall constitute the return board for any county wherein one or more of the commissioners are candidates at any primary to regulate the manner of correcting apparent errors in certain returns and the opening of ballot-boxes and the recounting of votes when any county commissioner prothonotary or judge of the court of common pleas deems it necessary in order to obtain a correct count or upon the petition of three electors averring fraud or error to assure the right of any authorized representative of any party or candidate to hear record and check up the returns as read as well as to inspect the same and any other public documents relating to any primary election to allow any persons aggrieved by any decision of the county commissioners or prothonotary to appeal therefrom to the court of common pleas of the proper county to make certain violations of said act as amended hereby misdemeanors and to provide penalties for the punishment of such offenses to provide that nomination petitions of candidates for any municipal office to be filled by a vote of the electors of a senatorial district shall be signed by at least two hundred qualified electors of such district and to repeal inconsisent legislation" is hereby amended to read as follows

Section ten The county commissioners shall prepare and furnish to the election officers in each election district in due time for use at the primaries one book of fifty official ballots of each party for every forty and fraction of forty votes cast within the particular election district for the candidate of the particular party who received the largest vote cast for any candidate of such party at any of the last three preceding elections either general or municipal and no additional official ballots shall be furnished any party in any election district unless the number of electors registered and enrolled as members of any particular party in any election district shall exceed the largest vote aforesaid in which case the county commissioners shall furnish official ballots for said party in the ratio aforesaid upon the basis of such enrollment or registration

With the official ballots to be furnished in advance of the primaries the county commissioners shall also furnish and deliver to the election officers specimen ballots for the use of electors at the polls equal in number to one-fifth the whole number of such official ballots said specimen ballots to be printed on colored paper and to be of the same size and form as the official ballots but without any permanent binding or stubs and in addition thereto on the Wednesday preceding every primary the county commissioners shall upon request having been made in writing at their office six weeks or more before each primary by each candidate or his authorized representative there deliver to each candidate whose name is printed on any party ballot or to his authorized representative without charge three specimen ballots of such party for each election district in the county or city or political district thereof in which such candidates may be voted for for the use of such candidate and the watchers whom he may appoint as hereinafter provided

On the back of each specimen ballot for the primary next preceding the election of a President of the United States the county commissioners shall print subdivision (c) of section six of this act

The official ballots shall be attached to stubs which shall be numbered consecutively from one to the highest number to be furnished to each particular election district and bound in books of fifty each which shall be numbered in the order of the numbers of their stubs in the same manner as at elections and the county commissioners shall keep a record of the number of such books and ballots printed and delivered to each election district and of the number of stubs unused ballots and spoiled and cancelled ballots subsequently returned therefrom

In addition to official and specimen ballots as aforesaid the county commissioners shall prepare and furnish to the election officers in due time for use at the primaries sufficient ballot-boxes through the nearest Justice of the Peace or such person or persons designated by the Court of Common Pleas of said county and other election materials properly numbered for each election district including the assessor's lists or registers known as the "ballot check list" and the "voting check list" respectively blank forms including forms for the duplicate oaths of the election officers and forms of affidavits for electors desiring assistance in marking their ballots and for those challenged as to their identity party membership residence or bribery to make proof of their right to vote blank tally papers (and triplicate return sheet for each party) blank statements for general returns of all votes cast blank books for making lists of persons voting with sufficient space for noting their party enrollments printed instructions and notice of penalties for the information of electors and election officers and such other supplies as they are or hereafter may be required by law to furnish to said election officers for use at elections and shall deliver them in the same manner as at elections The said form blanks books and other supplies shall have printed upon them appropriate instructions and shall be in appropriate form for use at the primaries The county commissioners shall also provide for the opening of the polling-places and for the compensation of the owners thereof and shall see that they are in proper order and provided with voting booths as at elections

The county commissioners shall provide each election district with cards of instructions as aforesaid equal in number to one-fifth of the whole number of official ballots furnished thereto on which shall be printed the last paragraph of section eleven of this act and all of section thirteen hereof and such part of section fourteen as relates to the duties of the election officers after the closing of the polls and such other directions regarding the marking and counting of ballots or the general election laws not inconsistent herewith as the county commissioners may think proper The election officers shall post at least three cards of instructions in the voting room outside of the guard-rail as soon as the polls are open and thereafter give such cards to such persons desiring to vote as shall request the same

On the question,

Will the House agree to the section?

Mr. GOEHRING. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 8, line 2 by striking out the word "ten" and inserting in lieu thereof the figure "10."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An act to further amend section ten of an act approved the twelfth day of July, Anno Domini, one thousand nine hundred and thirteen (Pamphlet Laws, seven hundred and nineteen) entitled, "An Act Regulating certain political parties, providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1114, entitled:

An Act to amend part of section fourteen of an act as amended by section one of an act approved the seventeenth day of May Anno Domini one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and sixty-nine) entitled "An Act to further amend section fourteen of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled 'An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party convention and of certain officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of any political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

The first section was read as follows.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That **section fourteen of an act** approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" which was amended by section one of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred sixty-nine) entitled "An act to further amend section fourteen of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled 'An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State Committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation, as amended" is hereby further amended to read as follows

Section 14 Upon the closing of the polls at such primary and before the ballot-boxes are opened the number of ballots issued to the voters of each party as shown by the stubs and the number of ballots of each party if any spoiled and returned by voters and cancelled shall be announced to all present in the voting room and entered on the general return sheets aforesaid and then the names checked as having voted in the two assessor's lists or registers marked "ballot check list" and "voting check list" respectively shall be immediately counted and the result announced and compared with the number of ballots issued as above ascertained after deducting the number spoiled and cancelled and said results shall also be compared with the number of names written in the numbered list of voters which shall be made as at elections as the electors receive and cast their ballots with the addition of a note of each elector's party enrolled after his name If any difference exist which are not found to be due merely to clerical errors such differences shall also be noted on the general return sheets aforesaid Then the numbered lists of voters (except a copy of the latter which shall be hung outside of the polling place) shall be placed in the separate envelopes provided for them respectively and sealed In cities the voting and ballot check lists shall be put in one envelope and sealed and subsequently delivered to the registration commissioners or county commissioners as required by the personal registration acts relating to cities of various classes

Also the stubs of all ballots used together with all unused ballots and all spoiled and cancelled ballots of each party and the ballot check list in boroughs townships and districts other than in cities shall be placed in a separate envelope and sealed before the ballot-boxes are opened which package shall be kept by the judge and delivered by him in person to the county commissioners at such place as they shall designate on or before noon of the Thursday following such primary

As soon as all the ballots of each party have been properly accounted for and those outside the ballot-boxes as well as the said lists sealed as aforesaid the election officers shall forthwith open the ballot-boxes and take therefrom all ballots therein and separate the same according to the party to which they belong and first audibly count the number cast for each party one by one and make a record thereof on each general return sheet and then the judge or (one of the inspectors) the minority inspector in the presence of the other officers shall read aloud the names marked or inserted upon each ballot keeping the ballots of each party in sequence together with the office for which the person named is a candidate and any other relevant matter necessary to identify him and the majority inspector and each of the clerks shall carefully enter simultaneously each vote as read and keep account of the same thusly 1111 1111 1 in triplicate tally papers for each party to be provided as aforesaid Should no vote be cast for one or more parties then the words "No Vote" shall be written across said tally sheets and same executed and disposed of as though votes had been cast The Majority Inspector and each clerk shall sign each tally paper executed by them individually in the space provided for that purpose All ballots after being removed from the box shall be kept within the unobstructed view of all persons in the voting room until replaced in said box and no person while handling same shall have in his hand any pencil stamp or other means of marking or spoiling any ballot When the vote cast for the different persons named upon said party ballots shall have been fully recorded on said tally papers and counted the election officers shall duly certify to the number of votes cast for each person upon the respective party tickets and shall prepare (triplicate) general returns thereof (for each party and also general return in duplicate) in quintuplicate showing besides the entries made thereon as aforesaid the number of ballots of each party cast and the number of ballots of each party declared altogether void including any blank ballots cast as well as the votes cast for each candidate on each party ticket one of which (statement) general returns shall be immediately posted for the information of the public outside the voting room or polling place and (the other) one of which shall be entrusted to the judge for delivery to the county commissioners with the package of unused ballots et cetera aforesaid The election officers shall then replace the ballots cast so counted and canvassed in the boxes including those declared void together with one set of tally papers (one set of said triplicate return steets) on general return sheet one numbered list of voters sealed as aforesaid (and the voting check list in districts other than in cities) and one oath of each election officer and lock and seal each ballot-box so that nothing can be inserted therein until it be opened again and the judge and minority inspector shall deliver them to the place which has been designated by the court of common pleas or by law for the delivery of ballot boxes at general and municipal elections on or before noon of the Thursday following such primary and the County Commissioners or Return Board shall not compute any returns from any election district until the receipt for the care and custody of the ballot-boxes thereof as well as the package of unused ballots et cetera aforesaid therefrom are delivered as aforesaid

The minority inspector shall retain one complete set of tally papers (and one of the triplicate return sheet for each party) one general return sheet and one set of the affidavits of voters and other persons except oaths of election officers made pursuant to the provisions of this act at such primary and carefully preserve the same for the period of at least one year The remaining tally papers (triplicate return sheet) general return sheet and affidavits of voters and others including oaths of election officers shall be placed in separate envelopes to be provided for the same and sealed as soon as the count is finally completed All of such envelopes and the other numbered list of voters previosuly sealed as aforesaid shall be entrusted to the judge of election and shall on or before noon of the Thursday following be deposited by him in person or by registered mail with the county commissioners who shall on the succeeding day at noon publicly commence the computation and canvassing of the returns and continue the same from day to day until completed in the manner hereinafter provided provided except that if any of the county commissioners of any county shall be a candidate for any nomination at any primary he shall not act as a member of the return board for computing or canvassing any returns of such primary but the other two commissioners if both are qualified shall act and in case in any county there are not at least two commissioners so qualified two judges of the court of common pleas of such county shall be designated by said court to act as a return board provided that neither of them are candidates for any nomination at such primary and (either on a party or nonpartisan ballot) if there shall be only one judge of such court in such county of if less than two judges are qualified and able to act in such county any judge who is qualified may act alone and if there be none qualified the prothonotary of such county shall act as the return board

One copy of the general (returns) return from each of the various districts shall be open to public inspection at the office of the county commissioners as soon as they receive same from the judges thereof

The county commissioners shall provide a convenient public place for holding the sessions of the return board whoever may compose it as aforesaid with adequate accomodations for the authorized representatives of each party and candidate concerned in any such primary not exceeding two such representatives for each of them at any one time to attend and to keep or check up their own computation of the votes cast in the several election districts as the returns from the same are read as hereinafter directed and the county commissioners shall give at least one week's previous notice by advertising once in at least two newspapers of a large paid circulation published at the county-seat of the time aforesaid and place when and where such return board will commence and hold its sessions and keep copies of such advertisement posted in their office during said periad

At noon on the Friday following any such primary the county commissioners shall have ready a sufficient number of blank forms of returns made out in a proper manner and headed as the nature of the ballots may require for making out full and fair statements of all votes which shall have been given within the county or any political district therein according to the returns from the several election districts thereof for any person voted for therein for any party nomination or party office

All the clerks of the county commissioners and other persons assisting in the official computation and canvassing of the votes shall be first sworn to perform their duties impartially and not to read write count or certify any return of vote falsely or fraudulently

The open general returns made by the election officers as aforesaid from the various election districts shall be read one after another in the usual order slowly and audibly by one of the clerks who shall in each case read therefrom the and cast respectively whereupon the clerk having charge of number of ballots of each party issued spoiled and cancelled the records of the county commissioners showing the number of ballots of each party furnished for each election district and the number of stubs and unused ballots and spoiled and canceled ballots returned shall publicly announce the number of same respectively and unless it appears by said numbers or calculations therefrom that said records and the said general return correspond no further returns shall be read from the latter until all ballots issued are fully accounted for and all the stubs and unused ballots spoiled and canceled ballots as well as the other election returns aforesaid shall be opened to public inspection and shall be carefully preserved together with the contents of the ballot-box by the County Commissioners (for at least eleven months) or other custodians authorized by law the next succeeding primary and not destroyed in any event without the previous consent in writing by the district attorney None of the envelopes sealed by election officers and entrusted to the judges of election shall be opened by any person except by order of the return board or of the court of common pleas

When the records agree with the said returns regarding the ballots the votes recorded for each candidate on each party ticket shall be read by the said clerk slowly audibly and in an orderly manner from the said returns and figures announced shall be compared by other clerks with the heretofore sealed general (sheets) return sheet and tally papers of each party for the respective districts and discrepancies shall be immediately called to the attention of the return board which shall thereupon compare said return sheets with the tally papers for the same election district respecting the same candidates or party ballots and if the tally papers and heretofore sealed general return (sheets) sheet agree the open general return shall be forthwith corrected to conform thereto but in every other case the return board shall forthwith cause the ballot-box of such division to be brought before it and opened under its direction and the ballots therein recounted respecting any vote in question in the presence of representatives of each party and candidate interested who are attending the canvas of such votes and if such recount shall not be sufficient to correct the error in any of the said returns the return board may summon the election officers and overseers if any to appear forthwith with all election papers in their possession and the court of common pleas shall use its processes to enforce such summons if necessary and if any error or fraud is discovered the return board shall compute and certify the votes justly regardless of any fraudulent or erroneous returns presented to it and report the facts to the district attorney of the proper county for action in cases that appear to warrant same and all the stubs and unused ballots spoiled and canceled ballots as well as the other election returns aforesaid shall be opened to public inspection and shall be carefully preserved together with the contents of the ballot-box by the county commissioners for at least eleven months and not destroyed in any event without the previous consent in writing by the district attorney

As the returns from each election district are read computed and found to be correct or corrected as aforesaid they shall be recorded on the blanks prepared for the purpose of casting up the total vote of each candidate on each party ticket until all the returns from the various election districts which are entitled to be counted shall have been duly recorded when they shall be added together announced and attested by the clerks who made and computed the entried respectively and at the expiration of five days after the completion of said computation the return board shall certify the several returns accordingly to the county commissioners unless upon appeals taken from any decision the court of common pleas shall have directed any returns to be revised in which cases such returns shall be revised and certified accordingly

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. GOEHRING. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purpose of a hearing.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1115, entitled:

An Act amending section one hundred and twenty-seven of an act approved the second day of July Anno Domini one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen) entitled "An Act Relating to Elections of this Commonwealth"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one hundred and twenty-seven of an act approved the second day of July Anno Domini one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen) entitled "An Act Relating to the Elections of this Commonwealth" is hereby amended to read as follows

Section 127 If any justice of the peace or such person or persons designated by the court of common pleas to receive ballot boxes shall refuse to receive such (any) ballot (box) boxes or having received (the) same shall neglect the safe keeping thereof or refuse to deliver the said ballot boxes as provided by law (he) shall on conviction of any such refusal or neglect be fined in any sum not less than one hundred nor more than one thousand dollars

On the question,

Will the House agree to the section?

Mr. GOEHRING. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 7, by inserting after "boxes" the following: (delivered to him as is hereinbefore provided)

Amend section 1, page 2, line 9, by underscoring the words "as provided by law"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act amending section one hundred and twenty-seven of an act approved the second day of July Anno Domini one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen) entitled "An Act Relating to Elections of this Commonwealth

On the question,

Will the House agree to the title?

Mr. GOEHRING. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 5, by inserting before "Elections" the word "the"

Amend title, page 1, line 5, by inserting quotation marks after the word "Commonwealth"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second tme, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1117, entitled:

An Act to further amend section seventy-four of an act as amended by section one of an act approved the sixteenth day of April Anno Domini one thousand nine hundred and three (Pamphlet Laws two hundred and seventeen) entitled "An Act amending section seventy-four of an act "Relating to the electtions of this Commonwealth" approved the second day of July Anno Domini one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen)"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventy-four of an act approved the second day of July one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen) entitled "An act relating to the elections of this Commonwealth" which was amended by section one of an act approved the sixteenth day of April Anno Domini one thousand nine hundred and three (Pamphlet Laws two hundred and seventeen) entitled "An Act Amending section seventy-four of an act "Relating to the elections of this Commonwealth" approved the second day of July Anno Domini one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen)" is hereby further amended to read as follows:

Section 74 As soon as the election shall be finished the tickets list of taxables one of the list of voters the tally papers and one of the certificates of the oath or affirmation taken and subscribed by the inspectors judges and clerks shall be carefully collected and deposited in one or more of the ballot-boxes and such box or boxes being closely bound round with tape shall be sealed by the inspectors and judge of the election and together with the remaining ballot-boxes shall within one day thereafter be delivered by one of the inspectors to the nearest justice of the peace or such person or persons designated by the court of common pleas who shall keep such boxes containing the tickets and other documents (said justice of the peace or such person or persons designated by the court of common pleas to receive the sum of Three ($3.00) dollars per year per district for all services rendered in the care and storage of the ballot-box or boxes placed in his custody and for collecting said boxes from each district the sum of one ($1.00) dollar for each box for each election and for delivering each box to each election district the sum of one ($1.00) dollar per box per district for each election said sum to be paid by the County Treasurer upon an order drawn by the County Commissioners) to answer the call of any person or tribunal authorized to try the merits of such election and the other list of voters tally papers and certificates shall be enclosed by the said inspectors and judge in a sealed cover directed to the Prothonotary of the Court of Common Pleas of the County and shall by some of them be delivered into his office within three days thereafter where the same shall be filed

On the question,

Will the House agree to the section?

Mr. GOEHRING. Mr.. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 6, by striking out the word "Pamphlet Laws five hundred and nineteen."

Amend section 1, page 3, line 4, by striking out the word "list" and inserting in lieu thereof: "lists"

Amend section 1, page 3, line 7, by inserting after the word "shall" the word: "all"

Amend section 1, page 3, lines 23 and 24 by underscoring all the words in both of said lines.

Amend section 1, page 4, line 3, by inserting after the word "some" the word: "one"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act to further amend section seventy-four of an act as amended by section one of an act, approved the sixteenth day of April, Anno Domini, one thousand nine hundred and three (Pamphlet Laws, two hundred and seventeen), entitled "An Act amending section seventy-four of an act relating to the elections of this Commonwealth," approved the second day of July, Anno Domini, one thousand eight hundred and thirty-nine (Pamphlet Laws, five hundred and nineteen)".

On the question,

Will the House agree to the title?

Mr. GOEHRING. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Title, page 1, line 1, by striking out all the words after the word "act" in line 1, to and including the word "Commonwealth" in line 7.

Amend Title, page 1, line 9, by removing the quotation marks after the word "nineteen)"

Amend Title, page 1, line 9, by inserting after the word "nineteen)" the following: entitled "An act relating to the elections of this Commonwealth."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed wth,

The House proceeded to the second reading and consideration of House Bill No. 1206, as follows:

An Act to amend Route number two hundred and sixty-four of section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining the same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorprated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Route number two hundred and sixty-four of section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" which was amended by the act approved the twenty-first day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and fifty-six) is hereby further amended to read as follows

Route Two Hundred and Sixty-four from Huntingdon to Chambersburg—Commencing in Huntingdon and running over route one hundred and twenty-one to a point at or near Spring Run thence by way of Roxbury and in the direction of Newburg to a point on the dividing line between Franklin and Cumberland Counties thence by way of Newburg and Middle Spring to Shippensburg and from Roxbury by way of Orrstown thence over the present State-aid road to Shippensburg thence over route thirty-five into Chambersburg Franklin County

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1455, (Senate Bill No. 781), entitled:

An Act authorizing the State Highway Commissioner to combine certain State Highways or any part or sections thereof into a route under a common letter name number or other marker or designation or any combination thereof for the purpose of informing and assisting the traveling public in and through the State

Whereas In order to more properly accommodate and inform the traveling public using the highways of the Commonwealth it is deemed advisable to designate certain State Highway Routes or any part or sections thereof comprising the present system as now or hereafter created by Acts of Assembly by a common letter name or number

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1383, (Senate Bill No. 434), entitled:

An Act to further amend section one of an act, approved the twelfth day of June, one thousand nine hundred and nineteen, entitled "An Act permitting counties of the Commonwealth of Pennsylvania to appropriate and expend moneys and to incur indebtedness and issue bonds and other obligations, for the improvement and maintenance of State highways and State-aid highways or any public highway in any county of the Commonwealth, and providing the method for applying for said moneys and for the approval thereof by the State Highway Department in certain cases."

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1454, (Senate Bill No. 775), entitled:

An Act requiring supervisors and commissioners of townships to apply for county aid in the construction and maintenance of roads upon application therefor by property owners

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING.

Mr. ALEXANDER asked and obtained unanimous consent to call up out of order, on page 10 of today's calendar, House Bill No. 521.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 521, as follows:

An Act imposing an emergency State luxury tax providing for its collection restricting the use of the revenue derived therefrom and fixing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an emergency State tax is hereby imposed on the articles hereinafter named sold in this Commonwealth for any purpose whatsoever except for the purpose of re-sale The tax hereby provided for shall be paid by the person association co-partnership or corporation selling any such article to purchasers who purchase for purposes other than re-sale and shall be paid in the manner hereinafter specified

Section 2 All money derived from the tax hereby imposed shall be applied to the payment of appropriations made prior to the first day of June one thousand nine hundred and twenty-one and for the payment of appropriations for deficiencies existing prior to the first day of June one thousand nine hundred and twenty-three Any balance remaining may be applied to any other deficiencies or may be expended for such other purposes as the General Assembly may prescribe

Section 3 There shall be paid upon the following articles sold or leased except for the purpose of re-sale a tax equivalent to the following per centum of the price for which so sold or leased

Cigars and cigarettes five per centum

Plug tobacco smoking tobacco cigarette paper snuff and other tobacco products three per centum

Chewing gum five per centum

Fire arms shells and cartridges except those sold for the use of the United States any State territory or possession of the United States any political subdivision thereof or the District of Columbia ten per centum

Hunting and bowie knives ten per centum

Dirk knives daggers sword canes stilettos and brass or other metallic knuckles one hundred pen centum

Cigar and cigarette holders and pipes composed wholly or in part of meerschaum or amber humidors and smoking stands ten per centum

Liveries and livery boots and hats ten per centum

Hunting and shooting garments and riding habits ten per centum

Yachts and motor boats not designed for trade fishing or National defense and pleasure boats and pleasure canoes ten per centum

Articles commonly or commercially known as jewelry either real or imitation pearls precious and semi-precious stones and imitations thereof articles made of or ornamented mounted or fitted with precious stones or imitations thereof or ivory not including surgical instruments eyeglasses and watches clocks opera glasses lorgnettes marine glasses field glasses and binoculars five per centum

Perfumes cosmetics proprietary medicine one cent on each twenty-five cent sale or fractional part thereof

Payment of the tax imposed upon any article by the provisions of this act shall be evidenced by an adhesive stamp attached to the package box or container in which or from which the article is sold or if not sold in or from a package box or container then to the article itself Such stamps shall be purchased from the Auditor General of the Commonwealth or any of his duly appointed agents and shall be attached to the package box or container or to the article sold by the person making the sale before the article leaves the possession of the seller except in the cause of cigars sold separately from a box or container where the stamp shall be attached to the box or container when the same is placed on sale and at that time a stamp equal to the tax as ascertained by the value of the cigars in such box or container when sold shall be attached thereto in such manner that when the box or container is opened the stamp will be defaced The seller shall also in the case of cigars cancel such stamp when the same is attached by writing across the face thereof his initials and the date the stamp was attached In all other cases stamps shall be defaced by writing or otherwise in such manner that the same cannot again be used

The Auditor General shall prepare and place on sale at his office or any agency by him appointed adhesive stamps of such denomination as shall be deemed necessary to evidence the payment of the tax herein imposed and such stamp shall plainly show the value thereof which shall be the amount paid therefor as a tax to the Commonwealth

Whenever the Auditor General shall appoint an agent for the sale of stamps for the purpose of paying the State tax herein provided and shall sell consign or deliver to such agent any such stamps for sale or use such agent shall be entitled to receive as compensation for his services and expenses as agent and to retain out of the moneys to be paid by him for such stamps a commission of one percentum of the par value thereof and the Auditor General and State Treasurer are hereby directed and required to allow such commission or compensation in the settlement of the accounts of such agent

Section 5 The Auditor General or any agent appointed in writing by him is hereby authorized to examine the books papers and effects of any person association co-partnership or corporation pertaining to the business made taxable by this act to verify the accuracy of the payments of taxes by the purchase and use of stamps under the provisions of this act and in the collection of said tax the Auditor General and State Treasurer shall have all the powers now vested in them by the laws of the Commonwealth for the collection of State taxes but any information gained by the Auditor General or any other person as a result of the reports investigations or verifications herein required to be made shall be confidential and any person divulging such information shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than one thousand dollars ($1,000) or to undergo an imprisonment of not more than one year or both

Section 6 Any person association co-partnership or corporation or the officers directors trustees or members of any association co-partnership or corporation who refuses to permit the Auditor General or any agent appointed by him in writing to examine the books papers or effects of such person association co-partnership or corporation pertaining to the business made taxable by this act or who fails or refuses to attach any adhesive stamp to any article package box or container required to be stamped by this act or attaches any false or fraudulent stamp or who fails to cancel any stamps as required by this act or who does or attempts to do anything whatsoever to avoid a full disclosure of the amount of business done or to avoid the payment of the whole or any part of the tax due shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) or in the case of an individual to undergo imprisonment not exceeding six months or both

Section 7 All fines collected under this act shall be paid to the State Treasurer and by him credited and paid as provided in section two hereof

Section 8 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of the act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 9 This act shall remain in effect until the first day of June one thousand nine hundred and twenty-five and no longer The expiration of this act shall not relieve any person association co-partnership or corporation from any tax or penalty imposed by this act

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITED.

Mr. ALEXANDER. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of amendment.

Mr. CRAIG. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Mr. STARK asked and obtained unanimous consent to call up out of order, on page 10 of to-day's calendar, House Bill No. 466.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 466, as follows:

An Act to amend an act approved the first day of June one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred and twenty) entitled "A Further Supplement to an act entitled 'An Act to provide revenue by taxation approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" imposing a tax on individuals copartnerships corporations limited partnerships and joint-stock associations organized for or engaged in laundering and manufacturing

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the twenty-first section of an act approved the first day of June one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred and twenty) entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as amended by the act approved the twenty-second day of June one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and three) entitled "An Act to amend section twenty-one of an act approved the first day of June one thousand eight hundred and eighty-nine entitled 'A Further Supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' as amended" is hereby further amended to read as follows

Section 21 That every corporation joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the Treasury of the Commonwealth annually a tax at the rate of five mills upon each dollar of the actual value of its whole capital stock of all kinds including common special and preferred as ascertained in the maner prescribed in said twentieth section and it shall be the duty of the treasurer or other officers having charge of any such corporation joint-stock association or limited partnership upon which a tax is imposed by this section to transmit the amount of said tax to the treasury of the Commonwealth within thirty days from the date of the settlement of the account by the Auditor General and the State Treasurer Provided That for the purposes of this act interest in limited partnerships or joint-stock associations shall be deemed to be capital stock and taxable accordingly Provided also That corporations limited partnerships and joint-stock associations liable to tax on capital stock under this section shall not be required to pay any further tax on the mortgages bonds and other securities owned by them and in which the whole body of stockholders or members as such have the entire equitable interest in remainder but corporations limited partnerships and joint-stock associations owning or holding such securities as trustees executors administrators guardians or in any other manner than for the whole body of stockholders or members thereof as sole equitable owners in remainder shall return and pay the tax imposed by this act upon all securities so owned or held by them as in the case of individuals And provided further That the provisions of this section shall not apply to the taxation of the capital stock of corporations limited partnerships and joint-stock associations organized for laundering or manufacturing purposes excepting companies engaged in the brewing or distilling of spirits or malt liquors and such as enjoy and exercise the right of eminent domain Provided further In case of fire and marine insurance companies the tax imposed by this section shall be at the rate of three mills upon each dollar of the actual value of the whole capital stock Provided That nothing in this act shall be so construed as to apply to building and loan associations chartered by the State of Pennsylvania

Section 2 Said act is hereby further amended by adding thereto the following sections

Section 22 (a) Every corporation joint-stock association limited partnership copartnership and company whatsoever now or hereafter organized or incorporated by or under any law of this Commonwealth for laundering or manufacturing purposes shall be subject to and pay into the treasury of the Commonwealth annually a tax at the rate of three mills upon each dollar of actual value of the whole of its property and franchises Every corporation joint-stock association limited partnership copartnership and company whatsoever now or hereafter incorporated or organized by or under the laws of any state or territory of the United States or by the United States or any foreign government for laundering and manufacturing purposes and doing business in this Commonwealth or having capital property employed or used in this Commonwealth by or in the name of any limited partnership joint-stock association company corporation copartnership or person whatsoever or in any other manner shall pay such tax on all its property employed in this Commonwealth Every individual engaged in this Commonwealth in laundering or manufacturing business shall be subject to and pay into the treasury of the Commonwealth annually a tax at the rate of three mills upon each dollar of actual value of the whole of his or its property used in such laundering or manufacturing business

The provisions of this section do not apply to limited partnerships joint-stock associations or corporations engaged in the brewing or distilling of spirits or malt liquors nor to such as enjoy and exercise the right of eminent domain

Section 22 (b) Every individual and the president vice-president secretary or treasurer or other officer having charge of any corporation joint-stock association limited partnership company or copartnership required to pay the tax imposed by the provisions of the preceding section of this act shall make a report in writing and under oath annually on or before the last day of February for the calendar year next preceding to the Auditor General on a form to be perscribed and furnished by him If any corporation company joint-stock association or limited partnership shall certify to the Auditor General that its fiscal year closes not upon the thirty-first day of December but upon some other date and that it reports to the United States Government as of such other date then such corporation may in the discretion of the Auditor General be permitted to make the returns herein provided for within sixty days after date subject in all other respects to the provisions of this act The Auditor General may upon proper cause shown extend the time of filing returns for a period not exceeding thirty days

The first report made under the provisions of this act shall cover the period from the date of the approval of this act to the end of the current fiscal or calendar year and the accounting officers shall settle the tax for the period covered by such report at the proportionate annual rate imposed by this act If in any case such fiscal year shall end within thirty days from the approval of this act no separate report shall be required for such portion of such fiscal year but the same shall be included in the report covering the next succeeding fiscal year

Section 22 (c) The report required by the preceding section of this act shall state specifically

(a) All real property held in this Commonwealth and used for laundering or manufacturing purposes and the value thereof

(b) All tangible personal property employed within this Commonwealth and the value thereof

(c) All franchises enjoyed and exercised

(d) Debt account

(e) Income account together with the disposition of any net income and its profit and loss statement

(f) General balance sheet

(g) Such other information as the Auditor General may require

The report required to be made by any individual shall include a statement or the property of such individual employed in laundering or manufacturing business only

Section 22 (d) If the Auditor General and State Treasurer or either of them is not satisfied with the assessment and estimate of valuation so made and returned they are hereby authorized and empowered to make an assessment and valuation based upon the facts contained in the report herein required or upon any information within their possession or that shall come into their possession and to settle an account on the assessment and valuation so made by them for the taxes penalties and interest due the Commonwealth therein with right to the person corporation company limited partnership copartnership or joint-stock association dissatisfied with any settlement so made against him it or them to appeal therefrom in the manner now provided by law For the purpose of making such assessment and settlement said officers may require the production of such books papers and reports as may be necessary to enable them to assess and settle the tax

In the event of the failure neglect or refusal to make the report and valuation to the Auditor General as hereinbefore provided it shall be the duty of the Auditor General to estimate an assessment and valuation and settle an account for taxes penalty and interest thereon from which settlement there shall be no right of appeal

Section 22 (e) Every person corporation joint-stock association limited partnership copartnership and company from which a report is required under the provisions of this act it shall pay into the Treasury of the Commonwealth the amount of the tax herein imposed within sixty days from the date of settlement of the account by the Auditor General and State Treasurer plus a penalty of ten per centum for every failure to assess said tax and to make report as required by this act When any tax is settled it shall bear interest from sixty days after approval by the State Treasurer at the rate of one per centum per month until paid

If any individual or the officers of any corporation limited partnership or joint-stock association copartnership or company shall neglect or refuse to furnish the Auditor General with the assessment and report as required by the provisions of this act or cause the same to be done or shall make or cause to be made any false report it shall be the duty of the accounting officers of the Commonwealth to add ten per centum to said tax for each and every year for which assessment and report were not so furnished which percentage shall be settled and collected with the said tax in the usual manner of settling accounts and collecting such taxes

Section 22 (f) If said persons or officers or any of them shall intentionally make or cause to be made any false assessment and report or intentionally neglect or refuse to furnish the Auditor with the assessment and report as required by the provisions of this act he or they shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) and undergo imprisonment nct exceeding one year or both

Section 22 (g) The provisions of this act shall be independent of each other and if any of its provisions shall be held to be unconstitutional the decisions of the court shall not affect or impair any of the remaining provisions of this act nor prevent the collection of the tax imposed bv this act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. STARK. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of amendment.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. GIBBON.

The House resumed the consideration on third reading of House Bill No. 1395, (Senate Bill No. 297), entitled:

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has formerly been held or conveyed by to or for corporations not authorized by law to hold same

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, voz:

YEAS—157.

Albert,
Alexander,
Allman,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bentley,
Berger,
Betts,
Blair,
Bluett,
Blumberg,
Brenneman,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley.
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, D.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Grimes,
Guerin,
Gundy,
Haas,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Little,
Long,
Lucas,
Lynch,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCaig,
McClure,
McDaniel,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Minehart,
Moffatt,
Morrison,
Munley,
Myers, G. C.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Rhodes,
Richards,
Rinn,
Sample,
Sarig,
Sautter,
Schaeffer,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. F.,
Stofflet,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Wells,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Mr. BLAIN asked and obtained unanimous consent to call up out of order, on page 11 of today's calendar, House Bill No. 1118.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1118, as follows:

An Act to further amend section three nine and twenty-four of an act approved the thirtieth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred and seventy-eight) entitled "An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by or trailing after motor vehicles requiring the registration of the same and the licensing of all operators thereof providing the fees therefor and the disposition of such fees prohibiting the unauthorized use of and tampering with motor vehicles limiting and defining the powers of cities boroughs incorporated towns townships and counties as to the regulation of the use and equipment of motor vehicles and the taxing registration or licensing thereof imposing certain duties on the State Highway Commissioner and on proprietors of public garages providing procedure and penalties for violations thereof and the disposition of fines collected and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle" as amended increasing registration fees for a temporary period of two years limiting the weight of trucks and the number of trailers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of an act approved the thirtieth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred and seventy-eight) entitled "An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by or trailing after motor vehicles requiring the registration of the same and the licensing of all operators thereof providing the fees therefor and the disposition of such fees prohibiting the unauthorized use of and tampering with motor vehicles limiting and defining the powers of cities boroughs incorporated towns townships and counties as to the regulation of the use and equipment of motor vehicles and the taxing registration or licensing thereof imposing certain duties on the State Highway Commissioner and on proprietors of public garages providing procedure and penalties for violations thereof and the disposition of fines collected and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle" which was amended by an act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and eighty-two) entitled "An act to amend an act approved the thirtieth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred and seventy-eight) entitled 'An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by or trailing after motor vehicles requiring the registration of the same and the licensing of all operators thereof providing the fees therefor and the disposition of such fees prohibiting the unauthorized use of and tampering with motor vehicles limiting and defining the powers of cities boroughs incorporated towns townships and counties as to the regulation of the use and equipment of motor vehicles and the taxing registration or licensing thereof imposing certain duties on the State Highway Commissioner and on proprietors of public garages providing procedure and penalties for violations thereof and the disposition of fines collected and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle' providing additional requirements with regard to applicants for and transfer of registration and with regard to speed and weight of and lights upon motor vehicles requiring operators to carry registration certificates providing standard tests to ascertain the vision and hearing of operators providing for the payment of certain witness fees authorizing officers to stop and examine motor vehicles designating the officers before whom information may be brought and imposing additional penalties" is hereby further amended to read as follows

Section 3 Application for the registration of motor vehicles shall be made to the State Highway Department upon a blank provided for the purpose by the department The application shall contain the full name and residence of the owner or owners (not in excess of two in the case of joint ownerships) together with a sworn statement containing the name manufacturer's number motor number the character of the motive power and the horsepower and in the case of commercial vehicles the chassis of which weighs more than two thousand (2,000) pounds the gross weight of the chassis as given and certified to by the manufacturer and also such description of the motor vehicle including lights and other equipment as the State Highway Department shall require If the owner or owners of a motor vehicle be a natural person or natural persons desirous of operating the motor vehicle the application shall contain a sworn statement that such person is more than sixteen (16) years of age and is mentally and physically qualified to operate a motor vehicle as defined in this act The application shall be signed by the owner or owners if natural persons and in cases where the owner is a corporation by the president vice-president secretary treasurer or other executive officer thereof or some person specifically authorized by said corporation to execute the same

Applicants for registration who are not residents of this Commonwealth shall in their application in addition to the above requirements designate the State Highway Commissioner as their authorized agent upon whom process may be served

The horsepower of motor vehicles except those propelled by steam or electricity shall be computed by the following formula Diameter of the bore in inches squared times the number of cylinders times four-tenths (.4) The accepted horsepower for the registration of motor vehicles propelled by steam or electricity shall be that given and certified to by the manufacturer

Upon receipt of the application and the proper fee the State Highway Department shall register the said motor vehicle in a book or index kept for that purpose and shall issue to the owner or owners a registration certificate and in case the motor vehicle is owned by a natural person who in the application has expressed a desire to operate the same shall issue to the owner or owners (not exceeding two) an owner's license which shall entitle the holder or holders provided such person is more than sixteen (16) years of age and is not mentally or physically disqualified to lawfully operate any motor vehicle Said license shall not be valid until signed by the holder or holders thereof The registration certificate shall show the name and address of the owner or owners the name type horsepower manufacturer's number the motor number of the motor vehicle and the registration number thereof and shall at all times be carried with the motor vehicle for which registration has been issued but shall not be valid until signed by the holder or holders thereof

No motor vehicle on which the manufacturer's number or motor number has been omitted obliterated or defaced shall be registerable without a special permit from the State Highway Commissioner

Before issuing a registration certificate for any such motor vehicle the Highway Commissioner shall require information as to the date of purchase of such vehicle and the name and address of the person whom it was purchased together with satisfactory evidence that the number was not removed for the purpose of concealing the identity of such vehicle He shall require that a special number designated by him shall be immediately stamped thereon Such number shall be preceded by the letter "S" and followed by "Pa" and the registration will not be valid until this requirement has been complied with

No motor vehicle or trailer except hook-and-ladder trucks and water-towers shall be registerable that exceeds an outside over-all length of three hundred and thirty-six inches (336) or width of ninety (90) inches or that exceeds a gross weight including chassis body and load of twenty thousand (20,000) pounds Provided That the restriction as to length shall not apply to motor vehicles registered or contracted for prior to the passage of this act And further provided That vehicles registered in classes E and F may be operated with an over-all width of vehicle and load not exceeding ninety-six (96) inches on highways of cities of the first second and third class

Any person or persons knowingly making any misstatement of facts in his or their application for registration of a motor vehicle shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not less than two hundred ($200) dollars or more than five hundred ($500) dollars or imprisonment for one year or both at the discretion of the court and the State Highway Commissioner shall upon proper evidence of such misstatement revoke the registration of the motor vehicle so registered

It shall be the duty of the registered owner of every motor vehicle to notify the State Highway Department of any change in his place of residence within one week after such change is made

Section 2 That section nine of the said act as amended by the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and eighty-two) is hereby further amended to read as follows

Section 9 The fee for the registration of a motorcycle shall be three ($3) dollars and for the registration of a bicycle with motor attached two ($2) dollars

The fee for registration of motor vehicles except such as are equipped with metal tires when registered prior to August of any year shall be at the rate of forty (40) cents for each horsepower or fractional part thereof Provided That the minimum fee shall be ten ($10) dollars

The fees for the registration of commercial motor vehicle the chassis of which weighs less than two thousand (2,000) pounds shall be on the basis of horsepower Provided That the minimum fee shall be fifteen ($15) dollars

Commercial vehicles with pneumatic tires the chassis of which weighs two thousand (2,000) pounds or more shall be divided into seven (7) classes

The fees for each such vehicle in class AA the chassis of which weighs two thousand (2,000) pounds and less than three thousand (3,000) pounds shall be twenty-four ($24) dollars

The fee for each such vehicle in class A the chassis of which weighs three thousand (3,000) pounds and less than four thousand (4,000) pounds shall be thirty-two ($32) dollars

The fee for each such vehicle in class B the chassis of which weighs four thousand (4,000) pounds and less than five thousand (5,000) pounds shall be forty ($40) dollars

The fee for each such vehicle in class C the chassis of which weighs five thousand (5,000) pounds and less than six thousand (6,000) pounds shall be fifty-six ($56) dollars

The fee for each such vehicle in class D the chassis of which weighs six thousand (6,000) pounds and less than seven thousand five hundred (7,500) pounds shall be eighty ($80) dollars

The fee for each such vehicle in class E the chassis of which weighs seven thousand five hundred (7,500) pounds and less than eight thousand five hundred (8,500) pounds shall be one hundred ($100) dollars

The fee for each such vehicle in class F the chassis of which weighs over eight thousand five hundred (8,500) pounds shall be one hundred and forty ($140) dollars

Commercial vehicles with solid rubber tires the chassis of which weighs two thousand (2,000) pounds or over shall be divided into seven (7) classes

The fees for each such vehicle in class AA the chassis of which weighs two thousand (2,000) pounds and less than three thousand (3,000) pounds shall be thirty ($30) dollars

The fee for each such vehicle in class A the chassis of which weighs three thousand (3,000) pounds and less than four thousand (4,000) pounds shall be forty ($40) dollars

The fee for each such vehicle in class B the chassis of which weighs four thousand (4,000) pounds and less than five thousand (5,000) pounds shall be fifty ($50) dollars

The fee for each vehicle in class C the chassis of which weighs five thousand (5,000) pounds and less than six thousand (6,000) pounds shall be seventy ($70) dollars

The fee for each such vehicle in class D the chassis of which weighs six thousand (6,000) pounds and less than seven thousand five hundred (7,500) pounds shall be one hundred ($100) dollars

The fee for each such vehicle in class E the chassis of which weighs seven thousand five hundred (7,500) pounds and less than eight thousand five hundred (8,500) pounds shall be one hundred and twenty-five ($125) dollars

The fee for each such vehicle in class F the chassis of which weighs eight thousand five hundred (8,500) pounds or over shall be two hundred ($200) dollars

The fees for registration of electrically operated commercial motor vehicles whether equipped with pneumatic or solid rubber tires shall be on the same basis as the fees specified in this section for commercial motor vehicles with pneumatic tires

Tractor trucks with semi-trailer attachments shall be registered as one vehicle the registration fee for which shall be computed according to the table of weights and fees specified in this act for commercial motor vehicles and upon the basis of the chassis weight of tractor plus the weight of semi-trailer attachment

No registration shall be required of a trailer weighing less than five hundred (500) pounds

The fee shall be two ($2) dollars for each trailer weighing five hundred (500) pounds and less than seven hundred and fifty (750) pounds

Five ($5) dollars for each trailer weighing seven hundred and fifty (750) pounds and less than one thousand (1,000) pounds

Ten ($10) dollars for each trailer weighing one thousand (1,000) pounds and less than two thousand (2,000) pounds

Fifteen ($15) dollars for each trailer weighing two thousand (2,000) pounds or more

The fee for the registration of any motor vehicle or trailer equipped with metal tires shall be double the regular fee for such vehicles

The fees for registration when issued on or after August first shall be one-half those hereinbefore named

The fee shall be five ($5) dollars for each certificate and number plate issued to persons registered as motorcycle dealers and ten ($10) dollars for each certificate and pair of number plates issued to persons registered as dealers in other motor vehicles

In addition to the registration fees hereinbefore provided there shall be collected by the State Highway Department for the registration of license years of one thousand nine hundred and twenty-four (1924) and one thousand nine hundred and twenty-five (1925) an additional registration fee for the registration of motor-cycles motor vehicles and trailers and for dealer's registration plates equal to fifty per centum of the registration fees hereinbefore fixed and such additional registration fee when collected and received by the State Highway Department shall be paid into the general fund of the State Treasury Such additional registration fee shall be collected in the same manner and at the same time as the registration fees hereinbefore provided for are collected and no motor-cycle motor vehicle or trailer shall be registered by the State Highway Department unless said additional license fees have been paid as herein provided

The fees herein set forth for the registration of motor vehicles and trailers shall be in lieu of any other fees or taxes to be imposed by this Commonwealth or any subdivision thereof and no city borough incorporated town township or county shall require or collect any registration or license fee or tax for any motor vehicle or license from any operator thereof except as to motor vehicles transporting passengers for pay or hire within the limits of any city or from points within such city to points outside of the city limits

No fee shall be charged for the registration of motor vehicles owned and used by the United States the State of Pennsylvania or by any city borough incorporated town township or county duly authorized volunteer fire department hospital humane society or anti-cruelty society in this Commonwealth or by the American Red Cross but all such vehicles shall be registered and shall display number plates as is provided for privately owned vehicles

All registrations shall expire December thirty-first of the year issued unless sooner revoked for cause by the State Highway Commissioner

Section 3 That section twenty-four of the said act as amended by the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and eighty-two) is hereby further amended to read as follows

Section 24 No motor vehicle of any description shall be used or operated on the public highways unless the engine be muffled so that the explosions thereof shall not constitute a nuisance to the public and no muffler cut-out shall be used on any public highway

No motor vehicle shall be used upon any public highway with chains or other devices projecting more than one (1) inch upon the tires thereof

No commercial motor vehicle shall be used or operated on any public highway the weight of which including chassis body and load shall be in excess of seven thousand (7,000) pounds for a vehicle in class AA (11,000) pounds for a vehicle in class A thirteen thousand pounds (13,000) pounds for a vehicle in class B eighteen thousand (18,000) pounds for a vehicle in class C twenty-two thousand (22,000) pounds for a vehicle in class D and twenty-five thousand (25,000) pounds for a vehicle in class E and twenty-six thousand (26,000) pounds for a vehicle in class F and no commercial motor vehicle the chassis of which weighs less than two thousand (2,000) pounds shall be used or operated on any public highway when the weight of said chassis body and load combined exceeds five thousand (5,000) pounds

No motor vehicle or trailer shall be operated upon any public highway having a gross weight of vehicle and load combined in excess of twenty-six thousand (26,000) pounds or in excess of nineteen thousand five hundred (19.500) pounds on any axle or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel or that exceeds an over-all length of vehicle of three hundred and thirty-six (336) inches except hook-and-ladder trucks and water-towers or an over-all width of vehicle and load of ninety (90) inches No motor vehicle shall be operated upon any public highway with more than one trailer thereto attached All commercial vehicles or trailers registered under this act shall have painted on a conspicuous place on the outside and on both sides of said vehicle or trailer the maximum weight limit of said vehicle or trailer including chassis body and load in figures three (3) inches high Any person or persons carrying on any motor vehicle or trailer a load in excess of the maximum carrying capacity as so fixed by this act or any person or persons who remove or disfigure said signs shall upon summary conviction thereof before a justice of the peace alderman or magistrate be subject to a fine of not less than one hundred ($100) dollars or more than two hundred ($200) dollars and the justice of the peace alderman or magistrate imposing such fine shall forthwith certify such convictions to the State Highway Commissioner of Pennsylvania who may forthwith revoke the license of any licensee so convicted

Any person intending to use a truck or trailer for special hauling gross weight of vehicle and load combined or of length in excess of the sepcifications hereinbefore mentioned shall apply to the State Highway Commissioner for permission so to do upon a blank in such form as the State Highway Department shall prescribe Such application shall set forth the location of the roads over which it is proposed to haul the counties townships and municipalities in which such roads are located the weight and length of truck and its registration number the number of trailers to be used the maximum capacity of such trailers the weight of each when empty the kind of materials to be hauled and the date at which said hauling will be completed

The State Highway Commissioner upon receipt of such application and a fee of five ($5) dollars shall immediately inform himself as to the condition of the highway mentioned in said application by referring the same to the local authorities or otherwise and if satisfied that the purposed use of such roadways will not result in damage thereto may grant a permit for such number of days and under such restrictions as in his discretion may be necessary to prevent extraordinary damage to the roads by reason of such hauling

All the provisions of this section shall apply to the owner of the motor vehicle or the person having control thereof who causes or permits such motor vehicle to be operated or equipped contrary to such provisions and any such person shall be deemed equally guilty with the operator of any violation thereof

On the question,

Will the House agree to the bill on third reading?

Mr. BLAIR. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means for the purpose of a hearing.

Mr. COLDSMITH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Mr. HALL asked and obtained unanimous consent to call up out of order, on page 9 of today's calendar, House Bill No. 603.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 603, entitled:

An Act concerning declaratory judgments and decrees and to make uniform the law relating thereto

On the question,

Will the House agree to the bill on third reading?

Mr. HALL. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Section 1, Line 5. Strike out the word "powers" and insert the word "power".

Section 2, Line 8. Strike out the word "satus" and insert the word "status".

Section 7, Line 1. Strike out the word "judgements" and insert the word "judgments".

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

ADJOURNMENT.

Mr. FREDERICK A. BELL. Mr. Speaker, I move that this House do now adjourn until 11:00 o'clock tomorrow morning.

The motion was agreed to, and (at 11:30 o'clock P. M.) the House adjourned until 11:00 o'clock tomorrow morning.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

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SENATE

WEDNESDAY, MAY 2, 1923.

The Senate met at 10 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the Chair.

PRAYER.

The acting Chaplain, Rev. George Edward Hawes, D. D., offered the following prayer:

Almighty God, our Heavenly Father, we praise Thee for the innate conception we have of a God and of the consciousness of our lack in strength, strength of body, strength of mind and strength of spirit, but also the prompting of a great spirit that causes us to cast ourselves in our weakness upon Thee, who art able to help us in all of our deficiencies and needs. Thou hast said "If any man lack wisdom, let him ask it of God who loveth and upbraideth not. And to Thee we come as dependent creatures to ask that we may have the guiding spirit of Thee, great God. We want to praise Thee for men of integrity and character and wisdom who are called into public office and we want to praise Thee that these men recognize that there is an intelligence and a mind that is able to be given unto Thee and as these men of this Senate draw near to the time when they are called upon to make decisions and act on any great questions we do beseech Thee that they may be able to decide wisely and well, to their own credit, to the good of the Commonwealth and to the glory of God. And now we pray Thee for Thy blessing to rest upon every Senator, his home, his home family and upon his home community. Let Thy blessing, we beseech Thee, rest upon all the officers of this Commonwealth. Remember the Governor and his family, and his official family. We mention at the throne of grace to-day our country, our President, and all who are associated with him in authority, and we pray that above all and over-all, in all things, God may be in evidence and God may have His way. And all that we ask is in the name of Christ, our Redeemer. Amen.

JOURNAL APPROVED.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with and the Journal was approved.

PETITION.

AGAINST PASSAGE OF HOUSE BILL NO. 541.

Mr. MacDADE presented petition of citizens of Upper Darby Township, protesting against passage of House Bill No. 541.

Which was referred to the Committee on New Counties and County Seats.

REPORTS FROM COMMITTEES.

Mr. PHIPPS. from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 800, entitled:

An Act to repeal section two hundred and nine of an act approved the fourteenth day of July, one thousand nine hundred and seventeen (P. L. 840), entitled "An act concerning townships and revising, amending and consolidating the law relating thereto"

Mr. CRAIG, from the Committee on Judiciary General, reported as committed, Senate Bill No. 750 entitled:

An act providing for the refunding of moneys erroneously paid into the State Treasury as taxes on inheritances or transfers of inheritances

Mr. MANSFIELD, from the Committee on Education, reported as committed, Senate Bill No. 1012, (House Bill No. 1258), entitled:

An Act to amend section one hundred and six of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended.

Mr. HAINES, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 854, (House Bill No. 1128), entitled:

An Act authorizing the State Highway Commissioner to empower certain other employees of his department to perform such official acts as he may designate.

Mr. JOYCE, from the Committee on Judiciary General, reported as committed, Senate Bill No. 987, entitled:

An Act imposing a tax upon certain classes of personal property for city purposes in cities of the first class; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and providing penalties.

Also from the Committee on Elections, re-reported as committed, Senate Bill No. 890, (House Bill No. 45), entitled:

An act providing a system whereby persons absent from their regular polling places may cast their votes imposing certain powers and duties upon the county commissioners prothonotaries return boards of the various counties and the board of registration commissioners in cities of the first and second class in relation thereto and providing penalties.

Mr. BUCKMAN, from the Committee on Corporations, re-reported as committed, Senate Bill No. 415, (House Bill No. 449), entitled:

An act to amend paragraph one section five of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" as amended changing the effect of the by-laws of corporations.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 1052, (House Bill No. 639), entitled:

An act authorizing the sale assignment disposition transfer and conveyance of the franchises and of the property real personal and mixed of any water or power water companies organized prior to the first day of April one thousand nine hundred and five to another water or water power company also organized prior to the first day of April one thousand nine hundred and five and providing the manner in which said sale and purchase shall be effected.

Mr. CHRISTLEY, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1058, entitled:

An Act for the encouragement of unincorporated co-operative associations of agricultural and industrial workers providing that membership therein and interest in the funds and property thereof may be made non-transferable and imposing penalties upon persons making or accepting unlawful assignment transfer or pledge of such membership or interest

Mr. CULBERTSON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1074, entitled:

An Act to amend section three of an act approved the fifteenth day of April one thousand eight hundred and forty-five (Pamphlet Laws four hundred and fifty-nine) entitled "A Supplement to an act entitled 'An Act relating to executions' passed the sixteenth day of June Anno Domini one thousand eight hundred and six" allowing counsel fees to garnishees filing written answers in attachments in executions issued by aldermen or justices of the peace and providing for the payment thereof

Mr. STINEMAN, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 309, (House Bill No. 203), entitled:

An act relating to and regulating the speed of motor vehicles driven through cemeteries and burial grounds and providing penalties for violation thereof.

Mr. MacDADE, from the Committee on Education, reported as amended, Senate Bill No. 614, entitled:

An act to amend section one thousand two hundred and four and to repeal section one thousand two hundred and eight of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, and repealing all laws general, special, or local or any parts thereof that are or may be inconsistent therewith."

Also from the Committee on Public Roads and Highways, reported as amended, Senate Bill No. 815, (House Bill No. 486), entitled:

An Act to amend section two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and eight) entitled "An Act regulating the closing of public highways and providing for the locating marking and maintenance of detours necessitated by such closing" and providing penalties.

Mr. HUFFMAN, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 1027, (House Bill No. 980), entitled:

An Act to amend section eleven of an act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred seventy) entitled "An Act creating a Division of Township Highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter session and providing penalties" requiring clerks of the court to certify lists of township auditors to the State Highway Commissioner

Mr. BALDWIN, from the Committee on Finance, reported as amended, Senate Bill No. 586, entitled:

An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and certain existing and certain new Administrative Departments, Boards, Commission and Officers; abolishing, combining, changing the names of, reorganizing or authorizing the reorganization of, certain administrative Departments, Boards, Commissions, Bureaus, Divisions, offices and Agencies; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative Departments, Board of Commissions; fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain Departments, Boards, and Commissions; and prescribing the manner in which the number and compensation of the Deputies and all other assistants and employees of certain Departments, Boards and Commissions shall be determined.

Mr. SNYDER, from the Committee on Public Roads and Highways, reported as amended, Senate Bill No. 912, (House Bill No. 139), entitled:

An Act to amend section ten of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioners and Deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain state highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof, providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads, defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporate towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act," as amended.

Mr. WOODWARD, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1077, entitled:

An Act to amend section ten of the act approved July 12, 1913, (P. L. 711) entitled "An Act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its own process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein and appeals therefrom, and providing for the expenses thereof" as amended.

Mr. CULBERTSON, from the Committee on Public Roads and Highways reported as committed, Resolution, as follows:

In the Senate, April 23, 1923.

Resolved, (if the House of Representatives concur), That it shall be the duty of the State Highway Department to compile and keep an accurate record, by counties, of the amount of moneys received and collected from each county in this Commonwealth for the registration of motor vehicles and the licensing of operators as well as all fines paid into the State Treasury under the motor vehicle laws of the Commonwealth.

Which was laid upon the table.

BILLS INTRODUCED.

Mr. STITES, read in his place and presented to the Chair Senate Bill No. 1100, entitled:

A Supplement to the Public Service Law approved the twenty-sixth day of July Anno Domini one thousand nine hundred and thirteen requiring street railway lines whose facilities cross or are adjacent to the facilities of street railway lines owned leased or operated by municipal corporations under circumstances to establish transfer points and switch or other connections at points of crossing or adjacency and through routes and service and joint rates for the conveyance of passengers over two or more lines connected at transfer points giving the Public Service Commission jurisdiction in the premises and prescribing the conditions upon which the Commission shall have jurisdiction to regulate the joint facilities services or rates of a street railway corporation and a street railway line owned leased or operated by a municipal corporation

Which was committed to the Committee on Judiciary General.

Mr. HARRIS, read in his place and presented to the Chair Senate Bill No. 1101, entitled:

An Act to amend section six of an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and seventy-seven) entitled "An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith" by changing the days on which registrations shall be held

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 1102, entitled:

An Act providing for the appointment by the court of common pleas of supervisors in election districts in general municipal and special elections upon petition of candidates regulating the method of appointment and preschibing the duties and powers of such supervisors providing for their compensation providing penalties for violation and repealing acts inconsistent herewith

Which was committed to the Committee on Elections.

Mr. JOYCE, read in his place and presented to the Chair Senate Bill No. 1103, entitled:

An Act fixing the limitations of actions in law and equity for recovery upon sealed instruments

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 1104, entitled:

An Act to fix the business hours of county offices in counties of the third class.

Which was committed to the Committee on Judiciary General.

Mr. SMITH, read in his place and presented to the Chair Senate Bill No. 1105, entitled:

An Act authorizing county commissioners to appropriate money for the compilation and publication of a County War History.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 1106, entitled:

An Act to amend section 2 of an act approved June 12, 1913, (P. L. 471), entitled "An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class, and defining their powers and duties; providing for the appointment of members of such boards of health by the president of the borough councils, or by the chairman of the board of commissioners of such townships; providing for the election of a Secretary and a health officer; providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class, when conditions therein, in his opinion, constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class, or when it may be known to him that such borough or township of the first clas is without an existing or efficient board of health; and providing the manner in which the expenses of boards of health or the Commissioner of Health, incurred in administering health laws in any borough or township of the first class shall be paid."

Which was committed to the Committee on Public Health and Sanitation.

Mr. SPROWLS, read in his place and presented to the Chair Senate Bill No. 1107, entitled:

An Act defining private waters; defining ownership of fish therein; regulating the catching of fish therein and providing penalties.

Which was committed to the Committee on Game and Fisheries.

Mr. WOODWARD, read in his place and presented to the Chair Senate Bill No. 1108, entitled:

An Act regulating the advertisement of ordinances in cities of the first class.

Which was committed to the Committee on Finance.

Also, read in his place and presented to the Chair Senate Bill No. 1109, entitled:

An Act to amend sub-sections (a) and (d) of section twenty-one of the act approved the twenty-fifth day of May, one thousand nine hundred and twenty-one, (P. L. 1144) entitled "An Act creating a Department of Public Welfare; defining its powers and duties; abolishing the Board of Public Charities, the Committee on Lunacy, and the Prison Labor Commission, and all offices thereunder, and vesting all the powers of said board committee, and commission in the Department of Public Welfare; requiring all reports, notices, statements, or matters, heretofore required to be made, given, or submitted to the Board of Public Charities or the Committee on Lunacy, to be made, given, or submitted to the Department of Public Welfare; and providing penalties.

Which was committed to the Committee on Finance.

Mr. HUFFMAN read in his place and presented to the Chair Senate Bill No. 1110, entitled:

An Act making an appropriation to the trustees of the State Hospital for the Criminal Insane, at Farview, Wayne County; and authorizing the board of trustees to perform certain work in connection therewith.

Which was committed to the Committee on Appropriations.

REPORT OF COMMITTEE TO HOLD MEMORIAL SERVICES FOR THE LATE HONORABLE WILLIAM E. CROW.

Mr. BROWN presented report of Committee to hold memorial services for the late Honorable William E. Crow, which was read as follows:

To the President Pro Tempore and Senators of the Senate of the Commonwealth of Pennsylvania.

The committee appointed under the Senate Resolution, presented and adopted April 24, 1923, to draft suitable resolutions and to arrange for the holding of a memorial service in honor of the late Honorable William E. Crow, Senator from Pennsylvania in Congress of the United States, and a former member of the Senate of Pennsylvania, respectfully reports

That your committee has arranged to hold said memorial service in the Hall of the Senate on Tuesday, the eighth day of May, at two o'clock, P. M., to which the Senators and Members of the House are respectfully invited.

In conformity with the authority contained in said resolution, your committee has invited such persons to attend said services as to it seemed proper.

GUY W. BROWN,
Chairman.
F. E. BALDWIN,
C. W. SONES,
W. S. VARE,
W. G. LESLIE.

Mr. BROWN: Mr. President, I move that the Memorial Services for the late Honorable William E. Crow be held in the Hall of the Senate on Tuesday, the eighth day of May, 1923, at 2 o'clock P. M.

Mr. STINEMAN. Mr. President, I second the motion.

The motion was agreed to.

RESOLUTION RELATIVE TO REVENUE FROM COUNTIES ON ACCOUNT OF MOTOR LICENSE FEES, ETC.

Mr. VARE. Mr. President, I move that Rule 39, requiring resolutions reported from committees to lie over one day be suspended and that the Senate do now proceed to the consideration of resolution reported from the Committee on Public Roads and Highways at today's session.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

The resolution was read as follows:

In the Senate, April 23, 1923.

Resolved, (if the House of Representatives concur), That it shall be the duty of the State Highway Department to compile and keep an accurate record, by counties, of the amount of moneys received and collected from each county in this Commonwealth for the registration of motor vehicles and the licensing of operators as well as all fines paid into the State Treasury under the motor vehicle laws of the Commonwealth.

On the question,

Will the Senate agree to the resolution?

Mr. BUCKMAN. Mr. President, I desire to call the attention of the Senate to the effect of this resolution, which provides that the State Highway Department shall keep a record of all motor license fees received from the various counties of the State. I have taken the matter up with the Highway Department and have been informed that to do so would entail an expense of approximately $7,500.00 each year. I cannot see that any good purpose, coextensive with that expenditure, would be accomplished by this resolution. If they had a system by which it could be done without expense, I, of course, would have no objection to it, but I cannot see why the Highway Department should be put to the expense of $7,500.00 each year to keep a record of this kind, without serving any good purpose.

Mr. CULBERTSON. Mr. President, That resolution was presented by Senator Vare, who has had great experience with records of that kind. He informed the Committee that it would take very little extra bookkeeping and the Committee, after considering it, voted to report out this resolution.

Mr. VARE. Mr. President, I regret that I did not hear all the remarks upon this resolution. This is just a simple case of an additional column on a set of books, and I am greatly surprised that my distinguished colleague, Senator Buckman, would object to a propostion of this kind. It simply means that when a license fee is paid to the Department that there will be an additional line on the book, to indicate the particular county to which said license was issued, and after all why cannot our State have a set of intelligent records. I am surprised at the opposition, for surely there cannot be any added expense. Why should not a member of the Senate from the great City of Philadelphia be entitled to walk into any Department and get an answer to a question how much tax the County of Philadelphia pays for this that and the other purpose. Whether it is a large county or whether it is a small county it should be possible to get such information. Philadelphia has been patient in these matters. We contribute very largely to the State and we ask very little in return and I am surprised and I regret, that my good friend should raise a slight objection to this very insignificant proposition.

Mr. BUCKMAN. Mr. President, I desire to interrogate the Senator from Philadelphia, Mr. Vare.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Vare, permit himself to be interrogated?

Mr. BUCKMAN. Mr. President, I would like to ask the Senator from Philadelphia whether he has taken the matter up with the Highway Department to ascertain the additional expense which this resolution would entail?

Mr. VARE. Mr. President, I would say to the distinguished Senator that there can be practically no expense.

Mr. BUCKMAN. Mr. President, did the Senator from Philadelphia get that information from the Highway Department, or is it his own judgment?

Mr. VARE. Mr. President, the information comes from my experience while Recorder of Deeds in Philadelphia for more than ten years and I would have changed those records upon the request of half a dozen citizens so as to show how much this and that cost.

Mr. BUCKMAN. Mr. President, I desire to ask the Senator from Philadelphia, Mr. Vare, whether this is not the forerunner of an effort on the part of Philadelphia to obtain a part of the motor license fund.

Mr. VARE. Mr. President, absolutely not. Philadelphia is exceedingly generous and at this time in particular.

And the question recurring,

Will the Senate agree to the resolution?

It was agreed to.

BILL RECOMMITTED.

Mr. JOYCE. Mr. President, I move that Senate Bill No. 267, on final passage, entitled:

An Act relating to the collection of city, county, school, poor and other taxes in the several cities of the third class in this Commonwealth, providing that the city treasurer of each of said cities shall be the collector of the said several taxes, prescribing his duties, providing for his compensation, authorizing him to appoint deputy collectors and clerks and providing for their compensation.

be recommitted to the Committee on Municipal Affairs.

Mr. STINEMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 864, (House Bill No. 1313), as follows:

An Act to amend section ten of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" which was amended by the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and forty-three) entitled "An act amending section ten of an act entitled 'An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) by changing the jurisdiction in civil actions" is hereby further amended to read as follows

Section 10 The said court hereby created shall have jurisdiction in all civil actions at law and in equity where the value of the matter or thing in controversy exclusive of interest and costs does not exceed the sum of two thousand five hundred dollars ($2,500) The amount claimed by the plaintiff where the said claim is for a sum certain shall be conclusive as to the jurisdiction of the court in all actions brought for the recovery of money and in actions at law or in equity not involving any sum certain the plaintiff shall file with this statement a certificate as to the amount of the thing or matter in controversy The said court shall also have jurisdiction in adoption proceedings and in any civil cases transferred to it by order of a majority of the judges of any court of common pleas of Philadelphia County

The said court shall also have authority with the consent of the court of common pleas to transfer to that court all suits wrongfully brought in the municipal court in excess of its jurisdictions

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
Patton,
Phipps,
Quigley,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS OVER IN ORDER.

Mr. SNYDER. Mr. President, I ask that Senate Bill No. 872, on final passage, entitled:

An Act to amend section three Article seven of the act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred sixty-eight) entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LONG. Mr. President, I ask that Senate Bill No. 931, (House Bill No. 837) on third reading, entitled:

An Act to assure to persons within the jurisdiction of every county the equal protection of the laws by providing for their removal from the county and their trial in certain criminal cases by the Superior Court imposing penalties upon the counties and officers thereof for failure to provide proper protection and upon individuals for interfering with or obstructing the carrying out of the provisions of this act giving the Superior Court jurisdiction in all prosecutions arising out of this act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED.

Mr. JOYCE. Mr. President, I move that Senate Bill No. 266, on third reading, entitled:

An Act providing for only one assessment of all property for taxation in cities of the third class within this Commonwealth directing said assessment to be made by the city assessors of said cities and said city assessors in addition to their duties as such assessors, to perform all other duties now performed by the county assessors in said cities and requiring said cities to furnish copies of said assessment to each of the boards of school directors in said cities to each of the boards of county commissioners of the respective counties wherein said cities are located and to all other boards or authorities levying and collecting taxes in said cities and all taxes, city, school, county, poor and other taxes to be levied on said assessment.

be recommitted to the Committee on Municipal Affairs.

Mr. STINEMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 310, (House Bill No. 225), entitled:

A Supplement to an act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and seventy-three) entitled "An Act constituting a commission to make an investigation of the battlefields of France and Belgium and to select points for the erection of monuments and markers of appropriate design to commemorate the achievements of Pennsylvania soldiers during the World War defining the powers and duties of the Commission and making an appropriation" continuing said commission providing for the erection of certain memorials in France and Belgium and making an appropriation

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as folows, viz:

YEAS—38.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
Patton,
Phipps,
Quigley,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 482, entitled:

An Act providing for a referendum to ascertain the preferences of the voters of the Commonwealth relative to the adoption of daylight saving time for a portion of the year

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, vis:

YEAS—38.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
Patton,
Phipps,
Quigley,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 508, as follows:

An Act constituting the board of trustees of Washington and Jefferson College a commission to provide a memorial to the memory of the late James A. Beaver

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of trustees of Washington and Jefferson college is hereby constituted a commission to provide for the construction and erection or creation and dedication of a suitable memorial in honor of the memory of the late James A. Beaver a General during the Civil War Governor of this Commonwealth from Janary the eighteenth one thousand eight hundred and eighty-seven to January the twentieth one thousand nine hundred and ninety-one a Judge of the Superior Court of Pennsylvania and President of the board of trustees of said college until his death

Section 2 The sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby appropriated to the said board of trustees to carry out the purposes of this act Said appropriation shall be available as follows twenty-five thousand dollars during the two fiscal years commencing June first one thousand nine hundred and twenty-three fifty thousand dollars during the two fiscal years commencing June first one thousand nine hundred and twenty-five and twenty-five thousand during the two fiscal years commencing June first one thousand nine hundred and twenty-seven

Payments from said appropriation shall be made upon requisition of the President of the said board of trustees by warrant of the Auditor General upon the State Treasurer in the usual manner

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
Patton,
Phipps,
Quigley,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 547, (House Bill No. 652), entitled:

An Act relating to suits against and service of process upon corporations organized and existing under the laws of the Commonwealth of Pensylvania ceasing to do business or ceasing to maintain an office within the Commonwealth and the effect of such service

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
Patton,
Phipps,
Quigley,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 638, entitled:

An Act to amend section four of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and ninety) entitled "An Act authorizing the sale of certain property owned by the State the title to which is in the State Livestock Sanitary Board, and providing for the use of the proceeds of such sale"

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
Patton,
Phipps,
Quigley,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 660, (House Bill No. 234), as follows:

An Act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto

CONTENTS

			Sections
Article	I	Preliminary Provisions	101-104
Article	II	Board of Game Commissioners, Executive Secretary	201-213
Article	III	Hunting Licenses	301-316
Article	IV	Special Licenses	401-412
Article	V	Hunting Seasons, Bag Limits .	501-512
Article	VI	Fur-bearing Animals	601-607
Article	VII	General Hunting Regulations, Protected Birds	701-725
Article	VIII	State Game Lands, Hunting Grounds and Game Refuges .	801-842
Article	IX	Unnaturalized Foreign-born Residents	901-905
Article	X	Bounties	1001-1004
Article	XI	Enforcement of Act, Procedure, Penalties	1101-1116
Article	XII	Game Fund	1201-1202
Article	XIII	Acts of Assembly Repealed, Saving Clause	1301-1302

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the laws relating to game and other wild birds and wild animals are amended revised consolidated and changed as hereinafter provided

ARTICLE 1

PRELIMINARY PROVISIONS

Section 101 DEFINITIONS Whenever used in this act unless a contrary intention is evident from the context word "person" shall include individuals copartnerships associations and corporations the singular shall include the plural and the masculine the feminine and neuter

The word "Board" shall mean the Board of Game Commissioners

The word "Secretary" shall mean the Executive Secretary of the Board of Game Commissioners

The term "game-birds" shall include (a) the anatidae commonly known as swan geese brant and river and sea ducks and (b) the pygopodes commonly known as loons and grebes (the members of these two orders being commonly known as wild water-fowl) (c) the rallidae commonly known as rails coots mudhens and gallinules (d) the limicolae commonly known as shore-birds plover surfbirds snipes woodcock sandpipers tattlers and curlew (e) the gallinae commonly known as wild-turkey grouse pheasants partridges and quail and (f) the birds commonly known as reed-birds and black birds

The term "game animals" shall include (a) the wapiti or elk (b) the deer (c) the bear (d) the wild rabbit and hare (e) the red gray black and fox squirrel and (f) the raccoon

The word "game" shall include "game-animals" and "game-birds"

The term "fur-bearing animals" shall include (a) the mink (b) the muskrat (c) the opossum (d) the otter (e) the raccoon (f) the skunk commonly called the polecat and (g) the beaver

The word "vermin" shall include all wild animals not classed as game animals or fur-bearing animals and all wild birds other than game birds and protected birds

The term "unprotected birds" shall include (a) the blue jay (b) the English sparrow (c) the European starling (d) the kingfisher (e) the buzzard (f) the goshawk (g) the sharpshinned hawk (h) the Cooper's hawk (i) the red-tailed hawk (j) the red-shouldered hawk (k) the broad-winged hawk (l) the marsh hawk (m) the rough-legged hawk (n) the duck-hawk (o) the pigeon hawk (p) the barred owl (q) the great gray owl (r) the great-horned owl (s) the snowy owl (t) the hawk owl and (u) the crow

The term "protected birds" shall include all wild birds not included within the terms "game birds" and "unprotected birds"

The term "wild birds" includes all birds other than domestic birds

The term "open season" shall mean the time during which game or fur-bearing animals may be legally taken or killed and shall include both the first and the last day of the season or period designated by this act

The term "close season" shall mean the time during which game or fur-bearing animals may not be legally taken or killed and includes all periods of time not included within the open season

Section 102 SHORT TITLE This act shall be known and may be cited as "The Game Law"

Section 103 EFFECT OF ACT ON EXISTING LAWS The provisions of this act so far as they are the same as those of existing laws shall be construed as a continuation of such laws and not as new enactments The repeal by this act of any provision of law shall not revive any law heretofore repealed or superseded nor shall such repeal affect any act done liability incurred or any right accrued or vested or affect abate or prevent any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws

Section 104 CONSTITUTIONALITY The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not effect the validity of the remaining provisions of this act It is hereby declared as a legislative intent that this act would have been adopted by the General Assembly had such unconstitutional provisions not been included therein

ARTICLE II

BOARD OF GAME COMMISSIONERS

Section 201 APPOINTMENT OF BOARD OF GAME COMMISSIONERS The Governor with the advice and consent of the Senate shall appoint six competent citizens of this State to be and act as a Board of Game Commissioners no two of whom shall be from the same Senatorial district The members of the Board shall hold office for the term of six years and shall receive no compensation for their services

Section 202 PRESENT BOARD CONTINUED The game commissioners in office at the date of the approval of this act shall until the expiration of their respective terms of office or until their successors are appointed hold their positions on the Board created by this act subject to removal by the Governor Of the first members of the Board of Game Commissioners appointed under the provisions of this Act two members shall be appointed for terms expiring the third Tuesday of January one thousand nine hundred and twenty-nine two members for terms expiring the third Tuesday of January one thousand nine hundred and twenty-seven and two members for terms expiring the third Tuesday of January one thousand nine hundred and twenty-five Thereafter such appointments of members shall be for terms of six years

SECTION 203 VACANCIES BY DEATH RESIGNATION OR REMOVAL Upon the death resignation or removal from office of any persons so appointed as aforesaid the Governor shall appoint a competent person to serve for the unexpired term

Section 204 MEETINGS OF BOARD ELECTION OF OFFICERS The Board shall have an office at the Capitol and shall hold meetings at such office on the first Thursday of January and July and at such other times and places within the State as the Board shall appoint for the transaction of business At the meeting held on the first Thursday of January of each year the Board shall elect one of its members as president and one of its members as vice-president Such officers shall hold office for a period of one year

Section 205 EXECUTIVE SECRETARY DUTIES AND POWERS The Board shall select a competent person to be known as the Executive Secretary who shall be their chief administrative officer and have charge of all activities under the jurisdiction of the Board He shall remain such during the pleasure of the Board and shall take the oath of office prescribed by the Constitution and file the same with the Secretary of the Commonwealth The Executive Secretary shall be the Chief Game Protector and shall have charge of direct supervise and control all other Game Protectors and employees of the Board The compensation of the Executive Secretary unless fixed by statute shall be fixed by the Board The Executive Secretary shall give bond to the Commonwealth in the sum of forty thousand dollars conditioned for the faithful performance of the duties of his office

The Executive Secretary shall occupy as his permanent headquarters the rooms assigned to the Board and shall be supplied from time to time by the Board of Public Grounds and Buildings such furniture equipment and office supplies as may be necessary for the use of the Board

The Executive Secretary shall have authority to have printed the biennial report of the Board and such bulletins literature posters and other printing as may be necessary to the work of the Board

Section 206 GAME PROTECTORS AND EMPLOYEES The Board shall appoint such number of competent men as in their opinion may be needed not exceeding the number approved by the Governor which number however shall not be less than eighty to discharge properly the duties devolving upon said Board whose powers and duties are hereinafter defined and who shall be known as Game Protectors Such number shall include men appointed Game Protectors and detailed to such administrative or office duty as in the opinion of the Board may be advisable The Board shall also appoint such employees and stenographers as may be deemed necessary The compensation and duties of such Game Protectors employees and stenographers unless fixed by statute shall be fixed by the Board All Game Protectors shall give bond in the amount of five hundred dollars unless a larger amount is required by the Board

Section 207 DEPUTY GAME PROTECTORS The Board may appoint competent men throughout the Commonwealth to be known as Deputy Game Protectors in such number as may be agreed upon with the Governor who shall possess the rights and powers given by law to game protectors and be subject to all requirements and regulations either of the law or of rules of the Board controlling the action of such game protectors Such Deputy Game Protectors shall not be entitled to recompense from either the county or Commonwealth for services rendered or expenses incurred in the performance of their duties unless specifically employed for special duties by written order of the Board or the Executive Secretary All Deputy Game Protectors shall give bond in the amount of three hundred dollars

Section 208 PRESENT GAME PROTECTORS CONTINUED All Game Protectors holding office at the date of the approval of this act shall remain in office until removed by the Board and the commissions of said officers shall continue in force under the provisions of this act with the same effect as prior to the passage of this act

Section 209 PURPOSE OF BOARD It is the duty of said Board to protect propagate and preserve the game fur-bearing animals and protected birds of the State and to enforce by proper action and proceedings the laws of this Commonwealth relating to the same The Board shall collect classify and preserve all such statistics data and information as in their judgment will tend to promote the objects of this act to take charge of and keep all reports books papers and documents which shall in the discharge of their duties hereunder come into their possession or under their control

Section 210 BIENNIAL REPORT It is the duty of said Board on or before the first day of June of each even numbered year to prepare and present to the Governor of this State a biennial report showing what has been done by them during the two calendar years immediately preceding the amount of money received by them and from what sources and the amount expended by them and for what purposes with such recommendations for legislative action as the Board may deem wise The Governor shall lay said report before the Legislature convening next after its receipt

Section 211 SECRETARY TO MAKE MONTHLY RETURN TO STATE TREASURER The Secretary to the Board shall at least once a month make return of all moneys received and collected under the provisions of this act to the State Treasurer to be applied to the purposes otherwise provided for in this act

Section 212 REPORTS BY PROTECTORS Each Game Protector shall keep a record of his official acts receipts and expenditures and at the close of each month make summary of such record with such statements in detail as shall be necessary and report the same to the Secretary At such intervals as the Secretary may direct not to exceed a period of six months each Game Protector shall file an affidavit covering the correctness of all accounts and reports rendered during the intervening period The Secretary shall report to the Board any negligence or dereliction of duty or incompetency on the part of any Protector with the facts relating thereto and shall make such further reports as may be required by the Board

Section 213 POWERS OF MEMBERS OF BOARD SECRETARY AND GAME PROTECTORS Each member of the Board the Secretary and each Game Protector shall have the power

(a) To enforce all laws relating to game and other wild birds and wild animals and to go upon any property outside of buildings posted or otherwise in the performance of his duty

(b) To execute all warrants and search warrants for the violation of the laws relating to game and other wild birds and animals

(c) To serve subpoenas for the examination investigation and trial of all offenses against the laws relating to game and other wild birds and animals

(d) To carry fire arms or other weapons concealed or otherwise in the performance of their duties

(e) To arrest without warrant any person found in the act of violating any of the provisions of this act or in pursuit immediately following such violation or any unnaturalized foreign-born resident when such person has in possession a firearm or a dog of any kind

(f) To call upon any citizen of this Commonwealth for assistance in making arrests

(g) To search without warrant and examine any person or any boat conveyance vehicle game bag game coat or other receptacle for game or any camp tent or cabin in the presence of any person stopping at or belonging to such camp tent or cabin or any roster when he has reason to believe and has stated to the suspected person or person in charge his reason for believing that any of the laws relating to game or other wild birds and animals have been violated

(h) To secure and execute search warrants and in pursuance thereof to enter any building enclosure or car and to break open any apartment chest locker box trunk crate basket bag package or container and to examine the contents thereof

(i) To seize and take possession of all birds or animals which have been caught taken or killed or had in possession or under control or which have been shipped or about to be shipped at any time in any manner or for any purpose contrary to the laws of this Commonwealth

(j) To seize all guns shooting or hunting paraphernalia traps dogs boats decoys or other appliances used in violation of any of the laws relating to game or other wild birds or wild animals when making an arrest or found in the execution of a search warrant

(k) To administer any oath required by the provisions of this act or relative to any violation of any law relating to game or other wild birds or wild animals and where game is found in a camp or in possession or under control of any individual or hunting party to question such persons or persons under oath relative to the taking ownership or possession of the same

ARTICLE III

HUNTING LICENSES

Section 301 RESIDENTS OF STATE For the purposes of this article any person who has been a bona fide resident of this Commonwealth for a period of thirty days next preceding his application and was born in the United States of America or was fully naturalized under the laws of the United States shall be entitled to the license herein referred to as the Resident Hunter's License upon the further fulfillment of the requirements of this article

Section 302 RESIDENT LICENSE FEE Each such resident as provided in the preceding section upon application made verbally or in writing to any County Treasurer within the Commonwealth and the presentation of proof that he is a citizen of the United States and a bona fide resident of this Commonwealth under the requirements of this article and in the case of naturalized foreign-born applicants the production of such applicant's Naturalization papers and the payment to said County Treasurer of one dollar and twenty-five cents shall be entitled to the license herein designated as a "Resident Hunter's License" and a a tag with the number of the license thereon

It is unlawful for any County Treasurer or any of his representatives to knowingly issue a Resident Hunter's License to any person physically or mentally unfitted to carry or use firearms

Section 303 NON-RESIDENT LICENSE FEE Every non-resident of this Commonwealth upon application made verbally or in writing to any County Treasurer or to the Secretary of the Game Commission at Harrisburg and the presentation of proof that he is a citizen of the United States and the payment of fifteen dollars to said County Treasurer or Secretary shall be entitled to the license herein designated as a Non-Resident Hunter's License" and a tag with the number of the license thereon

It is unlawful for any County Treasurer or any of his representatives to knowingly issue a Resident Hunter's License to any person physically or mentally unfitted to carry or use firearms

Section 304 THE LICENSE CERTIFICATE Said licenses shall be issued on a form prepared and supplied by the Board Such license shall bear a description of the person applying for the same setting forth the occupation the color of the hair and eyes any marks or scars peculiar to the applicant and such other description as the Board may require with the date of its issue In the case of foreign-born applicants such license shall contain the nationality of the person and all dates and numbers of the naturalization papers All licenses legally issued shall authorize the person named therein to hunt for and kill any wild animals or wild birds under the restrictions and requirements of existing laws during the period for which the license is issued the date of which is inscribed thereon Said Certificate before being valid must be countersigned by the licensee

The license certificate issued with either a Resident or Non-Resident Hunter's License shall be carried on the person of the licensee at all times while hunting or trapping and shall be shown immediately upon demand by any officer whose duty it is to protect wild animals and birds or upon demand by any owner or lessee or by any employee or representative of such owner or lessee upon whose lands such person may be found

Section 305 LICENSE PERIOD All licenses issued after January first one thousand nine hundred and twenty-three shall be in force until the thirtieth day of April one thousand nine hundred and twenty-four After the thirtieth day of April one thousand nine hundred and twenty-four all licenses shall be issued for the year beginning the first day of May and ending the thirtieth day of April of the year following In all cases however application for such license may be made and a license issued prior to the date upon which such license is in force

Section 306 LICENSE TAG The Board shall also furnish free of charge and there shall be issued with each license a tag bearing the license number in figures at least one inch in height which tag said licensee is required to display on the outer garment on the back between the shoulders in such manner that all figures are plainly visible at all times while hunting The license tag for the current year only shall be displayed

Section 307 PERSONS AUTHORIZED TO TAKE APPLICATIONS FOR LICENSES It is lawful for any justice of the peace magistrate or notary public to take applications for such licenses for which service the applicant shall pay fifteen cents in addition to the license fee prescribed said fifteen cents to be retained by said official as his fee for taking such application and remitting payment therefore to the county treasurer of the county in which said official is located Such application and remittance shall be forwarded to the County Treasurer within twenty-four hours No license shall be issued at any place other than the office of the County treasurer except in the case of a non-resident who may secure his license at the office of the Board

Section 308 COUNTY TREASURER TO KEEP RECORD AND MAKE REPORT Each County Treasurer of this Commonwealth shall keep in a book to be supplied by the Board a correct and complete record of all "Resident and Non-Resident Hunter's Licenses" issued by him Such book shall be in the form of an alphabetical index Each County Treasurer shall enter therein at the close of each week the name and place of residence of each individual to whom a license shall have been issued during that week and to forward weekly to the Board on blanks furnished to him a complete list of licenses granted with names and addresses of licenses and such other information and data as the Board may require Said index shall be open at any reasonable hour to the inspection of any officer of the Commonwealth whose duty it is by law to protect the game of the Commonwealth

Section 309 COUNTY TREASURER TO COLLECT AND REMIT LICENSE FEES REPORTS COMPENSATION The County Treasurers of the several counties shall be agents of the Commonwealth for the collection of said license fees and for services rendered in collecting and paying over the same the said agents shall be allowed to retain for their own use the sum of ten cents from the amount paid for each Resident Hunter's License and fifty cents from the amount paid for each Non-Resident Hunter's License which amount shall be full compensation for services rendered by him in each case under the provisions of this act Each County Treasurer shall remit all balances arising from this source at least once a month to the State Treasurer upon a form to be supplied by the Board at the cost of the Commonwealth and shall in every instance forward a duplicate of such report to the Secretary All such moneys shall be placed in the game fund by the State Treasurer

Any County Treasurer who shall fail to comply with any of the provisions of this act relating to hunting licenses shall not be entitled to retain the sum hereinbefore fixed for his services but such sums shall be paid to the State Treasurer and if not so paid may be recovered by the Board by suit in the same manner as like amounts are now by law recoverable

Section 310 REVOCATION OF LICENSE RIGHT TO HUNT DENIED The Board may revoke any hunter's license and deny any person the right to secure a license or to hunt anywhere in this Commonwealth with or without a license for a period of from one to two years if said licensee or person has either been convicted or signed an acknowledgment of violating any game law or if such licensee or person has been convicted in any court of record of having destroyed or carried away notices posted by the Commonwealth or personnel property or crops of any kind on lands on which such licensee or person may have been hunting or has been convicted of being careless in the use of firearms while hunting and thereby caused injury to human life or live stock or has been convicted of causing forest fires or of being intoxicated while using firearms for the purpose of hunting The license of any person convicted of a second or subsequent offense of violating any of the game laws shall be revoked by the Board as herein provided and such person is hereby denied the right to secure a license or to hunt anywhere in this Commonwealth with or without a hunter's license for a period of not less than two or more than three years from the date of such conviction to revoke a license then in force or to deny by action of the Board any person the right to secure a license or to hunt anywhere in this Commonwealth for any period the Board shall send a written notice to that effect to such person at his address either by registered mail or have it delivered in person by a representative of the Board The Board shall furnish in writing to the County Treasurer of each county the name address and the term for which such person has been denied the right to secure a license or to hunt in this Commonwealth together with any other data said Board may deem necessary

Section 311 CERTAIN ACTS DECLARED UNLAWFUL It is unlawful for any person

(a) Except in the defense of person or property to hunt or chase or to shoot at or kill or pursue with intent to take kill or wound any wild birds or wild animals with firearms or with a device of any kind propelling with force a leaden or metal pellet or bullet or through the use of traps or with any other device or instrument or by the use of dogs without first securing a license and license tag and wearing such tag and showing and displaying such license as required by the provisions of this article Nothing in this clause shall be construed to prevent any person under the age of sixteen years to tray for fur-bearing animals or vermin without securing a license

(b) Under the age of fourteen years to receive a hunting license under any circumstances whatsoever

(c) Under the age of sixteen years to receive a hunting license without presenting a written request therefor bearing the signature of his father or mother or legally constituted guardian

(d) Under the age of sixteen years to use firearms of any kind for the purpose of hunting any wild birds or wild animals unless accompanied by a person twenty-one years of age or over unless such hunting is done on the premises whereon such person resides

(e) To procure a license under an assumed name or in which an address other than his legal place of residence is given or to make any false statement whatsoever in securing a license

(f) To lend or transfer a license or tag to another

(g) To knowingly issue or aid in securing a license under the provisions of this act for himself or any other person not legally entitled to the same

(h) After being denied the right to hunt by action of the Board to hunt anywhere during the period such right has been denied with or without a hunter's license or

(i) After conviction of a second or subsequent offense of violating any of the game laws to hunt anywhere with or without a hunters license for a period of two years from the date of such conviction

Section 312 LEGAL HUNTING BY RESIDENTS WITHOUT LICENSE

Nothing in this article shall be construed to prevent any citizen of the United States residing within this Commonwealth from having a gun in his home or from using such gun in defense of either person or property or from shooting at targets or to prevent any bona fide owner or any bona fide lessee of lands within this Commonwealth or any member of the family or household or regularly hired help of such owner or lessee if such person is a citizen of the United States actually residing upon and cultivating such lands in this Commonwealth from hunting thereon or by and with the consent of the owner thereof from hunting upon the lands immediately adjacent and connected with his own lands without securing the license provided for by this article unless the Board has denied or this act does deny to such person the right to hunt anywhere

Section 313 PRIMA FACIE EVIDENCE OF HUNTING For the purpose of this act the fact that any person shall be found in possession of a gun trap or other device of any description usable for the purpose of killing or taking wild birds or wild animals or in the possession of the dead body of any wild bird or wild animal either in the field in the forests on the public highways or on the waters of this Commonwealth shall be considered "prima facie evidence" that such person is hunting and shall require him at all times to display his license tag for the current year as provided in this article and to show immediately upon demand his "Resident or Non-Resident Hunter's License" to any officer whose duty it is to protect the wild animals and birds or to show his license immediately upon demand by any owner or lessee or by any employe or representative of such owner or lessee upon whose lands such person may be found

Section 314 REBUTTAL OF PRIMA FACIE EVIDENCE DEPOSIT AND RETURN OF PENALTIES In all cases of arrest for violation of any of the provisions of the preceding section except where the dead body of any wild bird or wild animal is found in possession of the accused the affidavit of the person charged with such violation denying the charge made shall overbalance what is termed "prima facie evidence" in said section

Any person displaying his license tag properly but unable to produce immediately upon demand his hunter's license at once sign a proper acknowledgement and deposit with the officer accosting him the fine of twenty dollars stipulated in this article for which such officer shall give an official receipt such fine shall as soon as possible be forwarded by the officer in question to the Board with a report covering the case if the defendant desires a return of a fine so paid he shall file at the office of said Board at Harrisburg within twenty days an affidavit stating fully the reasons why he was unable to display said license immediately and give his description place of residence license number where same was secured and its date or attach the license itself whereupon said Board if satisfied that the purpose was not to violate the provisions of this article shall return such fine to the defendant otherwise the fine shall be deposited as hereinafter provided and the case considered closed

Section 315 REPORT OF GAME KILLED Not later than thirty days after the expiration of any Resident or Non-Resident Hunter's License issued under the provisions of this Article it shall be the duty of the licensee to forward to the Board at Harrisburg on a form attached to such license or on a form supplied by the Board upon request if the original form has been mislaid or lost a report of all wild birds and wild animals killed by such licensee during the period for which said license was issued

Section 316 PENALTIES Any non-resident of this Commonwealth who shall hunt chase trap take shoot at wound or kill or attempt to hunt chase trap take shoot at wound or kill any wild birds or animals without a non-resident hunting license having been lawfully issued to him shall be sentenced to pay a fine of forty dollars and costs of prosecution for each offense and each day shall be considered a separate offense

Any person who shall fail to sign his license certificate as hereinbefore provided shall be sentenced to pay a fine of five dollars and costs of prosecution

Any person who violates any of the provisions of this article except as above provided shall be sentenced to pay a fine of twenty dollars and costs of prosecution for each offense Provided That an additional fine of twenty dollars and costs of prosecution shall be imposed when any person is convicted of

(a) Hunting anywhere during any period of time that such right has been denied him by the Board or by this act or

(b) Securing a hunters' license either in his own or an assumed name during anv period of time that he has been denied such privilege by the Board Each day shall be considered a separate offense

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall in the discretion of the court suffer imprisanment one day for each dollar of fine imposed

ARTICLE IV

SPECIAL LICENSES

Section 401 ACT NOT TO APPLY IN CERTAIN CASES This act shall not be construed to apply to or prohibit the taking of game and wild birds by any public zoological garden of the State or any public institution of the State wherein animals or birds are maintained alive for educational purposes or for the purpose of scientific study or experiment or to the Board or to its duly authorized agents acting for the State in any manner or to prevent the Board through its duly authorized agents from destroying birds or animals destructive to game in such manner as it may direct

Section 402 BOARD EMPOWERED TO GRANT LICENSES Under the conditions and limitations hereinafter prescribed the Board may grant licenses at their discretion good for the term of one year from their date Such licenses shall not be transferable Such licenses may be issued (a) to any person within this Commonwealth of known scientific attainment in ornithology or mammalogy (b) to any agent of any public museum in this Commonwealth (c) to a teacher or ornithology in any school within this Commonwealth (d) to any person within the Commonwealth desiring to breed or raise game in captivity and to sell the same (e) to any person desiring to possess breed or sell ferrets (f) to any person qualified to practice taxidermy and (g) to fur dealers or persons purchasing or receiving raw furs for commercial purposes

No person so long as he is legally acting under the authority of a license issued by the Board shall be liable to any of the penalties provided for in this act

Section 403 REPORTS BY HOLDERS OF LICENSES INSPECTIONS At the expiration of any license the holder thereof shall file a sworn statement on blanks supplied by the Board covering all his transactions thereunder before a renewal license may be granted The holder of each license shall keep a record of all transactions under his license and such record together with all plants and premises shall be open to inspection upon demand of any member or officer of the Board He shall also answer without evasion any question relative to the ownership of any bird or animal or part thereof found in his posession or under his control or that has passed through his hands that may be asked by any member or officer of the Board

Section 404 APPLICATIONS FOR LICENSES Any person firm association or corporation desiring a license as provided for in this article shall present a petition therefor on forms supplied by the Board and shall pay to the Secretary one dollar except in the case of breeders and dealers in ferrets in which case he shall pay to the Secretary twenty-five dollars All such license fees shall be paid into the State Treasury for the use of the game fund The petition shall be accompanied by the written statement of at least two well known citizens of the community in which the applicant resides certifying to his good character and to his fitness to be intrusted with the authority granted by such special license

In the case of applications for licenses by firms associations or corporations the petitions shall bear the name of the president or general manager and the license shall be issued in his name all petitions for propagating licenses shall be accompanied by the written description of the premises to be used for such purpose with the location thereof upon notification of the favorable consideration of any petition for a propagating license the applicant shall file with the Board a duly executed bond in the sum of five hundred dollars given to the Commonwealth conditioned for the faithful observation by the principal named in the license and his agents and employes of all the provisions of this act upon the conviction of the principal named in any such bond or any of his agents or employes of violating any of the provisions of this act such bond shall be forfeited to the Commonwealth

Section 405 COLLECTING LICENSES Licenses authorizing the holder to collect birds their nests with eggs found therein and animals protected by this Act for exhibition in public museums or scientific study or school instruction may be issued to (a) persons of known scientific attainment in either ornithology or mammalogy for scientific study or (b) agents of public museums for exhibition purposes or (c) teachers of ornithology in any school within the Commonwealth During the period covered by such licenses birds and animals may be taken in numbers not to exceed the following

	Number of Specimens of Each Species	Number of nests of Each Species and Eggs Found Therein
(a) Scientists in Ornithology or Mammalogy		
Protected birds,	Unlimited	Unlimited
Game birds,	Unlimited	Unlimited
Game and Fur-bearing animals,	Unlimited	Unlimited
(b) Agents of Public Museums		
Protected birds,	8	[illegible]
Game birds,	4	[illegible]
Game and Fur-bearing animals,	5	———
(c) Teachers of Ornithology		
Protected birds,	4	1

The license shall be on a form prepared by the Board and shall indicate the classification of said license and the number of specimens that may be taken thereunder It is unlawful for the holder of a Collecting License to sell or exchange or ship from or remove out of this Commonweatlh without the written consent of the President of the Board any birds or nests or eggs or animals collected It is unlawful for the holder of any Collecting License to take in one year more than the number of birds nests with eggs or animals of any species than herein stipulated

Section 406 LICENSES TO PROPAGATE GAME Licenses issued to persons residing within this Commonwealth and of the age of twenty-one years or upwards and to associations and corporations resident within this Commonwealth shall authorize the holder thereof and his or its assistants to breed or raise game of any kind and to sell the same dead or alive or the eggs of game birds at any time under the regulations hereinafter provided

It is unlawful to breed or raise game of any kind in captivity or to sell eggs of game birds without a propagating license except game bred or raised and released for stocking purposes in a wild state or sold to the Board or bred and raised for home consumption only

Section 407 PREMISES USED BY PROPAGATING LICENSES For raising small game the premises used by holders of propagating licenses may be in such form as to the operator thereof seems best suited to his purposes so long as wild game is prevented from coming onto such property

For raising elk or deer the premises shall be surrounded by a wire fence of approved pattern with a height of not less than eight feet so constructed and maintained as to absolutely prevent wild elk or deer from entering in any manner into said premises Before the fence surrounding any such premises shall be closed all wild elk and deer that may be upon said territory shall as far as possible be driven therefrom by the owner under the direction of an officer of the Board

Section 408 DISPOSING AND REMOVING GAME FROM PROPAGATING PREMISES Where game of any kind is raised or eggs of game birds are produced on premises under authority of any propagating license it may be sold or given away and shipped alive from said enclosure for propagating purposes or may be killed within said enclosure for sale or gift without regard to sex or numbers at any time of the year under the following regulations

Before any live game of any kind raised under authority of any propagating license is shipped out of the Commonwealth it must be offered to the Board for propagating purposes and the Secretary shall within ten days advise the licensee whether it desires to purchase the same If not purchased by the Board it may be shipped to any other state or nation if properly tagged as hereinafter provided Game so raised when dead may be shipped anywhere if tagged properly

Before any game raised or eggs produced under authority of any propagating license are shipped or removed from any premises the licensee shall apply to the Board for a tag which shall be supplied at cost said tag shall be composed of two parts and when detached one part thereof containing the name and address of the purchaser and the kind and number of game or eggs shipped or removed shall be attached to the container or the bird or animal the other part of the tag containing the information required shall be immediately be returned to the Board the tag attached to a container or a bird or animal shall so remain until the eggs are removed from the container or the living bird or animal is released from the container or the dead body of any bird is sold or the dead body of any animal is cut up for retail purposes or final consumption at which time the tag shall be removed by the person receiving the eggs or finally disposing of the bird or animal and shall at one be forwarded to the Board

It is unlawful for any licensee or his agent or employee to neglect to return to the Board any tag with the information thereon required or to kill sell give away remove or ship any game bred or raised or eggs of game birds produced under the authority of any propagating license except in compliance with the provisions of this section

It is unlawful for any person to neglect to remove and return to the Board any tag attached to any container or to any bird or animal except in compliance with this section

It is unlawful for any person to wilfully or wantonly remove or mutilate or destroy any tag attached to any container or bird or animal according to the provisions of this section except in the manner and at time and place provided for in this section

It is unlawful for any person to wilfully or wantonly remove or mutilate or destroy any tag attached to any container or bird or animal according to the provisions of this section except in the manner and at the time and place provided for in this section

It is unlawful for any person to wilfully use any tag of the kind provided for in this section for the carrying removal or shipment of game or the eggs of game birds taken or killed outside of premises used for propagating game under authority of a license or for the purpose of a second shipment of game or eggs from any such premises

Nothing contained in this section requiring the tagging of game or eggs shall apply to any game released within this Commonwealth or hatched from the eggs of game birds and released for stocking purposes or sold to any representative of the Board for propagating purposes

Section 409 POSSESSION BREEDING AND SELLING OF FERRETS It is unlawful for any person to breed or to sell ferrets or to offer to sell ferrets either for himself or as the agent of another or to have any ferret in his possession except by virtue of a license issued by the Board It is unlawful for any breeder or dealer in ferrets to sell or for any common carrier or the agent of any common carrier to deliver any ferret to any person within this Commonwealth unless the person to whom such ferret is to be sold or delivered shall possess a proper license to have such animal in possession Proof to the satisfaction of the person selling or delivering any ferret of the possession of any such license must be required by the production of the license or by inquiry made to the Board and a record shall be made of all sales by dealers showing the name address ferret license number and date of such license before the sale is consummated

Section 410 LICENSES TO TAXIDERMISTS Licenses issue to persons residing within this Commonwealth desiring to practice taxidermy for profit shall authorize the holder thereof to receive from any person any bird or animal that has been legally or accidentally killed and to keep such specimen or any part thereof in possession indefinitey and to tan or cure or mount the same either himself or through any legitimate employe It is unlawful for any person within this Commonwealth to practice taxidermy for profit without a license issued by the Board It is unlawful for the holder of any such license to sell or to ship from or remove or permit the removal out of the Commonwealth of any specimen of a bird or animal protected by this act without the written consent of the president of the Board The Secretary may issue a permit subject to the conditions or regulations therein stipulated to any licensed taxidermist authorizing the shipment of any specimen to fur-dressing tanning or taxidermy firms in other States for dressing tanning or mounting and return to said taxidermist

Section 411 LICENSES TO FUR DEALERS Licenses issued to persons to act as fur dealers shall authorize the holder thereof to receive or to purchase and to resell raw furs for commercial purposes It is unlawful for any person to purchase or receive or resell raw furs for commercial purposes without a license issued by the Board

Section 412 PENALTIES Any person violating any of the provisions of this article shall be sentenced to pay the following fines and costs of prosecution for each offense

(a) For the sale or exchange or shipment or removal out of this Commonwealth of birds or nests or eggs or the taking of birds or eggs or nests contrary to the provisions of this article by agents of museums of teachers of ornithology or persons of scientific attainment in ornithology or mammalogy acting under the authority of any license twenty-dollars

(b) For the practice of taxidermy for profit without a license as provided in this article twenty-five dollars and in addition thereto twenty-five dollars for each specimen of a bird or animal protected by this act mounted or in possession for mounting

(c) For the sale or shipment from or removal from or the permitting of the removal from the Commonwealth by the holder of any taxidermy license of each mounted specimen of a bird or animal protected by this act without the written consent or permit required by this act twenty-five dollars

(d) For the breeding or raising of game in captivity without a propagating license contrary to the provisions of this article twenty-five dollars for each bird or animal so bred or raised

(e) For neglecting to return to the Board the part of the tag not attached to the container or bird or animal with the information thereon required or for the killing or sellng or giving away or removing or shipping of game bred or raised or eggs produced by the holder of any propagating license or his agent or employe contrary to the provisions of this article fifty dollars

(f) For neglecting to remove and to return to the Board as provided in this article the tag attached to any container or to any bird or animal ten dollars

(g) For wilfully or wantonly removing or mutilating or destroying a tag attached to a container or bird or animal contrary to the provisions of this article fifty dollars

(h) For wilfully using any tag for the carrying or removing or shipping of game or the eggs of game birds taken or killed outside of premises for propagating game under authority of license or for the purpose of a second shipment of game from any such premises contrary to the provisions of this article fifty dollars

(i) For the breeding or selling or offering for sale or having in possession or delivering any ferret contrary to the provsions of this article twenty-five dollars for each ferret

(j) For purchasing or receiving or re-selling raw furs for commercial purposes without a license as provided in this article twenty-five dollars

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall in the discretion of the court suffer imprisonment one day for each dollar of fine imposed

ARTICLE V.
HUNTING SEASON. BAG LIMITS.

Section 501. OPEN SEASON. The open season for game-birds and game-animals, Sundays and other periods fixed by special regulations for particular counties excepted, is as follows:

KIND OF GAME	OPEN SEASON
Black birds and upland or grass plover,	From Aug. 1st to Nov. 30th.
Rail, coot or mud-hen, reedbird, sand-piper, tatler, curlew, Wilson or jacksnipe, or any other kind of shore-bird excepting Woodcock,	From Sept. 1st to Nov. 30th.
Woodcock,	From Oct. 1st to Nov. 30th.
All birds known as wild water-fowl,	From Oct. 1st to Jan. 15th.
Raccoon,	From Oct. 1st to Feb. 15th.
Wild turkey, ruffed grouse, commonly called pheasant, male ring-neck pheasant, Virginia partridge, commonly called quail, Gamble quail Valley quail, and Hungarian quail, and gray, black and fox squirrel,	From Nov. 1st to Nov. 30th.
Red Squirrel,	From Nov. 1st to Aug. 15th next following.
Wild Rabbit and Hare,	From Nov. 1st to Dec. 15th.
Bear,	From Nov. 1st to Dec. 15th.
Male deer, with two or more points to one antler: provided, a male deer with an antler six or more inches long without points, measuring from the top of the skull as the deer is in life, shall be considered legal,	From Dec. 1st to Dec. 15th.
Male elk, with four or more points to one antler,	From Dec. 1st to Dec. 15th.

Section 502 BAG LIMIT It is unlawful for any person to kill in any one day or in any one season more game-animals or game-birds than hereinafter enumerated

Kind of Game	In one Day	In one season
Wild Turkey	1	1
Ruffed Grouse	3	15
Male Ring-neck Pheasants	2	6
Quail also known as partridge of the combined kinds	8	25
Woodcock	6	20
Squirrels including the fox black and gray combined	6	20
Wild rabbits	5	40
Hares	3	15
Bear	1	1
Bear (By hunting party)	4	4
Deer	1	1
Deer (By hunting party)	6	6
Elk	1	1
Elk (By hunting party)	1	1

Except as hereinafter otherwise provided every deer taken shall be a male deer having two or more points to one antler Provided a male deer having an antler six or more inches long without points measuring from the top of the skull as the deer is in life shall be considered legal

Every elk taken shall be a male elk killed through the method known as "Still Hunting" only having not less than four points to one antler

Nothing contained in this section shall prohibit any owner who raises ring-neck pheasants strictly in captivity from killing any number of such birds during the open season on lands he may own or control

Secton 503 TRAPPING CERTAIN GAME BIRDS It is unlawful to trap quail of any kind and ring-neck pheasants from the first day of December to the first day of April next following the purpose of keeping them alive during the winter of for the purpose of separating a covey to increase the chances of propagation but for no other purpose whatever it is unlawful for any person to transport from one locality to another locality in this State any such quail or pheasant excepting by written permission of the president of the Board of Game Commissioners all birds thus taken shall be liberated in the spring as soon as the weather will permit

Section 504 POWER OF BOARD TO CLOSE COUNTIES TO HUNTING For the purpose of adding to the protection of game or fur bearing animals and assist in its or their increase the Board upon petition may close throughout the year or any part of the general open season for a term of years any county to the hunting of game birds game animals of any kind

Section 505 PETITIONS FOR CLOSE SEASONS Whenever at least two hundred citizens of any county representing a majority of the townships or boroughs at least fifty per centum of whom were regularly licensed during the preceeding season shall through petition certify to the Board that in their opinion an absolute close season or a reduction in the period of the general open season is necessary to insure the better protection and consequent increase of game or fur bearing animals of any kind in that county and asking that such county be closed to hunting for a period or a portion of the general open season the Board shall forward to said petitioners and others a form setting forth such question as they may consider best suited to determine the game conditions in said county and the necessity for closing said county to hunting or trapping which forms with replies to entitles such answer to consideration before said Board shall be returned to the Board on or before the return day as fixed upon said forms such petitioners shall also publish for at least three consecutive weeks at their own expense in at least two prominent newspapers in the county the statement that such petition has been filed with its purposes and the return day as fixed by the Board and shall file with said Board duly certified copies of such notices on or before the return day

Section 506 PROCEDURE BEFORE BOARD If the written answers as returned shall fail to satisfy the Board that such close season or reduction in the length of the general open season is necessary or those opposing such action shall demand a hearing before said Board then a hearing shall be had such date and at such place within the county affected as may be decided upon by the Board The expenses of such hearing shall be paid by those demanding the same If after the receipt of the written answers or the public hearing or both the Board is satisfied such close season is necessary it is empowered to declare a close season throughout the year or such part of the general open season as may be deemed advisable for a period not to exceed five years for such animals or birds or any of them

Section 507 ACTION OF BOARD TO BE ADVERTISED The Board to make such close season or reduction in the length of the general open season effective and binding shall be required to publish annually their decision and action regarding this matter in at least three newspapers if there be that many in each county affected thereby and to have notices of such action declaring such county closed to hunting or trapping or reducing the length of the general open season printed and annually distributed in reasonable numbers throughout the affected territory

Section 508 PENALTIES Any person taking wounding or killing any game or fur-bearing animal in any county closed to hunting or trapping by action of the Board pursuant to the provisions of this article shall be liable to the fines provided for a violation of this article

Section 509 EXTENDING SEASON FOR SQUIRRELS RABBITS AND WOODCOCK REMOVAL OF PROTECTION

Upon receipt of a petition from any county containing the signatures of not less than two hundred citizens at least fifty per centum of whom were regularly licensed during the preceding season setting forth their desire for an extension of the open season for squirrels rabbits or woodcock or that squirrels or rabbits have become a nuisance in that county or any portion thereof stating the manner in which squirrels or rabbits have become a nuisance or their reasons for such desire with such other information as the petitioners may deem advisable the Board if after investigation is satisfied the conditions in such county warrant may declare such county or any township or townships thereof open during an additional season not exceeding one month at such time of the year as may be deemed necessary except between January first and August twentieth During any such special open season squirrels rabbit and woodcock may be killed and disposed of only under the same conditions and in the same number as during the general open season

The Board may extend such special open season from year to year so long as in their opinion conditions in such county warrant without a new petition being filed each year

To open a county or any portion thereof to the killing of squirrels rabbits or woodcock during a special season as herein provided a notice to that effect shall be published by the Board before the beginning of such special open season in not less than three newspapers of general circulation if there be so many published in the county affected once a week for at least two consecutive weeks setting forth the dates of any such special open season and the conditions governing same

Section 510 REMOVAL OF PROTECTION FROM BEARS Upon the receipt of a petition from any county containing the signatures of not less than two hundred citizens setting forth that bears have become a nuisance in that county stating the manner in which such animals are a nuisance and such other information as the petitioners may deem advisable the Board after investigation if satisfied the conditions in such county warrant may declare such county or portion thereof open during a special season to the killing in any number by it specified and at any time during the year of bears by any method except by the use of steel-traps or dead-falls It is unlawful for any person to kill bears during such special season unless such person shall comply with the provisions of this act relating to hunters licenses and such regulations as the Board may prescribe

To either open a county to the killing of bears as herein provided or to revoke such declaration a notice to that effect shall be published by the Board in not less than three newspapers of general circulation if there be so many published in the county affected once a week for three consecutive weeks setting forth the date such action becomes effective and the regulations adopted Bears killed during any special season shall be disposed of only in the manner provided for the disposition of bears legally killed during the general season

Section 511 REMOVAL OR PROTECTION FROM FEMALE DEER SPECIAL DEER LICENSE Upon receipt of a petition signed at least two hundred residents of any county setting forth that deer have become a nuisance in that county or any township thereof stating the manner in which such animals are a nuisance the Board if satisfied that conditions warrant or if in their opinion the sexes are not balanced properly may declare such county or any township thereof open to the killing of large female deer through the use of legal firearms as hereinafter provided by residents of the Commonwealth during a special season not exceeding three days following the regular open season for deer During such special season the killing of female deer shall be in accordance with such rules and regulations as the Board may adopt

Ninety or more days prior to the date of any such special open season a notice shall be published by the Board in at least two newspapers of the county one time each week for three consecutive weeks setting forth the date or dates of such special season and the conditions governing same

Before any person shall hunt for female deer during a special open season declared by the Board such person shall have a Resident Hunter's License before hunting on any property where this act requires such license and shall also apply to and obtain from the board at Harrisburg a SPECIAL FEMALE DEER LICENSE the fee for which is hereby fixed at Five Dollars such license shall entitle the holder to kill one female deer Such special female deer licenses shall be issued only in such number for each county or township as the Board may deem advisable and shall be issued in the order of the applications made to the Board

It is unlawful for any person to hunt for or kill or attempt to kill female deer during any special open season declared by the Board unless complying with the provisions of this section relative to licenses and complying with the rules and regulations prescribed by the Board Deer killed during such special season shall be disposed of only in the manner provided for the disposition of deer legally killed during the general open season but no provisions of this act relative to the number of deer that may be killed by any person or any hunting party or camp shall be construed to prevent the killing of female deer by any resident if legally authorized as herein provided

Section 512 PENALTIES Any person violating any of the provisions of this article shall be sentenced to pay the following fines and costs of prosecution for each offense

For taking wounding killing or transporting from one locality to another within this State or for attempting to take kill or wound contrary to this article or any rules and regulations adopted by the Board

(a) Each elk two hundred dollars and in the discretion of the court six month's imprisonment

(b) Each deer one hundred dollars

(c) Each bear fifty dollars

(d) Each wild turkey ruffed grouse ring-neck pheasant quail or woodcock twenty-five dollars

(e) Each other bird or animal ten dollars

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition shall in the discretion of the court suffer imprisonment one day for each dollar of fine imposed

ARTICLE VI

FUR-BEARING ANIMALS

Section 601 OPEN SEASON FOR FUR-BEARING ANIMALS The open season for fur-bearing animals excepting racoons and beavers is from the first day of November to the last day of February next following The open season for racoons is from the first day of October to the fifteenth day of February Next following Sundays excepted

There is no open season for beavers

Section 602 UNLAWFUL TAKING KILLING POSSESSION ETC OF FUR-BEARING ANIMALS Except as otherwise provided in this act it is unlawful for any person to take or kill or wound or capture or attempt to take or kill or wound or capture any fur-bearing animal except during the open season or to have in possession the green pelt of any fur-bearing animal or any part thereof except during the open season therefor and for fifteen days thereafter

It is unlawful to buy or sell or offer to buy or sell or to ship out of this State any fur-bearing animal or any part thereof knowing the same to have been unlawfully taken

This section does not prohibit the possession at any time of fur-bearing animals killed or taken outside of this State or the possesion of the tanned or cured skins or any parts thereof of fur-bearing animals not unlawfully killed or the possession of live fur-bearing animals legally taken within this State during the open season

Section 603 ILLEGAL METHODS OF TAKING FUR-BEARING ANIMALS EXCEPTIONS In the taking or killing of fur-bearing animals it is unlawful to use poison explosives or chemicals or to smoke out or dig out any den or house of any kind or to cut den trees or to use steel traps unless visited at least once every thirty-six hours except when prevented by sickness or storm All traps so used must be marked with a metallic plate or tag attached to the trap or chain bearing in plain English the name and address of the owner and must be taken up or sprung at the end of the season

Nothing contained in this section shall prevent persons residing upon cultivated lands from digging out dens or houses of fur-bearing animals excepting beavers during the close season in fields which are under cultivation or from preventing any person from killing or capturing alive any fur-bearing animals excepting beavers at any time in any manner when found in the act of destroying personal property or in the immediate pursuit thereafter but in no case shall the pursuit be carried beyond the limits of the property upon which the damage is done The person killing or capturing any such fur-bearing animal or accidentally killing or capturing and injuring a fur-bearing animal during the close season while legally hunting or trapping for other animals in season shall immediately notify the secretary at Harrisburg and such animal or the pelt thereof shall be disposed of as may be directed by the Secretary Failure to notify the Secretary as herein provided shall constitute prima facie evidence of the unlawful killing or capturing of fur-bearing animals

Section 604 DISTURBING TRAPS OF ANOTHER LARCENY It is unlawful for any person to disturb the traps of another or to take a fur-bearing animal from the traps of another unless specifically authorized by the owner Any person taking a trap or taking a fur-bearing animal from a trap set by another is guilty of the larceny of personal property and punishable accordingly

Section 605 BEAVERS AND THEIR DAMS PROTECTED It is unlawful to kill or capture or to attempt to kill or capture any beaver within this Commonwealth or to destroy or disturb in any manner interfere with the dams or houses of such animals except upon special permit from the Board

Section 606 ARTICLE NOT TO APPLY TO BOARD Nothing contained in this article relating to the taking killing and possession of fur-bearing animals shall apply to the Board or any of its officers or agents while acting for the Commonwealth

When it is proven to the satisfaction of the Board that fur-bearing animals are excessively destroying property or otherwise becoming a nuisance in any section the Board may at any time remove or have removed such animals from that locality or direct the killing and disposition of same in such manner as the case may require

Section 607 PENALTIES Any person killing or capturing or attempting to kill or capture any beaver or destroying or disturbing or interfering with their dams or houses contrary to the provisions of this article shall be sentenced to pay a fine of one-hundred dollars and costs of prosecution for each offense

Any person violating any of the provisions of this article except as otherwise provided for shall be sentenced to pay a fine of ten dollars and costs of prosecution for each offense

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall in the discretion of the court suffer imprisonment one day for each dollar of fine imposed

ARTICLE VII

GENERAL HUNTING REGULATIONS

Section 701 UNLAWFUL TAKING KILLING POSSESSION ETC OF GAME Except as otherwise provided in this act it is unlawful for any person to take or kill or wound or attempt to take or kill or wound any game except during the open season or to have in possession either living or dead any game or any part thereof except game lawfully taken during the open season which may be had in possession during the open season therefor and for thirty days thereafter The burden of proof that game or any part thereof found in possession of any person after the close of the open season was lawfully taken shall be upon the person in whose possession such game or part thereof is found This clause does not prohibit the possession at any time of game killed or taken outside of this State or the possession of the tanned or cured skins or any parts thereof of birds or animals not unlawfully killed or the possession of live raccoons when lawfully taken during the open season

It is unlawful for any person to knowingly use any game that has been unlawfully killed or taken or to knowingly aid or assist in the concealment of any game unlawfully killed or to knowingly have in possession with intent to use or conceal the same any game or part thereof that has been unlawfully killed or taken

Section 702 HUNTING ON SUNDAY AND AT NIGHT It is unlawful for any person to hunt for or shoot at or chase or catch or kill or attempt to shoot at or chase or catch or kill with or without dogs any game upon the first day of the week commonly called Sunday or to hunt for or shoot at or catch or kill or attempt to hunt for or shoot at or catch or kill any game between one half hour after sunset of one day and sunrise Eastern Standard Time of the day following except that raccoons and woodchucks may be hunted for and killed at any time either day or night during the open season Sundays excepted

Any person violating any of the provisions of this section shall be liable to the fine hereinafter provided

Section 703 LAWFUL METHODS OF HUNTING It is lawful to hunt for or catch or take or wound or kill game of any kind only through the use of a gun pistol or revolver of a kind the use of which is not hereinafter prohibited except

(a) That raccoons may be killed or captured in any manner if complying with the provisions of this act when using traps except that unless as a protection to property as hereinafter provided such animals may not be taken through the use of automatic firearms or poisons or explosives or chemicals or by smoking out or digging out dens or houses or cutting den trees

(b) That blinds and decoys in number as provided for in this act may be used in hunting wild water fowl

(c) That residents under the age of fourteen years may take rabbits not exceeding the bag limits provided by this act through the use of box-traps during the open season upon the lands whereon such persons reside if visited at least once every thirty-six hours

(d) That it is lawful to use steel traps with a spread of jaws not exceeding six and one-half inches if a metallic plate or tag is attached to each trap or chain bearing in plain English the name and address of the owner for the purpose of taking vermin so long as such traps are not set where rabbits or other game may be caught and such traps are visited once every thirty-six hours unless prevented by sickness or storm and at the end of the trapping season all traps are sprung or removed and

(e) In any manner for scientific purpose pursuant to a license issued by the Board

Section 704 UNLAWFUL METHODS OF HUNTING

(a) Unlawful methods and Devices

It is unlawful for any person to shoot at or to shoot for game unless the same is plainly visible to him or to dig cut or smoke live game out of its den or place of refuge

It is unlawful to hunt for or catch or take or kill or wound or attempt to catch or take or kill or wound game of any kind excepting raccoons through the use of what is commonly known as an automatic gun or an automatic firearm of any kind or a swivel gun or an air-rifle or the apparatus known as a silencer or from an automobile or vehicle or boat or craft of any kind propelled by any mechanical power or to set lay or prepare for use or to use any trap snare net bird-lime deer-lick pit-fall turkey-blind turkey-call or turkey-pen or to make use of or to take advantage of any artificial light battery or other contrivance or device or to make use of any method or device not specifically permitted by this act for the purpose of catching or taking or wounding or killing game

It is unlawful to hunt for or catch or take or kill or wound or attempt to catch or take or kill or wound raccoons except in the manner provided in the preceding section

(b) Unlawful Manner of Hunting Elk Deer or Bear

It is unlawful to kill or attempt to kill any elk or deer or bear except through the use of a gun propelling one all-lead or lead alloy or soft-nosed or expanding bullet or ball at a single discharge or to take an elk in any manner except through the method known as still-hunting

(c) Unlawful to Kill Elk or Deer in Water

It is unlawful for any person at any time to shoot at or kill or wound or capture or attempt to kill or wound or capture either an elk or a deer while taking refuge in or swimming through the waters of any of the streams ponds or lakes

(d) Use of Dogs in Hunting Deer Elk Wild Turkey

It is unlawful for any person to make use of a dog in hunting elk or deer or wild turkey and every person who takes a dog into the woods or who has possession or control of a dog in the woods and every person in a camp which has a dog in their possession or control or in which a dog is harbored shall be liable to the fines prescribed in this article for the unlawful chasing taking or killing of elk or deer or wild turkey as the case may be if such dog within a radius of ten miles from said camp or from any point where such dog has been accompanied by such person or persons runs after pursues or follows upon the track of any elk or deer for a distance of one-half mile or does pursue or scatter wild turkeys

(e) Hunting with Ferrets

Except as otherwise provided in this act it is unlawful for any perosn to hunt for or catch or kill or cause or permit the hunting of hares or rabbits with or through the use of a ferret The fact that any person shall place a ferret in any hole or opening outside of buildings in which a rabbit might be found or shall be caught in the act of using a ferret in taking hares or rabbits or shall have a ferret in possession or under control in either the fields or forests or any vehicle upon the highways or on railroad or railway cars shall render such person liable to the penalty prescribed in this article Any ferret found running at large or found in the possession or under the control of a person not possessed of a ferret license or of a person convicted of violating any provision of this act shall be forfeited to the Commonwealth and shall be immediately killed by the officer or citizen into whose hands such animal may come

(f) Unlawful Crafts

It is unlawful to hunt for or pursue or to follow after with intent to kill game of any kind from or with or through the use of any boat or craft propelled by any means other than oars or pole or hand-paddle Any person using a craft or boat for such purposes contrary to this section or the captain or owner or other person in charge of such boat or craft who shall allow or knowingly permit the same to be used contrary to this section shall be liable to the fines provided for in this article

(g) Hunting with Decoys

It is unlawful for any person or for any number of persons acting together to place in any of the waters of this Commonwealth for the purpose of attracting wild waterfowl more than thirty-six specimens of artificially prepared wooden ducks or ducks of any character commonly used as decoys or to shoot over or attempt to control more than thirty-six such decoys so placed as to cover not exceeding one-fourth of a mile upon any stream or lake

It is unlawful for any person or for any number of persons acting together to use decoys unless each specimen is marked with a metallic plate or tag giving in plain English the name and address of the owner or owners or to have such decoys in the water more than thirty-six hours without removing them for at least twelve hours before replacing in the water

Section 705 UNLAWFUL KILLING OF ELK AND DEER It is unlawful for any person at any time by standing on watch or otherwise to kill or attempt to kill a second male elk or a second male deer in one season It is unlawful for any person at any time to shoot at or wound or kill or attempt to shoot at or wound or kill or have in possession a female elk or a female deer or any part thereof or a male elk or a male deer found in a wild state or any part thereof that may not be lawfully taken except as otherwise provided by the laws of this Commonwealth relating to the taking of game animals and game birds under authority of a license issued by the Board

Section 706 POSSESSION OF DEER OR ELK WITHOUT HEAD ATTACHED

The possession or control of a deer or elk or of any portion of either of such animals shall be prime facie evidence that such animal was killed unlawfully in this Commonwealth unless the head bearing antlers as hereinbefore provided is attached in a natural way Each person in whose possession or under whose control the same may be found or whom may be proven to have had such animal or part thereof in possession or under control shall be liable to the penalty provided in this article for the unlawful killing of elk or deer as the case may be unless such person shall immediately upon demand made by an officer of the Commonwealth whose duty it is to protect game produce the head bearing such antlers or shall swear that the flesh in question found in his possession or proven to have been under his control is a part of a deer or elk legally killed in the Commonwealth both or either as in the mind of the officer investigating may be considered necessary

Section 707 HUNTING REGULATIONS FOR PARTIES HUNTING LARGE GAME TAGGING LARGE GAME

Each camp or body of men hunting together for elk or deer or bears shall at all times while hunting maintain a roster or record giving in plain English the name address and license numbers of all persons hunting with that party at any time during that season such roster or record shall be kept at the camp boarding house or other stopping place and if not in a camp or stopping together in the possession of the leader or captain of such party such roster or record shall at all times be open to inspection by any officer whose duty it is to protect the game of the Commonwealth and shall be produced upon the demand of any such officer every failure to keep or produce any such roster or record shall render the person responsible for such neglect or refusal liable to penalties provided in this article

It is unlawful for any body of men either camping together or hunting in unison or in any manner cooperating with each other to kill or be possessed of in one season more than six legal male deer or more than one legal male elk or more than four bears found in a wild state

Every person in a camp or body of men hunting together or in any manner co-operating with others in hunting for elk or deer or bear shall be individually liable to the full penalty imposed in this article for each elk or deer or bear killed in excess of the number provided for in this section after the time the various members of such party hunting together have had ample opportunity to go together not exceeding the close of said day and ascertain that the legal limit of such animals has been killed in any case where more than the lawful number of elk or deer or bear are killed unintentionally by any camp or hunting party any excess animals shall be turned over to the nearest game protector or paid representative of the Department of Forestry within eighteen hours after killing for delivery to a charitable institution and the head and skin shall be disposed of by the Board

Every person who may hunt individually or with another camp or party hunting in unison for elk or deer or bear or in any manner co-operating with others hunting for such animals after having participated in any manner in killing during the season the number of such animals prescribed in this section for camps or hunting parties shall be liable to the full penalty and costs of prosecution prescribed in this article for killing such animals contrary to the provisions of this article and such penalty shall be imposed for every day such person shall hunt contrary to the provisions of this section

Each person killing an elk or deer or bear found in a wild state shall attach thereto a tag or marker within six hours after such killing bearing in plain English his name address license number and county number with the location where such game was killed Every failure to have said tag attached as herein provided shall subject the person so neglecting to the penalties provided in this article Any game found in the possession of any person and not tagged as herein provided shall be confiscated If the person responsible for such neglect to tag any such game cannot be located each member of the samp or party shall be individually liable to such penalty

Section 708 KILLING GAME FOR HIRE It is unlawful for any person to kill game for wages or hire or in evasion of this provision and to that end it shall be unlawful for any person acting as a guide to deliver or in manner cause to be delivered to the benefit of his employer or the person he may be guiding game killed by him or for the employer of any employe acting in the capacity of a guide to receive game killed by such employe or guide while in his employ

Nothing in this act shall be construed to prevent any person from using a dog or dogs belonging to him or under his control to locate or chase legal game while acting as a guide for others during the open season or from acting as a guide when not carrying a rifle or shot gun loaded with a ball shell after such person has killed his limit of large game or participated in killing the lawful limit of large game as prescribed for camps or parties hunting in unison

Section 709 KILLING GAME BY MISTAKE RETURN OF PENALTY Each individual who may by mistake kill any game or fur-bearing animal contrary to the provisions of this act shall have returned to him one-fourth of the penalty imposed by law for such offense and actually paid by him to a legally authorized representative of the Commonwealth if such individual to the best of his ability shall at once dress and hang up or deliver the carcass of the game or fur-bearing animal so killed and shall immediatey after such killing and caring for or delivering of the carcass make report of the wrong done to any Game Protector or the District Attorney of the County or a justice of the peace or a representative of the Department of Forestry in the neighborhood where the offense was committed and shall give to such person definite information regarding the place where such carcass may be found or deliver the carcass to such official for disposition as hereinafter provided and shall within twenty-four hours after such killing forward to the Board at Harrisburg a statement in writing under oath explaining when and where and how such mistake was made

Said one-fourth of the penalty imposed by law and paid into the hands of the Board shall be returned to the said individual as quickly as possible after the said Board is satisfied that said killing was by mistake and was not intentional or by carelessness

Section 710 SHIPPING GAME BY PARCEL POST Except as in this act otherwise provided it is unlawful for any person to ship game or any part thereof killed in a wild state in this Commonwealth by parcel post Nothing contained in this section shall be construed to prevent the shipment of skins of raccoons or bears legally killed if marked properly to show the contents

Section 711 TRANSPORTING SMALL GAME It is unlawful for any person to ship or transport by common carrier of any description or by automobile or vehicle of any kind any small game or part thereof killed in a wild state in this Commonwealth or for any common carrier or his or its agent to transport small game of any kind from one point to another point in this Commonwealth unless such small game is accompanied by the owner thereof or is carried upon the same train or automobile or vehicle with such owner in the following manner Such game shall be carried upon the person in the hunting-coat or game-bag or openly as hand-baggage without cover in such manner as to be easily seen and inspected When such game is carried in baggage or boxed for shipment each package or box or receptacle of any description containing such game shall have attached thereto a card or marker bearing in English the name of the person owning same with the place of his residence the name of the county wherein such game was killed and the number of each species of small game contained in said package

Section 712 TRANSPORTING LARGE GAME It is unlawful for any person or for any common carrier or his or its agent to ship or transport large game of any kind unless the carcass shall in all instances have attached thereto a card or marker bearing the name and address of the owner with the name of the county wherein the same was killed It is unlawful for any person to cut up large game and ship or transport or carry or convey any art thereof or for any common carrier or his or its agent to transport any such part unless each division thereof shipped uncovered or each package container or baggage of every description containing any part of such game shall have attached a card or marker bearing in English the name of the owner of such game with his home address and the character of the contents of such package so that such contents may be determined by an outside inspection of such package

Section 713 TRANSPORTATION OF GAME OUTSIDE OF STATE Except as otherwise provided in this act it is unlawful for any person at any time to ship or transport or remove or attempt to ship or transport or remove or cause or attempt to have shipped or transported or removed out of this State any game-animal or game-bird or protected bird or to catch or take or kill or have in his possession or under his control any game-bird or game-animal or protected bird with intent to allow or aid in the shipment or removal thereof out of this State and it is unlawful for any person acting in the capacity of a common carrier or his or its agent or as the operator of an automobile or in control of a vehicle of any kind to knowingly receive for transportation or remove or aid or assist in removing or attempt to remove beyond the limits of the State any game-animal or game-bird or protected bird

Nothing contained in this section shall be held to impose any penalty upon the transportation of game in unbroken packages in transit through this State from another State nor upon the shipment out of the State at any ime of game legally killed or taken in another State whether the same be in original packages or otherwise nor upon the shipment of game legally killed in this Commonwealth which is delivered in good faith to a common carrier for transportation from one point to another point in this State if necessarily carried out of this State to reach its destination but actually delivered at the point of destination within this State and in the case of small game is accompanied by the owner thereof

Any non-resident licensed hunter may take with him personally when leaving the State in the manner prescribed by law relating to the shipment of game from one point to another point in this Commonwealth and the tagging of game any game except elk that such licensee has lawfully taken or killed not exceeding during the season the number that any one person may lawfully take or kill in any two days

Section 714 SHIPPING GAME TO TAXIDERMISTS Nothing contained in this article relative to the shipment of parts of game within or out of the Commonwealth shall apply to the shipment of a bird or animal or part thereof of either legally or accidently killed that the holder thereof may desire to preserve as a trophy or as a specimen and shall send to a licensed taxidermist for tanning or mounting when the package is properly marked showing the contents thereof Provided that all such shipments out of the Commonwealth shall be legal only pursuant to a permit secured from the Secretary

Section 715 BUYING AND SELLING GAME It is unlawful for any person at any time to knowingly buy or sell or barter or expose for sale or barter or have in possession for sale or barter any game or parts thereof no matter where such game has been killed excepting deer or rabbits killed in another state and the skins of raccoons and bears no matter where killed

Nothing in this section shall be construed to prevent the purchase or sale of game raised under authority of a propagating license or the purchase or sale or introduction into this State at any time of live game for propagating purposes that has been inspected and legally passed by a representative of the Bureau of Animal Industry of the Department of Agriculture or to prevent at any time the sale within the State or the shipment out of the State without a license of any kind of any animal raised in captivity and not found in a wild state in this Commonwealth or the purchase or sale of the tanned cured or mounted heads or skins or parts thereof of any game not killed in a wild state in this Commonwealth

Section 716 DOGS PURSUING ELK OR DEER LIABILITY OF OWNERS Any dog pursuing or following upon the track of an elk or deer is hereby declared to be a public nuisance Such dog may be killed by any person when pursuing or following upon the track of an elk or a deer for a distance believed by such person to be one-half mile or more or by any officer whose duty it is to protect the game of the State upon affidavit being made by any person acqainted with the facts that said dog is in the habit of or has been seen or heard running upon the track of or pursuing any elk or deer for a distance of one-half mile or more within a period of two years before the date of such affidavit The owner or person harboring or in control of a dog either killed in conformity with the law or proven to have pursued an elk or deer for the distance of one-half mile or more shall be liable to a penalty of fifty dollars for each elk and twenty-five dollars for each deer pursued and one hundred dollars for each elk and fifty dollars for each deer killed or caused to be killed by such dog running at large without the aid or direction of its master Where the owner or person harboring or in control of a dog shall neglect or refuse to take such action as may be necessary to prevent such dog from running elk or deer after notice in writing from an officer whose duty it is to protect the game to the effect that the dog in question is in the habit of pursuing elk or deer he shall be liable to double the amount as fixed before for the first offense

Section 717 DOGS PURSUING SMALL GAME OR PROTECTED BIRDS IN CLOSE SEASON Any dog pursuing or following upon the track of any small game or protected bird during what is known as the close season for such animal or bird is hereby declared to be a public nuisance and may be killed by the owner or lessee of land whereon it is found or by an employee of such owner or lessee or by an officer of the Commonwealth whose duty it is to protect the game or wild birds unless such dog shall wear a collar having attached thereto a metallic tag or plate upon which shall be plainly incribed in English the name and address of the owner of such dog and also a dog license tag as provided by the laws of the Commonwealth Any dog thus wearing a collar inscribed and tagged as before mentioned pursuing small game or protected birds during what is known as the close season may be killed by the owner or lessee of any land upon which such dog may be found or by any employee of either the owner or lessee or by any officer of the State whose duty it is to protect the game of the State when such dog is seen upon the track of such game after notice in writing from that particular person or from the Secretary of the Board has been given to the owner or reputed owner or person in control of such dog to the effect that the dog in question is in the habit of destroying or pursuing or following upon the track of game or protected birds contrary to this section

Any person who shall or negligently permit his dog or a dog under his control to pursue small game during the close season on land other than his own or which he may control shall be liable without notice of any kind to a penalty of ten dollars for each day small game or protected birds may be pursued in violation of this section and to an additional penalty of five dollars for each such annimal or bird killed by such dog without the aid or direction of its master together with costs of prosecution

Section 718 TRAINING OF DOGS ON CERTAIN GAME During the period between one hour before sunrise and nine o'clock Post Meridian Eastern Standard Time dogs when accompanied by and under control of their owner or handler may be trained upon any game in this State excepting elk or deer or wild-turkey from the twentieth day of August to the last day of February next following Sundays excepted so long as no firearms usually raised at arm's length and fired from the shoulder are carried and no injury is inflicted upon said animals or birds this section does not prohibit the training of dogs on rassoons during the night-time Under control is hereby defined to mean within call except when actually on a trail or track of legal game

Any person who shall train a dog or dogs or permit a dog or dogs under his control to pursue or follow upon the track of any small game contrary to the foregoing provisions shall be liable to a fine of ten dollars for each offense

Section 719 IMPORTING SELLING AND RELEASING CERTAIN BIRDS EGGS AND ANIMALS It is unlawful for any person to bring or in any manner to have transported into this Commonwealth from any other State or country any living specimen or any egg thereof of the bird known as the European starling or any other bird or any living animal the importation of which is prohibited by the Secretary of Agriculture of the United States under the provisions of any law of the United States or to release within this Commonwealth any fox wild cat mink or weasel brought into this State from another state or country or reared in captivity

It is unlawful to bring into or to sell within this Commonwealth living game of any kind either birds or animals that have been imported from any other state or nation or to release within this Commonwealth for propagating purposes imported game of any kind excepting under a certificate to be issued from the Department of Agriculture of Pennsylvania after inspection by a representative of the Bureau of Animal Industry of that Department and quarantine when necessary Any person violating any of the provisions of this section shall be sentenced to pay the fine provided for in this article

Section 720 REMOVAL OR KILLING OF GAME DESTROYING PROPERTY When it is proven to the satisfaction of the Board that game is excessively destroying property or otherwise becoming a nuisance in any section of the State the Board may at any time remove or have removed such animals or birds from that neighborhood or direct the killing and disposition of the same as the case may require

Nothing in this act shall be construed to prevent any person actually residing upon or cultivating lands within this Commonwealth as either the owner or lessee or the employee of such owner or lessee from killing in any manner at any time any elk or deer or bear or rabbit or squirrel or raccoon or the birds commonly known as blackbirds regardless of sex or age which he may find on such lands actually engaged in the material destruction of cultivated fruit-trees cultivated crops vegetables live-stock poultry or bee-hives or in the case of red squirrels or blackbirdes destroying either the eggs or young of protected or game birds or from estroying such animals or birds anywhere on the property under their control immediately following such destruction Any such person shall at all times prove that material damage was being done by the animal or bird killed and report such killing except in the case of red squirrels and blackbirds within twenty-four hours either verbally or in writing to the nearest game protector or the office of the Board at Harrisburg and shall also remove the entrails hang up and care properly for the carcass of any animal killed for delivery to such charitable institution as such officer or board may direct

Failure to prove material damage or make the report herein required or dress and care for such carcass properly shall be prima facie evidence that the purpose of such killing was not to relieve the destruction of property as herein contemplated and shall subject any person killing any animal or bird named in this section to the full fine hereinafter provided for unlawfully killing such animal or bird

Nothing in this act shall be construed to prevent any person from killing a bear at any time or in any manner when such animal is inflicting or attempting to inflict injury to either the person or personal property of any individual or the killing of such bear in a pursuit commenced within forty-eight hours after the commission of such offense or to prevent any person from killing a bear at any time in any manner when such animal is found within one-half mile of his regular place of residence if such person has just cause to fear injury to persons or his personal property No steel traps shall be used for the purposes stipulated in this provision relative to bear An bear killed under this provision shall be reported and the carcass dressed and cared for and disposed of in the same manner as directed in this section

Section 721 POSSESSION OR INTERFERENCE WITH NEST OR EGGS OF BIRDS Except as otherwise provided in this act it is unlawful for any person to take or have in possession or under control of either the nest or any egg found therein of any game-bird or protected bird or to wantonly interfere with or destroy any such nest or egg Any person violating any of the provisions of this section shall be liable to the fine hereinafter provided

Section 722 UNLAWFUL KILLING AND POSSESSION OF PROTECTED BIRDS Except as otherwise provided in this act it is unlawful for any person at any time to shoot at or wound or take or kill any protected birds or to have such bird either living or dead or any part thereof in his possession

Nothing contained in this section shall be construed to prevent any person from killing any eagle or hawk or owl or heron protected by this act when caught in the act of destroying domestic livestock poultry game other protected birds their nests or young or fish in private rearing ponds or to prevent such killing immediately following such destruction No protected bird or any part thereof killed as herein provided or by accident shall be mounted or retained in possession except pursuant to a permit obtained from the Board

Any person violating any of the provisions of this section shall be liable to the penalty hereinafter provided

Section 723 UNLAWFUL SALE OF PROTECTED BIRDS AND PLUMAGE Except as otherwise provided in this act it is unlawful for any person acting either for himself or as the agent or representative of another to have any protected bird or any part of the plumage or sk thereof or any bird or part of the plumage or skin of a bird that may have been brought into this Commonwealth from another state or country which belongs to the same family as those found in a wild state in this Commonwealth in possession or under control for the purpose of sale or to offer or expose the same for sale or to transport or s or remove or attempt to transport or ship or remove from this Commonwealth for any purpose any such bird either living or dead or any part of the plumage or skin thereof

Any persons violating any of the provisions of this section shall be liable to the fine hereinafter provided

Section 724 OWNERSHIP OF CARCASS OF GAME. The ownership of the carcass of game lawfully shot and killed shall be deemed to be in the person who inflicts a mortal wound which causes the death of the bird or animal and which enables the hunter to obtain possession of the carcass

When a mortal wound has been lawfully inflicted on any game but the same is not killed immediately and continues in flight and is thereafter lawfully shot by another hunter who inflicts a mortal wound thereby stopping the flight of such game and killing it enabling such hunter to take possession of the carcass the ownership of the carcass shall be deemed to be in the hunter whose fatal wound stopped the flight of such game and enabled him to take possession of the carcass In case of a dispute a disinterested person other than an officer whose duty it is to enforce the game laws may be called in to arbitrate the matter

Section 725 PENALTIES Any person violating any of the provisions of the sections of this article shall upon conviction be sentenced to pay the following fines and costs of prosecution for each offense

(a) For hunting or shooting or chasing or catching or killing any game or attempting to shoot or chase or catch or kill with or without dogs any game upon the first day of the week commonly called Sunday or for hunting for or shooting at or catching or killing or attempting to hunt for or shoot at or catch or kill any game between one-half hour after sunset of one day and sunrise of the day following contrary to the provisions of this article twenty-five dollars

(b) For using a boat or craft or permitting the same to be used contrary to the provisions of this article fifty dollars for each day

(c) For using decoys contrary to the provisions of this article ten dollars for each decoy

(d) For using traps in taking vermin contrary to the provisions of this article ten dollars for each trap

(e) For failure to keep or produce upon demand by an officer the roster or record of a hunting party as required by the provisions of this article twenty-five dollars

(f) For failure to tag or mark a deer or elk or bear within six hours after killing as required by the provisions of this article twenty-five dollars

(g) For shipping transporting carrying or conveying parts of large game in any package container or baggage of any description without having a card or marker attached as provided by this article twenty-five dollars

(h) For a common carrier or his or its agents to knowingly or negligently transport game from one point to another in this Commonwealth contrary to the provisions of this article twenty-five dollars

(i) For violating any of the provisions of this article relating to living birds and the eggs thereof and living animals imported or brought into or released within this Commonwealth fifty dollars for each bird or egg or animal imported or sold or released contrary to said provisions

(j) For interfering with or destroying the nest or egg of any game bird contrary to the provisions of this article fifty dollars for each nest

(k) For interfering or destroying the nest or egg of a protected bird contrary to the provisions of this article ten dollars for each nest

(l) For shooting at or wounding or taking or killing or possessing any protected bird contrary to the provisions of this article ten dollars

(m) For selling or offering for sale or possessing for the purpose of sale or transporting or shipping or attempting to transport or ship any protected bird or any bird that may have been brought into this Commonwealth which belongs to the same family or the skins or plumage of any such bird twenty dollars

(n) Except as otherwise herein provided for hunting or chasing or catching or taking or killing or wounding or receiving or delivering or transporting or shipping or using or concealing or assisting to conceal or having in possession or attemptin to hunt for catch take kill wound or transport contrary to this article or for violating any of the provisions of this article relating to the shipping or transportation or removal out of this Commonwealth or relating to the buying or selling or bartering of

I Each elk two hundred dollars and in the discretion of the court six months' imprisonment

II Each deer one hundred dollars

III Each bear fifty dollars

IV Each wild turkey ruffed-grouse ring-neck pheasant quail or woodcock twenty-five dollars

V Each other game-bird or game animal ten dollars

In any case where any game-bird or game-animal was legally taken and held in possession after the time permitted by this article the fine shall be one-half of the fine above prescribed

In addition to the fine above prescribed any person who shall make use of or have in possession or under control a ferret contrary to the provisions of this article shall be liable to a fine of twenty-five dollars for each ferret and costs of prosecution

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall in the discretion of the court suffer imprisonment one day for each dollar of fine imposed

ARTICLE VIII

STATE GAME LANDS HUNTING GROUNDS AND GAME REFUGES

(a) STATE GAME LANDS

Section 801 ACQUISITION The Board may acquire title to or control of lands within the Commonwealth suitable for protection and propagation of game or for hunting purposes or to be used as hereinafter provided by purchase gift or otherwise to be known as State Game Lands The Board may also acquire title to such lands by condemnation proceedings in the same manner as provided for the condemnation of lands for State Forests The Board may purchase or erect such buildings as may be deemed necessary properly to maintain and protect such lands The Board may purchase or lease land from which the ownership of minerals oil or gas and the right to mine and drill for the same have been expected All purchases and leases shall be made only with the consent of a majority of the Board The President shall represent the Board in all purchases and leases

Section 802 TITLE AND CONTROL The title to any land acquired by purchase gift or otherwise shall be approved by the Attorney General and shall be taken by the Board in the name of the Commonwealth The deed to any such land shall be deposited with the Secretary of Internal Affairs The entire control of such land shall be under the direction of the Board

Section 803 PURCHASE PRICE No land shall be purchased at a price to exceed ten dollars per acre except where buildings or cultivated lands deemed necessary to the proper maintenance and administration of Game Refuges or for game propagation are included The Board may expend for the purchase of lands during any year such amount as in their opinion can be allotted to that purpose

Section 804 SALE AND EXCHANGE Whenever the Board shall deem it to the best interests of the Commonwealth it may by resolution adopted by unanimous vote at a meeting when a majority of the Board are present and voting and with the consent of the Governor authorize the exchange of any lands or any part thereof to which title has been acquired by purchase gift or otherwise together with the buildings improvements and appurtenances thereof for privately owned lands of equal or greater value and adapted for State Game lands or game propagation or may authorize the sale of any lands to which title has been acquired as aforesaid or any part thereof to the party or parties offering the highest price thereof after advertisement once each week for three successive weeks in at least two newspapers published in the county or counties in which the land is situate

Such lands may also be sold to the State Forest Commission of the Commonwealth or the United States of America for National Forest Reserves in the same manner as above except no advertisement shall be required

The Attorney General shall prepare the necessary deeds to consummate such exchange or sale and the deeds shall be executed by the President of the Board The proceeds of such sale shall be deposited in the game fund

Section 805 FIXED CHARGES Lands acquired by purchase gift or otherwise shall be exempt from the payment of all taxes except such fixed charges as apply to and are imposed upon State Forests

Section 806 USE OF LANDS Lands to which title has been acquired by the Board or which have been leased or any part thereof may be used for the purpose of creating and maintaining State Game Refuges and Hunting Grounds either or both for the propagation of game and as much thereof as deemed necessary may be used for the administration of such lands The Board after consultation with the Department of Forestry may cut and remove and sell or permit the cutting and removing and selling of timber on lands to which title has been acquired by the Board by purchase gift or otherwise the net proceeds from which shall be deposited in the Game Fund The Board may grant rights-of-way on and across lands acquired as aforesaid when such grant will not adversely affect game protection and propagation The Board may also at its discretion grant leases for church or school purposes for a period not to exceed ten years

(b) STATE GAME REFUGES

Section 815 STATE GAME REFUGES The Board may establish and maintain State Game Refuges for the protection and propagation of game on all or any portion of State Game Lands wherein game and fur-bearing animals shall not be hunted pursued disturbed or molested at any time The Board may also with and by the consent of the State Forest Department or proper Federal authority locate State Game Refuges on State Forests or National Forests No such Refuge shall exceed in area one-half of the total area of the State or National Forest on which it is located No

State Game Refuge shall be established within ten miles of another State Game Refuge nor shall a Refuge exceed ten miles at its greatest transverse dimension

Section 816 BOUNDARY LINES NOTICES Each State Game Refuge shall be surrounded by a well defined fire-line road or other clear strip of land and by at least one wire at the boundary thereof On the boundary of each State Game Refuge there shall be posted in conspicuous places not more than one hundred and fifty yards apart notices bearing the following "State Game Refuge Hunting is Unlawful" and such other information or rules and regulations as the Board may deem advisable

(c) AUXILIARY STATE GAME REFUGES

Section 825 APPLICATION FOR AUXILIARY REFUGES Whenever the owner or owners or persons in control of suitable lands having an area of not less than two hundred acres desiring to have said lands or part thereof set apart as a Refuge for game and wild birds they may make application to the Board giving a description of said lands including (a) specific location (b) map or sketch showing an outline or said lands and the location of all buildings roads streams and fences (c) the type of such lands whether woodland abandoned farmland or cultivated land The Board may have an examination made of said lands and if found suitable for game protection and propagation purposes shall notify the owner or owners or persons in control of said lands to that effect The owner or owners or persons in control of said lands may then present a petition as hereinafter provided to the Board on forms supplied by the Board declaring his or their desires

Section 826 CONTENTS OF PETITION FOR AUXILIARY REFUGES A petition for an Auxiliary State Game Refuge shall state clearly (a) that the owner or owners or persons in control of such lands are willing to vest in the Commonwealth all hunting rights upon said lands without charge or for such remuneration as may be agreed upon between them (b) that neither they their families their agents their tenants nor any other persons shall hunt thereon by and with their authority (c) that they will make every effort to protect said refuge from forest fires hunting and from violations of any nature (d) that the agreements shall continue in force for an uninterrupted period of not less than ten years and such longer period as may be desired by the petitioners and (e) all such other information as the Board may require The petition shall be endoresd by at least fifty qualified electors of the county or counties wherein said lands are located

Section 827 ESTABLISHMENT OF AUXILIARY REFUGES If upon investigation the Board finds that the proposed Auxiliary Game Refuge is not within a radius of five miles from any State Game Refuge or other Auxiliary State Game Refuge and decides that the establishment of the proposed auxiliary game refuge is advisable it may enter into an agreement in the form of a lease with the owner or owners or persons in control of such property and shall thereupon declare said lands or any part thereof an Auxiliary State Game Refuge The Board shall surround that part of the lands set aside as a refuge by a single wire as a marker if the same is not already surrounded by a suitable enclosure and shall post notices along the boundary line of the refuge not more than one hundred and fifty yards apart Such notices shall bear the words "Auxiliary State Game Refuge Hunting is Unlawful" and such other information or rules and regulations as the Board may deem advisable

Section 828 ADVERTISEMENT OF THE ESTABLISHMENT OF AUXILIARY REFUGES The Board shall cause notice of its action declaring lands to be an Auxiliary State Game Refuge to be advertised at least one time each week for three consecutive weeks in at last two newspapers of general circulation in the county or counties wherein such refuge is located and shall also have a suitable notice published for at least two consecutive months in not less than two sportsmen's journals if there be so many published monthly in the State

(d) REGULATIONS PENALTIES

Section 840 RULES AND REGULATIONS The Board may formulate adopt and post such rules and regulations for the government of lands under its control and for protection and propagation of game thereon as it may deem necessary for their proper use and administration or as may be established pursuant to agreements with the State Forest Commission or proper Federal authority or lessors Such rules and regulations shall be the law of this Commonwealth controlling such lands and a violation of any of the provisions of such rules and regulations shall subject the offender to the payment of fines provided for in this article for the violation of such rules and regulations

Section 841 ENTRY UPON REFUGES Any citizen may go upon a State Game Refuge or an Auxiliary State Game Refuge without firearms or traps or dogs except during the months of October November and December The Board may through the Secretary by written permission grant to responsible persons the right to hunt or trap for vermin on State Game Refuges for Auxiliary State Game Refuges between December sixteenth and September thirtieth next following The Board may adopt rules and regulations setting forth the manner in which persons working upon or living within the boundaries of Auxiliary State Game Refuges may be or go upon such refuges at any time

The Board may under proper permit authority for the granting of which is hereby given the Secretary authorize the owner tenant or lessee of lands used for an Auxiliary State Game Refuge or any member of his family residing upon any part of said lands leased to the Board for the purpose of creating said refuge or hunting grounds in connection therewith to take not more than ten rabbits through the use of box traps during any season on said lands set aside as an Auxiliary State Game Refuge

Nothing contained in this Article shall be construed to prevent school children at a time other than the open season under proper supervision of an instructor from entering without firearms or traps or dogs an Auxiliary State Game Refuge at any time for the study of bird animal and plant life

In connection with their official duties it is unlawful for any member or employee or duly appointed agent of the Board or the Department of Forestry or the Federal Forest Service to go upon a game refuge at any time and in any manner with or without firearms or traps or dogs

Except as above provided it is unlawful for any person to carry firearms or traps within the limits of or take a dog upon a State Game Refuge or an Auxiliary State Game Refuge at any time

Except as above provided it is unlawful for any person to go upon a State Game refuge or an Auxiliary Game Refuge during the months of October November and December

Except as in this article otherwise provided it is unlawful for any person to hunt for or catch or kill or wound or drive or to attempt to hunt for or catch or kill or wound or drive any birds or animals within the limits of a State Game Refuge or an Auxiliary State Game Refuge

It is unlawful for any person to violate any of the rules and regulations adopted by the Board for the protection and preservation of protected birds and game on Auxiliary State Game Refuges

Section 842 PENALTIES Any person violating any of the provisions of this article shall be sentenced to pay the following fines and costs of prosecution for each offense

For catching or killing or wounding or driving or attempting to catch or kill or wound or drive

(a) Each elk	$200 and in the discretion of the court 6 months imprisonment
(b) Each deer	$100
(c) Each bear	$ 50
(d) Each wild turkey ruffed grouse ring-necked pheasant quail or woodcock	$ 25
(e) Each other bird or animal	$ 10

For violating any of the provisions of this article not above specifically provided for or for violating any of the rules and regulations of the Board $25 and costs of prosecution for each offense

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall in the discretion of the court suffer imprisonment one day for each dollar of fine imposed

ARTICLE IX

UNNATURALIZED FOREIGN-BORN RESIDENTS

Section 901 DEFINITION OF UNNATURALIZED FOREIGN-BORN RESIDENTS For the purpose of this article any unnaturalized foreign-born person who shall live or reside within the boundaries of the Commonwealth for ten consecutive days shall be considered a resident and shall be liable to the fines imposed for violations of the provisions of this article

Section 902 HUNTING ET CETERA POSSESSION OF FIREARMS OR DOGS It is unlawful for any unnaturalized foreign-born resident to hunt for in any manner or capture or kill any wild bird or animal of any description either game or otherwise except in defense of person of property and to that end it is unlawful for any unnaturalized foreign-born resident to either own or be possessed of a shotgun or rifle or pistol or firearm of any make or kind or a dog of any kind

Section 903 PRIMA FACIE EVIDENCE OF VIOLATIONS The possession of a shotgun or rifle or pistol or firearm of any kind or of a dog of any kind at any place outside of buildings by an unnaturalized foreign-born resident shall be prima facie evidence of a violation of the provisions of this article

The presence of a shotgun or rifle or pistol or firearm of any make or kind or of a dog of any kind in a room or house or building or tent or camp of any description occupied or controlled by an unnaturalized foreign-born resident shall be prima facie evidence that such firearm or dog is owned or controlled by the person occupying or controlling the property in which the same is found and shall render such person liable to the fines imposed by this article

Section 904 PENALTIES Any person violating the provisions of this article shall be sentenced to pay the following fines and costs of prosecution for each offense

For the capture or killing contrary to the provisions of this article any wild bird or animal

(a) Each elk two hundred dollars and in the discretion of the court six months imprisonment

(b) Each deer one hundred dollars

(c) Each bear fifty dollars

(d) Each wild turkey ruffed grouse ring-neck pheasant quail or woodcock twenty-five dollars

(e) Each other bird or animal ten dollars

For hunting in any manner or for owning or possessing a shotgun or rifle or pistol or firearm contrary to the provisions of this article twenty-five dollars and costs of prosecution

For owning or possessing a dog contrary to the provisions of this Article fifteen dollars and costs of prosecution

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second and subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall in the discretion of the court suffer imprisonment one day for each dollar of fine imposed

Section 905 FORFEITURE OF FIREARMS AND DOGS All shotguns rifles pistols firearms and dogs found in possession or under control of an unnaturalized foreign-born resident shall upon the conviction of any such person or upon his signing an acknowledgment of guilt as hereinafter provided in this act be forfeited to the Commonwealth All such firearms shall be sold by the Board as hereinafter provided All such dogs shall be either killed in a humane manner or disposed of in such manner as the Board or the magistrate alderman or justice of the peace hearing the case may direct

ARTICLE X

BOUNTIES

Section 1001 BOUNTIES ON CERTAIN ANIMALS A reward or bounty shall be paid for the killing within the Commonwealth only of the following animals For each Canada or bay lynx commonly called bobcat or wildcat fifteen dollars for each gray fox four dollars and for each red fox two dollars and for each weasel one dollar and fifty cents

Section 1002 MAKING CLAIM FOR BOUNTY Any person having killed within this Commonwealth any such animal and being desirous of securing the reward or bounty provided for such killing shall produce such slain animal or the entire pelt thereof before any game protector or deputy game protector or any other person authorized to administer oaths within this Commonwealth and shall make affidavit on forms supplied by the Board that (a) he or some member of his family or household naming such person killed the same (naming it) (b) stating clearly the approximate time of such killing (c) that it was killed in a wild state (d) that the place (naming it) where such animal was killed was within the Commonwealth and (e) that such animal was not reared in captivity

No person shall include in one affidavit more than ten claims for bounties for animals killed Each officer other than a salaried game protector shall receive a fee of twenty-five cents for each affidavit containing one claim and fifty cents for each affidavit containing more than one claim Game Protectors and deputy game protectors are authorized to administer the oath required by this section Deputy game protectors shall supply seals at their own expense

The person administering the oath shall without splitting the face or otherwise mutilating the skin deliver said affidavit and skin or pelt to the claimant for bounty who shall as soon as may be forward such affidavit and the unmutilated salted cured or tanned skin or pelt of the animal or animals to the Secretary of the Board at Harrisburg

Section 1003 PAYMENT OF BOUNTIES MONTHLY ACCOUNTING Upon the receipt of such affidavit and skins or pelts in proper form if the Secretary is satisfied that the skins or pelts presented to him are the skins or pelts of animals for the killing of which a bounty is offered by this act and that such claims are in all respect legitimate he shall split the face of the skin from a point between the eyes through the end of the nose and shall as quickly as may be forward his check to the claimant for the amount found to be due and shall if requested return all such skins or pelts at the expense of the game fund to such address as the owner may direct The Secretary shall at least once a month render an accounting to the Auditor General in such form as he may prescribe of all claims paid giving the name and address of the payee the number of the check given and the amount so paid

Section 1004 UNLAWFUL COLLECTION OF BOUNTY PENALTIES It is unlawful for any person to collect or to attempt to collect a bounty for the killing of any animal the face of which is split before presentation to a person authorized to take affidavits or to collect or attempt to collect a second bounty for the killing of any animal or to collect or attempt to collect such bounty through the presentation of the skin or carcass or any part thereof of any animal not named in this act or through deception of any character or to present for the purpose of securing a bounty the skin or carcass or any part thereof of an animal that has been reared or held in captivity or the skin or carcass or any part thereof of any animal killed or captured outside of this Commonwealth

Any person who shall wilfully or fraudulently collect or attempt to collect any reward or bounty to which he is not legally entitled under the provisions of this act or shall aid or abet or assist in any capacity official or otherwise in any attempt to defraud the State through the collection or payment of any reward or bounty shall be guilty of a misdemeanor and upon conviction thereof shall in addition to the penalty that may be imposed for perjury where a false affidavit is made be sentenced to pay to the Commonwealth for the use of the game fund a fine of not less than one hundred dollars or more than five hundred dollars and in default of the payment thereof with costs shall suffer an imprisonment in the jail of the county in which the affidavit is made for a period of one day in jail for each dollar of fine and costs imposed and unpaid

ARTICLE XI

ENFORCEMENT OF ACT PROCEDURE PENALTIES

Section 1101 JURISDICTION Except in cases where the offense is designated a misdemeanor or a felony each magistrat alderman and justice of the peace shall have the power of summary conviction in matters pertaining to violations of any of the provisions of this act

Section 1102 PROCEDURE All summary proceedings under the provisions of this act shall be commenced by affidavit made within two years after the date of any violation Any magistrate alderman or justice of the peace on complaint made before him by affidavit charging any person with having violated any of the provisions of this act or any of the rules and regulations issued by the Board pursuant to this act shall issue his warrant under his hand and seal directed to any constable police officer game protector or any officer whose duty it is to enforce the game laws of the Commonwealth and cause such person to be brought before him When any person is arrested without warrant the officer making the arrest shall immediately take such person before a magistrate alderman or justice of the peace and make complaint by affidavit The magistrate alderman or justice of the peace shall in all cases hear the evidence and determine the guilt or innocence of the person accused. If such person is convicted of the offense charged the magistrate alderman or justice of the peace shall also find as a fact any bird or animal or part thereof found in possession is unlawfully possessed and the defendant shall be sentenced to return to the Commonwealth any bird or animal or part thereof found to be unlawfully in his possession and to pay the full fine prescribed by this act for such violation together with the costs of prosecution and in default of the return of such bird or animal or part thereof or the payment of such fine and costs shall be imprisoned one day for each dollar of fine and costs so imposed posed

Section 1103 ACKNOWLEDGEMENT OF GUILT Any person charged with violating any provision of this act may sign an acknowledgement of the offense committed either before or after the beginning of suit and pay to any duly appointed and commissioned game protector or deputy game protector the fine provided by this act together with costs accruing to that date and surrender to the Commonwealth any bird or animal or part thereof unlawfully taken or possessed Such person shall receive a printed receipt therefor which shall bear the imprint of the seal of the Board and the signature of its secretary and shall be evidence of full satisfaction of the offense committed

Section 1104 ARRESTS WITHOUT WARRANT SEIZURE OF CERTAIN PROPERTY AND GAME Any officer whose duty it is to preserve the peace of the Commonwealth may arrest without warrant any person caught in the act of violating any of the laws relating to game or other wild birds or wild animals or in pursuit immediately following any such violation He may seize all guns shooting or hunting paraphenalia traps dogs boats decoys or other appliances used in violation of any such laws or which he may find in the execution of a search warrant and may seize all birds or animals found either in the possession or under the control of the suspected person

Section 1105 ARRESTS ON SUNDAY Any officer whose duty it is to enforce the game laws of the Commonwealth or any officer whose duty it is to preserve the peace of the Commonwealth may arrest on Sunday without warrant any person caught in the act of violating any of the laws relating to game or other wild birds or wild animals or in pursuit immediately following such violation and in such cases the person arrested may be committed to the jail or lockup for safekeeping for that day unless such person pays to the officer making the arrest in trust a sum of money equivadent to the amount of fine imposed for the violation committed. Such person shall be taken before a proper magistrate alderman or justice of the peace and be proceeded against as soon as may be on a week day following the arrest

Section 1106 SEARCH WARRANTS Whenever any individual makes complaint in writing before any magistrate alderman or justice of the peace supported by his oath or affirmation and subscribed to by him alleging that there is probable cause to believe and that he has just and reasonable grounds for believing and does believe that certain birds or animals have been caught taken killed possessed shipped or are about to be shipped or that a firearm or dog is concealed by an unaturalized foreign-born resident contrary to the provisions of this Act and describing as nearly as may be the things to be searched for and the place or places to be searched shall issue a search warrant and cause search to be made

Section 1107 PENALTY FOR RESISTING ARREST Any person who by force menance or in any manner resists arrest for violation of any of the provisions of this act or refuses to go with an officer after an arrest has been made or interferes with an officer of the Commonwealth in the performance of his duty under the provisions of this act shall be sentenced to pay a fine of one hundred dollars and cost of prosecution and in default of the payment of such fine and costs shall be imprisoned one day for each dollar of fine and costs

Section 1108 INVESTIGATIONS BY OFFICERS ETC The officer investigating any violation of the game-laws is hereby authorized to administer oaths relative to such matter and where birds or animals of any kind are found in a camp or in possession or under control of an individual or hunting party the person or persons in charge or in possession or control of such birds or animals shall answer satisfactorily immediately under oath if required such questions relating to the taking or ownership or possession of same as may be considered necessary by the officer investigating and in every case where such person or persons in charge or in possession or in control of such birds or animals refuse to so answer such questions the birds or animals thus found are hereby declared forfeited to the Commonwealth and such officer is directed to take charge of and dispose of same as provided by this act

Section 1109 REVIEW OF PROCEEDINGS BY COURT OF QUARTER SESSIONS Any person convicted of violating any of the provisions of this act may enter into good and sufficient recognizance to pay the fine imposed and costs within a period of ten days after the date of his conviction or may certiorari or appeal the proceedings within five days after such conviction to the court of quarter sessions of the county Any prosecutor dissatisfied with the finding of any magistrate alderman or justice of the peace may in like manner appeal to said courts within said period All such appeals shall be only on allowance of the court of quarter sessions or a judge thereof on cause shown and shall be determined by the court of quarter sessions without a jury

Section 1110 FINES TO BE FORWARDED TO SECRETARY All fines recovered in cases where the prosecutor is a salaried officer of the Commonwealth shall be immediately surrendered by the court receiving the same to the prosecutor who in turn as soon may be shall forward or deliver such fines and penalties to the secretary Where any officer of the Commonwealth other than a salaried officer is the prosecutor the fines and penalties shall as soon as the case is fully determined before him be forwarded by such magistrate alderman or justice of the peace to the secretary at Harrisburg together with a statement of the cause for which such fines were collected the cost of which statement is hereby fixed at fifty cents and made a part of the costs of prosecution All fines received by the Secretary shall be paid into the State Treasury monthly for the use of the game fund

Section 1111 RETURN OF FINES ERRONEOUSLY PAID INTO TREASURY Whenever the Board is satisfied that any fine paid into the State Treasury under the foregoing provisions was erroneously collected and deposited the Board within six months after such deposit may by resolution direct the Secretary to draw a requisition upon the fund with which such fine was deposited for the amount involved Upon receipt of such requisition and an extract of the minutes of the Board the Auditor General shall draw his warrant upon the State Treasurer in favor of the person from whom such fine was erroneously collected

Section 1112 WHEN CERTAIN CONVICTIONS TO BE DEEMED SECOND CONVICTIONS Any person convicted or pleading guilty or signing an acknowledgement of guilt under the provisions of this act who prior thereto was convicted or plead guilty or signed an acknowledgement of guilt for violating any of the game laws then in force shall be sentenced under this act and be denied by the Board or by this act the right to hunt anywhere with or without a hunter's license in the same manner as if such person had been convicted of a second offense against this act

Section 1113 DISPOSITION OF SEIZED BIRDS AND ANIMALS All birds and animals protected by this act or parts thereof found in the possession of any person not legally taken and seized under the provisions of this act shall be forfeited to the Commonwealth All dead game so forfeited shall be forwarded immediately to the most convenient charitable institution or to a charitable institution designated by the Secretary All live game and all other birds and animals or parts thereof not classed as game so seized shall be disposed of by the Board

Section 1114 DISPOSITION OF SEIZED PROPERTY WHEN DEFENDANT CONVICTED When a defendant is convicted of violating any of the laws relating to game or other wild birds or wild animals and pays the fine and costs imposed all guns traps boats decoys dogs and other shooting or hunting paraphernalia seized in connection with his arrest shall if the use of the same is not forbidden by this act be returned to the defendant except in the case of the conviction of any unnaturalized foreign-born person and in case the fine and costs are not so paid in full all property other than illegal devices so seized shall be sold at public auction in such manner and subject to such conditions as the Board shall direct The cost of any such sale shall be part of the costs of prosecution Any fund arising from any such sale shall be applied first to the cost of the sale second to the payment of costs of prosecution and third to the payment of the fine imposed The remained if any shall be returned to the owner of the property thus seized The defendant shall be entitled for the first offense only to the credit of one day off his imprisonment for each dollar applied toward the payment of his fine

Property seized the use of which is forbidden by this act shall be forfeited to the Commonwealth and be disposed of by the Board

Section 1115 DISPOSITION OF SEIZED PROPERTY WHEN OWNER ESCAPES ARREST All guns traps dogs boats decoys and other shooting or hunting paraphernalia seized under the provisions of this act where the owner thereof escapes arrest and refuses to present himself and make claim to the property shall be held for a period of ten days after which time such property shall be sold in a manner prescribed for the sale of property seized where the defendant is convicted The fund arising from such sale shall be applied first to the payment of the costs of the sale second to any costs of prosecution accrued and the remainder thereof shall be forfeited to the Commonwealth

Section 1116 LIABILITY FOR COSTS NOT PAID BY DEFENDANT Whenever any officer whose duty it is to enforce the laws of this State protecting game fur-bearing animals and protected birds shall in good faith bring suit for any violation of such laws and for any legal cause shall fail to recover the costs of record Such costs shall be a charge upon the proper county and shall be audited and paid as are costs of like character in said county

ARTICLE XII

Section 1201 ESTABLISHMENT OF GAME FUND APPROPRIATION All license fees fines and other moneys received and collected (a) under the provisions of any law repealed and replaced by this act and now held in the State Treasury as a fund or any part of a fund seperate and apart for the various purposes designated by law or (b) that may be hereafter paid into the State Treasury under the provisions of any act so repealed or replaced or (c) that may be paid into the State Treasury under the provisions of this act shall be placed in a separate fund to be known as "The Game Fund" and shall be held seperately and apart solely for the purposes of the payment under the supervision of the Board (a) of the salaries and expenses of the officers and employes of the Board and contingent office expenses (b) for wild bird game and fur-bearing animal protection and propagation (c) for the purchase of game for propagation and stocking purposes (d) for feeding game and wild birds (e) for the creation acquisition maintenance and administration of hunting grounds and game refuges (f) for the purchase of other lands and buildings and for the erection of buildings (g) for the purchase and maintenance of equipment (h) for control of vermin the payment of bounties and expenses in connection therewith (i) for the payment of all or any part of the cost of any printing posters notices tags badges buttons and such other like materials as in the opinion of the Board may be necessary to its work (j) for the refund of fines erroneously collected and deposited

All such moneys placed in the game fund under the provisions of this section are hereby made available immediately and are hereby specifically appropriated to the Board for the purposes herein specified

Section 1202 MONEY TO BE PAID MONTHLY UPON REQUISITION OF SECRETARY The money in such fund shall be paid to the use of said Board monthly in advance upon requisition by its secretary

The Auditor General shall upon requisition from time to time of the Secretary of the Board and the proper accounting for moneys already advanced from the fund draw his warrant upon the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund available for the purposes before specified at the time such requisition is made

ARTICLE XIII

ACTS OF ASSEMBLY REPEALED SAVING CLAUSE

Section 1301 REPEALS The following acts and parts of acts of assembly are hereby repealed as respectively indicate The repeal clause of the first section of an act shall not repeal the enacting clause of such act

I Sections one two three four five and eight of an act entitled "An act to prevent the hunting of deer and other wild beasts beyond the limits of the lands purchased of the Indians by the Proprietaries of this province and against killing deer out of season" approved the ninth day of April one thousand seven hundred and sixty (one Smith Laws two hundred twenty-seven) chapter four hundred fifty-six absolutely

II An act entitled "An act for the better preservation of Game and Insectivorous Birds" approved the twenty-first day of April one thousand eight hundred and fifty-eight (Pamphlet Laws three hundred seventy-one) absolutely

III An act entitled "A supplement to an act for the better Preservation of Game approved April twenty-first Anno Domini one thousand eight hundred and fifty-eight" approved the fourteenth day of April one thousand eight hundred and fifty-nine (Pamphlet Laws six hundred forty) absolutely

IV An act entitled "A supplement to an act for the better preservation of game and insectivorous birds approved the twenty-first day of April one thousand eight hundred and fifty-eight" approved the thirty-first day of March one thousand eight hundred and sixty-eight (Pamphlet Laws fifty-one) absolutely

V An act entitled "An act providing for the taking of game" approved the twenty-first day of April one thousand eight hundred and sixty-nine (Pamphlet Laws eighty-four) except in so far as it relates to fish

VI An act entitled "An act to amend and consolidate the several acts relating to game and game fish" approved the first day of May one thousand eight hundred and seventy-three (Pamphlet Laws eighty-nine) except in so far as it relates to fish

VII An act entitled "A supplement to an act approved the first day of May one thousand eight hundred and seventy-three entitled 'An Act to amend and consolidate the several acts relating to game and game fish'" approved the eighteenth day of March one thousand eight hundred and seventy-five (Pamphlet Laws twenty-six) absolutely

VIII An act entitled "An act to amend and consolidate the several acts relating to game and game fish" approved the fifth day of May one thousand eight hundred and seventy-six (Pamphlet Laws one hundred and four) except in so far as it relates to fish

IX An act entitled "A supplement to an act entitled 'An act to amend and consolidate the several acts relating to game and game fish' approved the fifth day of May Anno Domini eighteen hundred and seventy-six" approved the twenty-fourth day of March one thousand eight hundred and seventy-seven (Pamphlet Laws forty-five) number forty-four absolutely

X An act entitled "An act regulating the hunting and killing of web-footed wild fowl" approved the seventeenth day of May one thousand eight hundred and eighty-three (Pamphlet Laws thirty-four) absolutely

XI An act entitled "An act to permit the killing at any season of the year of the small bird known as the English sparrow" approved the fourth day of June one thousand eight hundred and eighty-three (Pamphlet Laws sixty-eight) absolutely

XII An act entitled "An act to amend part of an act entitled 'An act to amend and consolidate the several acts relating to game and game fish' et cetera with the supplements thereto' approved the twenty-seventh day of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred and sixty three) number one hundred and fifty except in so far as it relates to fish

XIII An act entitled "An act to amend the first section of an act entitled 'An act regulating the hunting and killing of web-footed wild fowls' approved May seventeenth Anno Domini one thousand eight hundred and eighty-three" approved the sixteenth day of April one thousand eight hundred and eighty-five (Pamphlet Laws eight) number nine absolutely

XIV An act entitled "An act to amend the ninth section of an act entitled 'An act to amend and consolidate the several acts relating to game and game fish'" approved the twenty-third day of May one thousand eight hundred and eighty-seven (Pamphlet Laws one hundred and sixty-nine) absolutely

XV An act entitled "An act to amend the ninth section of an act entitled 'An act to amend and consolidate the several acts relating to game and game fish'" approved the twenty-fifth day of April one thousand eight hundred and eighty-nine (Pamphlet Laws fifty-three) absolutely

XVI An act entitled "An act prohibiting the killing or taking of song and wild birds except in certain cases and providing a penalty therefor" approved the fourteenth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws two hundred and eighteen) absolutely

XVII An act entitled "A supplement to an act approved May fourteenth one thousand eight hundred and eighty-nine entitled 'An act prohibiting the killing and taking of song and wild birds except in certain cases and providing a penalty therefor' amending the first sixth and eighth section thereof" approved the fifteenth day of April one one thousand eight hundred and ninety-one (Pamphlet Laws twenty) absolutely

XVIII An act entitled "An act to provide for the appointment of game commissioners for the Commonwealth of Pennsylvania defining their duties and empowering them to appoint game protectors" approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred and seventy-three) absolutely

XIX An act entitled "An act for the better protection of game and game mammals game birds song and insectivorous birds limiting the number of game birds and game mammals to be killed by any one person in one day or in one season prohibiting the sale of the same and the shipment thereof out of the State and providing penalties for the violation thereof" approved the fourth day of June one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred and twenty-three) absolutely

XX An act entitled "An act to amend the title to an act approved the fourth day of June Anno Domini one thousand eight hundred and ninety-seven" approved the sixth day of May one thousand eight hundred and ninety-nine (Pamphlet Laws two hundred and fifty-three) number one hundred and forty-nine absolutely

XXI An act entitled "An act authorizing and empowering the owners and lessees of real estate within this Commonwealth to kill hare or rabbits upon their own premises at all seasons of the year" approved the eleventh day of April one thousand nine hundred and one (Pamphlet Laws seventy-three) number forty-two absolutely

XXII An act entitled "A supplement to an act entitled 'An act to provide for the appoinment of game commissioners of the Commonwealth of Pennsylvania defining their duties and empowering them to appoint game protectors' approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five extending the powers of said protectors making disposition of fines received by them and regulating their pay" approved the twenty-first day of May one thousand nine hundred and one (Pamphlet Laws seventy-three) number forty-two absolutely

XXIII An act entitled "An act to prohibit the capture or killing of beaver within the Commonwealth of Pennsylvania and providing penalties for the violation of its provisions" approved the seventeenth day of March one thousand nine hundred and three (Pamphlet Laws twenty-eight) absolutely

XXIV An act entitled "An act to provide for the appointment of deputy game protectors for the Commonwealth of Pennsylvania and defining their duties" approved the eleventh day of April one thousand nine hundred and three (Pamphlet Laws one hundred and sixty-three) absolutely

XXV An Act entitled "An Act fixing the liability for record costs in cases where officers whose duty it is to enforce the game laws of this Commonwealth fail for any legal cause to receive the same from the defendant" approved the sixteenth day of April one thousand nine hundred and three (Pamphlet Laws two hundred and thirteen) absolutely

XXVI An act entitled "An act to provide for the appointment of special deputy game protectors for the Commonwealth of Pennsylvania and defining their duties and powers" approved the eighteenth day of April one thousand nine hundred and five (Pamphlet Laws two hundred and one) absolutely

XXVII An act entitled "An act to provide for the protection and preservation of game game-quadrupeds and game-birds and song insectivorous and other wild birds and prescribing penalties for violation of its several provisions" approved the twenty-second day of April one thousand nine hundred and five (Pamphlet Laws two hundred and forty-eight) absolutely

XXVIII An act entitled "An act regulating the hunting and killing and possession of wild-water-fowl in the Commonwealth of Pennsylvania and prescribing penalties for violation of its provisions approved the fifteenth day of April one thousand nine hundred and seven (Pamphlet Laws sixty-three) number fifty-seven absolutely

XIX An act entitled "An act to provide for the better protection of deer in the Commonwealth of Pennsylvania and prescribing penalties for violation of its several provisions" approved the fifteenth day of April one thousand nine hundred and seven (Pamphlet Laws seventy) absolutely

XXX An act entitled "An act to provide for the taking or killing of rabbits or hares in this Commonwealth and prescribing penalties for violation of its several provisions" approved the fifteenth day of April one thousand nine hundred and seven (Pamphlet Laws seventy-two) absolutely

XXXI An act entitled "An act to amend sections six and twenty-three of the act entitled 'An act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions' approved the twenty-second day of April Anno Domini one thousand nine hundred and five changing the open season for ruffed-grouse commonly called pheasant prohibiting the killing of game birds in the night-time limiting the kind of guns to be used in killing game regulating prosecutors for the violation of the provisions of this act and the disposition of the fines and penalties imposed therefor" approved the fifteenth day of April one thousand nine hundred and seven (Pamphlet Laws seventy-four) absolutely

XXXII Sections two three and four of an act entitled "An act to provide for the better protection and preservation of song and insectivorous birds and other wild birds and providing penalties for violation of its several provisions" approved the eighth day of May one thousand nine hundred and seven (Pamphlet Laws one hundred and eighty-six) absolutely

XXXIII An act entitled "An act prohibiting the use of automatic guns for the killing of game or wild-birds within this Commonwealth and prescribing a penalty for violation of its provisions" approved the thirty-first day of May one thousand nine hundred and seven (Pamphlet Laws three hundred and twenty-nine) absolutely

XXXIV An act entitled "An act to give additional protection to wild birds and animals and game within the Commonwealth of Pennsylvania prohibiting the hunting for or capture or killing of such wild birds or animals or game by unnaturalized foreign-born residents forbidding the ownership or possession of shot gun or rifle by any unnaturalized foreign-born resident within the Commonwealth and prescribing penalties for violation of its provisions" approved the eighth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred and sixty-six) absolutely

XXXV An act entitled "An act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received" approved the seventeenth day of April one thousand nine hundred and thirteen (Pamphlet Laws eighty-five) absolutely

XXXVI An act entitled "An act to provide for the better protection and preservation of deer and elk squirrels and certain birds classed as game-birds within the Commonwealth providing a method through which certain lands in the Commonwealth may be closed to hunting for a term of years and prescribing penalties for violation of its several provisions" approved the ninth day of April one thousand nine hundred and fifteen (Pamphlet Laws seventy-three) absolutely

XXXVII An act entitled "An act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same and providing the method of furnishing evidence of said destruction and penalties for the violation of the several provisions hereof" approved the fifteenth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and twenty-six) absolutely

XXXVIII An act entitled "An act providing for the establishment regulation and maintenance by the Board of Game Commissioners of State Game Preserves on the Forestry Reservations and elsewhere and providing penalties for violation of this act" approved the sixteenth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and thirty-five) absolutely

XXXIX An act entitled "An act to give additional protection to wild birds and animals and game within the Commonwealth of Pennsylvania prohibiting the hunting for or capture or killing of such wild birds or animals or game by unnaturalized foreign-born residents forbidding the ownership or possession of dogs by any unnaturalized foreign-born resident within the Commonwealth and prescribing penalties for violation if its provisions" approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred and forty-four) absolutely

XL An act entitled "An act for the better protection of wild animals and birds and game within this Commonwealth requiring non-residents to procure a license before hunting in this Commonwealth providing penalties for violation of any of its several provisions and prescribing the disposition of license fees and penalties received" approved the third day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred fifty-one) absolutely

XLI An act entitled "An act to provide for the protection and preservation of game game-quadrupeds and game birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws five hundred and seventy-two) absolutely

XLII An act entitled "An act to amend sections one three and four of an act approved the eighth day of May one thousand nine hundred and nine entitled 'An act to give additional protection to wild birds and animals and game within the Commonwealth of Pennsylvania prohibiting the hunting for or capture or killing of such wild birds or animals or game by unnaturalized foreign-born residents forbidding the ownership or possession of shot-gun or rifle by any unnaturalized foreign-born resident within the Commonwealth and prescribing penalties for violation of its provisions' by providing that pistol and firearm of any kind be added to the firearms enumerated in said act" approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and seventy-nine) absolutely

XLIII An act entitled "An act to amend section twelve of the act of April seventeenth one thousand nine hundred and thirteen entitled 'An act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received by making available these funds as soon as paid into the State Treasury" approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and ninety-six) absolutely

XLIV An act entitled "An act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same and providing the method of furnishing evidence of said destruction and penalties for the violation of the several provisions hereof" approved the twenty-third day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and seventy) absolutely

XLV An act entitled "An act providing a method for the abatement of the penalty as fixed by law for killing by mistake a deer or an elk in this Commonwealth" approved the twenty-third day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and eighty-four) absolutely

XLVI An act entitled "An act taking protection from the red squirrel and changing the open season for blackbirds" approved the fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws three hundred and ninety-nine) absolutely

XLVII An act entitled "An act relating to the disposition of penalties collected under the provisions of the act of May eighth one thousand nine hundred and nine amended by the act of July eleventh one thousand nine hundred and seventeen (Pamphlet Laws four sixty-six and seven seventy-nine respectively) also the act of June first one thousand nine hundred and fifteen (Pamphlet Laws six forty-four) relating to the possession by unnaturalized foreign born residents of firearms and dogs respectively" approved the seventh day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred and twenty-three) absolutely

XLVIII An act entitled "An act authorizing the Board of Game Commissioners or the Conservation Commission to acquire through purchase or gift lands for game-preserve purposes" approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and thirty-three) absolutely

XLIX An act entitled "An act to amend section three of an act entitled 'An act to provide for the appointment of Game Commissioners for the Commonwealth of Pennsylvania defining their duties and empowering them to appoint game protectors approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-fie as amended by the Act of the fifteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred sixty) as further amended by the act of the twenty-second day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred sixty eight) authorizing the Board of Game Commissioners to increase its force of game protectors to eighty if so many be needed" approved the twelfth day of July one thousand nine hundred and twelve (Pamphlet Laws nine hundred and thirty- two) absolutely

L An act entitled "An act providing for the establishment of auxiliary State game preserves" approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand fifty-nine) absolutely

LI An act entitled "An act to amend section one of an act approved the twenty-third day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and seventy) entitled 'An act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same and providing the method of furnishing evidence of said destruction and penalties for the violation of the several provisions hereof" approved the first day of April one thousand nine hundred and twenty-one (Pamphlet Laws ninety) absolutely

LII An act entitled "An act to further amend section four and amend section six of an act approved the seventeenth day of April one thousand nine hundred and thirteen (Pamphlet Laws eighty-five) entitled 'An act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received'" approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred and fifty-nine) absolutely

LIII An act entitled "An act to amend and further amend sections five seven fourteen fifteen sixteen nineteen twenty-one twenty-two and twenty-six of an act approved the seventh day of June one thousand nine hundred seventeen (Pamphlet Laws five hundred seventy-two) entitled 'An act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violaition of its several provisions' sections fourteen and fifteen previously having been amended" approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and fifty-three) absolutely

LIV An act entitled "An act to amend section twenty-four of an act approved the seventh day of June one thousand nine hundred seventeen (Pamphlet Laws five hundred seventy-two) entitled 'An act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and twenty-six) absolutely

LV An act entitled "An act to amend section eight of an act approved the seventeenth day of April one thousand nine hundred and thirteen (Pamphlet Laws eighty-five) entitled 'An act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the law of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received' " approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and thirty-two) absolutely

LVI An act entitled "An act relating to the taking of certain fur-bearing animals" approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred) absolutely

LVII All other acts or parts of acts inconsistent herewith are hereby repealed Provided however this act shall not repeal or in any manner affect any of the provisions of an act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An act relating to dogs and the protection of livestock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to livestock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain state county city borough town and township officers and employees directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" or any of its amendments

Section 1302 SAVING CLAUSE The repeal of any of the aforesaid acts of Assembly shall not effect any prosecution pending at the date of the passage of this act nor prevent the institution of any prosecutions for violations of any of the provisions of the aforesaid acts committed prior to the passage of this act but all such pending prosecutions shall be terminated and all such violations shall be prosecuted in the same manner and under the same authority and with like effect as prior to the passage of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shal the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Baldwin,
Barr,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Huffman,
Joyce,
Krause,
Long,
MacDade,
Mansfield,
Patton,
Phipps,
Quigley,
Schantz,
Sisson,
Smith,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—4.

Betts,
Homsher,
Lanius,
Snyder,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 661, (House Bill No. 276), entitled:

An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior Acts of Assembly

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
Patton,
Phipps,
Quigley,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 695, (House Bill No. 593), entitled:

An act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
Patton,
Phipps,
Quigley,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed said bill without amendments.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 763, as follows:

An Act relating to the preparation of a new Constitution of the Commonwealth by a convention and its adoption or rejection by the people and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at the general election for the year one thousand nine hundred and twenty-four the question "Shall a constitutional convention be held in the year one thousand nine hundred and twenty-six as provided in the act of Assembly approved the........ day of........ one thousand nine hundred and twenty-three" (intersecting the date of the approval of this act) followed by the words "yes" and "no" in appropriate voting blocks shall be printed upon the official ballots to be used at such election as provided by the election laws of the Commonwealth for the submission of questions to the vote of the people Below the said question shall appear the words "voters favoring the holding of a constitutional convention in the year one thousand nine hundred and twenty-six will mark a cross (X) to the right of the word 'yes' those opposing the holding of a convention will mark a cross (X) to the right of the word 'no' "

Section 2 If a majority of the electors who shall vote upon the aforesaid question shall favor the holding of a constitutional convention the said convention shall convene in the Hall of the House of Representatives in the State Capital in the city of Harrisburg on the second Tuesday of January one thousand nine hundred and twenty-six at twelve o'clock noon and shall include its sessions not later August first one thousand nine hundred and twenty-six said delegates to said convention shall be nominated and elected as hereinafter provided

Section 3 The said constitutional convention if authorized by the electors as hereinbefore provided shall consist of three district delegates from each Senatorial district within the Commonwealth as said districts are constituted at the time of the election

Section 4 If the electors vote in favor of the convention nominations for district delegates to the said constitutional convention shall be made at the primary election for the year one thousand nine hundred and twenty-five The names of candidates for nomination shall be printed upon the official ballot of each political party upon the filing of nomination petitions in their behalf in the office of the Secretary of the Commonwealth at least forty days before the date of the said primary Such nomination petitions for district delegates shall be in the form required by law for the nomination of candidates for the office of Senator in the General Assembly and shall be signed by at least two hundred qualified electors of the Senatorial districts within which the respective candidates shall reside as provided by law

The Secretary of the Commonwealth in forwarding to the county commissioners of each county a list of the candidates for the various offices to be nominated at the said primary election shall include the names of the candidates of each party for delegates to be the constitutional convention

Each elector voting at such primary shall be entitled to vote for two candidates for district delegates to such constitutional convention

The county commissioners or the proper return judges shall make the proper certificates of return of votes cast for the candidates for nomination for the office of delegate to the constitutional convention to the Secretary of the Commonwealth

The two candidates of any political party receiving the largest number of votes at the said primary election shall be the nominees of such party for delegates from the Senatorial district within which such candidates reside

Section 5 Nominations for district delegates to said constitutional convention if authorized as hereinbefore provided may also be made by nomination papers in the manner provided by law for the nomination by nomination papers of candidates for Senator in the General Assembly

Section 6 If the electors at the said election for the year one thousand nine hundred and twenty-four shall authorize the holding of a constitutional convention as hereinbefore provided district delegates to such convention shall be elected at the municipal election for the year one thousand nine hundred and twenty-five

The ballots for use at such municipal election in the several Senatorial districts of the Commonwealth shall contain the names of the candidates for district delegates from such districts nominated as hereinbefore provided Each elector voting at such municipal election shall be entitled to vote for two district delegates to such constitutional convention and the three candidates for district delegates in each district receiving the highest vote shall be the district delegates from such district to the constitutional convention

Section 7 Returns of the said election shall be made by the proper prothonotary or return judges to the Secretary of the Commonwealth who shall certify the result to the Governor who shall thereupon declare by proclamation the names of the persons duly elected Any vacancies occurring in the office of delegate to said constitutional convention may be filled by vote of the remaining delegates

Section 8 If a constitutional convention be authorized as hereinbefore provided it shall be called to order by the Governor and it shall immediately organize by electing a president secretary and such other officers as shall be necessary for the transaction of its business It shall have the power to adopt rules of procedure finally to determine the election and qualification of delegates and generally to adjourn to such time or times and such place or places as it shall determine

Section 9 It shall be the duty of such constitutional convention to consider the constitution recommended by "The Commission on Constitutional Amendment and Revision" appointed under the act approved the fourth day of June Anno Domini one thousand nine hundred nineteen

The convention may submit a proposed constitution as a whole or may submit separately such parts thereof as it may determine Provided That one-third of all the members of the convention shall have the right to require the separate and distinct submission to a popular vote of any change and amendment proposed by the convention

The convention shall also frame the question necessary to elicit from the electors their approval or rejection of the said proposed constitution and of any parts to be separately submitted in brief form and so that they can be answered by either the word "yes" or the word "no"

Section 10 Such constitution as may be proposed by the constitutional convention shall be engrossed and signed by the president and secretary of the convention and shall be delivered to the Secretary of the Commonwealth not later than the first Monday of September of the year one thousand nine hundred and twenty-six The Secretary of the Commonwealth shall enter the proposed constitution upon the records of his office He shall publish the said proposed constitution in at least two newspapers in every county of the State wherein said number of newspapers may be published once during the week immediately preceding the election and shall publish the same in convenient form and send a copy thereof to every elector in the Commonwealth making application therefor He shall also cause to be sent through the county commissioners to each polling place in the Commonwealth in sufficient time to be there available to persons voting thereat at least ten copies of the proposed constitution so published for the use of voters desiring to consult the same while in the polling place

The question framed by the convention as aforesaid shall be by said convention certified to the Secretary of the Commonwealth who shall in turn at least thirty days before the general election of one thousand nine hundred and twenty-six certify the same to the county commissoners of the several counties The question so certified shall be printed on the official ballot to be used at such general election followed by the words "yes" and "no" and appropriate voting blocks as provided by the election laws of the Commonwealth for the submission of questions to the vote of the people

Section 11 The constitution and any parts thereof to be submitted separately proposed by such constitutional convention shall be submitted to the qualified electors of the Commonwealth for their approval or rejection at the general election in the year one thousand nine hundred and twenty-six A majority of the electors voting upon the adoption or rejection of the proposed constitution shall be necessary for its adoption Such proposed constitution and any parts thereof submitted separately if approved by a majority of the electors voting thereon shall become effective unless the proposed constitution or the schedule thereto shall otherwise provide upon the first day of January one thousand nine hundred and twenty-seven Returns of the vote cast for and against the proposed constitution and for and against any parts thereof submitted separately as hereinbefore provided shall be canvassed as provided by law and shall be certified by the prothonotary of every county to the Secretary of the Commonwealth who shall compute the same and certify the results to the Governor If from said certificate it shall appear that the proposed constitution and any parts thereof submitted separately shall have been adopted by the people the Governor shall immediately make proclamation thereto

Section 12 The members of the constitutional convention if held as provided by this act shall each receive a salary of one thousand dollars ($1,000) payable in five equal instalments an allowance for traveling expenses of twenty cents per mile circular for one session and an allowance for postage stationery and contingencies of one hundred dollars ($100)

The convention shall have the power to employ and to fix the compensation of a secretary and such officers assistants clerks and other employes as shall be deemed necessary to carry out the provisions of this act

Section 13 It is the intent of this act that the procedure provided for the nomination and election of district delegate shall be the same as that provided by law for the nomination and election of Senators in the General Assembly and matters relating to the nomination and election of degate not expressly covered by this act shall be governed by the laws relating to the nomination and election of such Senators

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. LONG. Mr. President, I ask unanimous consent to amend page 2, section 3, line 22, by inserting after the word "election" the words "A district delegate shall be at least twenty-five years of age, a citizen of the United States of America for at least five years, a citizen and inhabitant of the Commonwealth for at least four years, but may or may not be an inhabitant of the Senatorial District from which he or she shall be elected a delegate"; also on page 3, section 4, line 8, by inserting after the word "assembly" the words "except that a candidate may or may not be an inhabitant of the Senatorial District in which he or she is a candidate"; also line 11, by striking out after the words "shall reside as provided by law", and inserting in lieu thereof the words "are to be nominated"; also page 2, section 2, line 14, by striking out after the word "shall" the word "include" and inserting in lieu thereof the word "conclude."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 786, entitled:

A supplement to an act approved the twenty-first day of March one thousand nine hundred twenty-three entitled "An act for the prevention of fraud and the protection of the public health relating to milk cream or skimmed milk whether or not condensed evaporated concentrated dried powdered or dessicated prohibiting the introduction of foreign fats into them regulating the sale of and defining condensed concentrated and evaporated milk stipulating penalties or the infraction thereof and providing for the enforcement thereof" defining condensed and evaporated skimmed milk and compounds thereof regulating the manufacture sale and exchange thereof" and providing penalties

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,

Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,

MacDade,
Mansfield,
Patton,
Phipps,
Quigley,
Schantz,
Sisson,
Smith,
Snyder,
Sones,

Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 824, (House Bill No. 740), entitled:

To amend section four hundred and eighty-seven of article one of chapter ten of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,

Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,

MacDade.
Mansfield,
Patton,
Phipps,
Quigley,
Schantz,
Sisson,
Smith,
Snyder,
Sones,

Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 837, (House Bill No. 880), entitled:

An Act to amend section two hundred and seven of an act approved the eighteenth day of May, one thousand nine-hundred and eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
Patton,
Phipps,
Quigley,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 844, (House Bill No. 924), entitled:

An act to amend part of section one of an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
Patton,
Phipps,
Quigley,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 904, (House Bill No. 134), entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section sixteen

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Baldwin,
Barr,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Joyce,
Krause,
Long,
MacDade,
Mansfield,
Patton,
Phipps,
Quigley,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—4.

Betts,
Huffman,
Lanius,
Sprowls,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 916, (House Bill No. 358), entitled:

An Act to amend sections one and eighteen of the act approved May sixteen one thousand nine hundred and twenty-one (Pamphlet Laws five hundred fifty-nine) entitled "An Act for the better protection of fish requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth or in the waters bounding or adjacent thereto and regulating the issuance of such license providing penalties for the violation of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties recovered and license fees received" changing the age limit of persons required to procure licenses and providing for the purchase with surplus moneys of land and water and the impounding of waters

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—17.

Baldwin,
Barr,
Betts,
Brown,
Christley,
Clark,
Culberston,
Davis,
Harris,
Heaton,
Homsher,
Long,
Mansfield,
Phipps,
Sprowls,
Stineman,
Eyre,
Pres. Pro Tem.

NAYS—13.

Buckman,
Craig,
Derrick,
DeWitt,
Huffman,
Krause,
Lanius,
MacDade,
Sisson,
Snyder,
Vare,
Steele,
Woodward,

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 920 (House Bill No. 448), on third reading, entitled:

An Act requiring the display of the United States flag at all polling places providing for its purchase by the county commissioners and its care between elections

be recommitted to the Committee on Military Affairs.

Mr. PHIPP. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. STINEMAN. Mr. President, I ask that Senate Bill No. 984, on third reading, entitled:

An Act granting water companies organized after April 13, 1905, the right of eminent domain, and requiring such water companies, and also water companies incorporated under Clause eighteen, section two, of the act approved April 29, 1874, entitled "An Act to provide for the incorporation and regulation of certain corporations," to secure certificates from the Water Supply Commission prior to the exercise of the power of condemnation.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITED.

Mr. CLARK . Mr. President, I move that Senate Bill No. 1013 (House Bill No. 667), on third reading, entitled:

An Act providing for the return by the Board of Game Commissioners to persons entitled thereto of moneys erroneously paid into the State Treasury

be recommitted to the Committee on Game and Fisheries for further consideration.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1025, House Bill No. 955), entitled:

An Act making an appropriation to the legal representative of the estate of Honorable Samuel A. Whitaker deceased elected a Representative in the General Assembly of the Commonwealth from Chester County

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
Patton,
Phipps,
Quigley,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1029, (House Bill No. 1034) entitled:

An Act to promote the health and efficiency of firemen in cities of the first class by providing for a two-platoon system for the certain officers of the uniformed fire force of the Department of Public Safety of such cities

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
Patton,
Phipps,
Quigley,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. SMITH. Mr. President, I move that Senate Bill No. 1055, on third reading, entitled:

An act to amend section one hundred of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

be recommitted to the Committee on New Counties and County Seats.

Mr. STINEMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 80, as follows:

An Act to repeal the act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions" and the amendments and supplements thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions" and the amendments and supplements thereto are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. JOYCE. Mr. President, I move that Senate Bill No. 80, the bill just read, be recommitted to the Committee on Elections.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 81, as follows:

An Act to amend sections two three four and six of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand and forty-three) entitled "An act to provide for the registration and enrollment of the voters of the State according to their respective party preferences fixing the compensation of assessors and registry assessors for making said registration and enrollment and prescribing penalties for false registration or enrollment and for voters voting or attempting to vote and for election officers wilfully permitting or conspiring to permit them to vote at a primary by or on any other than their own party ticket" providing for the enrollment of electors in cities of the third class by assessors and registry assessors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand and forty-three) entitled "An act to provide for the registration and enrollment of the voters of the State according to their respective party preferences fixing the compensation of assessors and registry assessors for making said registration and enrollment and prescribing penalties for false registration or enrollment and for voters voting or attempting to vote and for election officers wilfully permitting or conspiring to permit them to vote at a primary by or on any other than their own party ticket" which reads as follows

"Section 2 In all election districts in cities of the first second and third classes where personal registration is required any elector desiring to participate in the primaries of any party shall at the time of registration state under oath to the registering officers the name of the party of which he is a member and whose ballot he desires to vote at the primaries and it shall then be the duty of the proper registering officers to write the name of such party opposite the name of the elector on the registration list in a column which it is hereby made the duty of the Registration Commissioners to provide in the registration books for that purpose If any elector about to register and enroll as a member of a party is challenged he shall not be registered as a member of that party unless he makes oath before the said registrars that at the last preceding November election at which he voted he voted for a majority of the candidates of that party Provided however That the group of Presidential electors shall be counted as two candidates And provided further That any qualified voter may enroll as a member of any party which has secured by order of the court of common pleas of Dauphin County the exclusive use of a party name or political appellation for the ensuing primary If a voter does not desire to vote at a primary election he shall not be required to answer as to his party affiliation or membership an dsuch party affiliation or membership shall not be recorded

When an elector in cities of the first second and third classes registers his political party at the fall registration he may vote the ballot of that party at the succeeding fall and spring primary Should be change his political affiliation by voting for a majority of candidates of some other party at the November election and desire to change his party vote at the spring primary he may appear before the registrars of his division at the spring registration and upon taking oath that at the preceding November election he voted for a majority of candidates of some other party it shall be the duty of the registrars to change his political designation on the register and if otherwise qualified he may vote the ballot of the said party at the spring primary Any elector who has registered at the fall registration but did not designate his political party may appear before the registrars of his division at the spring registration and under oath designate the party of which he is a member and for whom he desires to vote at the ensuing spring primary provided he takes oath if challenged and that at the last preceding November election at which he voted he voted for a majority of the candidates of that part and if otherwise qualified he may vote the ballot of said party at the spring primary Provided however That the group of Presidential electors shall be counted as two candidates And provided further That any qualified elector may enroll as a member of any party which has secured by order of the court of common pleas of Dauphin County the exclusive use of a party name or political appellation for the ensuing primary" is hereby amended to read as follows

Section 2 In all election districts in cities of the first and second classes where personal registration is required any elector desiring to participate in the primaries of any party shall at the time of registration state under oath to the registering officers the name of the party of which he is a member and whose ballot he desires to vote at the primaries and it shall then be the duty of the proper registering officers to write the name of such party opposite the name of the elector on the registration list in a column which it is hereby made the duty of the Registration Commissioners to provide in the registration books for the purpose If any elector about to register and enroll as a member of a party is challenged he shall not be registered as a member of that party unless he makes oath before the said registrars that at the last preceding November election at which he voted he voted for a majority of the candidates of that party Provided however That the group of Presidential electors shall be counted as two candidates And provided further That any qualified voter may enroll as a member of any party which has secured by order of the court of common pleas of Dauphin County the exclusive use of a party name or political appellation for the ensuing primary If a voter does not desire to vote at a primary election he shall not be required to answer to his party affiliation or membership and such party affiliation or membership shall not be recorded

When an elector in cities of the first and second classes registers his political party at the fall registration he may vote the ballot of that party at the succeeding fall and spring primary Should he change his political affiliation by voting for a majority of candidates of some other party at the November election and desire to change his party vote at the spring primary he may appear before the registrars of his division at the spring registration and upon taking oath that at the preceding November election he voted for a majority of candidates of some other party it shall be the duty of the registrars to change his political designation on the register and if otherwise qualified he may vote the ballot of the said party at the spring primary Any elector who has registered at the fall registration but did not designate his political party may appear before the registrars of his division at the spring registration and under oath designate the party of which he is a member and for whom he desires to vote at the ensuing spring primary provided he takes oath if challenged that at the last preceding November election at which he voted he voted for a majority of the candidates of that party and if otherwise qualified he may vote the ballot of said party at the spring primary Provided however That the group of Presidential electors shall be counted as two candidates And provided further That any qualified elector may enroll as a member of any party which has secured by order of the court of common pleas of Dauphin County the exclusive use of a party name or political appellation for the ensuing primary

Section 2 That section three of said act which reads as follows

"Section 3 In all election districts (other than in cities of the first second and third classes) the assessors or registry assessor shall within forty-five days after the approval of this act make enrollment of each voter residing within the district in which he is authorized to make an assessment and registration of voters and thereafter at the time of making the annual assessment in addition to the duties now authorized and required by law make an enrollment of all voters in his district Said assessor or registry assessor shall leave at the residence of each and every voter in his district found to be absent when his residence is visited by the assessor or registry assessor at the time of making the annual assessment a certificate of enrollment which shall be in the following form

Certificate of Enrollment

Date ....191..

I ....a duly qualified voter residing in ....election district hereby declare that I desire to be enrolled as a member of the .... party and express my desire to vote the ticket of the .... party at the .... primary election next ensuing and request that my name be enrolled on the assessor's list as a member of said party for the purpose of participating in said primary or primaries

....
(Signature of Elector)
Witness ....
....
(Address)

The above certificate of enrollment shall be furnished to each assessor or registry assessor by the county commissioners of the various counties at the time of the delivery of said assessor's books by the county commissioners" is hereby amended to read as follows

Section 3 In all election districts (other than in cities of the first and second classes) the assessors or registry assessor shall within forty-five days after the approval of this act make an enrollment of each voter residing within the district in which he is authorized to make an assessment and registration of voters and thereafter at the time of making the annual assessment in addition to the duties now authorized and required by law make an enrollment of all voters in his district Said assessor or registry assessor shall leave at the residence of each and every voter in his district found to be absent when his residence is visited by the assessor or registry assessor at the time of making the annual assessment a certificate of enrollment which shall be in the following form

Certificate of Enrollment

Date ....191..

I ....a duly qualified voter residing in .... election district hereby declare that I desire to be enrolled as a member of the .... party and express my desire to vote the ticket of the .... party at the .... primary election next ensuing and request that my name be enrolled on the assessor's list as a member of said party for the purpose of participating in said primary or primaries

....
(Signature of Elector)
Witness ....
....
(Address)

The above certificate of enrollment shall be furnished to each assessor or registry assessor by the county commissioners of the various counties at the time of the delivery of said assessor's books by the county commissioners

Section 3 That section four of said act which reads as follows

"Section 4 The assessor or registry assessor making the enrollment in districts other than in cities of the first second and third classes shall ascertain if possible at the time of making the annual assessment by personal inquiry of the elector the party politics preferences or affiliations of the elector and note and record the same with the residence and other particulars required in making the assessment and in case the elector is not at his residence at the time the said assessor or registry assessor visits the residence of the elector he shall leave a certificate of enrollment which the elector may fill out and give to the assessor or registry assessor at some time prior to or on the sixty-second or sixty-third day preceding each primary at which time said assessor or registry assessor shall sit at the polling place and receive said certificate at which time the same shall be recorded by the assessor or registry assessor in the register" is hereby amended to read as follows

Section 4 The assessor or registry assessor making the enrollment in districts other than in cities of the first and second classes shall ascertain if possible at the time of making the annual assessment by personal inquiry of the elector the party politics preferences or affiliations of the elector and note and record the same with the residence and other particulars required in making the assessment and in case the elector is not at his residence at the time the said assessor or registry assessor visits the residence of the elector he shall leave a certificate of enrollment which the elector may fill out and give to the assessor or registry assessor at some time prior to or on the sixty-second or sixty-third day preceding each primary at which time said assessor or registry assessor shall sit at the polling place and receive said certificate at which time the same shall be recorded by the assessor or registry assessor in the registry

Section 4 That section six of said act which reads as follows

"Section 6 If an elector in district other than in cities of the first second and third classes enrolled as a member of a party is challenged at the primaries as to his party enrollment he shall make oath before the election officers that at the last preceding November election at which he voted for a majority of the candidates of the party Provided however That the group of Presidential electors shall be counted as two candidates"

is hereby amended to read as follows

Section 6 If an elector in districts other than in cities of the first and second classes enrolled as a member of a first and second classes enrolled as a member of a party is challenged at the primaries as to his party enrollment he shall make oath before the election officers that at the last preceding November election at which he voted for a majority of the candidates of that party Provided however That the group of presidential electors be counted as two candidates

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITED.

Mr. JOYCE. Mr. President, I move that Senate Bill No. 81, the bill just read, be recommitted to the Committee on Elections.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the third reading and consideration of Senate Bill No. 101, as follows:

An Act for the registration and regulation of certain individuals and entities selling offering for sale or delivery soliciting subscriptions to or orders for or undertaking to dispose of inviting offers for or inquiries about or dealing in any manner in securities defined herein conferring powers and imposing duties on the Commissioner of Banking and otherwise providing for the administration of this act prescribing penalties and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 This act shall be known and may be cited as "The Securities Act"

Section 2 The following terms shall unless the context otherwise indicates have the following respective meanings

(a) The terms "security" or "securities" shall include any bond stock certificate under a voting trust agreement treasury stock note debenture certificate in or under a profit-sharing or participation agreement subscription or reorganization certificate oil gas or mining lease or cersificate of any interest in or under the same evidence of indebtedness or any certificate or instrument representing or secured by an interest in the capital assets or property of any corporation unincorporated organization association trust or public corporation or body or any other instrument commonly known as a security

(b) The term "company" shall include a corporation part-stock company partnership association company syndicate trust incorporated or unincorporated heretofore or hereafter formed under the laws of this state or any other state or territory of the United States or any foreign state or country as used herein The term "trust shall be deemed to include a common law trust but shall not include a trust created or appointed under or by virtue of a last will and testament or by a court of law or equity

(c) The term "dealer" shall include every person or company other than a salesman who engages for profit in this state either for all or part of his time directly or through an agent in selling offering for sale or delivery or soliciting subscriptions to or orders for or undertaking to dispose or to invite offers for or inquiries about or dealing in any manner in any security or securities within this state

None of the following transactions shall constitute the person or company engaging therein a "dealer" within the meaning of this act that to say a sale offer for sale solicitation subscription invitation dealing in or delivery

(1) Of a security issued or guaranteed by any of the following the United States of America or a state or territory insular possession political sub-division or agency thereof the District of Columbia a national bank corporation created or acting as an instrumentality of the Government of the United States pursuant to the authority of Congress

(2) At any judicial executor's administrator's guardian's committee's or conservator's sale or at any sale by a receiver or trustee in insolvency or bankruptcy

(3) In an isolated transaction in which any security is sold or offered for sale subscription or delivery by the owner thereof or by his representative or agent for the owner's account such sale or offer for sale subscription or delivery not being made in the course of repeated and successive transactions of a like character by such owner or on his account by such representative or agent and such owner or representative or agent not being the underwriter of such security

(4) By or for the account of a pledge holder or mortgagee selling or offering for sale or delivery in the ordinary course of business to liquidate a bona fide debt a security pledged in good faith as security for such debt

(5) To any bank savings institution or trust company created under the laws of this Commonwealth or to any person or company registered under the provisions of this act

(6) Wherein the securities disposed of consist exclusively of unsecured commercial paper

(7) Wherein the securities disposed of consist exclusively of mortgages upon real or personal property situated in Pennsylvania and the entire mortgage is sold or transferred with the note or notes secured thereby

(8) Wherein the issuer a company organized under the laws of this state disposes of its own securities in good faith and not for the purpose of avoiding the provisions of this act for the sole account of the issuer without any commission or fee and at a total expense of not more than three per centum of the proceeds realized thereon and where no part of the issue is used directly or indirectly in payment for patents services good will or for property located outside of this state

(9) Wherein the securities are the securities of any corporation organized under the laws of this State whose authorized capital stock added to its other outstanding securities does not exceed twenty-five thousand dollars ($25,000) shares of stock without nominal ro par value being considered for the purpose of this act to be of one hundred dollars ($100) each and such securities are issued and disposed of for the sole account of the issuer in good faith and not for the purpose of avoiding the provisions of this act

(10) In the original issuance and sale of any corporation organized under the laws of this State of its stock issued in good faith and not for the purpose of avoiding the provisions of this act for the sole account of the issuer so long as the number of stockholders of said corporation does not exceed twenty-five (25) and the securities are issued and disposed of without the use of advertisements circulars agents salesmen solicitors or any form of public solicitation

(11) The distribution by a corporation of capital stock bonds or other security to its stockholders as stock dividend or other distribution out of earnings or surplus or the issue of securities to the security holders or other creditors of a corporation in the process of a bona fide reorganization of such corporation made in good faith either in exchange for the securities of such security holders or claims of such creditors or partly for cash and partly in exchange for the securities or claims of such security holders or creditors or the issue of increased capital stock of a corporation sold or distributed by it entirely among its own stockholders

(12) The transfer or exchange by or on account of one corporation to another corporation of their own securities in connection with a proposed consolidation or merger of such corporations

(d) The term "salesman" shall except as provided in section four include every person or company employed or appointed or authorized by a dealer to sell offer for sale or deliver or solicit subscriptions to or orders for or dispose of inquiries about or deal in any manner in securities within this State whether by direct act or thriugh sub-agents

(e) The term "commissioner" shall mean the Commissioner of Banking of the Commonwealth of Pennsylvania

(f) The terms "fraud" "fraudulent" or "fraudulent practice" shall include any misrepresentation in any manner of a relevant fact not made honestly and in good faith any promise or representation or predication as to the future not made honestly and in good faith or an intentional failure to disclose a material fact the gaining directly or indirectly through the sale of any security of an underwriting or promotion fee or profit selling or managing commission or profit so gross and exorbitant as to be unconscionable and fraudulent and any scheme device or other artifice to obtain such a profit fee or commission provided however that nothing herein shall limit or diminish the full meaning of the terms "fraud" and "fraudulent" as applied or accepted in courts of law or equity

Section 3 No. dealer shall by direct solicitation or through agents or salesmen or by letter telephone telegraph circular or advertising sell offer for sale tender for sale or delivery or solicit subscriptions to or orders for or dispose or undertake to dispose of or invite offers for or inquiries about any securities within this state without first being registered as in this act provided No salesman or agent shall in behalf of any dealer sell offer for sale tender for sale or delivery or solicit subscriptions to or orders for or dispose or undertake to dispose of or invite offers for or inquiries about any securities within this state unless registered as a salesman or agent of a dealer under the provisions of htis act The list of dealers agents or salesman registered under the provisions of this act shall at all times be open to the public

Section 4 The employes of a company subject to the provisions of the Public Service Company Law of Pennsylvania shall not for the purpose of registration be considered as salesmen or agents within the meaning of this act and shall not be required as to securities issued by such company or as to securities issued by a company subject to regulation by the Interstate Commerce Commission which latter Company controls directly or otherwise such other company to procure registry certificates to enable such employes acting for either of such companies and no other or for a securities company owned or controlled by either of them and engaged in promoting the distribution of such securities as incidental to their regular employment to sell or solicit or negotiate for the sale or purchase of such securities in the territory served by the company by which they are employed Such employes shall however be subject to the provisions of this act to the same extent as though in fact registered as an agent or salesman thereunder

If the Commissioner has reason to believe that any such employe has in any way violated or is violating or is about to violate any of the provisions of this act or has reason to believe that such employe has been guilty of any fraud or fraudulent practice he may order such employe to cease and desist from the further sale of such securities Such order shall be made after notice and hearing and shall be subject to appeal as is herein provided for in the case of a revocation of an agent's or salesman's registration

Section 5 A dealer to be registered must submit a sworn application therefor to the Commissioner which shall be in such form as the Commissioner may determine and which shall state the principal place of business of the applicant wherever situated and the location of the principal place of business and all branch offices in this state if any the name or style of doing business and the address of the dealer the names residences and business addresses of all persons interested in the business as principals officers directors or managing agents specifying as to each his capacity and title the general plan and character of business of such applicant and the length of time during which the dealer has been engaged in business such application shall also contain such additional information as to applicant's previous history record and associations as may be required by the Commissioner Each application shall be accompanied by certificates or other evidences satisfactory to the Commissoner establishing the good repute in business of the applicant his directors officers copartners or principals If the applicant is a corporation organized under the laws of any other state or territory or government or shall have its principal place of business therein it shall accompany the application with a copy of its Articles of Incorporation certified by the proper officers of such state territory or government and of its regulations and by-laws if a limited partnership a copy of its Articles of co-partnership and if an unincorporated association organized under the laws of any other state territory or government or having its principal place of business therein a copy of its Articles of Association trust agreement or deed of settlement

Section 6 Every company organized under the Laws of any other state or having its principal office therein and every non-resident individual shall file with it or his application a written consent irrevocable that actions may be commenced against it or him in the proper court of any county of this Commonwealth in which the cause of action may arise or in which the plaintiff may reside by a service of process upon the Commissioner as its or his agent and stipulating and agreeing that such service of process shall be taken and held in all courts to be as valid and binding as if due service had been made upon the person or company itself according to the laws of this or any other state and such instrument shall be authenticated by the seal of such corporation or by the signature of all the members of such copartnership or by the signature of the president and secretary of the association if it is a corporation or association and shall be accompanied by a duly certified copy of the resolutions of the board of directors trustees or managers of the corporation authorizing the said secretary and president to execute the same

Section 7 If the Commissioner is satisfied that the applicant is of good repute and that the proposed plan of business of the applicant is not unfair unjust or inequitable he shall register the applicant and issue to him a registry certificate stating the principal place of business and address of the dealer the names residences and business addresses of all persons interested in the business as principals ifficers directors or managing agents and the fact that the dealer has been registered for the current calendar year as a dealer in securities Pending final disposition of an application the commissioner may for special cause show grant temporary permission revocable at any time and subject to such terms and conditions as the commissioner may prescribe to transact business as a dealer under this act

Section 8 If the Commissioner declines or fails to so register the applicant he shall immediately give notice of the fact to the applicant and upon request from such applicant filed within ten days after the receipt of such notice shall fix a time and place for hearing of which ten days' notice shall be given to such applicant and to other persons interested or protesting to offer evidence relating to the dealers application If satisfied as aforesaid as a result of said hearing the commissioner shall thereupon register the dealer

Section 9 The certificates shall in other respects be in such form as the Commissioner may determine Changes in the certificates necessitated by changes in the personnel of a partnership or in the principals officers directors or managing agents of any dealer may be made at any time upon written application setting forth the fact necessitating the change Upon the issue of the amended certificates the original certificate and the certified copies thereof outstanding shall be promptly surrendered to the Commissioner

Section 10 Upon written application by a registered dealer and upon satisfactory evidence as to the fitness and qualification the Commissioner shall register as agents or salesmen of such dealers such persons as the dealer may request The application shall be in such form as the Commissioner may prescribe and shall state the residences and addresses of the persons whose registration is requested together with such information as to such agent's or salesman's previous history record and associations as may be required by the Commissioner Such Application shall also be signed and sworn to by the agent or salesman for whom registration is requested The Commissioner shall issue to each person so registered a registration certificate stating his name residence and address of the dealer and the fact that he is registered for the current calendar year as an agent or salesman as the ase may be of the dealer The certificate shall in all other respects be in such form as the Commissioner shall determine Upon application by the dealer the registration of any agent or salesman shall be cancelled

Section 11 All registrations shall expire at the close of the calendar year but new registrations for the succeeding year shall be issued of course upon written application and upon payment of the fee as hereinafter provided without filing of further statements or furnishing any further information unless specifically requested by the Commissioner Applications for renewals must be made not less than thirty nor more than sixty days before the first day of January of the ensuing year All applications for renewals received otherwise shall be treated as original applications

Section 12 Any registered dealer may and any person or company named in the registration certificate as above provided as an agent or salesman may in behalf of any lealer sell offer for sale or delivery or solicit subscriptions to or orders for or dispose or undertake to dispose of or invite offers for or inquires about securities in this state But such dealer agent or salesman shall at all times when so engaged carry with him a registration certificate or a copy thereof certified by the Commissioner which shall at any time be shown to any prospective customers upon such customer's request

No dealer agent or salesman shall use the fact of his registry by public display or advertisement except as hereinafter expressly provided or the registry certificate or any certified copy thereof in connection with any sale or effort to sell any security except to a prospective customer upon such customer's request

Section 13 Immediately upon receipt of the dealer's registry certificate issued pursuant to the authority of this act the dealer named therein shall cause such certificate to be posted and at all times conspicuously displayed in such dealer's principal place of business if one is maintained in this state and shall likewise forthwith cause a duplicate of such certificate to be posted and at all times conspicuously displayed in each branch office located within this state

Section 14 No dealer agent or salesman shall issue or publish within this state any circlar advertisement pamphlet prospectus program or other matter in the nature thereof concerning any security or securities which such dealer handles or proposes to sell until such dealer shall have been registered or temporary permission obtained as in this act provided Nor shallany dealer agent or salesman issue or publish within this state any circular advertisement phamphlet prospectus program or other matter in the nature thereof concerning any security or securities to be sold or offered for sale unless the name of the dealer shall be subscribed thereto and a true copy thereof filed in the office of the Commissioner or deposited in a United States Post Office property enclosed envelope addressed to the Commissioner of Banking at Harrisburg Pennsylvania with the postage duly prepaid thereon Nor shall any dealer agent or salesman issue or publish within this state any circular advertisement pamphlet prospectus program or other matter in the nature thereof after notice in writing given to him by the Commissioner that in the Commissioner's opinion the same contains any statement that is false or misleading or otherwise likely to deceive a reader thereof

Section 15 The Commissioner may at any time require a dealer to file with him a list of securities which within this state he has offered for sale or has advertised within the preceeding six months or which he is at the time offering for sale or advertising or any portion thereof and thereupon if it shall appear that any of such offerings of the dealer have not been made honestly and in good faith but have been made with intent to deceive or defraud he may prohibit the dealer from selling or offering such securities as have been so sold or offered or from in any way advertising them within this State

Section 16 If the Commissioner at any time has reason to believe any dealer has in any way violated or is violating or is about to violate any of the provisions of this act or has been guilty of any fraud or fraudulent practice then the Commissioner may after hearing and having reasonable cause to believe that the dealer has been guilty of such offense revoke said dealer's registration Notice of the time and place of any such hearing shall be sent to such dealer at least forty-eight hours prior thereto If the Commissioner believes the public interest may be endangered by such dealer cointinuing in business pending such hearing the Commissioner may also suspend such dealer's registration pending such hearing In either event the dealer shall not be regarded as registered under the provisions hereof until restored to registration by the Commissioner either on his own initiative or upon order of the court as in this act hereinafter provided In case of revocation or suspension all registration certificates shall at once be surrendered to the Commissioner upon his request The revocation or suspension of the dealer's registration shall constitute a revocation or suspension of any agent or salesman of the dealer and notice of its operation on such agent's or salesman's registration shall be forthwith sent by the Commissioner to each of such agents and salesmen

Section 17 If the Commissioner at any time has reason to believe any agent or salesman of any dealer has in any way violated or is violating or is about to violate any of the provisions of this act or has been guilty of any fraud or fraudulent practice then the Commissioner may after hearing and having reasonable cause to believe that the agent or salesman has been guilty of such offense revoke said agent's or salesman's registration Notice of the time and place of such hearing shall be sent to such dealer and to such agent or salesman at least seven days prior thereto If the Commissioner believes the public interest may be endangered by such agent or salesman continuing in business pending such hearing the Commissiiner may also suspend such agent's or salesman's registration pending such hearing In either event the agent or salesman shall not be regarded as registered under the provisions hereof until restored to registration by the Commissioner either on his own initiative or upon order of the court as in this act hereinafter provided In case of revocation or suspension as a result of proceedings under this section or in case of the revocation or suspension of an agent's or salesman's registration as a result of proceedings against a dealer under Section fifteen hereof in either such event all agent's or salesman's registration certificates shall at once be surrendered to the Commissioner upon his request

Section 18 Any notice required by this act shall be sufficient if sent by registered mail addressed to the dealer agent or salesman as the case may be at the address designated in the application for registration

All decisions of the Commissioner shall be in writing signed by him and shall briefly state the grounds therefor

Section 19 Any dealer salesman or agent aggrieved by any decision of the Commissioner may file within thirty days thereafter in the Court of Common Pleas of Dauphin County a petition against the Commissioner officially as defendant alleging therein in brief detail the action and decision complained of and praying for a reversal thereof Upon service of summons upon said defendant returnable within three days from its date the Commissioner shall within one week from such return date file an answer in which he shall allege by way of defense the grounds for his decision and such other grounds as shall in the meantime accrue or be discovered All allegations of the answer shall be deemed to stand denied without further pleading and upon application of either party the cause shall be advanced and heard without delay Mere technical irregularities in the procedure of such Commissioner shall be disregarded The Court's decision shall consult only the rights of the plaintiff and the protection of the public and the Commissioner shall prosecute no proceedings to obtain a reversal modification or a vacation of a judgment rendered in favor of the plaintiff A judgment sustaining the refusal of the Commissioner to grant r renew a registration shall not bar after one year a new application by the plaintiff for registration nor shall a judgment in favor of the plaintiff prevent such Commissioner from thereafter revoking or refusing to renew such registration for any proper cause which may thereafter accrue or be discovered The Court shall have full power to dispose of all costs

Section 20 The Commissioner may require by subpoena or summons issued by him the attendance and testimony of witnesses and the production of any books accounts records papers and correspondence except stock transfer books or other records or indices showing the names and addresses of stockholders relating to any matter which the Commissioner has authority by this act to consider or investigate and for this purpose the Commissioner may sign subpoena administer oaths and affirmations examine witnesses and receive evidence Provided however that all information of every kind and nature contained therein shall be treated as confidential by the Commissioner and shall not be disclosed to the public except under order of court In case of disobedience of any subpoena or of the contumacy of any witness appearing before the Commissioner the Commissioner may invoke the aid of the Court of Common Pleas within whose jurisdiction the principal place of busienss of the dealer in this State is located or of any Court of Common Pleas in which the witness may be found and such Court may thereupon issue an order requiring the person subpoenaed to obey the subpoena or to give evidence or produce books accounts records papers and correspondence touching the matter in question Any failure to obey such order of the Court may be punished by such Court as a contempt thereof

Each witness required to attend before the Commissioner shall receive for each day's attendance the sum of $2.00 and shall receive in addition the sum of ten cents for each mile circular travelled by such witness by the usual route between his home and the place where his presence is required All disbursements made in the payment of such fees shall be included in and paid in the same manner as is provided for the payment of other expenses incident to the administration and enforcement of this act as hereinafter provided for

The fees for serving a subpoena shall be the same as those paid the sheriff for similar services The fees expenses and cost of or in connection with any hearing may be imposed by the Commissioner upon any party to the record or may be divided between any or all parties to the record in such proportions as the Commissioner may determine

Section 21 In any prosecution or proceeding under this act the accused shall be deemed to have knowledge of any fact or circumstance where in the exercise of reasonable diligence he could or should prior to the commission of the offense complained of have secured such knowledge

Section 22 Any dealer agent salesman principal officer or employe who shall within this state sell offer for sale or delivery solicit subscriptions to or orders for dispose of invite offers for or inquiries about or who shall deal in any manner in any security or securities without being registered as in this act provided or who makes any false statement of fact in any statement or matter of information required by this act to be filed with the Commission or any advertisement prospectus letter telegram circular or in any other document containing an offer to sell or to dispose of or in or by verbal or written solicitation to purchase or in any commendatory matter concerning any securities with intent to aid in the disposal or purchase of the same or who makes any false statement or representation concerning any registration made under the provision of this act or who is guilty of any fraud or fraudulent practice shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than $5000.00 or imprisonment for not more than two years or both Any dealer officer agent salesman principal officer or employe who shall commit in whole or in part any other act declared unlawful by this statute shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than $1000.00 or imprisonment for not more than one year or both

Section 23 Copies of all papers instruments or documents filed in the office of the Commissioner certified under his hand and sel shall be admitted to be read in evidence in all Courts of Law and elsewhere in this Commonwealth in all cases where the originals would be admitted in evidence provided that in any proceeding the Court having jurisdiction may on cause shown require the production of the originals

Section 24 Nothing herein contained shall limit or diminish the liability of any person or company or of any officers or agents thereof now imposed by law to prevent the prosecution of any person or company or of the officers or agents thereof for the violation of the provisions of any other statute

Section 25 The administration of the provisions of this act shall be vested in the Commissioner of Banking The Commissioner shall with the approval of the Governor appoint one deputy who shall be learned in the investment banking business The deputy appointed under this act shall perform such duties as the Commissioner shall generally or specifically direct and shall have all the powers by this act conferred on the Commissioner which may be necessary for the complete discharge of such duties In case of vacancy in the office of the Commissioner or in case of inability of the Commissioner by reason of absence physical disability or other cause to properly administer the provisions of this act the Governor may designate a deputy appointed under this statute to act for and in such Commissioner's stead and thereupon the deputy thus designated shall have generally for the time being all the power and authority in this act conferred upon the Commissioner

Section 26 The Commissioner with the approval of the Governor shall employ from time to time such clerks investigators special agents and other employes as he may need to discharge in a proper manner the duties imposed on him by this act They shall perform such duties as the Commissioner shall assign to them and their compensation and the compensation of the deputies herein provided for shall be fixed by the Commissioner with the approval of the Governor

The deputies and each of the employes shall take and subscribe and file the oath of office prescribed by law for the Commissioner Bonds shall be given to the Commonwealth by the deputies and such of said employes in such amounts and with surety as may be determined by the Commissioner conditioned for the faithful performance of their duties The cost of all bonds given pursuant to this section shall constitute expenses for the administration of this act

Section 27 The Commissioner deputy or any person appointed or employed by the Commissioner shall be paid in addition to their salary or compensation the railroad fare board lodging and other travelling expenses necessary and actually incurred by each of them in the performance of the duties required by this act or performed by the direction of the Commissioner

Section 28 It shall be the duty of the Commissioner to see that the provisions of this act are at all times properly administered and obeyed and to take such measures and make such investigations as will detect the violation of any provisions thereof In the event he shall discover any such violation he shall in addition to revoking and registra tion take such measures as may be necessary to cause the apprehension and prosecution of all persons deemed guilty thereof The Commissioner shall have power to establish equip and maintain offices in the cities of Philadelphia and Pittsburgh and to place a deputy in charge of each with such power and authority as the Commissioner may determine necessary for the proper administration of the provisions of this act

Section 29 The Board of Commissioners of Public Ground and Buildings or its successor in authority shall furnish the Commissioner with such rooms in the Capital Building or other public buildings in the city of Harrisburg as may be necessary to properly administer the provisions of this act and shall furnish equip and maintain the same

Section 30 The Board of Commissioners of Public Grounds and Buildings or a successor in authority shall upon requisition of the Commissioner furnish such books stationery furniture and supplies for the office of the Commissioner at Harrisburg as may be needed to properly administer the provisions of this act The Department of Public Printing and Binding shall do such printing and as the Commissioner shall by requisition deem expedient to have done by the State Printer to conform to regulation now in force or that may be hereafter adopted in the banking department with respect to printing.

Section 31 The Commissioner shall charge and collect the following fees and shall daily cover all fees received into the State Treasury

(a) for the filing of any original or renewal application the sum of Ten $10.00 Dollars

(b) for each and every registration certificate whether on an original or renewal application of a dealer forty $40.00 dollars except as hereinafter provided

(c) for each and every registration certificate whether on an original or renewal application of an agent or saleeman ten $10.000 dollars

(d) for each and every registration certificate issued to a dealer after the first day of July of any year twenty $20.00 dollars

For copies of any papers filed in the office of the Commissioner or for the certification thereof the Commissioner shall charge such fees as he shall by general rule or regulation prescribe

Section 32 The expenses for the organization under and of the administration of the provisions of this act shall until the first January one thousand nine hundred and twenty-four be paid in whole or in part by the State on requisition of the Commissioner and on warrant of the Auditor General out of the monies appropriated by Section thirty-four of this act

Upon and after the effective date of this act all monies derived from fees assessments or charges under this act shall be paid by the Commissioner into the State Treasury for safe keeping and shall by the State Treasurer be placed in a separate fund to be available for the use of the Commissioner in the administration of this act upon requisition of the Commissioner All such monies so paid into the State Treasury are hereby specifically appropriated to the Banking Department for the purpose of paying the salaries of the deputy or deputies herein provided for of all employes appointed for the administration of this act and all other expenses necessary and proper for the administration of this act including rentals equipment and maintenance of and supplies for such offices or quarters as the Commissioner may deem necessary outside of the Capital Building or other public building in the city of Harrisburg

The Auditor General shall upon requisition of the Commissioner from time to time draw warrants upon the State Treasury for the amounts specified in such requisition not exceeding however the amount in such fund at the time of the making of any requisition therefor

Section 33 In case at anytime the funds on hand in the State Treasury and avaiable under this act to the Commissioner are insufficient to insure the continuous and effectual administration of the provisions of this act the Commissioner shall be empowered to requisition from the State Treasurer by warrant from the Auditor General the amount of money sufficient to insure the effectual administration of this act but not exceeding the sum of five thousand dollars in any one year and such amount is hereby specifically appropriated annually to the Commissioner of Banking

Section 34 The provisions of this act are severable and in the event that any provision thereof should be declared unconstitutional it is hereby declared that the remaining provisions would have been enacted notwithstanding such judicial determinations of the invalidity of any particular provision or provisions in any respect

Section 35 The sum of ten thousand $10,000 dollars is hereby specifically appropriated to the Banking Department out of the general funds of the State for organization under and for the administration of the provisions of this act to be paid by the State Treasurer out of monies not otherwise appropirated upon warrant of the Auditor General and upon requisitio nof the Commissioner The monies hereby appropriated shall be available immediately upon the approval of this act and shall continue available until the first day of January one thousand nine hundred and twenty-four

A sum equal to the amount of this appropriation actually used for the organization and administration of the provisions of this act shall be returned and paid into the general funds of the State Treasury by way of reimbursement out of the fees collected hereunder but only at such time or times or in such instalment amounts as the Commissioner may deem expedient

Section 36 This act shall take effect on the first day of the second calendar month next succeeding the date of the Governor's approval of this act except that it shall be lawful for the Commissioner to perfect his organization and to appoint a deputy or deputies and such employes as herein provided for and except that application for registration may be filed prior to said time upon public announcement by the Commissioner that his office has been sufficietly organized to receive the same

Section 37 All acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 516, as follows:

An Act providing for the appointment and election of assistant assessors for election purposes in certain wards in cities of the third class fixing their terms of office and providing for their compensation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the court of common pleas of any county in which is located any city of the third class shall appoint in each election district of any ward in said city wherein more than one election is authorized a properly qualified person as an assistant assessor who shall perform all the duties relating to elections and the registration and enrollment of voters now required by assistant assessors in boroughs and townships who shall serve until his or her successor is duly qualified

Section 2 At the municipal election held in the year one thousand nine hundred and twenty-five and every four years thereafter the qualified electors of such election districts shall elect one person as assistant assessor to perform all the duties relating to elections and the registration and enrollment of voters now required by assistant assessors in boroughs and townships for a term of four years from the first Monday of December following his or her election

Section 3 Any vacancies occurring in the office of such assistant assessor shall be filled by appointment by the court of common pleas for the unexpired term of the person whose place he or she is appointed to fill

Section 4 Each assistant assessor appointed to elected under the provisions of this act shall keep an account of the several days by him or her actually employed in the performance of his or her duties and shall make return of the same to the commissioners of the county verified by his or her oath or affirmation and for each day necessarily so employed he or she shall receive the sum of five dollars

Section 5 All acts or parts of acts inconsistant herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 524, (House Bill No. 317), entitled:

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred eight) entitled "An Act prohibiting under certain conditions the commutation encumbrance or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto prohibiting the attachment of such procetds and income and authorizing life insurance companies to hold such proceeds as part of the general corporate funds" by extending the same to the proceeds and income from policies issued by both domestic and foreign companies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 535, (House Bill No. 536), as follows:

An Act to amend sections two three four five as amended seven nine and ten of the act approved the thirtieth day of March one thousand nine hundred and seventeen (Pamphlet Laws twenty-one) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the thirtieth day of March one thousand nine hundred and seventeen (Pamphlet Laws 21,) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" is hereby amended to read as follows

Section 2 That on and after January first one thousand nine hundred and eighteen it shall not be lawful for any person in this Commonwealth to engage in the practice of optometry or to hold himself out as a practitioner of optometry or to attempt to determine by an examination of the eye the kind of glasses needed by any person or to hold himself out as a licensed optometrist when not so licensed or to hold himself out as able to examine the eyes of any person for the purpose of fitting the same with glasses excepting those hereinafter exempted unless he has first fulfilled the requirements of this act and has received a certificate of licensure from the Board of Optometrical Education Examination and Licensure created by this act nor shall it be lawful for any person in this Commonwealth to represent that he is the lawful holder of a certificate of licensure such as is provided for in this act when in fact he is not such lawful holder or to impersonate any licensed practitioner of optometry

Any person violating the provisions of this section shall be deemed to be guilty of a misdemeanor and shall upon conviction be subject upon his first offense to a fine of not more than five hundred dollars or imprisonment for not more than six months in the county prison or both or either at the discretion of the court and upon conviction on second or later offenses shall be subject to a fine of not less than five hundred dollars nor more than one thousand dollars and imprisonment for not less than six months nor more than one year at the discretion of the court

Section 2 That section three of said act is hereby amended to read as follows

Section 3 For the purpose of carrying out and enforcing the provisions of this act there shall be established in this Commonwealth a board which shall be known as the Board of Optometrical Education Examination and Licensure of the Commonwealth of Pennsylvania The said board shall consist of seven members who shall be appointed by the Governor of the Commonwealth on or before July first nineteen hundred and seventeen Each member shall receive a certificate of his appointment signed by the Governor and attested by the Secretary of the Commonwealth The members of this board shall be optometrists citizens of this Commonwealth who possess the requisite qualifications to practice optometry under this act and who shall have been so practicing in this State during the five years next previous to their appointment Two members of the board first appointed under this act shall serve for one year two for two years and three for three years after which the successor of each member shall be appointed for the term of three years but no member of said board shall be a member of the faculty of any undergraduate school or college teaching optometry The first appointees shall by virtue of such appointment receive certificates of licensure without examination The Governor shall by appointment fill all vacancies caused by death resignation or otherwise and may remove any member of said board for continued neglect of his duties in connection therewith or for any unprofessional or dishonorable conduct Appointments to fill vacancies shall be for the unexpired term of the deceased or retiring member The board herein created is hereby charged with the enforcement of this act To assist the board in the enforcement of this act the Governor shall appoint an optometrist who is a citizen of this Commonwealth and has practiced optometery in this State for at least five years and who shall be known as the State Optometrical Inspector He shall serve for a period of two years and shall assist the board in investigating and prosecuting all reported violations of this act The optometrical inspector shall be compensated at the rate of fifteen dollars per day and necessary expenses for each day actually devoted to this work

All suits for the recovery of the penalties prescribed in this act shall be presecuted in the name of the State of Pennsylvania in any court having jurisdiction and it shall be the duty of the prosecuting attorney of the county where such offense is committed to prosecute all the persons violating the provisions of this act upon proper complaint being made

Section 3 That section four of said act is hereby amended to read as follows

Section 4 Said board shall effect its organization immediately after the appointment of its members by the Governor by holding a meeting at which it shall elect from its membership a president and a secretary who shall also be the treasurer It shall have authority to make rules and regulations not inconsistent with the laws of this Commonwealth for the transaction of its business and for the registration of all optometrists of this Commonwealth and for conducting examination of applicants Said rules shall be printed in pamphlet form for public distribution Five members constitute a quorum for the transaction of all business except for the revocation or suspension of a certificate of licensure or the determination of the fitness of any school or college to render eligible its graduates for licensure when the consent of a majority of the whole board shall be necessary No license shall be granted under this act except with the approval of at least four members of the board Said board shall meet at least twice a year at Harrisburg. Any member may administer oaths and take testimony when appointed so to do by the board The appointed members shall each receive compensation at the rate of fifteen dollars and necessary expenses for each day actually devoted to the work of the board

Section 4 That section five of said act which was amended by the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and twenty-three) entitled "An act to amend section five of an act approved the thirtieth day of March one thousand nine hundred and seventeen (Pamphlet Laws twenty-one) entitled 'An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith" is hereby further amended to read as follows

Section 5 Every person desiring to commence the practice of optometry or if now in practice to continue the practice thereof after January first one thousand nine hundred and eighteen except as herein otherwise provided shall take the examination provided in this act and satisfy the other requirements hereof as here provided Any person who has engaged in the practice of optometry in this Commonwealth for two full years prior to the passage of this act or for one year in this and for the year preceding it in another State and is of good character shall be entitled to take a limited examination covering the following only

(a) The limitation of the sphere of optometry
(b) The necessary scientific instruments used
(c) The form and power of lenses used
(d) A correct method of measuring presbyopia hypermetropia myopia and astigmatism
(e) The writing of formulae or prescriptions for the adoptation of lenses in aid of vision

The board shall also permit the taking of limited examinations by and the license of any person who shall apply therefor the first day of January one thousand nine hundred and twenty-two who at the time of the passage of the act to which this is an amendment or the time when the limited examinations under said act were held was unavoidably absent from this State on account of service in the Army or Navy of the United States or who was at such time or times otherwise unavoidably from this State or was physically handicapped and unable to take such examination provided however that any such person shall have engaged in the practice of optometry in this Commonwealth for two full years prior to the passage of the act to which this is an amendment or for one year in this Commonwealth and one year in another State and shall be of good character

Any person who at the time of the passage of the act to which this is an amendment was unavoidably absent from this State on account of service in the Army or Navy of the United States or who was otherwise unavoidably absent from this State or was physically handicapped and unable to take the examination and who was actually engaged in the practice of optometry but who had engaged in such practice less than two years and any person over the age of twenty-one years of good moral character who has had a preliminary education equivalent to two years of the course of high school and after the first day of January one thousand nine hundred and twenty-five has had a preliminary education equivalent to a four year high school course whose standard is approved by the Bureau of Professional Education of the Department of Public Instruction which preliminary education shall be ascertained by examination or by acceptable certificate as to credentials for work done in such approved institution and has graduated from a school or college of optometery approved by the Board of Optometrical Education Examination and Licensure which maintains a course in optometry of not less than two years and has afterwards studied optometry for at least one year in a licensed optometrist's office shall be entitled to take a standard examination Said standard examination shall consist of tests in practical theoretical and physiological optics in theoretical and practical optometry and in the anatomy and physiology of the eye and in pathology as applied to optometry provided that any person not less than twenty-one years of age who is actually engaged in the practice of optometry at the time of the passage of this act shall be entitled to take the standard examination merely upon proof to the board that he is of good moral character and is not addicated to the intemperate use of alcohol or narcotic drugs

Section 5 That section seven of said act is hereby amended to read as follows

Section 7 Said Board of Optometrical Education Examination and Licensure shall charge the following fees for examination registration and renewals of certificates The sum of twenty-five dollars for a standard examination and ten dollars for a limited examination Every registered optometrist who desires to continue the practice of optometry shall annually on or before the first day of January pay to the secretary of the board a renewal registration fee of five dollars per annum for which he shall receive a renewal of his certificate

In case of neglect to pay the renewal registration fee herein specified the board may revoke such certificate and the holder thereof may be reinstated by complying with the conditions specified in this act But no certificate or permit shall be revoked without giving sixty days' notice to the delinquent who within such period shall have the right of renewal of such certificate on payment of the renewal fee with a penalty of five dollars Provided That retirement from practice for a period not exceeding five years shall not deprive the holder of said certificate of the right to renew his certificate on the payment of all lapsed fees

The board shall adopt a seal and certificate of suitable design and shall have an office at Harrisburg in this Commonwealth where examinations may be held and where all its permanent records shall be kept which shall be open to public inspection It shall have power to make requisition upon the proper State officials for office rooms and supplies including stationery and furniture All printing and binding necessary for the work of the said board shall be done by the State Printer upon an order issued by said board through its president and secretary to the Superintendent of Public Printing and Binding

Section 6 That section eight of said act is hereby amended to read as follows

Section 8 All fees received by said board for examination or from any other source shall be utilized in regulating the practice of optometry and paying the expenses of the board including necessary clerk hire as provided for in this act any surplus to be turned over to the State Treasurer at least once in each twelve months An annual audit of the books and accounts of the board shall be made by the Auditor General of the Commonwealth The treasurer of the said board shall give a bond to the Commonwealth of Pennsylvania in the sum of two thousand five hundred dollars for the faithful performance of his duties said bond to be aproved by the Board of Optemetrical Education Examination and Licensure and by the Attorney General of the Commonwealth who shall be custodian of the bond

Section 7 That section nine of said act is hereby amended to read as follows

Section 9 The Board of Optometrical Education Examination and Licensure shall refuse to grant a certificate of licensure to any applicant and may cancel revoke or suspend the operation of any certificate by it granted for any or all of the following reasons to wit—the peddling from house to house or person to person or the establishment of temporary offices or the use of misleading advertising or gross incompetency or the obtaining of money by fraud or misrepresentation of the optometrical business in which untruthful statements are made or the failure to deliver the certicates provided for in section six of this act or the conviction of a crime involving moral turpitude habitual intemperance in the use of ardent spirits or stimulants narcotics or any other substance which impairs the intellect and judgment to such an extent as to incapacitate for the performance of the duties of an optometrist The certificate of licensure of any person convicted of a violation of section two of this act shall be ipso facto revoked

Any person who is the holder of a certificate of licensure or who is an applicant for examination for a certificate of licensure against whom is perferred any charge shall be furnished by the board with a copy of the complaint and shall have a hearing before the board at which hearing he may be represented by counsel At such hearing witness may be examined for and against the accused respecting the said charges which examination shall be conducted in the manner followed in the taking of testimony before commissions in this Commonwealth The supension of a certificate of licensure by reason of the use of stimulants or narcotics may be revoked when the holder thereof shall have been adjudged by the said board to be cured and capable of practicing optometry

Section 8 That section ten of said act is hereby amended to read as follows

Section 10 An applicant for a certificate of licensure who has been examined by the State Board of Optometrical Examiners of another State which through reciprocity similarly accredits the holder of a certificate issued by the Board of Optometrical Education Examination and Licensure of this Commonwealth to the full privileges or practice within such State shall on the payment of a fee of twenty-five dollars to the said board and on filing in the office of the board a true and attested copy of the said license certified by the president or secretary of the State board issuing the same and showing that the standard of requirements adopted and enforced by said board is equal to that provided for by this act shall without further examination receive a certificate of licensure or if the applicant is the holder of a license by limited examination or exemption within such state and has practiced continuously under such license for at least ten years and is recommended by the State board which issued such license and has complied with the reciprocal requirements shall upon passing the standard tests in practical optics and practical optometry at any regular examination receive a certificate of licensure or if the applicant is the holder of a license by limited examination or exemption within such state and has practiced continuously under such license for at least ten years and is recommended by the State board which issued such license and has complied with the reciprocal requirements shall upon passing the standard tests in practical optics and practical optometry at any regular examination receive a certificate of licensure Provided, That such applicant has not previously failed at an examination held by the Board of Optometrical Education Examination and Licensure of this Commonwealth

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. DAVIS. Mr. President, I ask that Senate Bill No. 539, (House Bill No. 588) on second reading, entitled:

An Act to regulate the allotting or subdividing of land in cities of the second class by requiring the recording in the office of the Recorder of Deeds of a map or plan prior to the sale conveyance or mortgaging of any part thereof and providing penalties for the violation of the act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 539, (House Bill No. 588), entitled:

An Act to regulate the allotting or subdividing of land in cities of the second class by requiring the recording in the office of the Recorder of Deeds of a map or plan prior to the sale conveyance or mortgaging of any part thereof and providing penalties for the violation of the act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 580, as follows:

An Act to enable city county poor ward school borough and township tax collectors their executors and administrators or their surety or sureties to collect taxes for the payment of which they have become personally liable by the expiration of the authority of their respective bonds or warrants or terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act and authorizing such taxes to be entered as municipal liens and the land on which such taxes were assessed to be sold

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases in which the period of two years the limitation of the warrants of the duplicates of the county State dog poor road city township ward school and borough tax collectors have expired or will expire during the year one thousand nine hundred and twenty-three by virtue of the expiration of their terms of office and said tax collector or collectors have or shall become personally liable for the taxes contained in said duplicates and warrants or any part thereof by reason of the personal payment or otherwise by the said tax collector or collectors of asid taxes or any part thereof without having received from the person or persons against whom they have been levied and assessed or without having received or collected the same from the person or persons owning the property or land against which the said taxes have been levied and assessed the said duplicates and warrants and the powers and authority of the said tax collector or collectors in all such cases are hereby revived and extended for another period of two years from the passage of this act and the said tax collector or collectors their executors or administrators if they are deceased or their surety or sureties if the said surety or sureties have paid the said taxes are hereby empowered to proceed and collect the said taxes from all such persons who have not paid them residing in said district within which said taxes are assessed as well as from all persons who may remove or have removed from said city borough ward township or townships and have neglected to pay the taxes as aforesaid assessed or the taxes aforesaid may be returned to the commissioners of the county or counties having jurisdiction thereof by the party or parties to whom said taxes are due with like effect as if said warrants had or have not expired by the limitation of the two years aforesaid or the terms of office of said tax collectors had not expired

Section 2 The party or parties by this act authorized to receive and collect the unpaid taxes contained in the duplicates which their warrants are revived as aforesaid may return said taxes to the commissioners of the county or counties having jurisdiction thereof who are hereby directed to enter or have entered in the Municipal Lien Docket the taxes so returned as municipal liens against the land on which said taxes were assessed and proceed to have the land so liened sold by the treasurer of the county or counties or by the proper officer for such purpose constituted in like manner as all lands are sold to satisfy unpaid taxes with like effect as if said warrant or warrants had not expired by the limitation of the two years aforesaid or the term of office of the said tax collector or collectors had not expired

Section 3 In case the land or lands against which the unpaid taxes the warrant or warrants for the collection of which by this act are revived so entered as municipal liens as aforesaid is or are sold by the proper legal authority for that purpose created the officer or officers who sells the said lands is or are hereby directed to speedily certify to the commissioners of the county or counties having jurisdiction thereof the result of the sale or sales aforesaid which among other matters shall state the party or parties who returned the taxes and to whom they are due the owners or reputed owners of the lands sold the year or years in which the taxes were assessed with the amount thereof whereupon the commissioners aforesaid are directed to draw their warrant or order to the Treasurer of the county or counties or their legal custodian of the funds derived from said sale or sales in favor of the party or parties who returned the taxes and to whom they are due for the amount of the taxes so returned and to satisfy which the land or lands were sold

Section 4 In all cases of the sales of lands authorized by this act the time in which the land or lands sold may be redeemed by any one having an interest therein shall be two years from the date of the sale thereof Provided That the provisions of this act shall not apply to warrants or duplicates issued prior to the year one thousand eight hundred and ninety-four and that nothing in this act shall release any bondsman or surety provided that this act shall not apply to cities having special laws on the subject Provided That no collector or his sureties who take advantage of this act shall be permitted to plead the Statute of Limitation in any action brought to recover the amount of any duplicate with a warrant so extended and removed Provided further That no Statute of Limitation shall prevent the collection of any tax for which the warrant and power and authority of the said tax collectors have been as aforesaid extended removed and revived

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 720, (House Bill No. 774), entitled:

An Act authorizing courts of quarter sessions to commit the care of certain burial grounds to the councils of boroughs township commissioners and township supervisors of townships and requiring boroughs and townships to pay the expenses in connection therewith

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 738, as follows:

An Act to amend sections one four eight thirteen and fifteen and to repeal sections five and six of the act approved the seventh day of June one thousand eight hundred and eighty-seven (Pamphlet Laws three hundred and sixty-five) entitled "An Act to encourage and authorize the formation of cooperative associations productive and distributive by farmers mechanics laborers or other persons" providing for the formation of such associations by five or more natural or legal persons eliminating the provisions with regard to the giving of credit and the sale and leasing of real estate and the clause requiring the keeping posted of a balance sheet for three months

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the seventh day of June one thousand eight hundred and eighty-seven (Pamphlet Laws three hundred and sixty-five) entitled "An Act to encourage and authorize the formation of cooperative associations productive and distributive by farmers mechanics laborers and other persons" is hereby amended to read as follows

Section 1 Be it enacted et cetera That cooperative associations productive and distributive may be incorporated under this act upon compliance with its requirements by any five or more (farmers mechanics laborers or other) natural or legal persons who shall have associated themselves together by written articles of association such as are hereinafter described for the purpose of carrying on any agricultural horticultural mining quarrying building mechanical manufacturing of commercial or for the purpose of manufacturing cultivating raising trading or dealing in all kinds of goods wares merchandise chattels grain vegetables roots fruits and other produce or animals for sale food or other purposes or for the purpose of buying selling holding leasing or improving lands tenements or buildings and that such persons so associating may adopt any corporate name indicating their cooperative character and which has not been previously adopted by any other corporation formed under this act Provided That the last two words of such name shall be "cooperative association" and that it shall not be lawful to use in such name either the words "society" or "company" and that any violation of this proviso by any corporation formed under this act shall render each member thereof personally liable for all its debts

Section 2 That section four of said act is hereby amended to read as follows

Section 4 That the stock capital of any such association shall consist of the amounts standing to the credit of members on account of the shares allotted to them certificates for which shall be issued from time to time as such shares may have become fully paid up and there may be two classes of shares one of which classes shall be styled and known as "permanent stock" which shall not be withdrawable but may be transferred subject to the bylaws of such association and each member thereof shall take and hold at least one share of said permanent stock and the other class of share may be styled and known as "ordinary stock" which may be repaid transferred or withdrawn in accordance with the by-laws of such association and the shares of either class may be of amounts not less than five nor more than twenty-five dollars each and may be paid for in one sum or by periodical installments or by occasional subscriptions or by the interest thereon or by (profit) savings dividends

Section 3 That section eight of said act is hereby amended to read as follows

Section 8 That any such association may buy from sell to and trade or deal with any of its members or other persons partnerships or corporations (but all transactions shall be for cash and no credit shall either be given or taken except that such association may contract for and pay the wages and salaries of its employes once in each week in cash and except that such association may sell real estate improve or otherwise on such terms that at least one fourth of the agreed price shall be paid in cash at the time of sale and that not more than three-fourths of the agreed price together with interest on the amount of principal interest and charges owing from time to time at a rate not exceeding six per centum per annum may be secured by bond and mortgage or by promissory notes and mortgages and may be made payable by fixed and equal periodical installments Provided however That such association may take or grant leases of real estate for such terms as may be agreed upon but no such lease for any time exceeding one year or creating a credit or liability for any sum exceeding three hundred dollars shall be lawful or valid until the same shall be approved by a vote of the members at any regular quarterly meeting thereof And provided further That any credit given to any such association in violation of the provisions of this act shall cause a forfeiture of any credit thus illegally given and that a notice to such effect shall be published by such association on its letter and bill heads advertisements and other publications)

Section 4 That section thirteen of said act is hereby amended to read as follows

Section 13 That every such association shall hold regular quarterly meetings of its members in the months of January April July and October at such place as the directors shall determine and publish for the purpose of considering and determining upon any matter not requiring special notice relating to the business of such association and at each quarterly meeting the directors shall present a full and complete report signed by the president of such association's transaction during the last preceding quarter accompanied by such information and suggestions in relation to the affairs of such association and to the future management thereof as may be for the best interests of the association and they shall also present at each quarterly meeting an account of all cash receipts and payments and of the losses and gains of such association for the last preceding quarter and also a general statement or balance sheet of such association's funds and effects liabilities and assets as at the close of the last buiness day of said quarter and such account and general statement shall be signed by the president and treasurer and be attested by the secretaries and auditors of such association (and a copy of such report account and general statement shall be kept posted up for three months at least in a conspicuous place in the principal office and other places of business of such association) and any (director) president treasurer secretary auditor or other officer who shall include or knowingly consent to any false statement in such report account or general statement or in any other statement required to be made by this act or by any vote of the members at any meeting thereof shall be deemed guilty of a misdemeanor and upon conviction thereof be punished by a fine of not more than one thousand dollars or by imprisonment in the State Prison for not more than one year or by both such fine and imprisonment in the discretion of the court

Section 5 That section fifteen of said act is hereby amended to read as follows

Section 15 That the (profits) savings shall be ascertained and declared on all business carried on in each department or branch or by or for or on account of any such association for each quarter year ending with the months of March June September and December and the (profits) savings realized shall be applied as follows

First In reduction of the value of the fixed stock and plant of such association at the annual rate of ten per centum or more on fixtures machinery tools et cetera and of two and one-half per centum or more on warehouses stores or other buildings as the directors shall determine and order

Second In the reduction of the preliminary expenses if any incurred in the formation of such association and remaining unwritten off in its books at such rate being not less than five per centum per annum as the directors shall determine and order

Third In the providing for or payment of interest at the annual rate of six per centum on the permanent stock and five per centum on ordinary stock and the reserve fund Provided however That such interest shall be credited to each member but shall not be paid until his stock is fully paid up

Fourth In forming by applying such sum or percentage of the net or remaining (profits) savings after providing for the preceding charges as the directors shall determine and order a reserve fund to which all fines and forfeitures shall be carried applicable as follows first to the equalization of dividend second to meet any other contingency affecting the business of such association and third to any other purpose as may be voted by the members on the recommendation of the directors

Fifth In forming and maintaining a propaganda and social fund to which shall be credited such sum being not less than two and one-half percentum of the net (profits) savings as the directors shall determine and order

Sixth And the remainder of the net (profits) savings shall be divided as follows On the wages and salaries of employes the same rate and on the purchases by non-members one half of the rate that may be allotted on the purchases by members such wages or salaries to be the amount earned and such purcahse to be the amount actually paid for in cash during the period to which such division relates Provided That no (profit) saving dividends shall be allowed on the purchases of such articles as the directors may have given previous notice of their intention to exclude from participation in (profits) savings And provided further That all such (profit) saving dividends shall be credited to such members non-members and employes respectively to accumulate and be applied in or toward the payment of shares or permanent stock or ordinary stock as the directors may from time to time determine and order the issue of paid up certificates therefor until the amount of stock capital held by such members individually reaches the limit allowed by this act after which the (profit) saving dividends may be paid to such members as shall be provided for in the by-laws of such association

Section 6 That sections five and six of said act be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 751, as follows:

An Act to amend section two hundred and eighty-six of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two hundred and eighty-six of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty) entitled "An act concering townships and revising amending and consolidating the law relating thereto" is hereby amended to read as follows

Section 286 The township treasurer of townships of the second class shall receive as compensation for his services a certain percentage on all moneys received and paid by him which rate shall be settled by the supervisors of the townships with the approbation of the township auditors

In no case shall the combined amount paid to the secretary and treasurer exceed two per centum of the money paid out by the treasurer except when the amount would be less than ten dollars ($10.00) nor shall such compensation include any percentage upon moneys paid out by the treasurer for the repayment of loans notes certificates or other evidences of indebtedness or other borrowed moneys

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 782, as follows:

An Act to amend section nineteen of an act approved the second day of May one thousand nine hundred and five (Pamphlet Laws three hundred and fifty-two) entitled "An act to regulate the employment in all kinds of industrial establishments of women and children employed at wages or salary by regulating the age at which minors can be employed and the mode of certifying the same and by fixing the hours of labor for women and minors to provide for the safety of all employes in all industrial establishments and of men women and children in school-houses academies seminaries colleges hotels hospitals store-houses office buildings public halls and places of amusements in which proper fire-escapes exits and extiguishers are required to provide for the health of all employes and of men women and children in all such establishments storehouses and buildings by proper sanitary appliances and to provide for the appointment of inspectors office clerks and others who with the Chief Factory Inspector shall constitute the Department of Factory Inspection to enforce the same and providing penalties for violations of the provisions thereof fixing the term and salaries of the Chief Factory Inspector and his appointees" by providing for inspection of boilers by the Department of Labor and Industry for examination and certification of boiler inspectors and a fee therefor for issuance of certificates of operation and a fee therefor and for the use of the fees collected

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section nineteen of an act approved the second day of May one thousand nine hundred and five (Pamphlet Laws three hundred and fifty-two) entitled "An act to regulate the employment in all kinds of industrial establishments of women and children employed at wages or salary by regulating the age at which minors can be employed and the mode of certifying the same and by fixing the hours of labor for women and minors to provide for the safety of all employes in all industrial establishments and of men women and children in schoolhouses academies seminaries colleges hotels hospitals store-houses office buildings public halls and places of amusements in which proper fire-escapes exits and extinguishers are required to provide for the health of all employes and of men women and children in all establishments storehouses and buildings by proper sanitary appliances and to provide for the appointment of inspectors office clerks and others who with the Chief Factory Inspector shall constitute the Department of Factory Inspection to enforce the same and providing penalties for violations of the provisions thereof fixing the term and salaries of the Chief Factory Inspector and his appointees" is hereby amended to read as follows

Section 19 Every boiler used for generating steam or heat in any establishment as defined in section one of this act shall be constructed installed and operated in accordance with the rules and regulations of the Department of Labor and Industry and shall be inspected as provided in this section by a boiler inspector who holds a commission as a boiler inspector under the rules and regulations of said Department If such boiler is insured in a company authorized to insure in this Commonwealth against loss from the explosion of steam boilers such inspector shall be in the employ of said Company and the only fee collectible for inspection of such insured boiler shall be the certificate fee of one dollar hereinafter provided for in this section

If such boiler is not so insured and is located in a city having a boiler inspection department now established by ordinance inspector shall be the duly appointed city boiler inspector of such city or if it is not so located such inspector shall be a salaried employee of said Department of Labor and Industry Every such boiler shall be inspected internally and externally while not under pressure at least once in every twelve months by an inspector described in this section and shall also be inspected by such an inspector at least once in every twelve months while it is under operating conditions The fee for each annual internal and external inspection while not under pressure when made by an inspector in the employ of the Department of Labor and Industry shall be six dollars and fifty cents and the fee for each inspection under operating conditions made by an inspector in the employ of said Department shall be two dollars and fifty cents Provided That the fees for any one boiler inspected by an inspector in the employ of said Department shall not exceed ten dollars for any one year and the fee for the inspection of a miniature boiler by an inspector in the employ of said Department shall not exceed two dollars Every inspector described in this section within thirty days after his annual internal and external inspection while not under pressure of a boiler that is not located in a city having a boiler inspection department now established by ordinance shall send a full report of his inspection to the Department of Labor and Industry and if the report shows that said boiler is not unsafe to operate at the pressure limit named in said report the Department shall issue a certificate permitting the operation of such boiler at a pressure not exceeding that stated in the report for not more than thirteen months from the date of said inspection unless such certificate is earlier revoked because the boiler is found to be unsafe The Department of Labor and Industry shall collect from the owner or operator of said boiler a fee of one dollar for its said annual certificate All fees provided for by this act shall be paid to the Commissioner of the Department of Labor and Industry who shall transmit the same to the State Treasury and all such moneys shall be accounted for in a special fund Nothing contained in this section shall apply to boilers subject to Federal inspection and control (including marine boilers boilers of steam locomotives and other self-propelled railroad apparatus) nor to boilers on automobiles boilers of steam fire engines brought into this Commonwealth for temporary use in times of emergency for the purpose of checking conflagration nor to boilers used exclusively in connection with the operation of an oil well nor to boilers carrying a pressure of less than fifteen pounds per square inch which are equipped with safety devices approved by the Department of Labor and Industry A commission as a boiler inspector shall not be granted to any person by the Department of Labor and Industry unless such person has passed satisfactorily a written examination of uniform standard under the rules and regulations of said Department for the Administration of the Boiler Code Every applicant for such examination shall upon the filing of his application pay to the Commissioner of Labor and Industry a fee of ten dollars

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the third reading and consideration of Senate Bill No. 783, as follows:

An Act to amend section one of an act approved the thirtieth day of May one thousand eight hundred and ninety-five entitled "An Act to provide for safety guards upon passenger elevators and providing a penalty for violation thereof"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the thirtieth day of May one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and twenty-nine) entitled "An Act to provide for safety guards upon passenger elevators and providing a penalty for violation thereof" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all elevators that are now in use or that may hereafter be constructed in this State for the carriage of passengers are required to have placed thereon or attached thereto such automatic locking device electrical or mechanical as will hold immovable and secure the carriage used in such elevator while any gate or door is open or unsecured or shall hold immovable and secure the carriage while the gate or door of the landing at which the carriage stands is open or unsecured Provided That in elevators where said automatic locking device is electrical or electro-mechanical there shall be an approved emergency release switch installed in the car which when actuated will permit the operation of the car independent of the locking device without affecting the locking of the doors Such emergency release shall be located under a glass cover so constructed that it must be broken in order to release the locking device and the breaking of the said glass shall cause the continuous ringing of an alarm bell or bells Said release shall be used only in cases of emergency or in making repairs A warning sign to this effect which shall also contain directions for the use and readjustment of the release must be posted by the side of the emergency release

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 784, as follows:

An Act to amend section twelve of an act approved the second day of May one thousand nine hundred and five (Pamphlet Laws three hundred and fifty-two) entitled "An act to regulate the employment in all kinds of industrial establishments of women and children employed at wages or salary by regulating the age at which minors can be employed and the mode of certifying the same and by fixing the hours of labor for women and minors to provide for the safety of all employes in all industrial establishments and of men women and children in school-houses academies seminaries colleges hospitals storehouses office buildings public halls and places of amusements in which proper fire-escapes exits and extinguishers are required to provide for the health of all employes and of men women and children in all such establishments storehouses and buildings by proper sanitary appliances and to provide for the appointment of inspectors office clerks and others who with the Chief Factory Inspector shall constitute the Department of Factory Inspection to enforce the same and providing penalties for violations of the provisions thereof fixing the term and salaries of the Chief Factory Inspector and his appointees" by providing for inspection of elevators by the Department of Labor and Industry for examination and certification of elevator inspectors for an examination fee for issuance of certificates of operation and a fee therefor and for the use of the fees collected

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twelve of an act approved the second day of May one thousand nine hundred and five (Pamphlet Laws three hundred and fifty-two) entitled "An act to regulate the employment in all kinds of industrial establishments of women and children employed at wages or salary by regulating the age at which minors can be employed and the mode of certifying the same and by fixing the hours of labor for women and minors to provide for the safety of all employes in all industrial establishments and of men women and children in school-houses academies seminaries colleges hotels hospitals storehouses office buildings public halls and places of amusements in which proper fire-escapes exits and extinguishers are required to provide for the health of all employes and of men women and children in all such establishments storehouses and buildings by proper sanitary appliances and to provide for the appointment of inspectors office clerks and others who with the Chief Factory Inspector shall constitute the Department of Factory Inspection to enforce the same and providing penalties for violations of the provisions thereof fixing the term and salaries of the Chief Factory Inspector and his appointees" is hereby amended to read as follows

All elevators dumb-waiters escalators gravity elevators hoists manlifts or other conveyances used for the purpose of raising or lowering persons or material within this Commonwealth shall be constructed maintained operated and inspected in accordance with the rules and regulations of the Department of Labor and Industry Provided That nothing in this act shall apply to such installations in cities of the first and second classes

No person shall be authorized to act for the Department of Labor and Industry as an elevator inspector unless he has passed a written examination prescribed by the said Department Application for examination as an inspector of elevators shall be in writing upon a form furnished by the Department of Labor and Industry and shall be accompanied by an examination fee of ten dollars ($10.00) If applicant is successful in passing said examination a Certificate of Competency and Commission Card shall be issued upon the payment of an additional fee of five dollars ($5.00) All Inspectors holding Certificates of Competency and inspecting elevators dumb-waiters escalators gravity elevators hoists manlifts or other conveyances used for the purpose of raising or lowering persons or material within this Commonwealth shall be required to secure an annual Commission Card each year thereafter by application to the Department of Labor and Industry which shall be accompanied by a fee of three dollars ($3.00)

A Certificate of Operation valid for a period as specified by the rules and regulations of the Department of Labor and Industry shall be granted the owner or lessee of every hoisting or lowering device specified in this act Provided That an inspection report has been forwarded to the said Department and the elevator approved for operation And provided further That such inspection report is accompanied by a fee the amount of which shall be proportionate to a total annual fee of one dollar ($1.00) for each hoisting or lowering device subject to inspection Said fee shall be collected by the approved inspector upon the completion of his inspection and shall be forwarded by him to the Department of Labor and Industry

All fees provided for by this act shall be paid to the Commissioner of the Department of Labor and Industry who shall transmit the same to the State Treasurer and all such moneys shall be accounted for in a special fund and are hereby specifically appropriated to be used by said Commissioner of Labor and Industry to pay expenses for the administration and enforcement of this section

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 796, as follows:

An Act providing for the alteration of the boundaries of counties in certain cases for the adjustment of the indebtedness thereof providing the effect thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where a part of the county or a borough which constitutes a part of a county is so located that the best interest of such part of a county or borough so located and of the inhabitants thereof that such part of a county or borough be annexed to an adjoining county the court of quarter sessions of the first named county may on petition decree such alterations of the boundaries of the county as shall be for the best interest of the inhabitants aforesaid The term "part of county" as used in this act shall not include an area greater than two hundred and fifty acres nor an area containing a population of over two thousand inhabitants

Section 2 The petition shall not be considered unless it shall

1 Be signed by not less than two-thirds of the qualified electors of the part of the county or borough so located and

Be signed by not less than two-thirds in number and interest of the owners of real estate in such part of a county or borough the valuation to be as shown by the triennial assessment for county purposes last preceding the presentation of the petition The owners of an undivided interest shall be regarded as one person

3 Be verified as to the genuineness of the signatures by a qualified elector of the county

Section 3 When the petition is presented the court shall fix a day for hearing it and direct that notice of the presentation of the petition and of the day of hearing shall be given to the commissioners of the counties affected by the proposed change of boundaries If one of the counties affected is coterminous with a city the notice shall also be given to the council of the city On the day fixed for hearing or as soon thereafter as the business of the court will permit the court shall hear all parties in interest and shall make such decree as to the court shall seem right and proper

Section 4 When the court decrees an alteration of the boundaries of any such county it shall appoint an auditor who shall conduct such hearings and make such investigations as the court may direct Notice of such hearings and investigations shall be given by the auditor as directed by the court When the auditor shall complete the hearings and investigations he shall report to the court

Section 5 The report of the auditor shall include

1 The total assessed valuation of the subjects of taxation in the county from which a part is to be taken

2 The total assessed valuation of the subjects of taxation in the part proposed to be taken from such county

3 The total amount of indebtedness of the county from which a part is to be taken

4 The value of all real property to be transferred from one county to another by reason of the alteration of boundaries

5 An adjustment of the indebtedness and of the property of the counties affected by the alteration of boundaries

6 A form of decree altering the boundaries as aforesaid and adjusting the indebtedness of the counties affected

Section 6 The decree shall be confirmed nisi by the court If exceptions are not filed thereto within ten days from the date of the decree or if an appeal therefrom is not taken within ten days the decree shall be absolute It shall thereupon be recorded in the office of the recorders of deeds of the counties affected by the change Upon such recording the boundaries of the respective counties shall be fixed according to the decree The decree absolute shall be enforced as decrees in equity are enforced

Section 7 Where county boundaries are changed as hereinbefore provided and a part of a county or a borough becomes part of another county if the county to which said part of a county or borough is transferred constitutes a city the part or borough so transferred shall become a part of the city and be subject to the Government of the city and the local government theretofore existing shall cease and the property and assets of such local government or of the school district thereof shall become the property and assets of the city and the city school district

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 799, as follows:

An Act to amend section seven hundred and nine of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven hundred and nine of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 709 No person shall act as agent for school books or school supplies in any district in which he is engaged or employed as a superintendent teacher or employee of the school district in any capacity or in which he was thus employed during the preceding school year and no school director shall be directly or indirectly engaged in the manufacture or act as agent for the sale or distribution of text books or school supplies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. HOMSHER. Mr. President, I move that Senate Bill No. 802 on second reading, entitled:

An Act to regulate nominations and elections for all offices of judges of courts of record; providing for non-partisan nominations and elections for said offices, abolishing certain existing methods of nomination in such cases and the use of party or political names or appellations at elections with respect to said offices; imposing certain duties upon the Secretary of the Commonwealth, county commissioners and election officers and clerks and providing penalties for the violation of the provisions hereof, and the punishment of certain offenses.

be recommitted to the Committee on Elections.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 833, (House Bill No. 830), entitled:

An Act amending section one of an act entitled "A further supplement to an act entitled 'An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expense thereof' approved the fifth day of May one thousand nine hundred and eleven constituting the said court the juvenile court of said county and prescribing its organization jurisdiction and powers therein and otherwise" approved the nineteenth day of March one thousand nine hundred and fifteen by providing that the said county court sitting as a juvenile court shall have sole jurisdiction in all proceedings for the custody of dependent neglected incorrigible and delinquent children

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 834, (House Bill No. 848), entitled:

An Act to provide for the care treatment and maintenance of dependent crippled children conferring powers in connection therewith upon the Department of Public Welfare and Juvenile Courts and imposing certain expenses upon counties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. HARRIS. Mr. President, I move that Senate Bill No. 834 (House Bill No. 848) the bill just read, be recommitted to the Committee on Judiciary Special.

Mr. BROWN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole in this case being dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 848, (House Bill No. 962), entitled:

An Act to amend sections twenty forty and forty-seven of an Act entitled "An act relating to warehouse receipts approved the eleventh day of March Anno Domini one thousand nine hundred and nine"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole in this case being dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 878, as follows:

An Act to amend section eleven of the act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eleven of the act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" is hereby amended to read as follows

Section 11 The compensation of such appraisers shall be as follows namely For each day during which an appraiser shall actually be engaged in making appraisements of property subject to the tax he shall receive the sum of (five) eight dollars If it shall be necessary for the appraiser to travel from his place of residence to appraise property subject to the tax he shall be allowed such actual necessary traveling expenses as he may incur which expenses shall be itemized in a sworn statement to be returned to the register and subject to the final approval of the Auditor General

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole in this case being dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 914, (House Bill No. 246), entitled:

A Joint Resolution proposing an amendment to section eleven of article eight of the Constitution of Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole in this case being dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 923, (House Bill No. 598), entitled:

An Act declaring the construction to be given deeds, wills and other instruments in writing in which real and personal property is donated, granted, devised or bequeathed, either directly or in trust for the benefit of one or more persons for years or for life or upon condition, with remainder over to the heirs or next of kin or to the persons thereunto entitled under the interstate laws or other similar or equivalent phrase.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole in this case being dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 924, (House Bill No. 632), entitled:

An Act to amend an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and ninety-one) entitled "An Act restricting the appointment of corporate fiduciaries by testators or by any court or register of wills to corporations fully subject to supervision and examination by the Banking Department" by exempting certain corporations from the provisions thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole in this case being dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 933, (House Bill No. 882), entitled:

An Act to amend section thirteen of the act approved the thirtieth day of January, one thousand eight hundred and seventy-four (P. L. 31) entitled, "A Further Supplement to the act regulating elections in this Commonwealth," as amended; by authorizing the members of the board of receiving, computing and certifying election returns, to act when a majority of the members thereof are not qualified.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole in this case being dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 934, (House Bill No. 883), entitled:

An Act to amend the fourth paragraph of section fourteen of an act approved the twelfth day of July, one thousand nine hundred and thirteen, (P. L. 719), entitled, "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," as amended.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. CLARK. Mr. President, I move that Senate Bill No. 956, (House Bill No. 1203), on second reading, entitled:

An Act providing a method through which the Commonwealth may co-operate with individuals in building fences to protect farm crops and fruit orchards against damage from wild deer and making an appropriation

be recommitted to the Committee on Game and Fisheries.

Mr. CULBERTSON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 961, (House Bill No. 1224), entitled:

An Act regulating service of process and authorizing the service of writs of summons and other process in any county of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 969, (House Bill No. 1345), entitled:

An Act to enable an incorporated hospital association to acquire lease or purchase any State owned hospital specially devoted to the reception care and treatment of injured persons or of any State owned general medical and surgical hospital and to provide for the regulation and management thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 977, as follows:

An Act prohibiting the purchase sale accepting as a pledge or pawn offering for sale stealing or conversion of medals buttons insignias or decorations granted by the Government of the United States for service in the army navy marine or nurses corps

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whoever purchases sells accepts as a pledge or pawn or offers for sale steals or converts to his own use when not entitled to such use a victory service button or other medal insignia or decoration granted by the Government of the United States for service in the army navy marine or nurses corps is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or be imprisoned for a term not exceeding one year or both at the discretion of the court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 979, as follows:

An Act to authorize the trustees of The Pennsylvania State College to borrow funds for the erection and equipment of buildings and to liquidate present mortgage indebtedness

Whereas Several of the buildings of the Pennsylvania State College are of temporary construction and in such condition as to impose dangerous fire risks to valuable equipment and to compel wastefully high expense in maintenance and

Whereas The laboratories of the Pennsylvania State College used in instruction and research in agriculture and the mechanic arts are many of them crowded beyond the proper number for effective instruction and in some cases located in poorly lighted and improperly heated basements and attics and

Whereas The main engineering building was burned in one thousand nine hundred and eighteen and no funds have been appropriated for its restoration and

Whereas In general the buildings of the Pennsylvania State College are inadequate for the public services required of the institution extension and research therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the trustees of the Pennsylvania State College are authorized to borrow on mortgage and to issue bonds on the security of the lands and buildings of the institution the sum of two million dollars or so much thereof as may be necessary in the judgment of the said board of trustees for the erection and equipment of buildings immediately necessary to enable the college to carry out the provisions of its charter and to liquidate present mortgage indebtedness of two hundred and seven thousand six hundred dollars ($207,600)

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee on the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 980, as follows:

An Act to amend section one of an act approved the fifth day of April one thousand nine hundred and seventeen (Pamphlet Laws forty-seven) entitled "An act specifying additional securities in which trustees or directors of savings banks savings institutions and provɪnent ɪnstitutions chartered under general or special acts of Assembly may invest moneys deposited therein"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the fifth day of April one thousand nine hundred and seventeen (Pamphlet Laws forty-seven) entitled "An act specifying additional securities in which trustees or directors of savings banks savings institutions and provident institutions chartered under general or special acts of Assembly may invest moneys deposited therein" is hereby amended to read as follows

Section 1. Be it enacted et cetera That from and after the passage of this act trustees or directors of savings banks savings institutions and provident institutions chartered under general or special acts of Assembly of this Commonwealth may notwithstanding any provisions of their charter or of any act of Assembly under which they may have been incorporated invest the moneys deposited in said savings banks savings institutions and provident institutions in farm loan bonds issued by Federal Banks and Joint-stock Land Banks operating under the provisions of the act of Congress of the United States of July seventeenth one thousand nine hundred and sixteen its amendments or supplements

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 985, as follows:

An Act to amend section three hundred and twenty-nine as amended and section five hundred and fifty-four of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or my be inconsistent therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three hundred and twenty-nine of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws thre hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which was amended by an act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand seventy-six) entitled "An act to amend section three hundred and twenty-nine of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' " is hereby further amended as follows

Section 329 School treasurers shall be paid such compensation as the boards of school directors of the respective districts may determine Provided In all school districts of the second third and fourth class such compensation or commission shall not exceed one-half per centum of the amount of funds paid out on school orders and that no compensation shall be allowed to any school treasurer on account of any balance in his hands paid over to his successor nor for the re-payment of any loan or redemption of bonds whether upon order or otherwise The compensation received by each school treasurer for the preceding year shall be reported annually to the Superintendent of Public Instruction and be printed in his report

Section 2 That section five hundred and fifty-four of said act is hereby amended to read as follows

Section 554 In all school districts of the second third and fourth class all school tax collectors shall be paid such commissions or compensations as may be determined by the boards of school directors but for the collection of taxes collected prior to October first of each year such commissions or compensation shall not exceed two per centum of such taxes The commissions or compensation shall be paid by proper orders drawn on the school treasurer as other accounts are paid by any school district The total cost of such collection in each district shall be reported annually to the Superintendent of Public Instruction and shall be published in his report

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 993, as follows:

An Act to amend section seventeen of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventeen of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to the National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" is hereby amended to read as follows

Section 17 Candidates of the various political parties for nomination as herein provided for except for the office of the President of the United States who receive a plurality of votes of their party electors in the State or in the political district or division as the case may be at a primary together with the candidates for the office of Presidential elector nominated as hereinafter provided shall be the candidate or their respective parties and no candidate shall be permitted to withdraw his name from any ticket after the nominations have been made and it shall be the duty of the proper officers to print (their) the names of the nominees upon the official ballots for use at the succeeding election as is now or may hereafter be required by law

The name of the person in each political party who receives at a primary a plurality of the votes of such party in the State at large for United States Senator shall be printed upon the official ballots for use at the succeeding election as the candidate of his party for said office under the heading "United States Senator"

Candidates of the various political parties for the office of delegate and alternate delegate at large to a National party convention who receives a plurality of the votes of their party electors in the State at large shall be the duly elected delegates and alternate delegates at large to the National convention of their respective parties Candidates of the various political parties for the office of delegate and alternate delegate other than delegate and alternate delegate at large who receive a plurality of the votes of their party electors in the political district or division in which they are candidates shall be the duly elected delegates and alternate delegates to the National convention of their respective parties

Candidates of the various political parties for the office of member of the State committee or for the office of member of the National committee in cases where the rules of the party provide that such office shall be filled by vote of the party electors who receive a plurality of the votes of the party electors at a primary shall be the duly elected members of the State or National committee as the case may be of their respective parties

Candidates for other party offices who receive a plurality of the votes of the party electors at a primary shall be the party officers of their respective parties

In case of a tie the candidates receiving the tie vote shall cast lots before the county commissioners or the Secretary of the Commonwealth as the case may be on the third Friday after the primary and the one to whom the lot shall fall shall be entitled to the nomination or election Provided however That in any case where the fact of a tie vote is not authoritatively determined until after the third Wednesday after the primary the day for casting lots shall be the second day after the fact of such tie vote is authoritatively determined If any candidate or candidates receiving a tie vote fail to appear before twelve o'clock noon on said day the county commissioners or the Secretary of the Commonwealth as the case may be shall cast lots for him or them For the purpose of casting lots any candidate may appear in person or by proxy appointed in writing

Where a nomination petition has been duly filed under the provisions of this act and thereafter and before the day of the primary the candidate named in said petition dies the original signers of said petition or the majority of them may sign another petition proposing a new candidate for said office at any time prior to the printing of the ballot Said petition filed shall have the same force and effect as the original petition

Vacancies happening (or existing after the date of the primary may be filled in accordance with the party rules as is now or may hereafter be provided for by law) by death or withdrawal of any nominee or removal of any nominee from the district after the date of the primary may be filled by the committee of the party to which he or she belongs but no one whose name is on the ballot as the candidate of any other party shall be named for said vacancy Provided however That the person so selected shall have voted for the candidate originally named for said office

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1006, as follows:

An Act exempting in certain cases the net proceeds of life insurance policies or annuities from the claims of creditors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the net amount payable under any policy of life insurance or under any annuity contract upon the life of any person heretofore or hereafter made for the benefit of or assigned to the wife or children or dependent relative of such person shall be exempt from all claims of the creditors of such person arising out of or based upon any obligation created after the passage of this act whether or not the right to change the named beneficiary is reserved by or permitted to such person

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1024, (House Bill No. 885), entitled:

An Act limiting the powers of State banks banking companies trust companies savings banks and unincorporated banks to become surety of bonds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1033, (House Bill No. 1335), entitled:

An Act relating to certain county officers in counties of the fifth class providing for their salaries and the compensation of deputies and clerks in the respective county offices establishing a salary board and defining its powers and duties placing certain duties on the county commissioners county controllers and county auditors requiring the payment into the respective county treasury of the fees of such county officers and providing penalties for violation of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1035, (House Bill No. 19), entitled:

An Act to provide for the physical welfare of all persons confined (Whether such persons be tried or untried prisoners) in any penitentiary or county prison in this Commonwealth

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1038, (House Bill No. 469), entitled:

An Act to amend section three of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITED.

Mr. JOYCE. Mr. President, I move that Senate Bill No. 1039, (House Bill No. 704), on second reading, entitled:

An Act requiring the filing of plans and specifications for buildings, public works, highways or improvements undertaken by boroughs, townships, poor districts or school districts; in the office of the clerk of the court of quarter sessions, and requiring copies to be furnished by the secretary, architect or engineer of the municipality to applicants therefor.

be recommitted to the committee on Municipal Affairs.

Mr. CULBERTSON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1063, as follows:

An Act to amend section seventeen of the act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventeen of the act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" is hereby amended to read as follows

Section 17 Whenever any real estate of which any resident decedent may die seized shall be subject to the tax the executors and administrators shall give information thereof to the register of the county where administration has been granted within six months after they undertake the execution of their respective duties or if the fact be not known to them within that period then within one month after the same shall have come to their knowledge The owners of such estate immediately upon its vesting shall give information thereof to the register having jurisdiction of the granting of administration

Whenever any transfer tax is paid under the provisions of this act to a register of wills on any real estate located in any other county of the Commonwealth the register of wills to whom the tax is paid shall immediately forward to the register of wills of the county where the real estate is located a certificate of the payment of the tax on said real estate which shall be entered of record in his office in the asme manner as payments of taxes made within said county The register of wills entering of record such payment shall be entitled to a fee of two dollars to be paid by estate of the decedent as part of the expense of administration

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1070, as follows:

An Act to amend part of section two of the act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Appropriation Acts page thirty-three) entitled "An act to provide for the ordinary expenses of the Executive Judicial and Legislative Departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and twenty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and twenty-one"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of teh same That so much of section two of the act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Appropriation Acts page thirty-three) entitled "An act to provide for the ordinary expenses of the Executive Judicial and Legislative Departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thouasnd nine hundred and twenty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and twenty-one" which relates to the liquidation of the indebtedness of normal schools be hereby amended to read as follows

And provided further That out of the amount hereby appropriated there shall be set apart the sum of eight hundred twenty-five thousand dollars ($825,000) for the payment and liquidation of the mortgage and note indebtedness of the several State normal schools in the Commonwealth and the accrued interest thereon due the note holders payment of which was agreed upon when the said normal schools were taken over by the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1071, as follows:

An Act to validate deeds and conveyances defectively acknowledged prior to the fourth day of April one thousand nine hundred and one

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no deed or conveyance of lands tenements and hereditaments whatsoever executed within or without this Commonwealth and delivered by husband and wife prior to the fourth day of April one thousand nine hundred and one to bona fide purchasers for valuable consideration and acknowledged by them before an officer of this Commonwealth or of any other State of the United States duly authorized by law to take such acknowledgment shall be deemed held or adjudged invalid defective or insufficient in law by reason of the fact that the acknowledgment of the wife was not separately taken or does not show that the wife was examined separate and apart from her husband and that the deed or conveyance was read and the full contents thereof made known to her or that upon separate examination she did declare that she did voluntarily and of her own free will and accord seal and as her act and deed deliver the said deed or conveyance without any coercion or compulsion of her husband and notwithstanding the fact that the seal of the officer taking the acknowledgment was not attached to such deed or conveyance but all and every such deed and conveyance shall be good valid and effectual in law for transferring passing and conveying the estate title and interest of such husband and wife in and to the lands tenements and hereditaments mentioned in the same as if all the requisites and particulars then required by law for such acknowledgments had been fully complied with and particularly set forth in the acknowledgment thereof and the record thereof duly made in the proper office for the recording of deeds and exemplification of the same duly certified shall be legal evidence in all cases in which the original would be competent evidence Provided however That this act shall not validate deeds and conveyances heretofore declared invalid in any judicial proceeding nor effect any suit pending and undertermined

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITED.

Mr. VARE. Mr. President, I move that Senate Bill No. 1073, on second reading, entitled:

An Act to amend section three hundred one and section three hundred six and three hundred seven as amended of an act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" defining injuries to include occupational diseases and injuries in the course of employment and injuries occurring anywhere upon the premises of the employer upon which the employe is employed extending the right of compensation to employes working in violation of the laws of the Commonwealth increasing compensation periods and schedules and fixing the time when compensation shall begin removing the limitation of compensation in cases of total disability providing compensation for partial disability upon termination of total disability providing compensation for loss of toes hearing vision mutilations and disfugurements permanent loss of use of thumbs fingers and toes and permanent loss of the industrial use of a hand foot leg or eye lengthening the period during which medical services medicines and supplies and hospital treatment shall be furnished by the employer and increasing the maximum cost thereof granting compensation to fathers and mothers principally dependent and brothers and sisters actually dependent and presuming conclusively and dependency of minors and providing for payment of compensation to children immediately after the remarriage of a widow

be recommitted to the committee on Judiciary General for the purpose of a hearing.

Mr. JOYCE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1080, as follows:

An Act amending section 2 of ARTICLE XVI of an act entitled "An Act for the better government of cities of the first class of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of ARTICLE XVI of an act entitled "An Act for the better government of cities of the first class of this Commonwealth" approved the twenty-fifth day of June Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws five hundred eighty-one) which reads as follows

Section 2 At the municipal election held in such city in the year one thousand nine hundred and nineteen and in every fourth year thereafter city councilmen shall be elected in the various State senatorial districts in such city in proportion to the number of assessed voters residing in each district as determined by the last assessment completed according to law at least three months prior to said election One councilman shall be elected for each unit of twenty thousand assessed voters residing in each such district and one for any fractional portion of such unit in excess of fifty per cent thereof residing in such district over and above all entire units Provided however That if any time hereafter the women of this Commonwealth shall be given the right to vote the unit of representation aforesaid shall be forty thousand assessed voters instead of twenty thousand as above provided And provided further That such assessment lists may be corrected prior to August first of one thousand nine hundred nineteen and of every fourth year thereafter by striking therefrom names of voters not residing in the district at the time of such revision and by adding the names of voters then residing therein but not included in said assessment The number of councilmen to be elected from each such district shall be determined by the county commissioners on August first of one thousand nine hundred nineteen and of every fourth year thereafter on the basis of the said lists as revised The registration commissioners in each city of the first class shall be empowered and it shall be their duty in case of petitions filed by one or more qualified voters objecting to names on the assessors' list or in case of personal application of voters to be added to said lists to hear said petitions or applications and to strike from the lists the names of persons who are not voters then residing within the district and to add the names of voters then residing within the district but who were not included in said assessment Such petitions shall be filed and personal applications made not later than July fifteenth of such years and shall be acted upon not later than July twenty-fifth thereof Councilmen shall be nominated and elected according to law and those receiving the highest votes shall be declared elected to the number to which each such district is entitled Councilmen shall serve for the period of four years from the first Monday in January following their election If any vacancy shall happen in the office of councilman the vacancy may be filled at the next general municipal or special election occurring not less than thirty days thereafter but the councilman thus elected shall serve only the unexpired term be and the same is hereby amended to read as follows

Section 2 At the municipal election held in such city in the year one thousand nine hundred and twenty-three and in every fourth year thereafter the city councilmen shall be elected in the various State Senatorial Districts in such city in proportion to the number of registered voters residing in each such district as determined by the last registration completed according to law at least three months prior to said election One councilman shall be elected for each unit of twenty thousand registered voters residing in each such district and one for any fractional portion of such unit in excess of fifty percent (50%) thereof residing in such district over and above all entire units

The number of Councilmen to be elected from each said District shall be determined by the County Commissioners on August first one thousand nine hundred and twenty-three and of every fourth year thereafter Councilmen shall be nominated and elected according to law and those receiving the highest votes shall be declared elected to the number to which each such district is entitled Councilmen shall serve for the period of four years from the first Monday on January following their election If any vacancy shall happen in the office of councilman the vacancy may be filled at the next general municipal or special election occurring not less than thirty days thereafter but the councilman thus elected shall serve only the unexpired term

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from his Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVAL OF SENATE BILL Nos. 321, 502, AND 513.

Commonwealth of Pennsylvania,

Executive Chamber, Harrisburg, May 1, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed the following:

Senate Bill No. 321, entitled, "An Act to amend section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled 'An Act for the government of cities of the second class."

Senate Bill No. 502, entitled, "An Act prohibiting the location by cities of the third class of city prisons or lockups close to public school buildings".

Senate Bill No. 513, entitled, "An Act to amend section three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and twelve) entitled 'An Act to regulate the drilling operating and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act' ".

GIFFORD PINCHOT.

NOMINATIONS BY THE GOVERNOR.

CORONER, JUSTICES OF THE PEACE, COMMISSIONER OF DEEDS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 1, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate the following:

Doctor William J. Gatti, of Punxsutawney, to be Coroner for the County of Jefferson, vice Doctor N. C. Mills, resigned, to serve until the first Monday of January 1924.

E. O. Weaver, of Timblin, to be Justice of the peace, in and for the Borough of Timblin, Jefferson County, to serve until the first Monday of January 1924.

Norman A. Dinger, of Mayport, to be Justice of the Peace, in and for the Township of Ringgold, Jefferson County, to serve until the first Monday in January 1924.

Nicholas Harris, of Belvidere, N. J., to be Commissioner of Deeds for the State of Pennsylvania, with residence in New Jersey, for a term of five years to compute from date of confirmation.

GIFFORD PINCHOT.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 2, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

Samuel J, Eloin, Rankin.

CAMBRIA COUNTY.

Miss Kathleen N. Boland, Ebensburg.
Miss Florence B. Squire, Westmont, Johnstown.

LYCOMING COUNTY.

Miss Eva Grieb, Williamsport.

McKEAN COUNTY.

Don E. Byham, Kane.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 2, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commission:

ALLEGHENY COUNTY.

James W. Hamilton, Pittsburgh, May 14, 1923.
Robert L. Wickline, Pittsburgh, May 14, 1923.

BERKS COUNTY.

H. F. Towsen, Reading, April 8, 1923.

DAUPHIN COUNTY.

Mrs. Mabel Murray Keys, Harrisburg, May 14, 1923.

DELAWARE COUNTY.

Charles H. Jones, Collingdale, May 14, 1923.

ERIE COUNTY.

J. B. Patterson, Erie, May 5, 1923.

FAYETTE COUNTY.

Miss Elizabeth M. Leonard, Uniontown, April 26, 1923.

LUZERNE COUNTY.

Frank Backman, Wilkes-Barre, May 9, 1923.

MONTGOMERY COUNTY.

Nicholas B. Tufillare, Norristown, May 14, 1923.

PHILADELPHIA COUNTY.

David M. Green, Philadelphia, May 14, 1923.
Robert A. Minnick, Philadelphia, May 14, 1923.

WASHINGTON COUNTY.

James A. Magill, Washington, May 14, 1923.

WESTMORELAND COUNTY.

W. W. Kunkle, Greensburg, May 14, 1923.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. SMITH,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. SMITH,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
Patton,
Phipps,
Quigley,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SMITH. Mr. President, I move that the Executive Session do now rise.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENT TO HOUSE BILL NO. 928.

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in amendments made by the Senate to House Bill No. 928, entitled:

An act providing for and regulating the public printing and binding the editing for publication and the distribution of all documents reports bulletin and other publications for the use of the Commonwealth the several departments boards commissions and other agencies in the legislative judicial and administrative work of the State government the sale of waste paper the appointment of a Director and other employees and repealing inconsistent and conflicting legislation

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 212, entitled:

An Act to amend section fourteen and sixteen of article six chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

House Bill No. 227, entitled:

An Act to further amend the fifth section of an act entitled "An Act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred and fifty thousand inhabitants and to provide for the election of judges thereof" approved May nineteenth Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six) as amended by fixing and determining the salaries of the assistant clerks of said court in counties of the first second third and fourth classes

House Bill No. 306, entitled:

An Act making a deficiency appropriation to the State Hospital for the Criminal Insane at Fairview Pennsylvania

House Bill No. 372, entitled:

An Act to amend section forty-five of an act approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws five hundred and nine) entitled "An act relating to county rates and levies and township rates and levies by removing the exemption of females from arrest and imprisonment for non-payment of taxes

House Bill No. 454, entitled:

An act providing for an examination of the Locust Mountain Memorial Hospital of Shenandoah Pennsylvania providing for the transfer thereof to the Commonwealth and for its management thereafter and making an appropriation

House Bill No. 540, entitled:

An Act prohibiting persons from concealing changing or destroying manufacurers' serial numbers or indentification marks upon machines or apparatus or from knowingly having any such machines in the possession and prescribing penalties for violation thereof

House Bill No. 691, entitled:

A Supplement to the act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundred twenty-two) entitled "An act creating a commission to select an historic spot as a cemetery for the burial of bodies of soldiers sailors marines war nurses and members of the National Guard defining the powers and duties of the Commission and making an appropriation" extending the time for the making of the report of the Commission and making an additional appropriation

House Bill No. 715, entitled:

An Act to amend section eighteen of an act approved the seventh day of June Anno Domini one thousand nine hundred and fifteen entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practioners of medicines and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" by requiring that parents be notified of the registration of birth certificates

House Bill No. 787, entitled:

An Act making a deficiency appropriation to the Cottage State Hospital at Philipsburg Pennsylvania

House Bill No. 928, entitled:

An act providing for and regulating the public printing and binding the editing for publication and the distribution of all documents reports bulletins and other publications for the use of the Commonwealth the several departments boards commissions and other agencies engaged in the legislative judicial and administrative work of the State government the sale of waste paper the appointment of a Director and other employees and repealing inconsistent and conflicting legislation.

House Bill No. 1078, entitled:

An Act to amend section twelve of the act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and thirty-nine) entitled "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and sergery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" providing for hearings in cases where licenses have been suspended or revoked and for the reinstatement of licenses in certain cases

House Bill No. 1153, entitled:

An act to relieve life tenants of land from the payment of taxes on the underlying veins of coal which they have no right to operate and providing that such coal shall be assessed to and the taxes thereon paid by the owner of said veins of coal

House Bill No. 1297, entitled:

An Act to amend section three hundred and three of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended

House Bill No. 389, entitled:

An Act to amend chapter six article twenty section three of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred twelve) entitled **"An Act providing a system of** government for boroughs and revising amending and consolidating the law relating to boroughs"

House Bill No. 617, entitled:

An Act to amend clauses (b) and (c) of section fifty-six of an act approved June seventh one thousand nine hundred **and seventeen (Pamphlet Laws four hundred forty-seven)** entitled "An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the busines of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas af balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" so as to permit the orphans' court in its discretion to permit a corporation appointed as trustees in the place of an executor or executors trustee or trustees dying renouncing dismissed or refusing to act to give its own bond without surety

House Bill No. 633, entitled:

An Act to amend section one of the act approved the twelfth day of June one thousand nine hundred and one (Pamphlet Laws five hundred fifty-nine) entitled "An Act to provide for the election of one person to fill the office of prothonotary one person to fill the office of clerk of the courts of general quarter sessions and oyer and terminer one person to fill the office of register of wills and clerk of the orphans' court and one person to fill the office of recorder of deeds in counties containing forty thousand inhabitants and hereafter created separate judicial districts under the Constitution" providing that said acts shall be in effect only upon the acceptance thereof

House Bill No. 678, entitled:

An Act to amend clause three section ten article two of chapter seven and section article one of chapter twelve of the act approved May fourteenth one thousand nine hundred fifteen (Pamphlet Laws three hundred twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

House Bill No. 682, entitled:

An Act to amend the forty-first clause of section two article one chapter five of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" as amended

House Bill No. 798, entitled:

An Act relating to building constructions in cities of the first class by prescribing the maximum undivided floor areas permitted, and permitting the use of non-fireproof steel roof trusses and purlins in certain cases; prescribing limitations on garages, automobile service stations and buildings for similar purposes; and constructions permitted for curtain and spandrel walls; permitting the use of wood furring and stud-partitions in certain cases; and repealing inconsistent laws.

House Bill No. 957, entitled:

An Act to provide for the laying out altering and vacating reads lying partly in one county and partly in an adjoining county forming or intended to form a continuous highway from one county to another and providing for the location construction of a joint county bridge on said road

House Bill No. 1033, entitled:

An act providing that any person who was engaged in the military or naval service of the United States during any war in which the United States was engaged and having an honorable discharge therefrom shall receive credit for the experience and training derived from such service in civil service examinations

House Bill No. 1163, entitled:

An Act making unlawful the wearing of the discharge button issued by the United States Government by any person not entitled to wear the same

House Bill No. 1312, entitled:

An act to amend sections one two three and four of an act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An act defining consolidating of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools"

Senate Bill No. 787, entitled:

An act creating a Legislative Reference Bureau providing for the election of a Director by the General Assembly designating the officers and employes of such Bureau defining their duties fixing their salaries abolishing the present Legislative Reference Bureau and making an appropriation

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the presence of the Senate signed the same.

RULE 21 SUSPENDED FOR THE BALANCE OF THE SESSION.

Mr. JOYCE. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be suspended for the balance of the session.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 449, RECALLED FROM THE GOVERNOR.

The Clerk of the House of Representatices being introduced informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 449, entitled:

An act to amend section one of the act approved the thirty-first day of March one thousand nine hundred and twenty-one (Pamphlet Laws seventy-one) entitled "An act providing for the salaries of court criers and tipstaves of the several courts in counties of the fourth class"

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

SENATE BILL NO. 224 RETURNED WITH AMENDMENTS.

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 224, entitled:

An Act providing for the filling of vacancies in the office of tax-collector in boroughs by the council of the borough and repealing certain acts inconsistent therewith

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution were twice read, as follows:

Amend section 1, page 2, line 1, by inserting after the word "appointment" the words "by resolution"; also by striking out lines 3, 4 and 5, and inserting in lieu thereof the following: "until the next municipal election at which election a collector shall be elected for four year"; also by striking out section 2 from the bill; also line 13, by striking out after the word Section the figure "3" and inserting in lieu thereof the figure "2".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
Patton,
Phipps,
Quigley,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL NO. 584.

He also returned to the Senate, Senate Bill No. 584, entitled:

An Act extending and enlarging the powers and rights of Trust Companies and Banks organized and incorporated under the laws of the Commonwealth of Pennsylvania

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 587.

He also returned to the Senate, Senate Bill No. 587, entitled:

An Act prescribing the effect of the merger of a trust company or a banking company possessed of trust company powers with another trust company or banking company possessed of trust company powers on the estate and property real and personal held by either of such merging corporations in any trust or fiduciary capacity

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 640.

He also returned to the Senate, Senate Bill No. 640, entitled:

An Act to amend section three of an act approved the twenty-fifth day of July, one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and nine) entitled "An Act to authorize the acquisition by purchase or condemnation of lands for a park and the erection of a monument commemorative of Washington crossing the river Delaware, and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act."

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 258.

He also returned to the Senate, Senate Bill No. 258, entitled:

An Act to amend section three hundred and twenty-five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (P. L. 840) entitled "An act concerning townships and revising amending and consolidating the law relating thereto" fixing the compensation of township auditors

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 297.

He also returned to the Senate, Senate Bill No. 297, entitled:

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has formerly been held or conveyed by to or for corporations not authorized by law to hold the same

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 472.

He also returned to the Senate, Senate Bill No. 472, entitled:

An Act to amend section one of an act approved July eighteenth one thousand nine hundred seventeen (Pamphlet Laws one thousand seventy-two) entitled "An act providing a method of establishing title to land acquired at a sale for unpaid taxes" extending the provisions of said act to all such sales

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 598.

He also returned to the Senate, Senate Bill No. 598, entitled:

An Act authorizing cities of the third class to sell certain real estate and prescribing the procedure to be followed

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 787.

He also returned to the Senate, Senate Bill No. 787, entitled:

An Act creating a Legislative Reference Bureau providing for the election of a Director by the General Assembly designating the officers and employes of such Bureau defining their duties fixing their salaries abolishing the present Legislative Reference Bureau and making an appropriation

with the information that the House has passed the same without amendment.

MOTION TO READ BILL THE FIRST TIME

Mr. PHIPPS. Mr. President, I move that all bills reported from Committees at today's session be read the first time.

Mr. SNYDER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 309, (House Bill No. 203), entitled:

An act relating to and regulating the speed of motor vehicles driven through cemeteries and burial grounds and providing penalties for violation thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 586, entitled:

An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and certain existing and certain new Administrative Departments, Boards, Commission and officers; abolishing, combining, changing the names of reorganizing or authorizing the reorganization of, certain Administrative Departments, Boards, Commissions, Bureaus, Divisions, offices and Agencies; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative Departments, Boards and Commissions; fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain Departments Boards and Commissions; and prescribing the manner in which the number and compensation of the Deputies and all other assistants and employees of certain Departments, Boards and Commissions shall be determined.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 614, entitled:

An act to amend section one thousand two hundred and four and to repeal section one thousand two hundred and eight of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, and repealing all laws general, special, or local or any parts thereof that are or may be inconsistent therewith."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 750, entitled:

An Act providing for the refunding of moneys erroneously paid into the State treasury as taxes on inheritances or transfers of inheritances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 800, entitled:

An act to repeal section two hundred and thirty-nine of an act approved the fourteenth day of July, one thousand nine hundred and seventeen (P. L. 840), entitled "An act reorganizing townships and revising, amending and consolidating the laws relating thereto"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 815, (House Bill No. 486), entitled:

An act to amend section two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and eight) entitled "An act regulating the closing of public highways and providing for the locating marking and maintenance of detours necessitated by such closing" and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 854, (House Bill No. 1128), entitled:

An act authorizing the State Highway Commissioner to empower certain other employees of his department to perform such official acts as he may designate.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 890, (House Bill No. 45), entitled:

An Act providing a system whereby persons absent from their regular polling places may cast their votes imposing certain powers and duties upon the county commissioners prothonotaries return boards of the various counties and the board of registration commissioners in cities of the first and second class in relation thereto and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 912, (House Bill No. 139), entitled:

An act to amend section ten of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain state highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the

State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof, providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads, defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township of county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of material to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act," as amended.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 987, entitled:

An Act imposing a tax upon certain classes of personal property for city purposes in cities of the first class; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1012, (House Bill No. 1258), entitled:

An Act to amend section one hundred and six of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309). entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, or any parts thereof, that are or may be inconsistent therewith" as amended.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1027, (House Bill No. 980), entitled:

An Act to amend section eleven of an act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred and seventy) entitled "An act creating a Division of Township Highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter session and providing penalties" requiring clerks of the court to certify lists of township auditors to the State Highway Commissioner.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1052, (House Bill No. 639), entitled:

An Act authorizing the sale assignment disposition transfer and conveyance of the franchises and of the property real personal and mixed of any water or power water companies organized prior to the first day of April one thousand nine hundred and five to another water or water power company also organized prior to the first day of April one thousand nine hundred and five and providing the manner in which said sale and purchase shall be effected.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1058, entitled:

An Act for the encouraging of unincorporated cooperative association of agricultural and industrial workers; providing that membership therein and interest in the funds and property thereof may be made nontransferable and imposing penalties upon persons making or accepting unlawful assignment, transfer or pledge of such membership or interest.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1074, entitled:

An Act to amend section three of an act approved April 15, 1845, (P. L. 459) entitled "A supplement to an act entitled 'An act relating to executions,' passed the sixteenth day of June A. D., one thousand eight hundred and six;" allowing counsel fees to garnishees filing written answers in attachments in execution issued by aldermen or justices of peace, and providing for the payment thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1077, entitled:

An Act to amend section ten of an act approved July 12, 113, (P. L. 711) entitled "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of writs of process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein and appeals therefrom, and providing for the expenses thereof" as amended.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

RECESS.

Mr. SMITH. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGES.

HOUSE BILL FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 352, (Senate Bill No. 1111)

An Act to amend section three of the act approved the eleventh day of May, one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two), entitled "An Act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties;" making the county treasurer the agent of the Commonwealth in the issuing of licenses and the collection of fees; and providing his compensation for such services.

Which was committed to the Committee on Agriculture.

House Bill No. 433, (Senate Bill No. 1112) entitled:

An Act to amend section one of an act approved the twentieth day of April, one thousand nine hundred and twenty-one, (P. L. 167) entitled "An Act to amend sections two and three of the act, approved the thirteenth day of June, one thousand eight hundred and eighty-three (Pamphlet Laws, one hundred and nineteen), entitled 'An Act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies,' as amended, by imposing certain duties on all persons having charge of dead human bodies required to be buried at the public expense; requiring immediate notice of all such bodies; limiting the time within which bodies may be claimed; fixing the expense of burial on claimants; and taking away the preference of incorporated anatomical societies, schools, colleges, physicians, and surgeons of the county wherein the death occurs."

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 444, (Senate Bill No. 1113) entitled:

An Act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 558, (Senate Bill No. 1114) entitled:

An Act supplementing and amending the act approved the twenty-fifth day of May, one thousand nine hundred and twenty-one, (P. L. 1159), entitled "An Act authorizing certain corporations to issue preferred or common stock of one or more classes; providing for the manner of issuance, restrictions and regulations in the manner of voting thereof, and the rights and privileges of the holders thereof; validating certain acts of corporations not participated in by the holders of non-voting stock; and repealing all acts and parts of acts inconsistent therewith," further authorizing and empowering such corporations to issue shares of capital stock without nominal or par value, and regulating such issuing of said stock.

Which was committed to the Committee on Corporations.

House Bill No. 578, (Senate Bill No. 1115) entitled:

An Act to amend route two hundred and forty-eight of section six of an act approved the thirty-first day of May one thousaid nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase of acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by the State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and f all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

Which was committed to the Committee on Public Roads and Highway.

House Bill No. 835, (Senate Bill No. 1116) entitled:

An Act to further amend clause (d), section three hundred and six of an act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws, seven hundred thirty-six), entitled "An Act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure the determination of liability and compensation thereunder," as amended.

Which was committed to the Committee on Corporations.

House Bill No. 894, (Senate Bill No. 1117) entitled:

An Act to repeal an act approved the eighth day of June one thousand nine hundred fifteen (Pamphlet Laws nine hundred fifteen) entitled "An act to fix the salaries of the deputies in the offices of the clerk of the courts county controller recorder of deeds county treasurer chief deputy sheriff and chief clerk to the county commissioners in counties of this Commonwealth having over two hundred and fifty thousand population and less than four hundred thousand population"

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 1084, (Senate Bill No. 1118) entitled:

A Supplement to an act approved the twenty-third day of June one thousand nine hundred eleven (Pamphlet Laws one thousand one hundred twenty-three) entitled "An act establishing in each county a Board of Viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" as the same was amended and supplemented by subsequent acts by providing for the compensation to be paid to the members of the Board of Viewers in counties of the second class

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 1275, (Senate Bill No. 1119) entitled:

An Act abolishing the office of high constable in the boroughs of this Commonwealth and authorizing and directing the borough councils to designate the police or a constable of the borough to perform the duties now by law imposed on high constables

Which was committed to the Committee on New Counties and County Seats.

HOUSE RECEDES FROM AMENDMENTS TO SENATE BILL No. 153.

He also presented communication from the House of Representatives, informing the Senate that the House has receded from amendments made on the House to Senate Bill No. 153, entitled:

An Act providing for and regulating subject to certain restrictions limitations and liabilities assistance to certain aged persons and providing for their burial creating an Old Age Assistance Commission of this Commonwealth and an Old Age Assistance Board in each county defining their powers and duties providing for the appointment and fixing the compensation of an Old Age Assistance Superintendent and assistants and investigators making counties liable for certain expenses providing penalties and making an appropriation.

REPORT FROM COMMITTEE

Mr. HOMSHER. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOMSHER, from the Committee on Finance, reported as committed, Senate Bill No. 573 entitled:

A Joint Resolution proposing an amendment to section twelve of article three of the Constitution of Pennsylvania.

Mr. DeWITT. Mr. President, I ask unanimous concent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DeWITT, from the Committee on Finance, reported as committed, Senate Bill No. 569 entitled:

An Act fixing the salries of certain State Officers, and abolishing all additional compensation of such officers.

Mr. JOYCE. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JOYCE, from the Committee on Finance, re-reported as committed, Senate Bill No. 162, entitled:

An Act to amend section one of the act approved June 17, 1913, (P. L. 507), entitled "An Act to provide revenue for State and County purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes."

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 569, entitled:

An Act fixing the salaries of certain State Officers, and abolishing all additional compensation of such officers.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 573, entitled:

A Joint Resolution proposing an amendment to section twelve of article three of the Constitution of Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publically read as follows:

Senate Bill No. 224 entitled:

An act providing for the filling of vacancies in the office of tax-collector in boroughs by the council of the borough and repealing certain acts inconsistent therewith

Senate Bill No. 228, entitled:

An act to amend section one thousand seven hundred and eight of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and prescribing and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Senate Bill No. 584, entitled:

An act extending and enlarging the powers and rights of Trust Companies and Banks organized and incorporated under the laws of the Commonwealth of Pennsylvania

Senate Bill No. 640, entitled:

An act to amend section three of an act approved July twenty-fifth one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and nine) entitled "An act to authorize the acquisition by purchase or condemnation of lands for a park and the erection of a monument commemorative of Washington Crossing the river Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act"

Senate Bill No. 472, entitled:

An act to amend section one of an act approved July eighteenth one thousand nine hundred seventeen (Pamphlet Laws one thousand seventy-two) entitled "An act providing a method of establishing title to land acquired at a sale for unpaid taxes" extending the provisions of said act to all such sales

Senate Bill No. 598, entitled:

An act authorizing cities of the third class to sell certain real estate and prescribing the procedure to be followed

Senate Bill No. 449, entitled:

An Act to amend so much of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

Senate Bill No. 258, entitled:

An act to amend section three hundred and twenty-five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (P. L. 840) entitled "An act concerning townships and revising amending and consolidating the law relating thereto" fixing the compensation of township auditors

Senate Bill No. 397, entitled:

An act to amend section five of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

Senate Bill No. 587, entitled:

An Act prescribing the effect of the merger of a trust company or a banking company possessed of trust company powers with another trust company or banking company possessed of trust company powers on the estate and property real and personal held by either of such merging corporations in any trust or fiduciary capacity.

ADJOURNMENT.

Mr. SMITH. Mr. President, I move that the Senate do now adjourn until Monday Evening, May 7, at nine o'clock.

Mr. CLARK. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:14 P. M. until Monday Evening, May 7, at nine o'clock.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 2, 1923.

The House met at 11:00 o'clock A. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Almighty and eternal God, we thank Thee for our rich inheritance in Thee. We pray that Thou wouldst help us to apply Thy fullness to the poverty and necessity of our lives; and grant, Almighty God, that we may be partakers of Thee, to the end that we may be lifted above all sorrow and sin and fretting care. Therefore we would enjoy Thy serenity, compassion and gentleness, Thy power and service, and consciousness of Thy boundless resources. Thou art the fountain of our lives, full of unbounded satisfaction; and we pray, our Father, that our lives may be a never-ceasing appropriation of Thyself and Thy power, to the end that we may render a full and efficient service unto Thee, and unto our fellow men. We ask it in Jesus' name. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Albert, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 495. (HOUSE BILL No. 1469).

An Act establishing a State employes retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes and judges serve; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties.

Referred to Committee on Pensions and Gratuities.

SENATE BILL No. 512. (HOUSE BILL No. 1470).

An Act to amend section one of an act approved the seventeenth day of March, one thousand nine hundred and twenty-one (P. L. 32), entitled, "An Act authorizing the erection and construction by counties of memorial halls in memory of the soldiers, sailors and marines of such counties; providing for an election to determine whether such hall shall be erected; providing for the purchase and condemnation of property for such purposes; regulating the use of such halls and providing for the maintenance and care of the same, by a board of control at the expense of the county;" by providing for second like proceeding, in certain cases and making it the duty of the county commissioners upon favorable result of a second election to erect such hall at some place designated in the question submitted on the ballot.

Referred to Committee on Counties and Townships.

SENATE BILL No. 734. (HOUSE BILL No. 1471).

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania by adding thereto an additional section.

Referred to Committee on Municipal Corporations.

SENATE BILL No. 126. (HOUSE BILL No. 1472).

An Act making an appropriation to the Western Pennsylvania School for the Blind located at Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 390. (HOUSE BILL No. 1473).

An Act creating the "Anthracite Mine Cave Fund" appropriating a portion of the State tax on anthracite coal to the use of the Pennsylvania State Anthracite Mine Cave Commission, and imposing duties upon the State Treasurer and Auditor General.

Referred to the Committee on Mines and Mining.

SENATE BILL No. 391. (HOUSE BILL No. 1474).

An Act creating the "Anthracite Municipalities Fund" appropriating pro rata according to population a portion of the tax on anthracite coal to the use of the Cities, Boroughs and townships from which the anthracite coal taxed was removed in course of mining and imposing duties upon the State Treasurer and Auditor General.

Referred to the Committee on Mines and Mining.

SENATE BILL No. 762. (HOUSE BILL No. 1475).

An Act to safeguard human life and health throughout the Commonwealth by providing for the reporting, quarantining and control of diseases declared communicable by this act or by regulation of the Department of Health, providing for the prevention of infection therefrom and prescribing penalties.

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 772. (HOUSE BILL No. 1476).

An Act to amend an act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand fifty-seven) entitled "An act to amend section one and to supplement an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and two) entitled 'An act providing for the appointment and expenses of a commission of five persons to codify and revise the law relating to banks private bankers and trust companies doing business within this Commonwealth and making an appropriation' extending the powers and duties of the commission so as to include the codification and revision of the law relating to all corporations persons partnerships and associations under the supervision of the Banking Department and making an appropriation" extending said commission for a further period of two years and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 785. (HOUSE BILL No. 1477).

A Supplement to the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand two hundred and seventy) entitled "An act providing for the erection of a dam at the outlet of Pymatuning Swamp and the establishment of a reservoir to conerve the waters thereof providing for the taking of land and material necessary thereto vesting certain powers and duties in the Water Supply Commission and making appropriation" providing for the sale and leasing of property acquired under said act and making an appropriation of the proceeds thereof.

Referred to the Committee on Appropriations.

SENATE BILL No. 789. (HOUSE BILL No. 1478).

An Act to amend the act approved the twenty-first day of May one thousand eight hundred and eighty-one (Pamphlet Laws thirty) entitled "An act to enable mining manufacturing and trading companies to wind up their affairs after the expiration of their charters" as amended by extending the same to include foreign corporations.

Referred to the Committee on Corporations.

SENATE BILL No. 795. (HOUSE BILL No. 1479).

An Act providing that in all suits against any county process shall be served upon and defense made by county controllers.

Referred to the Committee on Counties and Townships.

SENATE BILL No. 868. (HOUSE BILL No. 1480).

An Act authorizing poor directors of county poor districts to provide for the payment for the preparation of plans and specifications heretofore made for public buildings for such poor districts where no legal or valid contract was entered into as required by law.

Referred to the Committee on Corporations.

SENATE BILL No. 613. (HOUSE BILL No. 1481).

An Act amending sections one, two and eleven of an act approved the twenty-third day of April, one thousand nine hundred and three (Pamphlet Laws two hundred and seventy-four) entitled "An Act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth, with reference to the care, treatment and control of dependent, neglected, incorrigible and delinquent children under the age of sixteen years, and providing for the means in which such power may be exercised" providing that the Juvenile Courts in the several counties of this Commonwealth shall have exclusive jurisdiction in all cases of juvenile delinquency.

Referred to the Committee on Judiciary General.

SENATE BILL No. 792. (HOUSE BILL No. 1482).

An Act to amend section nine hundred six of the act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue, and repealing all laws general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended, conferring sole power of supervision over certain schools and institutions wholly or partly by the State upon the Council of Education.

Referred to the Committee on Education.

SENATE BILL No. 86. (HOUSE BILL No. 1483).

An Act to further amend the fifth section of an act, entitled "An act relating to the organization and jurisdiction of orphans' courts, and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof," approved May 19th, A. D. 1874," (Pamphlet Laws 206), as amended, by fixing and determining the salaries of the assistant clerk of said court in counties of the first, second, third and fourth classes.

Referred to the Committee on Judiciary General.

SENATE BILL No. 393. (HOUSE BILL No. 1484.).

An Act to amend sections forty-three, forty-four, forty-five and fifty of article seventeen, chapter six of the act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

Referred to Committee on Counties and Townships.

SENATE BILL No. 515. (HOUSE BILL No. 1485).

An Act to regulate and standardize the manufacture and sale of clinical thermometers and to provide a penalty.

Referred to Committee on Public Health and Sanitation.

SENATE BILL No. 554. (HOUSE BILL No. 1486).

An Act to amend section twelve of the act approved the third day of June, one thousand nine hundred and entitled "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" providing for the reinstatement of licenses in certain cases.

Referred to Committee on Public Health and Sanitation.

SENATE BILL No. 639. (HOUSE BILL No. 1487).

An Act to further amend the act approved the twenty-seventh day of April, one thousand nine hundred and nine, (P. L. 258), entitled "An Act authorizing the employment of stenographers by the district attorneys of certain counties" as amended; extending said act to counties of the fourth fifth, sixth, seventh and eighth classes; and fixing the salaries of said stenographers.

Referred to the Committee on Counties and Townships.

SENATE BILL No. 702. (HOUSE BILL No. 1488).

An Act to amend section twelve of the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand forty-three) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties as amended."

Referred to the Committee on Education.

SENATE BILL No. 736. (HOUSE BILL No. 1489).

An Act authorizing the State Highway Commissioner to use funds appropriated for State-aid highway purposes by the Act of March tenth, one thousand nine hundred and twenty-one, entitled "An Act making an appropriation to the State Highway Department for the construction of permanent State Highways; for the payment of the Commonwealth's share in the expenses of constructing State-aid highways; for the maintenance and repair of State Highways within the limits of boroughs; for the maintenance and repair of State-aid highways; for the payment of rewards due townships of the second class; for the payment of damages to property caused or occasioned in connection with the work of the State Highway Department"; for the construction or reconstruction of State highways, and to enter certain charges against the State-aid highway accounts of those counties in which State Road Bond Fund money has been used to pay State-aid highway contracts, so as to reimburse accounts available heretofore for highway purposes which were used for State-aid highway purposes and making an appropriation thereof.

Referred to the Committee on Public Roads.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 1, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives providing that the Superintendent of Public Printing and Binding shall have printed in advance sheet form for the use of the Members and Senators twenty-five thousand copies of the act approved the twenty-seventh day of March, one thousand nine hundred and twenty-three, entitled "An Act concerning alcoholic liquors; prohibiting the manufacture, advertising, furnishing, traffic in, and possession of intoxicating liquors for beverage purposes, and articles and substances designed or intended for use in the manufacture thereof; defining intoxicating liquor; providing for penalties, forfeitures, and the abatement of nuisances; and repealing existing alcoholic liquor laws and alcoholic liquor license laws".

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 22, 411, 638, 657, 874, 902, 912, and 977.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 1, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 22, entitled, "An Act concerning conditional sales of chattells attached or to be attached to realty and regulating the recording and effect thereof and providing remedies and penalties".

House Bill No. 411, entitled, "An Act to amend section one thousand one hundred and five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled 'An Act concerning townships and revising amending and consolidating the laws relating thereto' ".

House Bill No. 638, entitled, "An Act supplementing an act entitled 'A supplement to an act entitled 'An Act for the government of cities of the second class' approved the seventh day of March one thousand nine hundred and one authorizing cities of the second class to regulate and limit the height and bulk of buildings and the area of yards courts and open spaces and to regulate and restrict the location of trades and industries and the location of buildings for specified uses and to make regulations for trades and industries and for the use of buildings and for the above purposes to divide the cities into districts and authorizing the city planning commission to recommend the boundaries of districts and appropriate regulations therein and providing the method of adoption of said districts regulations and restrictions and the method of amendment or change thereof' approved the twenty-first day of June Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws five hundred seventy)' providing for a board of appeals to review decisions of the officer charged with the enforcement of any zoning ordinance duly adopted by said cities establishing the procedure upon said appeals authorizing appeals from the decision of said board of appeals to the court of common pleas of the respective counties and authorizing said appeals to be advanced".

House Bill No. 657, entitled, "An Act to amend section two thousand six hundred and twenty-eight of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled 'An Act to establish a public school system in the ,Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' by changing the compensation of auditors of the accounts of school districts of the fourth class".

House Bill No. 874, entitled, "An Act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled 'An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increasing thereof' and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections".

House Bill No. 902, entitled, "An Act to amend section ten hundred and twenty-five of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled 'An Act concerning townships and revising amending and consolidating the law relating thereto' ".

House Bill No. 912, entitled, "An Act validating the incurring of certain debts or increase of indebtedness of poor districts in counties of the second class by the county commissioners thereof for improvements or alterations of the property of such poor districts and all bonds and other securities issued therefor and also the assessments of annual taxes for the payment of such indebtedness since the twentieth day of April one thousand eight hundred and seventy-four".

House Bill No. 977, entitled, "An Act to amend an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and ninety-four) entitled 'An Act to amend an act approved the twenty-fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and fifty) entitled 'An Act authorizing the several counties incorporated towns and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans and of the Army of the Philippines and to each post of the American Veterans of Foreign Service in the respective counties boroughs and towns to aid in defraying the expenses of Memorial Day' by authorizing appropriations to each post of the American Legion Veterans of Foreign Wars and to each Naval Association and each post of the Grand Army of the American Legion Veterans of Foreign Wars and to each organization of ex-service men incorporated under the act of April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto".

GIFFORD PINCHOT.

SENATE MESSAGE.

AMENDED SENATE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate had concurred in the amendments made by the

House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 634.

An Act to amend section one of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and three) entitled "An Act regulating the fees of notaries public"

SENATE MESSAGE.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 911.

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 911, entitled:

An Act to provide for the erection of new or additional buildings for the maintenance care and treatment of the poor indigent insane and indigent persons afflicted with tuberculosis in poor districts in counties of the second class, which now maintain or which shall hereafter maintain a poor house or a hospital or sanitarium for such purposes, authorizing the county commissioners to borrow moneys, issue and negotiate the sale of bonds and to levy taxes for the payment of the same.

And has appointed Messrs. Mansfield, Long and DeWitt a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

SENATE MESSAGE.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 681.

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 681, entitled

An Act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight) entitled "A supplement to an act 'to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three" as amended by fixing the maximum amount for maintenance weekly per capita

And has appointed Messrs. Schantz, Baldwin and Sones a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the houses in relation to said bill.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 1, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor House Bill No. 532 for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE.

Mr. EDMONDS. Mr. Speaker, I move that the vote by which House Bill No. 532, file folio 2923, passed finally be reconsidered.

Mr. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. EDMONDS. Mr. Speaker, I move that the vote by which this bill passed third reading, be reconsidered.

Mr. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. EDMONDS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information

The Clerk then read the amendments as follows:

Amend the title by striking out the words "Artificial, assumed, trade or association, names, titles or designations," and insert in lieu thereof the words "names, titles, or designations of associations, societies, orders, foundations, federations, organizations, and corporations of the first class."

Amend Section 1, page 1, line 4, by striking out the words "person, firm".

Amend Section 2, page 2, line 6, by inserting after the word "corporation", the words "of the first class now shall any registration under the provisions of this Act be made for any association society, order, foundation, federation or organization," and after the word "name" in the same line add the words "title or designation."

Amend Section 2, page 2, line 11, by striking out the words "person or persons" and inserting in lieu thereof "Association, society, order foundation, federation, organization or corporation of the first class."

Amend Section 2, page 2, line 13, by inserting after the word "corporation" "of the first class".

Amend Section 2, page 2, line 16, by inserting after the word "cancelled" "by the Secretary of the Commonwealth".

Amend Section 2, page 2, line 17, by striking out the words "person or persons or corporation" and inserting in lieu thereof "association, society, order, foundation, federation, organization or corporation of the first class."

Amend Section 2, page 2, line 18, by striking out the words "or may be cancelled by the Court of Common Pleas of Dauphin County in proper proceedings had,"

Amend Section 3, page 2, line 21, by inserting after the word "state" the words "under oath".

Amend Section 3, page 2, line 23, by inserting after the word "registered" the words "the length of time if any during which the said name, title, or designation has been used by such applicant or applicants."

Amend section 5, page 3, line 5, by inserting after the words "officer that" "a search of his records fails to disclose any conflict between"

Amend section 5, page 3, line 6, by striking out the words "does not conflict with" and inserting in lieu thereof the word "and".

Amend section 5, page 3, line 7, by inserting after the word "any" the word "other" and by inserting after the words "any name" the words "title or designation".

Amend section 5, page 3, line 8, by inserting after the word "does" the words "appear to".

Amend section 5, page 3, line 14, by striking out the word "registered" and inserting in lieu thereof after the words "registered name" the words "name, title or designation registered under the provisions of this act"

Amend section 6, page 3, line 23, by striking out the word "now" and by inserting after the word "service" the words "The fees collected under this act shall be paid by the Secretary of the Commonwealth into the State Treasury and until June 1st, 1923 shall be set apart in a special fund for the use of the Department of the Secretary of the Commonwealth in defraying clerical services, and other expenses necessarily incurred in the carrying out of the provisions of this Act. The Auditor General shall upon requisition of the Secretary of the Commonwealth from time to time draw his warrant upon the State Treasurer for the amount specified in such requisition and the State Treasurer shall make payment of the said amounts accordingly."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

TIME EXTENDED ON BILL.

Mr. STERLING. Mr. Speaker, I move that the time on House Bill No. 314 file folio 5331, entitled:

An Act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business through a bureau in the department of the Secretary of the Commonwealth

on page 14 of today's calendar, bills on third reading postponed be extended five days

Mr. MILLAR. Mr. Speaker, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEE.

Mr. BLUMBERG, from the Committee on Judiciary General, reported as committed House Bill No. 1314, entitled

An Act to give concurrent jurisdiction to the municipal court in actions for divorce in any judicial district in which such court shall exist, and providing that all laws relating thereto are hereby made applicable to said court.

Mr. SOWERS, from the Committee on Judiciary General, reported as committed House Bill No. 1433, (Senate Bill No. 15), entitled

An Act relating to the retirement of certain officers and employees of the State Government and their compensation including officers and employes heretofore retired.

Mr. STAVITSKI, from the Committee on Corporations, reported as committed House Bill No. 1451, (Senate Bill No. 629), entitled

An Act to amend part of section three of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws, seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" by authorizing certain corporations of the first class to be incorporated by the Governor.

Mr. KENNEDY, from the Committee on Judiciary General reported as amended House Bill No. 1148, (Senate Bill No. 345), entitled

An Act to amend section two of the act approved the eleventh day of July, one thousand nine hundred and one "An Act to regulate and establish the fees to be charged by sheriffs in this Commonwealth and to provide for the taxation and collection of the same."

Mr. PEELOR, from the Committee on Corporations, reported as committed House Bill No. 1438, (Senate Bill No. 494), entitled

An Act to exempt from county, city, borough, township, county, road, school and poor taxes, real and personal property owned by one or more corporations of purely public charity and used by such owner or owners and other similar associations or corporations exclusively for the purposes of such occupants.

Mr. MATHAY, from the Committee on Judiciary General, reported as committed House Bill No. 1150 (Senate Bill No. 347), entitled

An Act empowering any chief deputy appointed by deed of any sheriff in any county of this Commonwealth to perform any duty incumbent upon such sheriff until a written revocation of such appointment by recorded with like effect as if such official act had been done by the sheriff in person regardless of the ability or temporary disability of such sheriff to act while such sheriff continues in office.

Mr. WHITEHOUSE, from the Committee on Judiciary General, reported as amended House Bill No. 1149, (Senate Bill No. 346), entitled

An Act authorizing the sheriffs of the several counties of this Commonwealth to organize themselves into a State Association for the purpose of holding annual meetings to secure more uniformity and co-operation in the conduct of their offices and providing for the payment of certain expenses in connection with such meetings by the various counties.

Miss MacKINNEY, from the Committee on Judiciary General, reported as committed House Bill No. 1467, (Senate Bill No. 764), entitled

An Act fixing the salary of court criers in counties of the sixth class.

Mr. MATHAY, from the Committee on Judiciary General, re-reported as committed House Bill No. 797, entitled

An Act increasing the number of courts of common pleas in the county of Philadelphia, establishing therein a distinct and separate court of common pleas designated court of common pleas number six, and providing for the election and appointment of judges for said court.

Mr. KUNKLE, from the Committee on Judiciary General, re-reported as committed House Bill No. 1143 (Senate Bill No. 292), entitled

An Act to amend section ten of the act approved the twenty-seventh day of June, one thousand eight hundred and ninety-five (Pamphlet Laws, four hundred and three) entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over; prescribing his duties and abolishing the office of county auditor in said counties."

Mr. KUNKLE, from the Committee on Judiciary General, re-reported as committed House Bill No. 1436, (Senate Bill No. 59), entitled

An Act to repeal an act entitled "An act to regulate the practice of the profession of engineering and of land surveying; creating a State Board for the registration of Professional Engineers and Land Surveyors; defining its powers and duties; imposing certain duties upon the Commonwealth and political sub-divisions thereof in connection with public work and providing penalties."

Mr. POSEY, from the Committee on Appropriations, reported as amended, House Bill No. 90, entitled:

A Further Supplement to an act, approved the first day of April, one thousand eight hundred and sixty-three, (Pamphlet Laws, two hundred and thirteen) entitled "An Act to accept the grant of public lands by the United States to the several States for the endowment of agricultural colleges" and making an appropriation for carrying the same into effect.

Mr. McCAIG, from the Committee on Appropriations, reported as amended, House Bill No. 91, entitled:

An Act making an appropriation to the trustees of the University of Pittsburgh for the general maintenance of, and purchase of equipment for, the university and for the maintenance of teaching facilities in hospitals for students in the school of medicine.

Mr. LABAR, from the Committee on Education, reported as amended, House Bill No. 1129, entitled:

An Act to amend section twenty-four of an act approved the thirteenth day of May, Anno Domini, one thousand nine hundred and fifteen, entitled, "An Act to provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officer of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," so far as to fix responsibility upon school authorities in school districts of the first, second and third classes for enforcing, in such districts, the provisions of the child labor law relating to street trades, and to prescribe the means of such enforcement.

Mr. HORNE, from the Committee on Law and Order, reported as committed, House Bill No. 1268, entitled:

An Act prohibiting the appointment of certain persons as police officers, game protectors, fish wardens and detectives.

LEAVES OF ABSENCE.

Mr. WHITEHOUSE asked and obtained leave of absence for himself for the balance of the week.

Mr. STERLING asked and obtained leave of absence for himself for the balance of the week.

Mr. JOHN G MARSHALL asked and obtained leave of absence for himself for the balance of the week.

Mr. BEHNEY asked and obtained leave of absence for himself for the balance of the week.

Mr. GOEHRING asked and obtained leave of absence for himself for the balance of the week.

Mr. HAINES asked and obtained leave of absence for himself for the balance of the week.

Mr. ZOOK asked and obtained leave of absence for himself for the balance of the week.

The SPEAKER asked and obtained leave of absence for Mr. Lorenzo D. Thomas.

Mr. PARKINSON asked and obtained leave of absence for himself for the balance of the week.

SENATE MESSAGE.

AMENDED SENATE BILL NONCONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has noncurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 153.

An Act providing for and regulating, subject to certain restrictions, limitations and liabilities, assistance to certain aged persons; and providing for their burial; creating an Old Age Assistance Commission of this Commonwealth and Old Age Assistance Board in each county; defining their powers and duties; providing for the appointment and fixing the compensation of an Old Age Assistance Superintendent and assistants and investigators; making counties liable for certain expenses; providing penalties; and making an appropriation.

Mr. STEEDLE. Mr. Speaker, I move that the House recede from its amendments on Senate Bill 153.

Mr. McCAIG. Mr. Speaker, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 1, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor House Bill No. 277 for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE.

Mr. BLUETT. Mr. Speaker, I move that the vote by which House Bill No. 277, passed finally be reconsidered.

Mr. BROMLEY. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. BLUETT. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. BROMLEY. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. BLUETT. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Page two, line one, by inserting after the word "all" the word "tax."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

RESOLUTION No. 17.

Mr. BRENNEMAN. Mr. Speaker, I desire to call up at this time resolution No. 17, file folio 6277.

The SPEAKER. The resolution will be read by the Clerk.

The Clerk read the resolution as follows:

Whereas The failure of the City Bank of York and a number of other State banks throughout the Commonwealth has injuriously reflected upon the banking business of this Commonwealth and greatly disturbed business in the respective communities and has caused great financial loss and sore distress to a large numbers of persons and

Whereas Under the laws of this Commonwealth it is the duty of the Commissioner of Banking at least twice in each year to examine thoroughly every State bank trust company and the business of private bankers in this Commonwealth and

Whereas It appears that the banks which have failed were not examined as frequently as is required by law and that the said City Bank of York was not examined by the State department for a period of over two years and

Whereas It appears that these bank failures were caused by embezzlements and thefts committed over long periods of years which thorough and efficient examinations should have revealed before said embezzlements and thefts had become so great as to seriously affect said banks and

Whereas It is possible that these large embezzlements and thefts could have been averted by a vigilant and efficient inspection and supervision by the Banking Department of this Commonwealth therefore be it

Resolved (if the Senate concur) That a commission of eight citizens is hereby created which shall be composed of three members of the Senate to be appointed by the President Pro Tempore of the Senate and five members of the House to be appointed by the Speaker of the House which commission is directed to investigate the cause of the delinquency of the Department of Banking in its failure to examine the State banks of this Commonwealth as directed by law and the failure of the said Banking Department to discover upon inspection the embezzlements and thefts which were the cause of the failure of said banks

Resolved That the commission shall organize by the selection of a chairman and a secretary It shall have power to hold such hearings as may be deemed necessary to carry out the intent of this resolution It shall have power to take testimony to subpoena witnesses and to require the production of books papers records and documents If any person shall refuse to obey any subpoena issued by the commission or fails or refuses to appear and testify or to produce and books papers records or documents the commission shall lay the facts before the General Assembly for action

Resolved That said commission shall complete its duties by the fourteenth day of May one thousand nine hundred and twenty-three and shall on said day make a report to the General Assembly and in said report shall include such recommendation as it may deem necessary for the correction of the evils now existing Such report shall be accompanied by such drafts of legislation as the commission may deem necessary in the premises

On the question,

Will the House adopt the resolution?

Mr. BRENNEMAN. Mr. Speaker and members of the House, the resolution before you is clear and simple, and speaks for itself. It needs not much explanation, the reasons are there, yet is so vital and important in its import. I do not mean to come before you with any hostile or unfriendly or sinister motive whatever. That is not my intention. This is too serious and important a matter to stoop to that. I confess that there are members on the floor, bankers who are well informed on the banking business, and I shall not attempt to tell you anything new about banking affairs. You know all about it, but one thing I do know that is about the shock that has come down to the city of York, the York community and the surrounding farming districts. It has come down there like a thunderbolt from a clear sky. I shall not attempt to picture the scene that this has caused, the sorrow and the trouble and the distress to the poor hard working girls and women of the factories who were trying to be thrifty and saving, and the poor old men who only a few days ago were depending on a little money laid by, even if they will all get that money out, or part of it, and it is unfair that these men and women should suffer on this account.

You all know, we need not tell you, of the dozen or more state banks that have closed up and failed in the past few years. Can the State of Pennsylvania afford to let these banks go down? People will be losing confidence. Down in York, I know the effect it has had on the moral of the people. I have heard them say, "What is the use of putting money in the bank, we might as well spend it." Others are rushing to other banks and drawing their money out. It will have a wonderful effect upon the banks and the business life and you know the place and the usefulness of the banks in business life, what it means. You know the depositors, as well as I, have a right to know, they are part of the bank. A bank cannot exist without depositors, and I think they have a just and perfect right to know of the business affairs, and that is the only reason why I introduced this resolution, as I told you before. There is no unfriendly or hostile motive whatever. The people are simply in their shock clammoring for cause, cause, cause, Why is it? They have a right to know, to inquire from the bank officials; they have a right to know from the bank director; they have a right to know and to inquire from the banking bureau, the banking department, and their request in all fairness should not be refused. The Banking Commissioner, Mr. Cameron, I want to tell you this and I want you to hear it, has kindly told me that he is willing and ready any time to have anybody come there and he will give all the information that he is able to give. He has been all right and fair on that end. I hope that this House, this is asking nothing unfair, not whatever, will agree to this resolution and that the Speaker may be authorized to appoint five members from this floor, and the President Pro Tempore of the Senate appoint three. It will take but a short time. There is no appropriation connected with it. They go over there and get the information and come back and report to this House. It will vindicate; and if the Department is innocent, which probably it is, why it will put it in the proper light and will help the people, it will comfort them. I hope that everybody will vote "aye" on this resolution.

Mr. SPANGLER. Mr. Speaker, I desire to interrogate the gentleman from York, Mr. Brenneman.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. BRENNEMAN. Yes, Mr. Speaker.

Mr. SPANGLER. Do I understand that this resolution is a concurrent resolution?

Mr. BRENNEMAN. Yes, sir, it is.

Mr. SPANGLER. This resolution provides for the appointment of a committee from the House and one from the Senate?

Mr. BRENNEMAN. Yes, sir.

Mr. SPANGLER. And that committee shall do what? What shall that committee do after they are appointed?

Mr. BRENNEMAN. They are to find out some cause as far as possible for the failure of the City Bank of York; that is the Banking Department's connection with it giving the cause of their failure to give supervision; to clarify the facts and give us the information. Tell us why that bank was not examined since April, 1921, because it is a fact that for two years no bank examiner ever stepped in that bank to look over the accounts and books. We wish to know who is responsible, and why.

Mr. SPANGLER. Mr. Speaker and members of the House, I made inquiry from the Department of Banking and from the Commissioner of Banking as to the situation in the department, relative to bank examinations. The Department informed me that they had established a new system of bank examinations and that it was in the pursuance of the establishment of the new system that resulted in the discovery of the defalcations in the City Bank of York. The Banking Department has to a great extent been more or less of a neglected department by this legislature until this catastrophe happened. The Banking Commissioner informed me that at the present time, under the act of 1919 he has but three deputy banking commissioners; one at a salary of $5,000 per year, one at a salary of $4,000, an one at a salary of $3,000, yet at the present time the examiner who examined the bank in York was receiving $3600 a year. That condition cannot go on. His banking affairs will be demoralized if he is compelled to pay his subordinates a salary in excess of their superiors in the Department. He is governed by the rigid provisions of the act so far as the salaries of his deputies are concerned. The result has been that he has been losing, and the department has been losing for a number of years, their examiners and particularly their better class of examiners by reason of the fact that they have been unable to pay salaries commensurate with the duties performed, and commensurate with the salaries that these men would be able to demand in other walks of life, or other occupations.

Only a month ago we had in this House a bill that provided for an increase in the cost of examination of the books of Building and Loan Associations, and the House voted it down. Voted it down in spite of the information given by the Department of Banking that it was necessary and that it had been necessary for about two years past to take examiners off regular State banking positions and place them in positions where they could examine the building and Loan associations. That was a crippling of the Department of Banking, so far as examination is concerned. There is a bill now in the House, that has come over from the Senate, which has for its purpose the correction of the situation in the Department of Banking, so far as compromising the Department is concerned with relation to salaries.

RESOLUTION REFERRED TO COMMITTEE.

Mr. SPANGLER. Mr. Speaker, I feel confident that if this resolution is referred to the Committee on Banks and Banking of the House the probability is that we would get much quicker action and a much quicker reply, and a much more hearty response from the Banking Commissioner than if we submit this in the form of a concurrent resolution that has to pass the House and Senate and ultimately demands that a committee appear before the Banking Commissioner. So, with the consent of the sponsor of the resolution, I move that this resolution be referred to the Committee on Banks and Banking of the House, and I am sure that action will be taken on it immediately.

Mr. HEYBURN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. EDMONDS. Mr. Speaker, I hope sincerely that the sponsor of the resolution will see his way clear to accept that suggestion. There are two thoughts involved in the resolution; the one is to investigate the series of calamaties down in York, which I rather take it are being investigated now by the proper authorities. The other is one which concerns itself directly with this House, the proper reorganization of the Banking Department in order that this thing cannot happen again. As Mr. Spangler has just said, there will be before the House shortly a bill for the reorganization of the Department of Banking, and any information that can be obtained concerning the methods of operating the Department functions would be of great use to us in considering that bill. It therefore seems to me an appropriate reference that we may get the information which will help us in framing our legislation.

Mr. RHODES. Mr. Speaker, I feel that there is some misapprehension of the purpose of this resolution. It seems to me that the purpose of the resolution is a worthy one. It intends to see what the Banking Department has done with the number of failures in state banks recently. Up in my own community, only recently, one of the state banks failed, and there have been seven or eight failures in the last year or so. The present commissioner has been in office only about ten months. This man in York, as merely an instance, has admitted that he was embezzling money for the last 23 years. It seems to me that if the Banking Department needs reorganization we should know that fact before we adjourn, and we should pass such laws before adjournment as will protect the state banks. I think it is vitally important that the people of our Commonwealth have confidence in state banks. We have a great number of them in Pennsylvania. In my community we have several and they all have high standing. We want to continue having the confidence of the people in our state institutions and the only way we can continue to have the confidence of our people in the state institutions is for the depositors to know that their institutions are protected by the Banking Department. If the Banking Department does not have the proper facilities we should give them the proper facilities at this session.

I agree with Mr. Spangler in many things that he has said. I know personally one of the most efficient men in that Department who recently resigned as examiner and took the position of president in a trust company. He was one of the most efficient men, we believe, that was in that Department as examiner, and it is because of inadequacy of pay that he took a more responsible position. Therefore, if anything is wrong that the Legislature can rectify in the Banking Department to continue to have the confidence of the people in our state banks, and in the efficiency of our banking department, we should do it now. I think that the resloution as drawn up would carry out that purpose. It is not merely the intention of this resolution, as I view it, to inspect and to examine this particular case, it is to determine in a general way what the Banking Department has done in general and what it may require from us.

Mr. FLINCHBAUGH. Mr. Speaker and members of the House, my colleague, Mr. Brenneman, on Tuesday night introduced a resolution asking for an investigation of the Banking Department, and in that resolution he asked for an appropriation. Considering the fact that the legislature will soon adjourn, and considering that in the first resolution, which carried an appropriation it would be necessary to refer the resolution to the committee on Appropriations, in order to expedite this matter he had a new resolution drawn up eliminating the provision providing for an appropriation. I don't agree with my colleague from York, Mr. Spangler, that this matter would be expedited by referring this resolution to the Committee on Banks and Banking, but I fear it would be delayed. I also agree with my colleague that this is not an unfriendly resolution. We are simply trying to get at the matters or facts in the case. If you will recall during the last two years we have had experiences with the examinations of the Banking Department. In the first instance, the North Penn Bank of Philadelphia failed and involved a large sum of money; that failure was followed by the Agricultural Trust Co. of Lancaster, involving an amount of $600,000. More recently the Honesdale Bank of Honesdale, Pa. failed, and now the most stupendous failure of all, the City Bank of York. This state bank, as stated, had not been examined for a period of two years, and the defaulting cashier, Mr.

Baird, had been robbing the bank for a period of 23 years. Apparently the banking examiners were easy picking to him. I imagine that when a bank examiner came to the door, he started in grinning all over his face and he would soliloquize something like this: "Well, here comes another bank examiner. They are chumps, they are big fools," and then he preceeded to tell them in what splendid financial condition the banking institution, of which he was cashier, was. But one day a new bank examiner comes along, and there are two versions of this story. One version is that immediately the cashier realized that he was up against it, and that he acknowledged the defalcation; and another version is, and this version comes from one of the prosecuting attorneys connected with the case, that this examiner after a period of three days did not find the defalcation but the cashier himself had to call up the examiner over the phone and tell him about the defalcation, and anyway I would think it would be a great benefit to the depositors in the various banks of this state, it would restore confidence if we had an investigation. Now is the time to have the investigation, have the report of the committee, and if there is any remedial legislation which at this late date can be enacted to make the Banking Commissioner and the Banking Department more efficient we should have that information and have it as speedily as possible. These bank defalcations are a serious matter to the economic life of the communities Even the City of York will suffer for a long period of years. It robs the savings of the men and woman of the community; it places the manufacturing and the business interests in a precarious predicament. Ladies and gentlemen, I say if there is anything under God's heaven with which we can stop dishonest bank officials from getting away with large sums of money and eluding the bank examiners, we should have the information. I ask you gentlemen, in all sincerity that you vote down the motion of my colleague from York, Mr. Spangler, and let us have the committee appointed as speedily as possible. Men and women in the city of York have their entire savings of a life time involved in this bank. It was the depository of the Board of Education and vast numbers of teachers had their money involved that they have saved. I ask you again to vote down the motion of Mr. Spangler to refer this to the Committee on Banks and Banking and sustain the resolution of my colleague, Mr. Brenneman.

Mr. STORB. This failure in York, the failure in Lancaster, and the failure of the North Penn Bank of Philadelphia are severe reflections on our Banking Department. I think the trouble is with our banking department, and we want to know what the trouble is. I don't think there is any use wasting time on money that is lost. The Department should be put in an efficient state, if they have not money enough to make examinations, this House should give them money enough. We had before us a bill providing more money to examine loan associations and they voted it down, because they said it would take money away from the poor man. Now this shows to you that we want to protect the interests of the poor man, and that you don't want to skimp the bank examiner so that he cannot make a good examination. I think it is the Banking Department that ought to be examined, and not waste time on this money that is gone.

Mr. BRENNEMAN. Mr. Speaker, and members of the House, I see no use in this motion of my friend, Mr. Spangler. The purpose is plain and simple, and it is only this: To find out and report to this House and this legislature why the York bank was not examined. It takes but one hour's time. That is what we are interested in, and I can see no use in the motion.

Mr. SPANGLER. Mr. Speaker, just to repeat what I said a few moments ago, I believe that if this resolution were submitted to the Committee on Banks and Banking we would have a report from the Commissioner at once. The resolution calls for action by the 14th of May. Now, it would be a physical impossibility for this resolution to pass and to have an investigation made in that short time. The Commissioner is frankly willing, he so informed me, to make a report setting forth exactly what his situation is, and it is for that reason that I make this motion to have the resolution referred to the Committee on Banks and Banking. In addition to this, I will say that he has only been in office for a few months, as head of the Department, and certainly he has demonstrated his efficiency by discovering this shortage on his first examination.

The yeas and nays were required by Mr. Rhodes and Mr. Brenneman.

Mr. FLINCHBAUGH. Mr. Speaker, I ask for a verification of the roll.

The roll was verified as follows:

YEAS—86.

Alexander,
Allman,
Arthur,
Aston,
Baker,
Beaver,
Bell, W. T.,
Bidelspacher,
Bluett,
Blumberg,
Bromley,
Burns,
Bush,
Colville,
Conner,
de Young,
Diehm.
Dilsheimer,
Drinkhouse,
Dunn,
Eaches,
Earley,
Evans, B. P.,
Evans, J.,
Fratt,
Gelder,
Glasgow,
Goehring,
Golder,
Haines,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Keene,
Kohler,
Kunkle,
Little,
Long,
Lucas,
Ludlow,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Mathay,
McBride,
McCaig,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Moffatt,
Morrison,
Myers, P. M.,
Nolte,
Ogle,
Orr,
Perry,
Posey,
Richards,
Sautter,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Sterling,
Stevens, A. F.,
Storb,
Storer,
Thomas, M. G.,
Thompson,
Van Alen,
Walker,
Weamer,
Wells,
Wheeler,
Wheeler,
Whitehouse,
Williams, J. M.
Wood, W. P.,

NAYS—77.

Albert,
Armstrong,
Bell, F. A.,
Bentley,
Berger,
Betts,
Boback,
Brenneman,
Brewster,
Brown,
Brownmiller,
Coldsmith,
Craig,
Dietz,
Donahue
Driggs,
Edmonds,
Eshelman,
Flinchbaugh,
Fowler, A. I.,
Frazier,
Gallaher,
Gibbon,
Gorham,
Goss.
Griffith,
Gundy,
Haas,
Harter,
Heffran,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kennedy,
Labar,
Lauver,
Mack,
MacKinney,
Marshall, W. F.
McCurdy,
Minehart,
Moore,
Munley,
Myers, G. C.,
O'Boyle,
Patterson,
Peelor,
Post,
Raymond,
Rhodes,
Rinn,
Rippman,
Sample,
Sarig,
Schleiter,
Schoener,
Schwartz.
Sheridan,
Smith, G. A.,
Smith, H. J.,
Soffel,
Staudenmeier,
Stavitski,
Stevens, A. J.,
Whiteman,
Wright,
Zook,
Goodnough,
Speaker.

So the question was determined in the affirmative and the motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE.

Mr. STERLING. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. STERLING. Mr. Speaker, two weeks ago when the Chairman of the Committee on Banks and Banking was obliged, because of death in his family, to remain away from this House, he asked me to take charge of the Committee on Banks and Banking in his absence. Now that this resolution, by the vote of the House, has been referred to the Committee on Banks and Banking, I want every member of the House to feel confident that that Committee will exercise immediate action on the Resolution in conference with the Speaker of the House, so that by the effect of the passage of the Resolution the Speaker of the House will still have much to say concerning how and by whom this investigation will be made.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be noted upon the record.

QUESTION OF PERSONAL PRIVILLEGE.

Mr. SPANGLER. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. SPANGLER. Mr. Speaker, I merely wish to state that the purpose of referring the Resolution to the Committee on Banks and Banking was to expedite the effect of the Resolution, and that I shall personally at the meeting of that Committee submit the question this afternoon.

The SPEAKER. The remarks of the gentleman upon his question of personal privilege will be noted in the Journal.

BILLS SIGNED BY SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 212.

An Act to amend sections fourteen and sixteen of article six shapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

HOUSE BILL No. 227.

An Act to further amend the fifth section of an act enttiled "An act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof" approved May nineteenth Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six as amended by fixing and determining the salaries of the assistant clerks of said court in counties of the first second third and fourth classes

HOUSE BILL No. 306.

An Act making a deficiency appropriation to the State Hospital for the Criminal Insane at Farview Pennsylvania

HOUSE BILL No. 372.

An Act to amend section forty-five of an act approved the fifteenth day of April, one thousand eight hundred and thirty-four (Pamphlet Laws five hundred nine), entitled "An Act relating to county rates and levies and township rates and levies," by removing the exemption of females from arrest and imprisonment for non-payment of taxes.

HOUSE BILL No. 454.

An Act providing for the examination of the Locust Mountain Memorial Hospital of Shenandoah Pennsylvania providing for the transfer thereof to the Commonwealth and for its management thereafter and making an appropriation

HOUSE BILL No. 540.

An Act prohibiting persons from concealing changing or destroying manufacturers' serial numbers or identification marks upon machines or apparatus or from knowingly having any such machine in the possession and prescribing penalties for violation thereof.

HOUSE BILL No. 691.

A Supplement to the act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundre dand twenty-two) entitled "An act creating a Commission to select an historic spot as a cemetery for the burial of bodies of soldiers sailors marines war nurses and members of the National Guard defining the powers and duties of the Commission and making an appropriation" extending the time for the making of the report of the Commission and making an additional appropriation

HOUSE BILL No. 715.

An Act to amend section eighteen of an act approved the seventh day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws nine hundred) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of birth and deaths and burial or removal permits requiring prompt return to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" by requiring that parents be notified of the registration of birth certificates

HOUSE BILL No. 787.

An Act making a deficiency appropriation to the Cottage State Hospital of Philipsburg Pennsylvania

HOUSE BILL No. 928.

An Act providing for and regulating the public printing and binding editing for publication and the distribution of all documents reports bulletins and other publications for the use of the Commonwealth the several departments boards commissions and other agencies in the legislative judicial and administrative work of the State government the sale of waste paper the appointment of a Director and other employees and repealing inconsistent and conflicting legislation

HOUSE BILL No. 1078.

An Act to amend section twelve of the act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and thirty-nine(entitled "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" providing for re-hearings in cases where licenses have been suspended or revoked and for the reinstatement of licensees in certain cases

HOUSE BILL No. 1153.

An Act to relieve life tenants of land from the payment of taxes on the underlying veins of coal which they have no right to operate and providing that such coal shall be assessed to and the taxes thereon paid by the owner of said veins of coal

HOUSE BILL No. 1297.

An Act to amend section three hundred and three of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE.

RESOULTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

In the Senate, April 23, 1923.

Resolved, (if the House of Representatives concur), That it shall be the duty of the State Highway Department to compile and keep an accurate record, by counties, of the amount of moneys received and collected from each county in this Commonwealth for the registration of motor vehicles and the licensing of operators as well as all fines paid into the State Treasury under the motor vehicle laws of the Commonwealth.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Mr. WHITEMAN. Mr. Speaker, this seems like a very reasonable resolution. yet it seems to me that the members of the House should consider exactely what this resolution embraces. It appears to me that it might place the Highway Department in a very embarrassing position if this data would be required of it. The data which is required under the resolution would be the cause of the Highway Department making a detailed list of the license fees received from all counties. That would give to every county some addition basis on which to present claims to the Highway Department. That is something that the Highway Department is trying to avoid, and it seems to me we ought to consider very seriously whether we are going to place this additional burden on the department. The resolution appears to have been inspired by the county of Philadelphia and would seem to be primarily for the basing of claims of the city of Philadelphia against the Highway Department, and it seems to me that if the members of the House will look at the State Highway map they will come to the conclusion that the county and city of Philadelphia have been given wonderful treatment by the department, and I would ask you to consider seriously before placing this burden upon the department.

On the question recurring,

Will the House concur in the resolution of the Senate?

RESOLUTION REFERRED TO COMMITTEE.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I move that the resolution be referred to the Committee on Public Roads for investigation and report to the House.

Mr. METCALF. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 36, entitled:

An Act to regulate the practice of Chiropractic and to provide for the appointment and maintenance of the Board of Chiropractic Examiners To define the powers and duties of said Board of Chiropractic Examiners To provide for the examining and licensing of Chiropractors in this State and provide for penalties for the violation of this act

The first, second, third and fourth sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there shall be established a Board of Chiropractic Examiners for the State of Pennsylvania The Board shall consist of five (5) members and each of said members shall serve for a term of five (5) years from the first day of July next after his appointment or until a successor is appointed with the exception of those first appointed who shall serve as follows namely

One for one year
One for two years
One for three years
One for four years
One for five years

each member of the said Board shall be a graduate of a reputable College of Chiropractic and shall have been licensed to practice Chiropractic under the laws of the State

Section (2) The Governor shall appoint the members of said Board of Examiners from a list of all eligible Chiropractors within the State of Pennsylvania who are qualified by graduation and practice under the terms of this bill for appointment which said lists shall on or before the first day of June one thousand nine hundred and twenty-three (1923) be transmitted to the Governor by the secretaries of the various Chiropractors Associations of Pennsylvania In case of failure of said Chiropractors Associations to submit said lists as aforesaid the Governor shall appoint members in good standing eligible under this act

Section (3) Within fifteen days after the approval of this act the secretaries of the various Chiropractic Associations of Pennsylvania shall submit to the Governor of this State a full list of members in good standing in said Associations who are eligible for appointment under the provisions of this act and shall not be in any manner financially interested in or connected with the faculty or management of any Chiropractic school or college and shall have been engaged in the practice of chiropractic in this State for a period of at least three (3) years and within thirty (30) days from the receipt of said list the Governor shall appoint from said list five (5) persons to serve upon the first Board

The Governor shall in this first appointments designate the number of years for which each appointee shall serve In case of vacancy by death or otherwise there shall be appointed in like manner a person to serve through such unexpired term Each person who shall be appointed to serve on said Board of Chiropractic Examiners shall receive a certificate of appointement from the Secretary of the Commonwealth Each and every member of said Board shall within ten (10) days after appointment on being appraised of the same take and subscribe an oath or affirmation before the Secretary of the Commonwealth to faithfully and impartially perform the duties of said office

The Board shall be authorized to take testimony concerning all matters within its jurisdiction and the presiding officer for the time being of the said Board or any of the committees thereof may issue subpoenas and administer oaths to witnesses The Board of Examiners shall make and adopt all necessary rules regulations and by-laws not inconsistent with the Constitution and laws of the State of Pennsylvania or of the United States of America whereby to perform the duties and transact the business required under the provisions of this act

Section (4) The first meeting of the said Board of Chiropractic Examiners shall convene on the third Monday of August one thousand nine hundred and twenty-three (1923) and subsequent meetings for organization in June annually thereafter suitable notice in the usual form being given by the Secretary of the Board to each of the members thereof specifying the time and place of meeting

At the first meeting of the Board and at each annual meeting in June an organization shall be affected by the election from its membership of a President Secretary and Treasurer

The fifth section was read as follows:

Section (5) For the purpose of examining applicants for license the said Board of Chiropractic Examiners shall hold two stated meetings in each year due notice of which shall be made public at such times and places as the Board may determine at said meetings a majority of the members of the Board shall constitute a quorum thereof but the examination may be conducted by a committee of two or more members of the Board of Examiners duly authorized by said Board and no license to practice Chiropractic shall be granted on an affirmative vote of less than three members said examinations shall be conducted in writing in accordance with the rules and regulations prescribed by the said Board of Chiropractic Examiners and may be supplemented by practical examinations and by practical tests upon the human body and shall embrace the subjects named in section 8 of this Act

After each such examination the Committee having charge thereof shall without unnecessary delay act upon the same An official report of such action signed by each acting member of said committee of Examiners stating the examination average of each candidate the general average and the result of the examination whether successful or unsuccessful shall be transmitted to the said Board of Chiropractic Examiners said report shall embrace all examinations papers questions and answers therein and such written reports as result from the practical tests as hereinbefore specified All such examination papers and reports shall be kept for reference and inspection for a period not less than five years The Board shall keep a record of its proceedings and register of all applicants for license giving the name and location of the institution granting the applicant the degrees of Doctor of or diplomat in Chiropractic the date of his or her diploma and also whether the applicant was rejected or granted a license and the number of the license granted

The record and register shall be a prima facie evidence of all matters recorded therein

On the question,

Will Will the House agree to the section?

Mr. DUNN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 5, page 5, line 17, by striking out the words "examination papers and"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixth was read and agreed to as follows:

Section (6) All fees provided by this Act shall be paid in advance to the Treasurer of the Board and after proper audit thereof by the Auditor-General the Treasurer shall pay the same out on warrants drawn by the Auditor-General and signed by the President and Secretary of the Board The compensation and expenses of the members and officers of said Board and all expenses proper and necessary in the opinion of such Board to discharge its duties under and to enforce the law shall be paid out upon the warrant of the President and Secretary of the said Board and no expenses shall be created to exceed the income of fees and fines as herein provided Salaries shall be fixed by the Board bu shall not exceed fifteen dollars ($15.00) per day of actual service per member and railroad and hotel expenses

The seventh section was read as follows:

Section 7 All persons practicing Chiropractic in this Commonwealth who have done so continuously prior to the passage of this act shall be admitted on presentation of proper application as provided for in this act to examination before said Chiropractic Board (and shall be examined in accordance with the provisions for examination of this act)

Every license to practise chiropractic issued under the provisions of this Act shall be signed by each member of the Board of Examiners and shall have affixed to it by the person authorized to affix the same the seal of the State Board of Chiropractic Examiners before said license shall be issued it shall be recorded in a book to be kept by the Secretary of the Board Examiners and the number of the book and the page therein containing such recorded copy shall be noted upon the fact of said license said records shall under proper restrictions for their safekeeping be open to public inspection provided further that anyone who at the time of the passage of this Act has been in continuous practice of Chiropractic for ten (10) years in some other State and who graduated from a legally incorporated and reputable college of Chiropractic which provides a three years' residence course of instruction of not less than eight months in each calendar year and who can in addition present evidence of having received the necessary preliminary education as provided for in this act

On the question,

Will the House agree to the section?

Mr. DUNN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 7, pages 6 and 7, by striking out all of said section, beginning with line 16 on page 6, and ending with line 25 on page 7, and inserting in lieu thereof the following:

"Section 7. Any person engaged in the practice of Chiropractic in this Commonwealth, prior to the passage of this act, and desiring to continue the practice thereof, after January first, one thousand nine hundred and twenty-four, who shall file with the Secretary of the said State Board of Chiropractic Examiners, upon appropriate blank, to be furnished by said secretary an application, verified by oath, that the applicant is not less than twenty-one years of age, is of good moral character, and a graduate of a legally incorporated or chartered school or college of Chiropractic, shall be entitled to take an examination as to his or her qualifications for the practice of Chiropractic, which examination shall include the subjects of anatomy, physiology, chemistry, diagnosis, pathology, sanitation, hygiene, neurology, symptomatology and the principles of Chiropractic, and shall further require the prospective licentiate to give a clinical demonstration of the vertebral palpation and adjusting.

The said State Board of Chiropractic Examiners shall issue forthwith to each applicant who shall have successfully passed said examination, and been adjudged by said Board of Examiners to be duly qualified for practice of Chiropractic, a license to practice Chiropractic in the State of Pennsylvania."

Amend sec. 7, page 8, line 1, by striking out the word "before" and inserting in lieu thereof "Before."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The eighth section was read as follows:

Section (8) From and after the approval of this Act any person not theretofore or by the terms of this Act authorized to practice Chiropractic in this State and desiring to enter upon such practice may deliver to the Secretary of the State Board of Chiropratic Examiners upon the payment of a fee of twenty-five ($25) dollars a written application for license together with satisfactory proof that the applicant is more than twenty-one years of age is of good moral character has obtained a preliminary education as hereinafter provided and has received a diploma conferring the degree in Chiropractic from some legally incorporated reputable Chiropractic College of the United States wherein the course of instruction consists of at least three terms of actual resident attendance of not less than eight months in at least three different calendar years shall be eligible for examination upon all other terms and conditions provided for applicants of examination under the provisions of this Act upon the making of said payment and provided the State Board of Chiropractic Eaminers if satisfied with the same shall admit said applicant to examination as to his or her qualifications for the practice of Chiropractic which examination shall include the subjects of anatomy physiology chemistry diagnosis pathology sanitation hygiene neurology symptomatology and the principles of Chiropractic and shall further require the prospective licentiate to give a clinical demonstaration of vertebral palpation and adjusting and such other subjects as the Board may require on receiving from the Committee of Examiners delegated to conduct the examinations as provided for in section (7) of this act official report of the examination of any applicant for license the said State Board of Chiropractic Examiners shall issue forthwith to each applicant who shall have obtained the general average of not less than 75% and an average of at least 70% on the questions propounded in every subject and therefore has been returned as having successfully passed said examination and who shall have been adjudged by the said Board of Examiners to be duly qualified for practice of Chiropractic a license to practice Chiropractic in the State of Pennsylvania as provided for in section 10 of this Act in case of failure at any such examination the candidate after the expiration of six (6) months and within two (2) years shall have the privilege of a second examination

Having failed upon a second examination as herein provided application de novo may be made upon confirming with the standard of qualifications both as to character preliminary and chiropracitic education in force at the time of said application and upon the payment of a fee of twenty-five ($25) dollars

On the question,

Will the House agree to the section?

Mr. DUNN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 8, page 9, line 7, by removing the bracket before the ward "and"

Amend sec. 8, page 8, line 29, and page 9, line 1, by striking out the words "has obtained a preliminary education as hereinafter provided"

Amend sec. 8, page 9, line 15, by inserting a bracket before the word "too" preceding the word "such".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The ninth section was read as follows:

Section (9) A school or college of Chiropractic to be recognized as reputable under the provisions of this Act must be legally incorporated prosecute a course of study consisting of the time element as provided for under the provisions of this Act and instruct in all the branches of study in which examinations are required for licensure under the provisions of this act

On the question,

Wil the House agree to the section?

Mr. DUNN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 9, page 11, line 1, by striking out the word "A" and inserting in lieu thereof "After January, one thousand nine hundred and twenty-five, a".

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Wil the House agree to the section as amended?

It was agreed to.

The tenth section was read as follows:

Section (10) Applicants examined and licensed by State Boards of Chiropractic Examiners of other States as heretofore provided for in this act on the payment of a fee of Twenty-five Dollars ($25.00) to the State Board of Chiropractic Examiners and filing in the office of the State Board of Chiropractic Examiners a copy of said license certified by the Affidavit of the president or secretary of such Board showing that the standard of requirements adopted by said Board of Examiners is substantially the same as is provided by Section (8) of this Act may if the State Board of Chiropractic Examiners be satisfied of the applicants standing and qualifications without further examination receive a license conferring on the holder thereof all the rights and privileges provided by Section (11) of this Act

Candidates for license to practice chiropractic in this State who present their applications and undergo examinations after the passage of this Act shall be obliged to present to the State Board of Chiropractic Examiners one of the following credentials satisfactory to the said Board covering their preliminary education prior to their beginning the study of Chiropractic in some legally incorporated reputable Chiropractic College to wit a diploma of graduation from a reputable college or university granting the degree of bachelor of arts or science or equivalent degree or a diploma of graduation from an educational institution maintaining a four (4) years course of study that is State Normal or a High School a Seminary an Academy or a College preparatory School or a certificate of having passed examination for admission to the freshman class of a reputable literary or scietific college or university or a certificate of having passed an equivalent examination conducted by a certified examiner for the State of Pennsylvania to be appointed by the State Superintendent of Public Instruction and for other States to be approved by the State Superintendent of Public Instruction of Pennsylvania

On the question,

Wil the House agree to the section?

Mr. DUNN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 10, page 11, line 11 by striking out the word "heretifore" and inserting in lieu thereof "heretofore".

Amend sec. 10, page 12, line 13 by inserting after the word "is" the word "a".

The eleventh, twelfth, thirteenth, fourteenth and fifteenth sections were separately read and agreed to as follows:

Section (11) The license provided for in this Act shall authorize the holder thereof to practice Chiropractic which is defined to be the adjustment by hand of any or all articulations of the spinal column and as taught and practiced in the legally incorporated reputable Colleges of Chiropractic as provided for in this Act

Section (12) Chiropractors shall observe and be subject to all State and Municipal regulations relating to the control of contagious disease and all matters relating to public health the same as Practitioners or other schools and such reports shall be accepted by the Officers or department to whom the same are made

Section (13) From and after the approval of this Act no person shall enter upon or continue the practice of Chiropractic in the State of Pennsylvania unless he or she has complied with the provisions of this Act and shall have exhibited to the Prothonotary of the Court of Common Pleas of County in which he or she desires to practice Chiropractic a license duly granted to him or her as hereinbefore provided whereupon he or she shall be entitled upon the payment of one dollar ($1.00) to be duly registered in the office of the Prothonotary of the Court of Common Pleas of the said County and any person who shall practice or attempt to practice Chiropractic as defined in Section (11) of this Act in treating any ailment whatsoever of the human body or who shall use any of the terms or letters Chiropractor Chiropractic Doctor of Chiropractic Diplomat in Chiropractic or D D or any other titles or letters under such circumstances as to induce the belief that the person who uses such terms is engaged in the practice of Chiropractic without having first obtained the license as herein provided for or contrary to the provisions of this Act or who shall under any other terms or name practice as defined in Section (11) of this Act or who for the purpose of obtaining such license shall falsely represent himself of herself to be the holder of a diploma as herein provided shall be deemed guilty of a misdemeanor and upon conviction thereof in the Court of Quarter Sessions of the County wherein the offense shall have been committed shall suffer punishment by the imposition of a fine of not less than One Hundred Dollars ($100) nor more than Five Hundred Dollars ($500) or by imprisonment in the County Jail for not less than thirty (30) days nor more than ninety (90) days for each offense either or both at the discretion of the court Provided however that nothing contained in this Act shall be construed as affecting the practice of medicine

Section (14) On and after the approval of this Act the State Board of Chiropractic Examiners shall refuse to grant a license to an applicant to practice Chiropractic in this State and is empowered to revoke a license conferring on a person the right to practice Chiropractic upon the presentation to said State Board of Chiropractic Examiners of a court record showing the conviction in due course of law of said person for procuring aiding or abetting in producing a criminal abortion or miscarriage by any means whatsoever The State Board of Chiropractic Examiners upon such evidence and proof shall cause the name of such convicted licentiate to be removed from the record in the office of any Prothonotary in the State The State Board of Chiropractic Examiners may refuse revoke or suspend the right to practice in this State upon any or all of the following reasons to wit

The conviction of a crime involving moral turpitude habitual intemperate in the use of ardent spirits or stimulants narcotics or any other substance which impairs intellection and judgment to such an extent as to incapacitate him or her in the performance of Professional duties Any person who is a licentiate under this Act or who is an applicant for examination for licensure to practice Chiropractic in this State against whom any of the foregoing charges are preferred for causing the revocation or suspension of license or for causing the refusal of the right to be examined for licensure shall be furnished by the State Board of Chiropractic Examiners with a copy of the complaint and shall have a hearing before said Board in person or by Attorney and witnesses may be examined by said Board respecting the guilt or innocence of said accused The suspension of license of any licentiate under this Act shall be removed when said narcotic or vicious habit hereinbefore specified shall have been adjudged by the proper authorities to be cured or overcome and said suspended licentiate deemed again capable of practicing the healing art

Section (15) All Acts or parts of Acts inconsistent herewith be and the same are hereby repealed

Mr. DUNN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend bill by removing the parenthesis which surround the section numbers throughout the entire bill.

On the question,

Will the House agree to the amendment?

It was agreed to.

The title was read and agreed to as follows:

An Act to regulate the practice of Chiropractic and to provide for the appointment and maintenance of the Board of Chiropractic Examiners To define the powers and duties of said Board of Chiropractic Examiners To provide for the examining and licensing of Chiropractors in this State and provide for penalties for the violation of this act

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

The SPEAKER. If there are no objections the Chair will take up the first reading calendar at this time. Are there objections? The Chair hears none.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 84, entitled:

An Act making an appropriation to the Washington Crossing Park Commission for the purpose of the acquisition of land and property and the making of improvements in accordance with the provisions of the act of July twenty-fifth, one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred nine) entitled "An Act to authorize the acquisition by purchase or condemnation of land for a park and the erection of a monument commemorative of Washington Crossing the River Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purposes of this act

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 85, entitled:

An Act making an appropriation to the Pennsylvania State Park and Harbor Commission of Erie

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Houce proceeded to the first reading and consideration of House Bill No. 86, entitled:

An Act making an appropriation to the several fire companies of the city of Harrisburg

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 997, entitled:

An Act authorizing and empowering the District Attorneys of each county to organize themselves into a State Association for the purpose of holding meetings and providing for the payment of the expenses thereof and of the District Attorneys attending by the several counties

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 216, entitled:

An Act to provide for the payment of moneys by the Commonwealth to counties and townships the tax funds of which are diminished by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions and making an appropriation

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1325, entitled:

An Act to amend section eight paragraph two of an act approved July eighteenth one thousand one hundred seventeen (Pamphlet Laws ten forty-three) entitled "An Act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to rder,
The House proceeded to the first reading and consideration of House Bill No. 351, entitled:

An Act to amend section forty-two of the act approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws five hundred and thirty-seven) entitled "An Act relating to counties and townships and county and township officers" by making county treasurers agents of the Commonwealth in collecting and transmitting money for the Commonwealth and providing their compensation for such services.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1190, entitled:

An Act providing for the granting of licenses to practice dentistry to certain persons who served in the army or navy of the United States or any branch or unit thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 99, entitled:

An Act making an appropriation to the Commissioners of Valley Forge Park

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 93, entitled:

An act making an appropriation to carry into effect the provisions of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the apointment of a State Supervisor and assistants and fixing the salaries of such State Supervisors and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 653, entitled:

An Act making an appropriation to the Lake Erie and Ohio River Canal Board of Pennsylvania for the payment of expenses incurred in printing distributing and making available for public use reports maps documents and records of the board in securing the cooperation and aid of the Government of the United States and other public authorities in the construction of the canal or waterway authorized to be constructed by the board for the payment of incidental office expense and for the payment of salaries fees and expenses

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 217, entitled:

An Act making an appropriation to the Superintendent of Public Instruction to carry into effect the provisions of the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand thirty-four) entitled "An Act to provide for the payment of moneys to school districts the taxes of which are reduced by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1443, (Senate Bill No. 798), entitled:

An Act to amend section two and twenty of an act approved the seventh day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and eighty-eight) entitled "An Act regulating through the Commissioner of Labor and Industry the business of assisting employers to obtain employes and persons to secure employment including the business of collecting information to the same end and prescribing penalties"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1384, (Senate Bill No. 435), entitled:

An Act to further amend section three hundred eighty-six clause four of an act approved the fourteenth day of July one thousand nine hundred seventeen (Pamphlet Laws eight hundred forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1457, (Senate Bill No. 657), entitled:

An Act empowering school districts to employ a police force

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1466, (Senate Bill No. 761), entitled:

An Act to amend section two of an act approved the twenty-second day of April one thousand nine hundred and nine (Pamphlet Laws one hundred twenty-one) entitled "An Act restricting the use of the word 'trust' as part of a corporate name forbidding advertising or doing business as a trust company except by corporations under the supervision of the banking department and providing a penalty for violation thereof"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1421, (Senate Bill No. 268), entitled:

A Joint Resolution proposing an amendment to article four section eight of the Constitution of the Commonwealth of Pennsylvania prohibiting after adjournment the appointment to office of any person whose nomination the Senate failed to confirm

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1460, (Senate Bill No. 793), entitled:

An Act to repeal the act approved the tenth day of May one thousand eight hundred and seventy-one (Pamphlet Laws six hundred sixty-seven) entitled "An Act to empower the school directors of Tuscarora and Spruce Hill Townships in the county of Juniata to annex certain lands in Spruce Hill township and Tuscarora township in the county of Juniata for school purposes

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1446 (Senate Bill No. 285), entitled:

An Act making a deficiency appropriation to the Cottage State Hospital situated in Connellsville Fayette county Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1430, (Senate Bill No. 770), entitled:

An Act fixing the salary of sheriffs in counties of the eighth class providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county and prescribing penalties

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1428, (Senate Bill No. 654), entitled:

An Act to amend sections one two three and four of an act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An Act defining consoldiation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1386, (Senate Bill No. 446), entitled:

An Act fixing the salaries of the county commissioners county controller county treasurer register of wills recorder of deeds and clerk of the courts in counties of the third class

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1442, (Senate Bill No. 769), entitled:

A supplement to an act approved the tenth day of March one thousand nine hundred and twenty-one (Appropriation acts page eleven) entitled "An Act making an appropriation to the State Highway Department for the construction of permanent State Highways for the payment of the Commonwealth's share of the expenses of constructing State-aid highways within the limits of boroughs for the maintenance and repair of State-aid highways for the payment of rewards due townships of the second class for the payment of damages to property caused or occassioned in connection with the work of the State Highway Department by extending the date for the appointment of State-aid appropriations made by said act

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON THIRD READING.

Mr. SOWERS asked and obtained unanimous consent to call up out of order from page 12 of today's calendar House Bill No. 1173, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1173, as follows:

An Act providing that the address of all mortgagees of second mortgages shall be noted on the margin of the record of the first mortgage and that notice of issuance of execution process on judgment obtained on said first mortgages or the accompanying obligation intending to sell the mortgaged property shall be given to said second mortgagees and providing for a fee for Recorder of Deeds services and method of serving such notice

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at the time of recording of any second mortgage the said second mortgagee named therein may by himself or herself or by his her or its agent endorse on the said second mortgage a certification of the said second mortgagee's name and address and the place book and page of the record of the first mortgage on the property mortgaged and therein request the Recorder of Deeds to do as herein provided for The Recorder of Deeds in compliance with such request shall note on the margin of the record of the mortgage so mentioned in said certification the name and address of the said second mortgagee and the date of making the notation

Section 2 Before the issuance of any execution process on the judgment obtained upon said second mortgage or the accompanying bond warrant or other obligation secured by it seizing and intending to sell the real estate so mortgaged as aforesaid the said first mortgagee or his assignee shall give a written notice of intention of issuing such execution process to the said second mortgagee as herein provided for

Section 3 Notice required by this act may be made by personal service of said notice on the second mortgagee if an individual if a corporation then upon one of its officers or in either case by mailing a registered letter postage prepaid to the address of the said second mortgagee as noted on the margin aforesaid

Section 4 Before any execution process mentioned above shall be issued by the clerk or prothonotary of any court an affidavit of any person setting forth the manner of said service shall be filed with the clerk or prothonotary of the court in which the said proceedings are pending The affidavit shall set forth a copy of the notice so served as herein provided for and shall be made by the person making the service and shall set forth how the service was made and show a compliance with the provisions of this act and the prothonotary or clerk shall note on the docket the said proof of service and file the same in said proceedings

Section 5 Before the said execution process shall be issued an affidavit shall be filed with the clerk or prothonotary of said court setting forth the name and address of the second mortgagee noted on the margin of the record of said first mortgage and if there be none setting forth such fact and if likewise shall be filed with said proceedings

Section 6 For making such notation the Recorder of Deeds shall charge and collect a fee of one dollar and fifty cents

Section 7 This act shall not go into effect until the first day of August one thousand nine hundred and twenty-four and shall not apply to any mortgages given and executed prior to that date

On the question,

Will the House agree to the bill on third reading?

Mr. SOWERS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 7, line 6, page 4 by striking out the word "four" and inserting in lieu thereof the word "three"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered. That the bill as amended lie over for printing.

BILL ON FINAL PASSAGE.

Mr. WONER. Mr. Speaker, I ask unanimous consent to call up at this time House Bill No. 197, file folio 5487, on page 5 of today's calendar, bills on final passage postponed.

Mr. ALEXANDER. Mr. Speaker, is this not contrary to the rule as passed by this House?

The SPEAKER. It cannot be done unless unanimous consent is given.

Mr. ALEXANDER. Mr. Speaker, I do not think we ought to break that rule, therefore I object.

Mr. WONER. Mr. Speaker, my purpose is simply to get this bill back into the committee.

Mr. ALEXANDER. Mr. Speaker, if it is for that purpose then I withdraw my objections.

Mr. DILSHEIMER. Mr. Speaker, did I understand the sponsor of this bill to say that this was for the purpose of recommitting the bill?

The SPEAKER. Yes.

Mr. DILSHEIMER. Then, Mr. Speaker, I have no objection.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. WONER,

The House resumed the consideration on final passage of House Bill No. 197, entitled:

An Act to amend section two of an act approved the twenty-third day of March, one thousand nine hundred and twenty-one, (P. L. 42), entitled "An Act appropriating to the State Highway Department, for the purpose of assisting in the construction, maintenance, improvement, and repair of State highways and State-aid highways, all moneys derived from registrations and from license fees, for the year one thousand nine hundred and twenty-one and subsequent years, under the provisions of the act of Assembly, approved June thirtieth, one thousand nine hundred and nineteen, relating to and regulating motor vehiclés, and amendments thereto; and providing for salaries and other expenses of the department."

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. WONER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Miss MacKINNEY. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. WONER. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Roads for the purpose of amendment.

Miss MacKINNEY. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL.

Mr. Whitehouse. Mr. Speaker, I move that the time on House Bill No. 135, file folio 4461, entitled

An Act regulating the hours of labor of policemen in cities of the third class

on page 13 of today's calendar, bills on third reading postponed be extended five days

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL SIGNED BY SPEAKER.

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 787.

An Act creating a Legislative Reference Bureau providing for the election of a Director by the General Assembly designating the officers and employees of such Bureau defining their duties fixing their salaries abolishing the present Legislative Reference Bureau and making an appropriation

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

TIME EXTENDED ON BILL.

Mr. PARKINSON. Mr. Speaker, I move that the time on House Bill No. 1287, file folio 5267, entitled:

An Act to amend section second of the act approved the ninth day of July one thousand nine hundred and one (Pamphlet Laws six hundred fourteen) entitled "An act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" as amended

on page 14 of today's calendar, bills on third reading postponed be extended five days.

Mr. HEFFRAN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 985, as follows:

An Act providing that mortgages shall cease to be a lien upon the real estate described in the mortgage from and after the expiration of fifty years from the date the principal becomes due unless such mortgages are re-recorded or a declaration recorded that the principal or some part thereof remains unpaid and Providing further That every mortgage the principal of which is overdue more than fifty years at the time of the approval of this act shall not lose its lien under the provisions of this act if within five years after the approval of this act such mortgage shall be re-recorded or a declaration recorded that the principal or some part thereof remains unpaid

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every mortgage heretofore given or hereafter to be given and which is or hereafter shall become a lien on real estate in this Commonwealth shall cease to be a lien on the real estate covered by the said mortgage at the expiration of fifty years from the time when the principal of such mortgage becomes due unless before the expiration of the said period of fifty years from the time the principal of the said mortgage becomes due the holder and owner of the said mortgage shall either (a) re-record the said mortgage or (b) shall record a declaration setting forth the name of the holder or owner of such mortgage and such a description of the said mortgage and the real estate against which the same is a lien as is sufficient for purposes of identification and a statement that the principal secured thereby is unpaid or if not all of the principal is unpaid then a statement of how much of the principal is unpaid Such declaration shall be signed by the owner of the mortgage and duly acknowledged before some person authorized to take acknowledgments of deeds for lands and shall be recorded in the office of the Recorder of Deeds where the real estate on which the said mortgage is a lien is situated Such mortgages and declarations shall be recorded in books in which mortgages are recorded and shall be indexed in the mortgagor index in the name of the original mortgagor in the same manner as mortgages are indexed and shall also be noted on the margin of the record of such mortgage

Section 2 Every mortgage the principal of which has become due and payable more than fifty years prior to the approval of this act shall (unless sooner satisfied released or discharged) remain a lien for further period of five years following the approval of this act and shall cease to be a lien at the expiration of such further period of five years from and after the date of this act unless before the said period of five years the holder or owner of such mortgage shall either (a) re-record such mortgage or shall (b) record a declaration that the principal or some part thereof is unpaid in the manner provided in the first section of this act Such mortgages and declarations shall also be indexed in the mortgagor index as provided in the first section of this act

Section 3 All Recorders of Deeds of the several counties of this Comonwealth are hereby authorized and required to receive or record and to re-record every mortgage tendered for re-recording as hereinabove provided and also every declaration as hereinabove provided and the Recorder of Deeds shall record every such re-recorded mortgage and recorded declaration in the books in which mortgages are recorded and the Recorder of Deeds shall also cause the same to be noted upon the margin of the mortgage affected thereby and also to be indexed in the name of the original mortgagor on the mortgagor index in like manner as mortgages are indexed

Section 4 Upon the re-recording of any mortgage or the filing of a declaration as provided in this act such mortgage so re-recorded or concerning which such declaration is filed shall continue a lien for and during the further period of fifty years from the date of such re-recording or recording unless sooner satisfied released or discharged

Section 5 All acts and parts of acts inconsistent herewith are hereby repealed Provided That nothing contained in this act shall be construed to repeal or vary the legal presumption of payment of a mortgoge after a period of twenty-one years from the due date of the mortgage nor be construed to repeal any law providing a procedure to obtain satisfaction of a mortgage where the legal presumption of payment of a mortgage exists

On the question,

Shall the bill pass finally?

Mr. JOHN G. MARSHALL. Mr. Speaker, I wish to call the attention of the members to the provisions of this bill. It seems to me it is very questionable whether it is wise legislation or not. This bill provides that where a mortgage has been due fort fifty years or more, that lien is absolutely lost unless it is re-recorded. It also provides if a mortgage has been due for fifty years, that it can be re-recorded within five years after the passage of this act. Under the laws of Pennsylvania, when a mortgage is given, it is really a conveyance of real estate with an equity of redemption. It is a contract between the mortgagor and the mortgagee. As I see this bill, and as I understand it, if this becomes a law, it will in effect destroy the obligation of a contract, which, under our constitution we are not permitted to do. I think it is very questionable for this reason, whether or not this act would be constitutional if passed. On the other hand, we already have on our statute books a complete method for relieving real estate from old mortgages, which have been on record for a long period of time and have not been satisfied. After twenty years, under the laws of Pennsylvania, there is a presumption of payment. In other words, if a mortgage is given, after twenty years or more, there is a presumption of payment. That presumption, however, is not conclusive, but the longer it is on record after it has been given, the number of years after twenty years, the greater is that presumption, but there is no limit of time when that presumption becomes conclusive, and it is also subject to re-establishment by the proper testimony. That would be for the relief of real estate from any mortgage of record that remains unsatisfied. My own judgment is, it is a dangerous thing to destroy that obligation of contract and to destroy the equity of redemption. If a mortgage has been on record for a number of years, you know it lapses as soon as it becomes due. Under the law, if a mortgage is given, payable at the expiration of one year, very often that very mortgage is carried on for years after it becomes due and the interest paid, and there is no reason why it should not be so carried on, but under this act, if a procedure of that kind was followed and carried on for a period of fifty years after it becomes due, even if all the interest is paid, if you did not watch the procedure after that time, you lose that lien absolutely. I can realize a very unusual case where a mortgage is carried on and allowed to remain on the records for fifty years after it becomes due. Under the terms of the mortgage, it is possible, and if such a condition did exist and a person did not enter the necessary proceedings to have it re-recorded, under the provisions of this act he will lose the lien and lose the entire outlay. For this reason, I think we ought to consider this very carefully before we enact it into law.

Mr. BLUETT. Mr. Speaker, it is not my purpose to interfere with the liens not is it my purpose to interfere with or impair any contracts, but after a period of fifty years from the due date of the mortgage, it seems to me there ought to be some provision by which that mortgage would lose its lien. We have, in the city of Philadelphia, especially, a lot of old titles, and very frequently mortgages will appear upon seven certificates, which are one hundred to one hundred and fifty years old, and it is necessary, in those cases, for somebody to go into court with a petition and to advertise and go to considerable expense to have that mortgage satisfied by the court. It is true that, after a period of twenty years, when nothing has been done on the mortgage, that there is a presumption of payment. This bill does not interfere with that presumption, there is still a presumption after a period of twenty years during which no money has been paid, either interest or principal.

So, we are not interfering with any established practice, but we do want to have some system that, after a long period of time a mortgage may be considered as no lien, so that the tile will be cleared, without the expense we have now of going into court with a petition and having the court do it. Everybody who has had any experience in these cases know that if you go into court with a petition, setting forth that under the presumption of payment, nothing has been done within a period of twenty years or more, when evidence is brought forth to show that the mortgage has been kept alive during that time, that the court will readily sign a decree of satisfaction of that mortgage, but you are put to the cost and the expense and trouble of going into court to have that done. In my judgment, this bill will merely say that, after such a period of fifty years, and not twenty years, that if something has not been done to re-record the mortgage or re-record the declaration that then it will be as a matter of fact considered as no lien, without the expense of going into court to have it done. Somebody has got to pay that. I imagine that you in the other counties have the same difficulty we have in Philadelphia in getting some of these old titles settled, and therefore, in my judgment, it is a good bill. I might say that this bill was prepared by the Title Association of Pennsylvania, and they would be the last ones in the country who would want to do anything against the interests of the mortgagor, they are always for the protection of the mortgagor, and they would probably be the last ones in the country also, to interfere with existing rights, and again, they frequently get special insurance rates for insuring against these things. I have taken it up with a number of title people in Philadelphia, and one of the best, I think, in Philadelphia said, in his judgment it is a good bill, although he feels that the time should be shortened from fifty years to thirty years, but that it was quite satisfactory to them that it should be placed a fifty years.

Mr. OGLE. Mr. Speaker, this certainly is an anomalous piece of proposed legislation. Under the provisions of this act, it it provided that every mortgagee heretofore given or hereafter to be given and which is or hereafter shall become a lien on real estate in this Commonwealth shall cease to be a lien on the real estate covered by said mortgage at the expiration of fifty years from the time when the principal of such mortgage becomes due unless before the expiration of the said period of fifty years from the time the principal of the said mortgage becomes due and the holder and owner of the said mortgage shall either (a) re-record the said mortgage or (b) shall record a declaration setting forth the name of the holder or owner of such mortgage."

Now, Mr. Speaker, here is an unrecorded mortgage that the mortgagee has had hidden away in the kitchen clock, in the corner of the cupboard of the dining room, or at the bottom of his old trunk, unrecorded. Now, as has been said, after the expiration of twenty years, the presumption of law is that the mortgage, whether it is on record or not, is presumed to be paid. Now, here is a proposition that almost thirty years after that presumption arises and fifty years after the time that the mortgage has been placed upon record, it may be rejuvenated, and the lien may be recorded, acquired, upon the premises described in the mortgage, if the mortgagee has that mortgage recorded. I would inquire, who is to become the payer of this mortgage. That mortgage was executed and unrecorded for a period of fifty years upon property described by a mortgagor, Mr. A, may we call him; ten years after that mortgage was recorded or given, and there being no evidence on record and no changing in the possession of the occupancy of the mortgage, the mortgagor conveys that property to Mr. C, and Mr. C, five years afterwards, dies and his estate is settled by the orphans' court and the property passes to a purchaser at a judicial sale, twenty-five or more years later this property, having passed into the hands of an innocent holder, is to be encumbered by a mortgage fifty years old, of which nobody knows, perhaps, but the mortgagor and the mortgagee, and it is so many years ago they may be dead, and the burden of proof it to be shifted on that mortgage, and instead of the mortgagee being required to make the proof that that mortgage has not been paid, by the terms of this bill, it is to be shifted back upon the mortgagor, and the mortgagor, who gave its fifty years ago, may have been in his grave for twenty-five or thirty years. What do the successors entitled on the mortgaged premises know about it, how can they defend against it? Why, it would be making innocent purchasers of property bound to pay a mortgage fifty years old that was never placed upon the records. Isn't that laches, shouldn't the man suffer, even if the debt had never been recorded; he is the one who is guilty of the laches, and he should be made to suffer the loss, he or his heirs. Surely, no court of equity would enforce a mortgage under such procedure. Another clause requires that every mortgage, the principal of which has become due and payable more than fifty years prior to the approval of this act shall (unless sooner satisfied released or discharged) remain a lien for further period of five years following the approval of this act and shall cease to be a lien at the expiration of such further period of five years from and after the date of this act unless before the said period of five years the holder or owner of such mortgage shall either (a) re-record such mortgage or shall (b) record a declaration that the principal or some part thereof is unpaid in the manner provided in the first section of this act Such mortgages and declarations shall also be indexed in the mortgagor index as provided in the first section of this act.

Now, that covers the case when a mortgage has been recorded. They say this shall be a lien and the lien shall continue if you re-record the mortgage. Who ever heard of such an absurdity as that, the re-recording of a mortgage? This would give new life to a mortgage. When a mortgage is recorded, it is recorded for all time. It is indexed in the mortgage records, on the mortgage index, and is notice to the world. Re-recording it would have no effect so far as the moneys called for are concerned. It would be no further notice than when it was originally put on the record. When a deed is recorded, it is recorded for all time. We might just as well say, "It is allright, you have the deed to your property and the presumption is, it is yours, but if you want to hold that property and send it on to your heirs, at the expiration of fifty years from the time you received that deed, you must have that deed re-recorded. Isn't that an absurdity, gentlemen? One record is sufficient for all time, and a man who would not have his mortgage recorded within a period of fifty years is guilty of laches, and he should not, by permission of this Legislature, be permitted to come in and take advantage of innocent people. The person freed from the laches or neglect should not be made to suffer the loss.

Mr. ALEXANDER. Mr. Speaker, there is just one point to which I want to call your attention. You will notice that the gentleman from Philadelphia, the sponsor of this bill, put more stress on the point of fact of the trouble and expense it requires to have an old mortgage satisfied. I cannot see any reason why we should relieve the mortgagor or his successor in title to the property from that expense or trouble, and at the same time put the burden on the mortgagee. Because of the fact that the mortgage is not satisfied when it is paid, the mortgagor and his successors in title are just as guilty of laches as the mortgagee is, and why give the mortgagor relief, guilty of laches as he is, and his heirs in law. I have in mind at the present time a man who holds a mortgage against another man. Perhaps there is no record in his papers; the mortgage is in the hands of some attorney of his, or is mislaid. His heirs and representatives would not know, perhaps, after 50 years or sometime after, it may have been 50 years, it may have been that old, and if the man were guilty of laches, the mortgagor taking advantage of that could come in and have that mortgage dropped off the record, mind you absolute title with an equity of redemption any time, and yet it would be dropped off the record without any notice to the mortgagee or his heirs. That is not fair, it is not right, it is not right for any man guilty of laches to have any benefit whatsoever, and I am opposed, having at the present time all of the powers and all of the methods and all of the practices possible to satisfy an old mortgage, I am not willing to relieve any man guilty of laches in that way.

Mr. SOWERS. Mr. Speaker, I have listened with a great deal of interest and attention to my friend from Somerset, Mr. Ogle, and I have been unable to decide whether he is for or against it, but I sent out and got House Bill No. 74, and I find that my friend Mr. Ogle, even though he argued against this bill, himself offered a bill in this House to limit the life of a mortgage to 20 years. If he himself has suggested 20 years, how he can consistently come here today and argue that a lien limited to 50 years ought not to be given? What have we got in this bill sponsored by the gentleman from Philadelphia, Mr. Bluett? We have a bill which changes the law in one particular, and only one particular. It creates what is known in law as a conclusive presumption of payment. Now suppose one of you men have a house and create a mortgage on it, you would certainly borrow the money from somebody over 21 years of age, and if you borrowed the money, you would borrow, for three or five years, so if it was to be five years in which the money was to be paid back then that person would be 26 years of age, and the lien as provided by my colleague Mr. Bluett, is 50 years, then the person would be 76 years of age. Why at that age the ordinary man would not care whether he got the money back or not. Would he be here to get it? Isn't it void besides? But here is the real crux of the bill, here is the whole rub. Lawyers that are interested in title companies want to keep up this old system and the old system is that people are honest and reliable. If you had a mortgage on your house years ago you went to the mortgagee and said, "John, I owe you $1000.00 on that mortgage. Here it is. Do you want a receipt?" "Yes, give me a receipt. Take the money back, take the receipt back," and you live in your House for years and after while you die and your children look for the receipt and they cannot find it, or if they do find the receipt they cannot go down to the Recorder of Deeds office and sign off the mortgage, but you that own the house have to go to the title company and say, "Insure my title. Oh, yes, I have got a receipt." Let us keep the receipt and for doing you this little favor we will charge you $100.00." They keep the receipt forever and you pay them that one hundred dollars for keeping it. Now is it a fair policy in this Commonwealth to presume that the title company should get $100.00 to keep that receipt, or is it a better policy to say to the people of Pennsylvania that after 50 years, if you have not collected your mortgage, and you then must be 76 years of age, you have lost it. I want to know what man trusts another man so long as 76 years. I do not think anybody does, and as a practical thing for Pennsylvania let us get these old property owners out of the hands of a trust company or a title company that wants $100.00 to keep your receipt forever.

Mr. JOHN G. MARSHALL. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Sowers.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. SOWERS. Yes, sir.

Mr. JOHN G. MARSHALL. Under the provisions of this bill, if enacted into law, what evidence is there on the records of the mortgage that the mortgage lien is dead and is no longer a lien on the real estate?

Mr. SOWERS. If this bill becomes a law, at the end of 50 years you would have the conclusive presumption of payment unless some of the methods used in the bill were taken advantage of to preserve the old presumption, as it was in Pennsylvania. Now at the present time you have in the law that at the end of 21 years the mortgage is presumed to be paid, and the mortgagee must show it was not paid. Does not that answer your question?

Mr. JOHN G. MARSHALL. It does partially, but it is not entirely correct. Suppose when this act was passed and put on our statute books for five years and then repealed would it not create a great deal of confusion on the records throughout this State as to which mortgages were actually dead and those that were not?

Mr. SOWERS. I think if Mr. Marshall wants to know what is going to happen five years from now, he should call upon my collegue Mr. Evans, or some other spiritualist.

Mr. JOHN G. MARSHALL. Mr. Speaker and members of the House, I just want to call your attention to the point which I endeavored to have cleared up, and which my friend has not answered. This to my mind is a very important matter which will result from the passage of this act. If this bill is enacted into law and a mortgage has been on record and due for fifty years, under the provisions of the act the lien is gone. In other words, the mortgage is dead and might as well be wiped from the books. But there is absolutely no evidence on the margin of the mortgage to show that it is a dead mortgage. The Legislature in 1925 could come here and repeal this act after that time there is no evidence on the record to show that the mortgage did happen to become due five years ago, in the two year period instead. We have no evidence on the margin of the record whatsoever, and it would take a conveyancer who would be responsible for going back to look up this act of Assembly as long as the Commonwealth of Pennsylvania is in existence and check up this two year period to determine the free title. Check up this two year period to determine whether or not the old title of fifty years terminated within this two year period. To my mind this is another reason why we should not pass this act without some notation made on the margin of the mortgage that the fifty years lapsed at a definite time between the date of the passage of this act and the time when we could consder a mortgage lien as dead.

Mr. EDMONDS. Mr. Speaker, I move the previous question.

The motion was seconded by the following members: Messrs. Gelder, Harer, Orr, Fratt, Burd, P. Evans, Bidelspacher, Wells, Hetrick, Joshua Evans, Bromley, Dilsheimer, Bluett, Burns, Conner, Diehm, Earley, Hall, Haslett, Heffernan and Haws.

The SPEAKER. More than twenty members having joined in moving the previous question.

On the question,

Shall the main questions be put?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as folows, viz:

YEAS—51.

Allman,
Arthur,
Bell, W. T.,
Bluett,
Blumberg,
Brewster,
Bromley,
Burns,
Colville,
Conner,
de Young,
Dilsheimer,
Drinkhouse,

Earley,
Evans, J.,
Flynn,
Glasgow,
Golder,
Harer,
Haws,
Heffernan,
Holcombe,
Huber,
Irvin,
Keene,
Kennedy,

Kohler,
Long,
Lucas,
Marcus, J.,
Marcus, J. C.,
Mathay,
McBride,
McVicar,
Millar,
Myers, P. M.,
Nolte,
Perry,
Pitts,

Rippman,
Sautter,
Shambach,
Smith, H.,
Smith, J. W.,
Sowers,
Sterling,
Stevens, A. J.,
Van Alen,
Weamer,
Wells,
Goodnough,
Speaker.

NAYS—106.

Albert,
Alexander,
Anderson,
Aston,
Baker,
Beaver,
Bell, F. A.,
Bentley,
Betts,
Bidelspacher,
Blair,
Boback,
Brenneman,
Brown,
Brownmiller,
Bush,
Clutton,
Coldsmith,
Craig,
Dietz,
Donahue,
Driggs,
Eaches,
Edmonds,
Evans, B. P.,
Flinohbaugh,
Fratt,

Frazier,
Gelder,
Gilchrist,
Goehring,
Gorham,
Grimes,
Gundy,
Haas,
Hall,
Harter,
Haslett,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hoover,
Horne,
Howell,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kunkle,
Lauver,
Ludlow,

Mack,
MacKinney,
Mangan,
Marshall, J. G.,
Marshall, W. F.,
McCann,
McClure,
McCurdy,
McKim,
Metcalf,
Miller,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
O'Boyle,
Ogle,
Orr,
Patterson,
Peelor,
Posey,
Post,
Priee,
Raymond,
Rhodes,
Richards,

Rinn,
Sample,
Sarig,
Schaeffer,
Schleiter,
Schoener,
Schwartz.
Smith, G. A.,
Smith, H. J.,
Soffel,
Stark,
Staudenmeier,
Stavitski,
Storb,
Thompson,
Walker,
Wettach,
Wheeler,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Zook,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 916.

An Act to amend sections eighteen twenty-six thirty-two thirty-four thirty-eight fifty-four fifty-five fifty-six fifty-seven fifty-nine and sixty-one of an act entitled "An Act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine)

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 3, line 17, by underscoring the word "be" after the word "General".

Amend Section 2, page 4, line 14, by underscoring after the word "length" the words "Provided further that where service in the war with Spain or the World War is computed then such retirement shall be of the next higher grade held in the service except in the case of a major general when the grade shall remain the same"

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,

Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fratt,
Frazier,
Gelder,
Gibbon,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haines,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Huber,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,

Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
MacKinney,
Malie,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rhodes,
Richards,

Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schwartz.
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. J.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered. That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 134.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section sixteen

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is dequested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title page 1, line 1, by striking out after the word "one" the syllable "Constitu" and insert in lieu thereof the word "Constitution".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett.
Blumberg,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McClure,
McCurdy,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Ogle,
Orr,
Parkinson,
Patterson,
Perry,
Pitts,
Posey,
Post,
Price,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D
Thomas, M. G
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W
Womer,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED SENATE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate had concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 224.

An Act providing for the filing of vacancies in the office of tax-collector in boroughs by the council of the borough and repealing certain acts inconsistent therewith

BILLS SIGNED BY SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 224.

An Act providing for the filing of vacancies in the office of tax-collector in boroughs by the council of the borough and repealing certain acts inconsistent therewith

SENATE BILL No. 584.

An Act extending and enlarging the powers and rights of Trust Companies and Banks organized and incorporated under the laws of the Commonwealth of Pennsylvania

SENATE BILL No. 640.

An Act to amend section three of an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and nine) entitled "An Act to authorize the acquisition by purchase or condemnation of lands for a park and the erection of a monument commemorative of Washington crossing the river Deleware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act"

SENATE BILL No. 472.

An Act to amend section one of an act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand and seventy-two) entitled "An act providing a method of establishing title to land acquired at a sale for unpaid taxes" extending the provisions of said act to all such sales

SENATE BILL No. 598.

An Act authorizing cities of the third class to sell certain real estate and prescribing the procedure to be followed

SENATE BILL No. 449.

An Act to amend so much of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

SENATE BILL No. 258.

An Act to amend section three hundred and twenty-five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto" fixing the compensation of township auditors

SENATE BILL No. 297.

An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has formerly been held or conveyed by to or for corporations not authorized by law to hold the same

SENATE BILL No. 587.

An Act prescribing the effect of the merger of a trust company or a banking company possessed of trust company powers with another trust company or banking company possessed of trust company powers on the estate and property real and personal held by either of such merging corporations in any trust or fiduciary capacity

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 206.

An Act to further amend section three of the act approved the nineteeth day of April one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued" as amended providing for the impounding of property where an affidavit is filed before issuing of the writ

HOUSE BILL No. 740.

An Act to amend section four hundred and eighty-seven of article one of chapter ten of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

HOUSE BILL No. 880.

An Act to amend section two hundred and seven of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

HOUSE BILL No. 924.

An Act to amend part of section one of an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

HOUSE BILL No. 955.

An Act making an appropriation to the legal representative of the estate of Honorable Samuel A. Whitaker deceased elected a Representative in the General Assembly of the Commonwealth from Chester county

HOUSE BILL No. 1034.

An Act to promote the health and efficiency of firemen in cities of the first class by providing for a two-platoon system for the certain officers of the uniformed fire force of the Department of Public Safety of such cities

HOUSE BILL No. 225.

A Supplement to an act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and seventy-three) entitled "An act constituting a commission to make an investigation of the battlefields of France and Belgium and to select points for the erection of monuments and markers of appropriate design to commemorate the achievements of Pennsylvania soldiers during the World War defining the powers and duties of the commission and making an appropriation" continuing said commission providing for the erection of certain memorials in France and Belgium and making an appropriation.

HOUSE BILL No. 652.

An Act relating to suits against and service of process upon corporations organized and existing under the laws of the Commonwealth of Pennsylvania ceasing to do business or ceasing to maintain an office within the Commonwealth and the effect of such service

HOUSE BILL No. 276.

An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the pryocedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes hertofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior Acts of Assembly

HOUSE BILL No. 593.

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation

With the information that the Senate has passed the same without amendment.

QUESTION OF PERSONAL PRIVILEGE.

Mr. BROMLEY. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. BROMLEY. Mr. Speaker and members of the House, the acting chairman of the Committee on Banks and Banking has appointed the following sub-committee to carry out the purposes of resolution No. 17 of this House: Messrs, Sprowls, Millar, Ludlow, Price, Storb, Labar and Bromley as chairman. That committee will meet immediately after the adjournment of this session to the left of the Speaker's desk.

RECESS.

The SPEAKER. If there are no objections, the Chair will declare a recess until 4:00 o'clock P. M. Are there objections? The Chair hears none.

Whereupon, (at 1:30 o'clock P. M.) the House took a recess until 4:00 o'clock P. M.

AFTER RECESS.

The House reconvened at 4:00 o'clock P. M.

The SPEAKER (C. J. Goodnough), in the Chair.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 482. (HOUSE BILL No. 1490.)

An Act providing for a referendum to ascertain the preferences of the voters of the Commonwealth relative to the adoption of daylight saving time for a portion of the year.

Referred to the Committee on Judiciary General.

SENATE BILL No. 508. (HOUSE BILL No. 1491.)

An Act constituting the board of trustees of Washington and Jefferson College a commission to provide a memorial to the memory of the late James A. Beaver.

Referred to Committee on Appropriations.

SENATE BILL No. 638. (HOUSE BILL No. 1492.)

An Act to amend section four of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and ninety) entitled "An Act authorizing the sale of certain property owned by the State the title to which is in the State Livestock Sanitary Board and providing for the use of the proceeds of such sale."

Referred to Committee on Appropriations.

SENATE BILL No. 786. (HOUSE BILL No. 1493.)

A Supplement to an act approved the twenty-first day of March one thousand nine hundred and twenty-three entitled "An act for the prevention of fraud and the protection of the public health relating to milk cream or skimmed milk whether or not condensed evaporated concentrated dried powdered or dessicated prohibiting the introduction of foreign fats into them regulating the sale of and defining condensed concentrated and evaporated milk stipulating penalties for the infraction thereof and providing for the enforcement thereof" defining condensed concentrated and evaporated skimmed milk and compounds thereof regulating the manufacture sale and exchange thereof and providing penalties.

Referred to the Committee on Public Health and Sanitation.

LEAVES OF ABSENCE.

Mr. GIBBON asked and obtained leave of absence for himself for balance of the week.

Mr. STAUDENMEIER asked and obtained leave of absence for himself for balance of the week.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 1313.

An Act to amend section ten of the act approved the twelfth day of July, one thousand nine hundred and thirteen (Pamphlet Laws, seven hundred eleven), entitled "An Act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," as amended.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 26, by striking out the word "conculsive" and inserting in lieu thereof the word "conclusive."

Amend section 1, page 3, line 3, by striking out the words, "shall also have jurisdiction in any civil cases transferred," and inserting in lieu thereof the following: "shall also have jurisdiction in adoption proceedings and in any civil cases transferred."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Albert,
Alexander,
Allman,
Anderson,
Arthur.
Aston,
Baker,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blumberg,
Boback,
Brewster,
Bromley,
Brownmiller,
Burchinal,
Burns,
Clutton,
Coldsmith,
Colville,
Conner,
de Young,
Diehm.
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Earley.
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, D.,
Fratt,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Goss.
Greeby,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Mack,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
McVicar,
Millar,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Perry,
Pitts,
Posey,
Post,
Price,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schoener,
Schwartz.
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Stark.
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Walker,
Weamer,
Wettach,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORTS FROM COMMITTEES.

Mr. DILSHEIMER, from the Committee on Municipal Corporations, reported as committed House Bill No. 535, entitled:

An Act providing a method of annexation of cities, boroughs, townships or parts of townships to cities of the third class; regulating the proceedings pertaining thereto; and repealing inconsistent legislation.

Mr. MILLAR, from the Committee on Appropriations, reported as amended House Bill No. 189, entitled:

An Act making an appropriation to the trustees of Temple University at Philadelphia, Pennsylvania.

Mr. GOSS, from the Committee on Municipal Corporations, reported as committed House Bill No. 1458 (Senate Bill No. 690), entitled:

An Act authorizing and empowering counties of the second class in this Commonwealth to acquire by lease, purchase or condemnation proceedings any land within the county for the purpose of establishing and maintaining airdromes or aviation landing fields; providing for the procedure in case of condemnation and the extent of title acquired; authorizing the lease by the county of portions of said land to individuals or corporations upon such terms as may be fixed and the lease thereof to the government of the United States upon nominal rental; authorizing and empowering the county to use land now owned by it for such purposes and authorizing joint operation by said county and any city within the county of aidromes or aviation landing fields where such city is authorized to establish and maintain the same.

Mr. GOSS, from the Committee on Municipal Corporations, reported as committed House Bill No. 1459 (Senate Bill No. 691), entitled:

An Act authorizing and empowering the cities of the second class in this Commonwealth to acquire by lease, purchase or condemnation proceedings any land within or without the limits of said cities but within the limits of the county in which such cities are located for the purpose of establishing and maintaining municipal airdromes or aviation landing fields, providing for the procedure in cases of condemnation and the extent of title acquired, authorizing the lease by the cities of portions thereof to individuals or corporations upon such terms as may be fixed and the lease thereof to the Government of the United States upon nominal rental and empowering said cities to operate and maintain fields jointly with any county within which said city is situate where the county is empowered to operate and maintain an airdrome or aviation landing field.

Mr. GIBBON, from the Committee on Municipal Corporations, reported as committed House Bill No. 1393 (Senate Bill No. 294), entitled:

An Act to amend sections two and five of the act approved the tenth day of May, one thousand nine hundred and twenty-one, (P. L. 473), entitled "An Act providing for the burial of certain persons who are, have been or shall be soldiers, sailors or marines designated as deceased service men; defining the term 'deceased service man'; and authorizing county commissioners to provide headstones, markers, and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death."

Mr. MILLAR, from the Committee on Judiciary General, reported as amended, House Bill No. 1146, (Senate Bill No. 341), entitled:

An Act fixing the mileage chargeable by sheriffs requiring its pay in advance in certain cases and providing for its taxation and collection as sheriff's costs when unpaid.

Mr. WEAMER, from the Committee on Public Roads, reported as committed, House Bill No. 1450, (Senate Bill No. 497), entitled:

An Act relating to county bridges authorizing counties to issue and sell bonds for the erection thereof and providing for the division of the cost of construction and erection of joint county bridges and the collection of tolls thereon.

Mr. ALEXANDER, from the Committee on Judiciary General, reported as amended, House Bill No. 1147, (Senate Bill No. 343), entitled:

An Act to amend section two of an act approved the twenty-sixth day of May one thousand eight hundred and ninety-seven (Pamphlet Laws ninety-five) entitled "An Act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff and claimed to belong to others than the defendants in the execution or process" as amended.

Mr. SOWERS, from the Committee on Judiciary General, reported with a negative recommendation, House Bill No. 949, entitled:

An Act establishing a Court of Claims in the Commonwealth of Pennsylvania; prescribing its jurisdiction and powers; providing for the service of its writs, process or warrants; regulating the procedure therein, and appeals thereform, and providing for the expenses thereof.

Mr. BLUMBERG, from the Committee on Judiciary General, re-reported as amended House Bill No. 187, entitled:

An Act relating to pistols and revolvers; regulating the sale, possession and use thereof; defining "pistol or revolver"; imposing additional penalties for crimes committed while unlawfully armed; prohibiting the ownership or possession of a pistol or revolver by any unnaturalized foreign-born person and by persons convicted of certain felonies; providing for licenses to carry and licenses to sell pistols and revolvers; prohibiting the disposing thereof to minors or to persons not entitled to own or possess the same; and prescribing penalties.

Mr. ARMSTRONG, from the Committee on Public Roads, re-reported as amended House Bill No. 197, entitled:

An Act to amend secton two of an act approved the twenty-third day of March, one thousand nine hundred and twenty-one (Pamphlet Laws forty-two) entitled, "An Act appropriating to the State Highway Department for the purpose of assisting in the construction, maintenance, improvement and repair of State highways and State-aid highways, all moneys derived from registrations and from license fees for the year one thousand nine hundred and twenty-one, and subsequent years under the provisions of the act of Assembly approved June thirtieth one thousand nine hundred and nineteen, relating to and regulating motor vehicles and amendments thereto, and providing for salaries and other expenses of the department."

Mr. HASLETT, from the Committee on Public Roads, reported as amended, House Bill No. 396, entitled:

An Act to amend route number two hundred and thirty of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highways, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance, and repair of township or county roads, and prescribing the contents or township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for the payment of cost or improvement and repairs; providing penalty for injuring or destroying State highways, making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and provisions that existing contracts are not affected by provisions of this act."

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1002, as follows:

An Act to further amend part of section six of an act approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws 468 entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That that part of section six of an act approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in and the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by the provisions of this act as amended by the act approved May sixteenth Anno Domini one thousand nine hundred twenty-one is hereby amended to read as follows

Route Ninety-seven From Ridgway to the New York State line—Commencing in Ridgway and running by way of Johnsonburg and Wilcox to a point on the dividing line between Elk and McKean counties thence by way of Burrows to Kane thence over route ninety-five to Mount Jewett thence by way of Big Shanty Lewis Run and Custer City to Bradford thence over route ninety-six to the New York State line

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—154.

Alexander,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fratt,
Frazier,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Guerin,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCann,
McCaig,
McCurdy,
McDaniel,
McGowan,
McKim,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rhodes.
Richards,
Rinn,
Rippman,
Sautter,
Schaeffer,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Sprowls,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. F.,
Storb,
Storer,
Thomas, M. G.,
Thompson,
Van Alen,
Walker,
Weamer,
Wells,
Wettach,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. PARKINSON,

The House resumed the consideration on third reading of House Bill No. 1287, entitled:

An Act to amend section second of the act approved the ninth day of July one thousand nine hundred and one (Pamphlet Laws six hundred fourteen) entitled "An Act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" as amended

On the question recurring,

Will the House agree to the bill on third reading?

Mr. PARKINSON. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend page 5, by striking out all of lines 15 to 24 inclusive.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

TIME EXTENDED ON BILL.

Mr. BLAIR. Mr. Speaker, I move that the time on House Bill No. 320, file folio 4703, entitled:

An Act to prevent fraud at elections providing a system of authenticating and marking ballots and of locking ballot boxes providing for the installation by counties of certain mechanical equipment and for the use and custody thereof providing for the appointment by the Governor of a commission to select and approve such equipment and fixing penalties

on page 13 of today's calendar, bills on third reading postponed be extended five days

Mr. RAYMOND. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1112, as follows:

An Act to amend section one of an act approved the twenty-second day of July Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws one thousand and ninety-three) entitled "An Act creating in counties having a population of from eight hundred thousand to one million five hundred thousand a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners fixing their salaries payable by the county defining the powers and duties of such board and regulating the assessment of property and occupations for State and county purposes authorizing the appointment of subordinate assessors and clerks defining their duties and providing for their compensation payable by such counties imposing a penalty on subordinate assessors for failure to comply with certain provisions of this act and abolishing the office of ward borough and township assessors in so far as respects the assessment of property and occupations for State and county purposes" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-second day of July Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws one thousand and ninety-three) entitled "An Act creating in counties having a population of from eight hundred thousand to one million five hundred thousand a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners fixing their salaries payable by the county defining the powers and duties of such board and regulating the assessment of property and occupations for State and county purposes authorizing the appointment of subordinate assessors and clerks defining their duties and providing for their compensation payable by such counties imposing a penalty on subordinate assessors for failure to comply with certain provisions of this act and abolishing the office of ward borough and township assessor in so far as respects the assessment of property and occupations for State and county purposes is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in each county of the second class (Commonwealth having a population of not less than eight hundred thousand nor more than one million five hundred thousand inhabitants) there is hereby created a board to be designated as the board for the assessment and revision of taxes composed of seven persons citizens of the county The members of such board shall be appointed by the county commissioners of such county and shall hold their office for (the) a term of four years from the first Monday of January one thousand nine hundred and twenty and their successors shall be appointed by the county commissioners of such county for a like term every four years thereafter and the county commissioners of such county shall fill all vacancies in the board for the unexpired term thereof Each member of such board shall receive a salary of five thousand dollars per annum payable out of the treasury of the county

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—153.

Albert,
Alexander,
Anderson,
Armstrong,
Arthur,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Guerin,
Haas,
Haines,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
MacKinney,
Malie,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McGowan,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sarig,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Steedle,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 956, as follows:

An Act to amend section one of the act approved the twenty-fifth day of June one thousand eight hundred and eighty-five (Pamphlet Laws one hundred and eighty-one) entitled "An Act to authorize certain corporations to become sole surety for the faithful performance of any trust or duty and to authorize certain officers to approve the same" by requiring the approval thereof when the certificates issued by the Insurance Department to said corporations have been filed in the prothonotary's office

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-fifth day of June one thousand eight hundred and eighty-five (Pamphlet Laws one hundred and eighty-one) entitled "An Act to authorize certain corporations to become sole surety for the faithful performance of any trust or duty and to authorize certain officers to approve the same" is hereby amended to read as follows

Section 1 Be it enacted et cetera That whenever any person individually or in any public or private trust who is now or hereafter may be required or permitted by law to make or execute (and) or give a bond or undertaking with security conditioned for the faithful performance of any duty or for the doing or not doing of anything in said bond or undertaking specified any head of a department judge of the Supreme Court or prothonotary thereof judge of the court of common pleas or prothonotary thereof judge of the orphans' court register of wills sheriff magistrate or any other officer who is now or shall be hereafter required to approve the sufficiency of any such bond or undertaking (shall in the discretion of such officer accept such bond or undertaking and) approve the same whenever the conditions of such bond or undertaking are guaranteed by a company duly authorized by the Insurance Department of this State to do business in this State and authorized to guarantee the fidelity of persons holding positions of public or private trust and (such company may become sole surety in any case where by law one or more sureties may be required for the faithful performance of any trust or duty Provided however That where such bond or undertaking shall involve the safe keeping or faithful application of the assets of any judiciary such head of department judge or other officer shall make such order or decree as shall assure the retention of such assets within this Commonwealth in such manner as such head of department judge or officer may direct until disposition thereof be made according to law) whenever such company has filed in the office of the prothonotary of the county in which the said bond is to be approved a certificate issued by the Insurance Commissioner of the State authorizing it to become surety on all bonds obligations and undertakings and until such certificate has been revoked by the Insurance Commissioner

Such certificate shall be conclusive proof of the solvency and credit of such company for all purposes and of its right to be so accepted as such sole surety and its sufficiency as such

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. HUBER. Mr. Speaker, I move that House Bill No. 956 be placed on the postponed calendar.

Mr. NOLTE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1004, as follows:

An Act to amend the act approved the fourth day of April one thousand eight hundred and seventy-two (Pamphlet Laws forty) entitled "An Act supplemental to an act entitled 'A supplement to acts relating to incorporations by the courts of common pleas' approved on the ninth day of April Anno Domini one thousand eight hundred and fifty-six" providing for the publication of notice and the mailing of notices to stockholders in case of dissolution proceedings

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the fourth day of April one thousand eight hundred and seventy-two (Pamphlet Laws forty) entitled "An Act supplemental to an act entitled 'A supplement to acts relating to incorporations by the courts of common pleas' approved on the ninth day of April Anno Domini one thousand eight hundred and fifty-six" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the "proper county" intended by said act approved as aforesaid may be at the option of any corporation praying for permission to dissolve in the way and manner in said act designated either the county in which the principal operations of the corporations are conducted or that county in which its principal office or place of business is located Provided That notice of said application shall be given by publication in two papers and in the legal periodical of any designated by the Rules Court for publication of legal notices in the county in which the principal operations are conducted and that in which the principal office is located once a week for three weeks and that notice shall be mailed to each stockholder of record not less than ten days prior to the date of the meeting at which the question of the dissolution of the corporation is to be voted upon

On the question,

Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. Lynch, permit himself to be interrogated.

BILL POSTPONED.

Mr. JOSEPH C. MARCUS. Mr. Speaker, in the absence of the sponsor of this bill, I move that further consideration be postponed for the present.

Mr. STORER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 603, as follows:

An Act concerning declaratory judgments and decrees and to make uniform the law relating thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That (Scope) Courts of record within their respective jurisdictions shall have power to declare rights status and other legal relations whether or not further relief is or could be claimed No action or proceeding shall be open to objections on the ground that a declatory judgment or decree is prayed for The declaration may be either affirmative or negative in form and effect and such declarations shall have the force and effect of a final judgment or decree

Section 2 (Power to Construe et cetera) Any person interested under a deed will written contract or other writings constituting a contract or whose rights status or other legal relations are affected by a statute municipalordinance contract or franchise may have determined any question of construction or validity arising under the instrument statute ordinance contract or franchise and obtain a declaration of rights xatus or other legal relations thereunder

Section 3 (Before Breach) A contract may be construed either before or after there has been a breach thereof

Section 4 (Executor et cetera) Any person interested as or through an executor administrator trustee guardian or other fiduciary creditor devisee legatee heir next of kin or cestui que trust in the administration of a trust or of the estate of a decedent an infant lunatic or insolvent may have a declaration of rights or legal relations in respect thereto

(a) To ascertain any class of creditors devisees legatees heirs next of kin or others or

(b) To direct the executors administrators or trustees to do or abstain from doing any particular act in their fiduciary capacity or

(c) To determine any question arising in the administration of the estate or trust including questions of construction of wills and other writings

Section 5 (Enumeration Not Exclusive) The enumeration n Sections two three and four does not limit or restrict the exercise of the general powers conferred in Section one in any proceeding where declaratory relief is sought in which a judgment or decree will terminate the controversy or remove an uncertainty

Section 6 (Discretionary) The court may refuse to render a declaratory judgment or decree where such judgment or decree if rendered or entered would not terminate the uncertainty or controversy giving rise to the proceeding

Section 7 (Review) All orders judgment and decrees under this act may be reviewed as other orders judgments and decrees

Section 8 (Supplemental Relief) Further relief based on a declaratory judgment or decree may be granted whenever necessary or proper The application therefor shall ge by petition to a court having jurisdiction to grant the relief If the application be deemed sufficient the court shall on reasonable notice require any adverse party whose rights have adjudicated by the declaratory judgment or decree to show cause why further relief should not be granted forthwith

Section 9 (Jury Trial) When a proceeding under this act involves the determination of an issue of fact such issue may be tried and determined in the same manner as issues of fact are tried and determined in other civil actions in the court in which the proceeding is pending

Section 10 (Costs) In any proceeding under this act the court may make such award of costs as may seem equitable and just

Section 11 (Parties) When declaratory relief is sought all persnos shall be made parties who have or claim any interest which would be affected by the declaration and no declaration shall prejudice the rights of persons not parties to the proceedings In any proceeding which involves the validity of a municipal ordinance or franchise such municipality shall be made a party and shall be entitled to be heard and if the statute ordinance or franchise is alleged to be unconstitutional the Attorney-General of the State shall also be served with a copy of the proceeding and be entitled to be heard

Section 12 (Construction) This act is declared to be remedial its purpose is to settle and to afford relief from uncertainty and insecurity with respect to rights status and other legal relations and is to be liberally construed and administered

Section 13 (Words Construed) The word "person" wherever used in this act shall be construed to mean any person partnership joint stock company unincorporatedassociation or society or municipal or other corporation of any character whatsoever

Section 14 (Provisions Severable) The several sections and provisions of this act except sections one and two are hereby declared independent and severable and the invalidity if any of any part or feature thereof shall not affect or render the remainder of the act invalid or inoperative

Section 15 (Uniformity of Interpretation) This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those States which enact it and to harmonize as far as possible with federal laws and regulations on the subject of declaratory judgments and decrees

Section 16 (Short Title) This act may be cited as the Uniform Declaratory Judgments Act

On the question,

Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Dauphin, Mr. Hall, permit himself to be interrogated?

Mr. HALL. Yes, Mr. Speaker.

Mr. ALEXANDER. I desire to ask the gentleman to explain the purpose of this bill.

Mr. HALL. Mr. Speaker and members of the House, this in a bill which has been prepared by, and is backed by, the National Association for Uniform State Laws. This body has been in existence since 1892, and has introduced some of the best laws which are now on the statute books of the various states. The Pennsylvania legislature in 1917 feeling that it wanted representation on this National Board of Commissioners for uniform state laws, passed an act, in Pamphlet Laws 90, of that year, which provides, "It shall be the duty of this board to examine such subjects as it may deem necessary and to ascertain the best means to effect an assimilation and uniformity of state legislation throughout the United States relative to the subject so examined." As a result of that, commissioners were appointed in 1917. They have been appointed ever since, and at the present time the commissioners from Pennsylvania who represent this state on the national board are William H. Stockley, chairman, Walter George Smith and William M. Hargest, all of whom the attorneys of the House will recognize as reputable lawyers of this State. At the present time I might say that in Pennsylvania we have adopted the following acts. which have been prepared by this conference: The Negotiable Instruments Act, the Sales Act, the Warehouse Receipts Act, the Bills of Lading Act, the Stock Transfer Act, the Limited Partnership Act, the Deposition Act, the Fraudulent Conveyance Act and the Proof of Statutes Act, ten in all. This may be a brief digression, but I feel as though an explanation should be given at this time as to the way these bills are prepared. Firt of all, a committee is appointed by the national commission to decide whether or not a certain subject is a fit subject for a uniform law, whether the conditions of the particular states will accede to uniformity in the law. After that is finished and the committee decides that it does meet with their desires as to uniformity, it is framed by an expert draftsman on law matters. It then comes before a committee at a subsequent session, and is acted upon section by section. That is not sufficient for this conference of lawmakers, but at a subsequent session it is gone over a second time section by section, and that act in its final shape is then taken out to the various states so that they may adopt these statutes in order that we may have uniformity of law throughout the nation. This bill was prepared in that way.; It has been adopted in practically eight states of the Union. At the present time I have only the names of three, Michigan, Wisconsin and Florida, but I have been advised by Judge Hargest, who was a member of these commissions from Pennsylvania, that five states have recently, by their present legislative framed the Declaratory Judgments Act.

Now, for an explanation of the bill: I believe we can all see, from what I have said, that it has been drafted properly. Now, I shall answer the question of the gentleman from Delaware as to the meaning and the purpose and the aim of this measure. This is a preventive measure rather than a curative measure. It tries to get at the root of the evil before the plant grows. When I was in the grade schools and had to learn how to write, I had a copy book put before me containing small maxims. One of them, was "A stitch in time saves nine." Another was, "Don't lock the stable after the horse is stolen." I feel that this bill is that one stitch that will save nine. I believe that it is the stable that is locked before the horse is stolen. If there is a contract, if there is a will or any written instrument upon which some question or controversy has arisen, we need not wait until there is a breach, until someone has caused damage, before we go into court under the present acts of Pennsylvania; but we can go into court with that written instrument and have it interpreted, get a declaratory judgment, in other words, which decides that matter for the future. It avoids a great deal of hostility and trouble that may arise in the future because of anger, vengeance, that might arise between the litigants. It avoids further suit for perjury and things of that kind, before the trouble has been caused. We are trying to stop it before it arises. I can think of no better explanation of that part of the subject then this paragraph, which is contained in the reasons for the adoption of this act, as printed by the National Conference of Commissioners on Uniform State Laws. They say the declaratory Judgments Act is nothing more then a bill to make it possible for a citizen to ascertain what are his rights, and what are the rights of others, before taking steps which might involve him in costly litigation. The purpose of the act and its effect is to enable the citizens to procure from a court guidance which will keep him out of trouble, and to produce that guidance with materially less expense than he would have to incur if he should wait until the trouble comes before having recourse to the court. In brief, ladies and gentlemen of the House, that is the purpose of this act.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—158.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bidelspacher,
Bentley,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fratt,
Frazier,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Gorham,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rhodes,
Rinn,
Rippman,
Sample,
Schaeffer,
Schoener,
Schwartz,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Sterer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—1.

Moffatt.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 831, as follows:

An Act providing punishment for the selling and furnishing for beverage purposes of intoxicating liquors or liquids represented as intoxicating liquors contrary to law thereby causing the death of persons drinking the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any person shall unlawfully and wilfully sell or furnish to another any malt, brewed vinous or spirituous liquors for beverage purposes contrary to the laws of this Commonwealth or shall unlawfully and wilfully sell or furnish to another any intoxicating liquors or any liquid representing the same to be intoxicating liquors and the person to whom the same is sold or furnished shall drink the same and by reason thereof shall die the person making such sale or furnishing the same shall be guilty of voluntary manslaughter

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—152.

Albert,
Alexander,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Blair,
Bluett,
Blumberg,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Frazier,
Gallaher,
Gibbon,
Glasgow,
Golder,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hontz,
Hoover,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Little,
Long,
Lucas,
Lynch,
Mack,
MacKinney,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McGowan,
McKim,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Peelor,
Pitts,
Posey,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Schaeffer,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1408, (Senate Bill No. 511), as follows:

An Act making it a misdemeanor to make or manufacture any object with intent of representing or of permitting the same to be represented as an archaeological specimen or to sell or exchange or to possess for the purpose of selling or exchanging as such any object so unlawfully made or manufactured and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is unlawful to make or manufacture any object with intent to reoresent such object to be an original or genuine archaeological specimen or with the intent to deceive or with the intent to offer such object for sale or exchange or of permitting such object to be offered for sale or exchange as an original or genuine archaeological specimen It is unlawful to knowingly sell or exchange or offer to sell or exchange or to have in possession for the purpose of selling or exchanging as original or genuine archaeological speciments any such objects unlawfully made or manufactured as aforesaid

Section 2 Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five dollars ($25.00) nor more than two hundred dollars ($200.00) or to undergo imprisonment for a period of not more than ninety days or both at the discretion of the court

On the question,

Shall the bill pass finally?

Mr. STOFFLET. Mr. Speaker and members of the House, it was in a spirit of banter with some of my friendly colleagues that I agreed to talk on this measurer. I have since sincerely regretted my promise. This theme deserves a better discourse then I am able to give it. There was a time when I thought I knew something about archaeology, until one day I met an archaeologist. Of course, that was in the age of cork. We both got ready to pull the cork, but he got his cork out of his bottle before I did and he started to pour it allover me. He told me about himself, then he told me about his family, and he had some family tree, a whole forest of it; then he told me about his profession, and in about ten minutes he made me feel as insignificant as a blackhead on a colored man's nose. That fellow could handle the language, and he handled it properly. The newspapers have been very liberal with old King Tut. They have given him unlimited space. Today that old fellow is as famous as he was when he was a Pharoah in Egypt. The manufacturers and business men have called drapes, silks, corsets, dress shields, shoes, ties and stockings for old King Tut. The Egyptians, in their day, did many things that we in our time don't understand, nor do we know the reason. They had their sacred animals; they had their sacred bulls; their sacred goats, their sacred white ibis and sacred goat. We, in our time, have none of those things We believe in one God. We have no longer in our time, the sacred bull like the Egyptians did. We sling the bull, we throw the bull, and we spread the bull. We no longer sanctify the cat. We swear by the cat's rubbers and by the cat's whiskers and by the cat's fallen arches. We no longer revere the goat, we pass the buck, and if old King Tut could come back here and see how we treat the poor cow's husband and the poor goat, somebody would be in for a good swift kick.

There is something pathetic about the history of this great county. Of all the pages in the world's history, there is none that strikes the student with greater awe or more reverence than that which records the events in the life of Egypt during the reign of the Pharoah's.

When Greece was just emerging from the shadows of barbarism and before the very name of Rome was known to the world, Egypt was far advanced in science and the arts. Hundred-gated Thebes counted her people by the millions and was the most magnificent city of all time. Then came the Assyrian and overthrew the throne of the Pharoahs forever. The Persian war-cry rang through the streets of Memphis and of Thebes. They laid their destroying hands on the temple of her gods and the goods of her people. With a train of a thousand bull elephants, their joints creaking under their loads of plunder, Cambyses came down the Nile and Egypt, greater than Babylon the great, fell, to rise no more. There is a pathos in the history of this ancient empire that is absent in the history of any other country. At a distance of three thousand years, we turn back and see the remains of Egyptian labor, Egyptian craftsmanship and Egyptian art. The country is strewed with ruins. Avenues of sphynxes, gateways, arches, columns and obelisks; here we find a column standing erect as the day when the master builder put it there, there lies his fellows; here stands an obelisk, there lies one buried in its grave of sand until another race of men as mighty as the Egyptians shall come down that way and point it once more to the skies. So lie the ruins, once works of extraordinary magnitude while above them, in all the nakedness of desolation the colossal skeletons of giant temples stand in the unwatered sands in solitude and silence. They are neither gray nor black, there is no moss nor lichens, no pitying ivy to robe their nakedness or hide their deformity with its mantle of green.

There is more merit in this bill than many of the members of the House may at this moment realize. The object, as I understand it, is to prevent the imitation of the works that we gather today from the different parts of the earth, not that they may afterwards be exposed for sale, but whether exposed for sale or not, the object of the bill is to prevent their imitation, to preserve the sanctity and the dignity that those works and antiques ought to have in history.

Mr. WELLS. In behalf of Senator Baldwin, the sponsor of this bill, I want to state that it is offered at the request of the Historical Society of the State.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—141.

Alexander,
Allman,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Bluett,
Blumberg,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fratt,
Frazier,
Gallaher,
Gibbon,
Glasgow,
Golder,
Gorham,
Greeby,
Griffith,
Grimes,
Gundy,
Haas,
Haines,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kunkle,
Labar,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
Lynch,
MacKinney,
Malie,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDermott,
McGowan,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Parkinson,
Patterson,
Peelor,
Pitts,
Rhodes,
Richards,
Rippman,
Sample,
Sarig,
Sautter,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Vickerman,
Walker,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,

Earley,
Edmonds,
Evans, B. P.,
Kelly,
Kennedy,
Kohler,
Posey,
Post,
Price,
Goodnough,
Speaker.

NAYS—1.

Orr,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1134, entitled:

An Act fixing the per diem compensation of assistant or registry assessors of boroughs and second class townships for attendance at election

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, vis:

YEAS.—153.

Albert,
Alexander,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett.
Blumberg,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig.
Diehm.
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Frazier,
Gallaher,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Goss,
Griffith,
Grimes,
Gundy,
Haws,
Haines,
Harer,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hoover,
Horne,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
Mack,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCaig,
McClure,
McCurdy,
McGowan,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson.
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sarig,
Schaeffer,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 970, entitled:

An Act to amend section one of an act approved the twenty-first day of July, one thousand nine hundred and nineteen (Pamphlet Laws, one thousand sixty-five), entitled "A further supplement to an act, approved the twenty-fourth day of July, one thousand nine hundred thirteen (Pamphlet Laws, nine hundred seventy-seven), entitled 'An Act to provide for the personal registration of electors, and their enrollment as members of political parties, in cities of the first and second classes of this Commonwealth; to make such registration a condition of the right to vote in such cities, and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities; and providing for the payment of witness fees for persons summoned before the commissioners; to provide penalties for violations of the provisions; and to repeal acts inconsistent herewith."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BLUETT, Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. JOSEPH C. MARCUS. Mr. Speaker, in the absence of the sponsor of this bill, I believe I can offer the information the gentleman desires.

Mr. BLUETT. I just wanted to know the purpose of this bill.

Mr. JOSEPH C. MARCUS. The purpose of this bill, Mr. Speaker, as I see it, is that all state employees now have the right to be registered upon the presentation of the certificate of the Auditor General that they are state employees, and the only purpose of this bill is to include the women as well as the men.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, vis:

YEAS—159.

Albert,
Alexander,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brenneman,
Brewster,
Bromley,
Brown.
Brownmiller,
Burns,
Bush,
Clutton.
Coldsmith,
Colville,
Conner,
Craig,
Diehm.
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Frazier,
Gallaher,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Hoover,
Horne,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kunkle,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McBride,
McCaig,
McClure,
McCurdy,
McGowan,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Schaeffer,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. F.,
Storb,
Storer,
Thomas, M. G.,
Vickerman,
Walker,
Weamer,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Wright,

Earley,
Edmonds,
Evans, B. P.,
Kelly,
Kennedy,
Kohler,
Pitts,
Post,
Price,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1091, as follows:

An Act providing for the safe-keeping of ballot boxes by the Sheriff when any vacancy occurs in the office of justice of the peace or persons designated by the Court of Common Pleas to receive ballot boxes and making the Sheriff responsible for the safe-keeping of such ballot boxes while in his possession

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any vacancy shall occur either by death resignation removal from office or from the county in the office of justice of the peace or such person or persons designated by the Court of Common Pleas to receive ballot boxes the Sheriff of such county shall take for safe keeping all such ballot boxes for which he shall be responsible until a successor to said justice of the peace or custodian may be elected or appointed The Sheriff upon satisfactory proof shall deliver such ballot boxes in his possession to the successor to the said justice of the peace or custodian of ballot boxes as above provided

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, vis:

YEAS—157.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm.
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Flincnbaugh,
Flynn,
Fowler, A. I.,
Frazier,
Gallaher,
Glasgow,
Golder,
Gorham,
Greeby,
Griffith,
Grimes,
Guerin,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Huber,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Little,
Long,
Lucas,
Evans, J.,
Ludlow,
Lynch,
Mack,
MacKinney,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McBride,
McCaig,
McClure,
McCurdy,
McDermott,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Stevens, A. J.,
Storb,
Storer,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 871, as follows:

An Act relating to pillows bolsters feather beds comfortables cushions and upholstered furniture regulating the making remaking renovating sterilizing disinfecting sale leasing delivering and consigning thereof and the possession thereof with intent to sell lease deliver or consign

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "mattress" shall mean any quilted pad mattress mattress pad mattress protector bunk quilt or box spring stuffed or filled with excelsior straw hay grass corn husks moss fibre cotton wool hair jute kapok or other soft material to be used on a couch or other bed for sleeping or reclining purposes

The words "pillow" "bolster" or "feather bed" shall mean any bag case or covering made of cotton or other textile material and stuffed or filled with excelsior straw hay grass corn husks moss fibre cotton wool hair jute feathers feather down kapok or other soft material to be used on a bed couch divan sofa lounge or other article of upholstered furniture for sleeping or reclining purposes

The word "comfortable" shall mean any cover quilt or quilted article made of cotton or other textile material and stuffed or filled with fibre cotton wool hair jute feathers down kapok or other soft material to be used as a cover or covering for reclining or sleeping persons

The word "cushion" shall mean any bag or case made of leather cotton or other textile materials and stuffed or filled with excelsior hay grass corn husks tow moss fibre cotton wool hair feathers feather down kapok or other soft material to be used on a hammock chair couch divan sofa lounge or other article of furniture for reclining resting or sleeping purposes

The word "upholstered furniture" shall mean any article of furniture stuffed or filled with excelsior straw hay grass corn husks tow moss fibre cotton wool hair jute feathers feather down kapok or other soft material to be used for sitting resting or reclining purposes"

The word "new" as used in this act shall mean any material or article which has not been previously manufactured or used for any purpose

The word "secondhand" shall mean any material or article of which prior use has been made

The word "shoddy" shall mean any material which has been spun into yarn knit or woven into fabric and subsequently cut up torn up broken up or ground up

The word "person" as used herein shall include persons corporations co-partnerships and associations

Words used in the singular number shall include the plural and the plural the singular

Section 2 No person shall employ or use in the making remaking or renovating of any mattress pillow bolster feather bed comfortable cushion or article of upholstered furniture (a) any material known as "shoddy" or any fabric or material from which "shoddy" is constructed (b) any secondhand material unless since last used such secondhand material has been thoroughly sterilized and disinfected by a reasonable process approved by the Commissioner of Labor and Industry (c) any new or secondhand feathers unless such new or secondhand feathers have been sterilized and disinfected by a reasonable process approved by the Commissioner of Labor and Industry

Section 3 Any person engaged in the making remaking or renovating of any mattress pillow bolster comfortable cushion or article of upholstered furniture in which secondhand material is used or in the making of any new or secondhand feather or down filled article or engaged in sterilizing and disinfecting any material feathers or article comming under the provisions of this act shall submit to the Commissioner of Labor and Industry for approval a reasonable and effective process together with duplicate plans of apparatus or auxiliary devices for the sterilization and disinfection of secondhand material feathers and secondhand articles herein enumerated

Upon the approval of such process for sterilization and disinfection a numbered permit for its use shall be issued to the applicant by the Commissioner Such permit shall expire one year from date of approval Every person to whom a permit has been issued shall keep such permit conspicuously posted in his office or place of business Refusal to display such permit in accordance with this act shall be sufficient reason to revoke and forfeit the permit

Nothing in this act shall prevent any person engaged in the making remaking renovating or sale of any article herein described which require sterilizing and disinfecting under the provisions hereof from having such sterilizing and disinfecting performed by any person to whom a permit for such purposes has been issued providing the number of the permit shall appear in the statement on the tag attached to the article

Section 4 All places where any mattress pillow bolster bed comfortable cushion or article of upholstered furniture is made remade or renovated or where materials for the herein named articles are prepared or establishment where said articles are offered for sale or are in possession of any person with intent to sell deliver or consign them or establishment where sterilizing and disinfecting is performed shall be subject to inspection by the Department of Labor and Industry to ascertain whether the materials and the finished articles herein enumerated conform to the requirements of this act

Section 5 No person shall sell lease offer to sell or lease or deliver or consign in sale or lease or have in his possession with intent to sell lease deliver or consign in sale or lease (a) any mattress pillow bolster feather bed comfortable cushion or article of upholstered furniture made remade or renovated in violation of this act (b) any secondhand mattress pillow bolster feather bed comfortable or upholstered furniture unless since last used it has been thoroughly sterilized and disinfected by a reasonable process approved by the Commissioner of Labor and Industry

Section 6 Each and every mattress or article covered by this act other than a feather or down filled pillow bolster bed comfortable or cushion shall bear securely attached thereto and visible on the outside covering a tag to be procured from the Department of Labor and Industry upon which shall be plainly and indelibly stamped or printed in English (a) a statement showing whether the materials used in filling said mattress or article are wholly new or secondhanded or partly secondhanded (b) the name and address of maker and vendor (c) the word secondhanded upon any article of which prior use has been made (d) the number of the permit issued for sterilizing and disinfecting

Each and every pillow or other article covered by this act in which feathers or down are used shall bear securely attached thereto and visible on the outside covering a tag to be procured from the Department of Labor and Industry upon which shall be plainly and indelibly stamped or printed in English (a) a statement that the feathers or down used in filling have been sterilized and disinfected in accordance with this act (b) the number of the permit issued for sterilizing and disinfecting the feathers or down (c) the name and address of maker and vendor (d) the word secondhand upon a feather or down filled article of which prior use has been made (c) the number of permit issued for sterilizing and disinfecting

No additional information shall be contained in said statements

Section 7 The statement on the tag required by this act to be attached to any article covered by this act shall be not less than three by four and a half inches in size

The tag with the replica of the seal of this Commonwealth printed thereon shall be in the following form

OFFICIAL STATEMENT

Materials used in filling ....
....
....
....
Made by ....
Address ....
Vendor ....
Address ....

This article is made in compliance with the Act of Assembly of Pennsylvania approved ....
....
Permit number ....

It shall be unlawful for any person to imitate counterfeit sell or have in his possession any imitated or counterfeited tag required under the provisions of this act

It shall be unlawful to use exclusively in the said statement concerning any mattress pillow bolster comfortable cushion or article of upholstered furniture the word "Felt" or words of like import if any other than garnetted materials are used in filling or the words "Curled Hair" or words of like import if other than curled hair is used in filling

It shall be unlawful to stamp or print on a tag any misleading term or designation or to remove deface alter or in any manner attempt the same or cause to be removed defaced or altered any statement on a tag placed upon any article included in the provisions of this act

Section 8 The Commissioner of Labor and Industry is hereby authorized to contract for the printing of tabs required by the provisions of this act The Commissioner shall upon the application to him by any person furnish tags with the name and address printed thereon of the maker or renovator of any article covered by this act in quantities of not less than one thousand tags for which the applicant shall pay ten dollars for each one thousand tags

All fees collected under the provisions of this act shall be paid to the Commissioner of Labor and Industry and when so collected and paid shall thereafter be by the Commissioner of Labor and Industry paid into the State Treasury

The State Treasury shall establish a separate fund to be known as the Bedding and Upholstery Fund into which all moneys collected under the provsions of this act shall be paid and from which all expenditures necessary in carrying into effect the provisions of this act shall be paid

All moneys in the Bedding and Upholstery Fund from time to time are hereby specifically appropriated to the Department of Labor and Industry for the purpose of carrying into effect and provisions of this act and for the payment of salaries and expenses of Inspectors employes and for research or any other necessary expenses of the Department of Labor and Industry connected with the enforcement of this act

The money in the Bedding Upholstery Fund shall be paid to the use of the Department of Labor and Industry in advance from time to time as the same is required upon requisition by the Commissioner of Labor and Industry

The Auditor General shall upon requisition from time to time of the Commissioner of Labor and Industry and the proper accounting for moneys already advanced from the fund draw his warrant upon the State treasurer for the amount specified in such requisition not exceeding however the amount in such fund available for the purposes herein specified at the time such requisition is made

Secion 9 The Department of Labor and Industry through its officers and employes is hereby charged with the administration and enforcement of this act

Section 10 Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof in a summary action before a magistrate alderman or justice of the peace shall be sentenced to pay a fine of not less than ten dollars and not more than fifty dollars for each offense and in fault of the payment of such fine to undergo an imprisonment of not less than ten days for each separate offense Provided That the total term of imprisonment at one time for additional offenses shall not exceed six months

Each mattress pillow bolster feather bed comfortable cushion or article of upholstered furniture made remade or renovated sold offered for sale delivered consigned or possessed with intent to sell deliver or consign contrary to the provisions hereof shall constitute a separate offense

Each imitated or counterfeited tag made used sold offered for sale delivered or consigned contrary to the provisions hereof shall constitute a separate offense

The Commissioner may revoke any permit issued under the provisions of this act if the person to whom the permit was issued has violated any provisions of this act or the rules of regulations etablished thereunder

Section 11 It is the intention of the General Assembly that if this act cannot take effect in its entirety because the judgment of any court of competent jurisdiction holding unconstitutional any part or parts hereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

Section 12 The following acts which this act is to replace Act Number 90 approved May first one thousand nine hundred and thirteen (Pamphlet Laws one hundred and thirty-four) entitled "An Act defining mattresses regulating the making remaking and sale thereof prohibiting the use of unsanitary and unhealthy materials therein requiring that the materials used shall be accurately described and prescribing the manner in which mattresses shall be labeled providing for the enforcement of the provisions of this act making certain acts criminal and punishing the same imposing certain duties upon the Commissioner of Health and the Chief Factory Inspector and repealing Legislation inconsistent with this act" which was amended by Act two hundred and nineteen approved May fourteenth one thousand nine hundred and fifteen (Pamphlet Laws five hundred and ten) and all other acts or parts of acts inconsistent herewith or replaced hereby are repealed

Section 13 This act shall take effect January first one thousand nine hundred and twenty-four

On the question,

Will the House agree to the bill on third reading?

Mr. PARKINSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 8, page 16, line 6, by striking out the word "tabs" and inserting in lieu thereof: "tags"

Amend section 12, page 20, line 6, by striking out the word "replacted" and inserting in lieu thereof: "replaced"

Amend title line 1, by inserting after the word "to" the following "mattresses"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1426, (Senate Bill No. 649), entitled:

An Act to repeal the act approved the sixth day of June one thousand eight hundred and seventy-three (one thousand eight hundred and seventy-four Pamphlet Laws four hundred and ten) entitled "An act to provide for the creation of a board of examiners and the appointment of an inspector of steam engines and steam boilers for the county of Allegheny"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—150.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Baker,
Beaver,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brenneman,
Brewster,
Bromley,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton.
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dietz,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Golder,
Gorham,
Greeby,
Griffith,
Grimes,
Gundy,
Haas,
Haines,
Hall,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Hetrick,
Himes,
Holcombe,
Hoover,
Horne,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
Lynch,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCaig,
McClure,
McDaniel,
McKim,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Ogle,
Orr,
Parkinson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Whitehouse.
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Goodnough.
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1456, (Senate Bill No. 570), entitled:

An Act providing for the merging of moneys held in certain special funds in the State Treasury with moneys in the general fund providing for the use of all moneys in the general fund for the payment of appropriations and for the payment from the general fund of moneys appropriated and dedicated for special purposes

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally:

Mr. BEAVER. Mr. Speaker, is there any person present who can explain this bill?

The SPEAKER. The gentleman desires to know if there is any person present who can explain this bill.

Mr. McCAIG. This is one of the bills recommended by the commission appointed during the last session of the Legislature and is to permit the special funds being turned into the general fund in order that when we have bills due and the educational institution require money, that they are not obliged to wait for it. Is simply makes the deposits flexible. The special funds are revenue funds. During the last financial year 18% of the total revenues of the Commonwealth went into special accounts. With the increase in receipts of the motor licenses and no increase in other revenues, this will likely become 25%. The general fund contained, at a recent date, $114,637.86. The special funds, $18,939,752.04, will be paid to the special funds during the last fiscal year, $24,000,000.00 a special fund with special privileges for certain classes of work. The first special fund other than the sinking fund was the state school fund, created in 1911. These funds are not affected by the bill, neither are the sinking funds nor those funds which are contributed or made by third parties, or where the money comes from the Governor, or where the moneys do not belong to the Commonwealth. This does not abolish the special fund, but makes the money available for the use in the general fund in order that they may pay out instead of leaving it lay in the bank until the money is needed for that which it was appropriated.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—59.

Alexander,
Anderson,
Arthur,
Aston,
Beaver,
Bell, F. A.,
Bell, W. T.,
Bentley,
Bidelspacher,
Blair,
Bluett,
Brenneman,
Bromley,
Brown,
Burns,
Diehm,
Dilsheimer,
Drinkhouse,
Dunn,
Edmonds,
Evans, B. P.,
Flynn,
Fowler, A. I.,
Fowler, D.,
Gundy,
Hall,
Harter,
Hetrick,
Holcombe,
Hoover,
Huber,
Keene,
Kennedy,
Little,
Lucas,
Ludlow,
Marshall, W. F.,
McCaig,
Miller,
Moffatt,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Pitts,
Rhodes,
Sample,
Sautter,
Schwartz,
Sowers,
Spangler,
Sprowls,
Stavitski,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Weamer,
Whiteman,

NAYS—49.

Armstrong,
Brewster,
Clutton,
Coldsmith,
Dietz,
Driggs,
Frazier,
Gelder,
Haas,
Haslett,
Henderson,
Heyburn,
Himes,
Hollis,
Hontz,
Horne,
Howell,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kunkle,
Long,
Mack,
Marcus, J. C.,
Metcalf,
Minehart,
Morrison,
Ogle,
Patterson,
Peelor,
Post,
Price,
Raymond,
Richards,
Schoener,
Shambach,
Sheridan,
Smith, G. A.,
Steedle,
Storb,
Thompson,
Wells,
Wheeler,
Williams, G. W.,
Wood, N.,
Wood, W. P.,
Wright,
Goodnough,
Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1392 (Senate Bill No. 600), entitled:

An Act to amend section one of the act approved the eighth day of June, one thousand nine hundred and fifteen (P. L. 915) entitled "An Act to fix the salaries of the deputies in the offices of the clerk of the courts county controller, recorder of deeds, county treasurer, chief deputy sheriff, and chief clerk to the county commissioners, in counties of this Commonwealth having over two hundred and fifty thousand population and less than four hundred thousand population; by changing the manner of fixing salaries and prescribing the minimum thereof; and making the act apply to counties of the third class.

On the question,
Will the House agree to the bill on third reading?

Mr. KUNKLE. Mr. Speaker and members of the House, this bill raises the salary of deputy clerks of the courts and other officers from $2500 to $3000 dollars. I received from a couple of the deputies of our county letters stating they are satisfied with the present salary, and I have not received from the tax payers a single one of them, any information that they want to raise the salaries, they see no necessity for raising the salary from $2500 to $3000. I, therefore, ask the members of the House to vote against this bill.

On the question recurring,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

BILL POSTPONED.

Mr. GIBBON. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

Mr. WHEELER. Mr. Speaker, I second the motion.
The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1379 (Senate Bill No. 282) entitled:

An Act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. EDMONDS. Mr. Speaker and members of the House, as this bill comes from the Senate, may I just say that it is another one of the bills framed by the commissioners on uniform state legislation that has been explained this afternoon by my friend from Dauphin, Mr. Hall, does not at all affect the relationship of the fiduciaries to their trust, but merely affects the legal relations of those who deal with fiduciaries and the bill has been brought in for the purpose of simplifying the banking relationships of those who do business by signing their account as trustees.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—157.

Albert,
Alexander,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Gallaher,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sautter,
Schaeffer,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Storb,
Storer,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Wright,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendments.

RESOLUTION RELATIVE TO THE INVESTIGATION OF THE DEPARTMENT OF BANKS AND BANKING.

Mr. SPANGLER, asked and obtained unanimouse consent to offer a resolution, which was read as follows:

In the House of Representatives May 2, 1923.

Resolved, That the special subcommittee of seven of the Committee of Banks and Banking, appointed by the chairman of said committee, is hereby constituted a committee of the House of Representatives to investigate the Department of Banking for the purpose of ascertaining the reasons for the alleged failure of said Department to discover defalcations in State banks, and for the further purpose of discovering any deficiencies in the Department leading to inability of proper examination of State banks, and its present needs in the examination of State banks, and to examine any officers of the Department of Banks and Banking of the Commonwealth and any officers or former officers of any State Banking Institution in the Commonwealth to the end that more thorough, searching and rigid examinations can be made by the Department of Banking for the better protection of depositors.

Resolved, That said committee of the House of Representatives shall have power to hold such heaarings as may be deemed necessary to carry out the intent of this resolution . It shall have power to subpoena witnesses and to require the production of books, papers, records and documents. If any persons shall refuse to obey any subpoena issued by the committee, or shall fail or refuse to appear and testify or to produce any books, papers, records or documents, the committee shall forthwith lay the facts before the House for action.

Resolved, That said committee of the House of Representatives shall complete its duties as soon as possible, and make report thereof to the House of Representatives of the session of the General Assembly of one thousand nine hundred and twenty-three.

Resolved, That the members of the said committee of the House of Representatives shall be entitled to be reimbursed for all their actual and necessary expenses incurred in the performance of their duties, and shall have power to allow witness fees and mileage to any persons called before them for examination. The expenses of the committee and the payment of witness fees and mileage shall be provided for by an item inserted in the General Appropriation Bill.

Mr. SPANGLER. Mr. Speaker, I ask unanimous consent to have this resolution considered at this time.

The SPEAKER. Are there objections? The Chair hears none.

On the question,

Will the House adopt the resolution?

Mr. SPANGLER. Mr. Speaker, I just want to state that this resolution supports the general proposition of the resolution presented by my colleague, the gentleman from York, Mr. Brenneman, and this resolution is for the purpose merely of expediting the work as outlined in the resolution which he presented to the House this morning.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 48, as follows:

An Act relating to public service companies limiting their charges to services actually rendered or furnished requiring such companies to supply all instruments and devices necessary and incidental to their service prohibiting the discontinuance of service as a means collecting charges in certain cases and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person whether in his individual right or as trustee or other fiduciary copartnership of any kind whatsoever joint stock company or corporation entitled under any present or future law to carry on within this Commonwealth the business of furnishing manufacturing or selling gas water electric light electric power or telephone service shall impose upon the patrons or consumers of its service any charge commonly called a ready to serve charge or meter charge or meter rental charge or any other charge of any kind whatsoever except the charge imposed at its legal schedule rates for the service and commodity actually furnished or rendered to consumers thereof that those charges which are commonly called customers' costs or charges including meter reading meter inspection billing and bookkeeping may be divided among all customers receiving said service

It shall be the duty of every such person whether in his individual right or as trustee or other fiduciary copartnership of any kind whatsoever joint stock company or corporation entitled under any present or future law to carry on within this Commonwealth the business of furnishing manufacturing or selling gas water electric light electric power or telephone service to supply all instruments equipment and devices of whatsoever kind and charcter necessary and incidental to the ascertainment and measurement of the commodity furnished and without charge or expense to its consumers except as such expense may be reflected in its legal and fixed schedule rate for the commodity actually furnished

Section 2 If any person whether in his individual right or as trustee or other fiduciary copartnership of any kind whatsoever joint stock company or corporation entitled under any present or future law to carry on within this Commonwealth the business of furnishing manufacturing or selling gas water electric light electric power or telephone service shall collect or attempt to collect any charge in violation of the provisions of section one of this act by a discontinuation of service or otherwise such company shall be liable to a penalty of three hundred ($300.00) dollars for each offense which shall be recovered by an action in the name of the Commonwealth as penalties of like amount are now by law recovereable

Section 3 This act shall take effect on the first day of April one thousand nine hundred and twenty-four

Section 4 All acts and parts of acts inconsistent herewith are hereby repealed and all rulings or decisions of the Public Service Commission or of the courts inconsistent herewith are hereby declared null and void

On the question,

Will the House agree to the bill on third reading.

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STORB. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Lycoming, Mr. Harer, permit himself to be interrogated?

Mr. HARER. Mr. Speaker, this bill has been amended very considerably since I introduced it, and I would yield to my colleague, Mr. Bidelspacher.

The SPEAKER. Will the gentleman from Lycoming, Mr. Bidelspacher, permit himself to be interrogated?

Mr. BIDELSPACHER. Mr. Speaker, I will.

Mr. STORB. Mr. Speaker, I would like to ask the gentleman how this is going to affect the public service corporations.

Mr. BIDELSPACHER. Mr. Speaker, House Bill No. 48 was designed to change the existing law in regard to public service companies in that the readiness to serve charge was proposed to be cut out. However, the bill has been amended so that for certain items specified in the bill, there may still be a readiness to serve charge, but it qualifies the law so that the readiness to serve charge is limited to the items as set forth in the bill that are commonly known as consumers' charges, and that the readiness to serve charge must be limited to those specified items and not to the matter of capital investment or depreciation of property, or a lot of other matters that never have been made clear by the public service companies, even in their brief before the committee. In other words they are limited to certain specific items upon which to base their readiness to serve charge.

Mr. STORB. Mr. Speaker, and members of the House, I think that this is a matter which the Public Service Commission should thresh out. This matter has been befort them for years and they have had the engineers on water and gas and electricity before them. and before all the conventions that have been held by the different utilities companies, the Public Service Commission sent their engineers there. They all agreed. that is, the engineers agreed, that it was the fairest way to sell gas, that is to have a charge for the services rendered first, but I know it is very unpopular, that kind of a charge, and the wrong comes in if they make a charge and then charge too much for the gas. That is where the trouble comes in. That ought to be threshed out by the public service commission. I don't think we ought to make a law here affecting that, because that is a pretty deep subject.

Mr. HARER. Mr. Speaker, as far as the general idea of the bill is concerned, it remains practically the same as when I introduced it. The point I am trying to make in this bill is the fact that the public service commission has not decided on these matters so these conditions apply to a great number of people. Any method permitted by the public service commission that breeds so much dissatisfaction to my mind is not a good method, and it is to prevent such an occurrence as this that I have introduced this bill. There seems to be general dissatisfaction throughout the State caused by these so-called meter or service charges, instead of placing it at the rate allowed by the public service commission, and it is to correct just such things as this and to try and make the people more satisfied that I have introduced the bill.

Mr. EDMONDS. Mr. Speaker, I would like to endorse what has been said by the gentleman from Montgomery a few minutes ago, because the amendment to this bill is against the principle of rate making, and rates should not be fixed by the Legislature unless we are going to fix the rates for everyone, and if we once attempt to do that then there is going to be an end to the free administration of business. Now in this particular case this law attempts to say that one element, or one kind of charge shall no longer be made. Now, of course, it is obvious that there may be a case where this kind of charge is a proper one, and I recall at the hearing before the committee it was said by some of those who came from the western end of the State that they had this kind of a charge for years in their natural gas properties and that there was no complaint on the part of the consumer at all. Now in the case of the utility that has to construct a main covering five thousand feet to reach a particular consumer and that particular consumer afterwards decides to take no gas, then that main is one of the costs of the system. And there some charge must be assessed upon that particular consumer or else in some way to have the cost distributed among their other consumers. Now, it seems to me a complicated question and as to a matter of rates we should leave the whole thing to the commission to consider the elements and then eventually reach a righteous conclusion . I am aware of the fact, as the gentleman has said, that there is the satisfaction with this form of rate, particularly when it is imposed for the first time in new communities where the people have not been accustomed to the charge. The commission realized that fact and never imposed or sustained this question of a charge except when it was coupled with the facts of the case. When we have a properly designated body to function as completely as possible under existing circumstances, when we have that kind of body it seems to me it is fair to leave the problem to them.

Mr. SARIG. Mr. Speaker, it seems to me that the system as it is now is more equitable than it would become under this bill. Now just let us see how it works out in actual practice. You take at the present time our gas companies. They are established more or less as an emergency link, much the same way as you use the spare tire on your automobile. You take the large localities of the State, such as the city of Reading, and all big mercantile houses use the electric lights to light their places, yet the gas companies have to provide them with service. It may happen that these big mercantile houses may hardly use any gas at all during the month, yet the law says the gas companies must provide the service. The result is that the electric light companies get the money, and the gas company unless there is an emergency, gets nothing at all out of it. As I see it, the expense of service which the gas company has in maintaining this service must naturally fall on the other consumers of this gas, and the little fellow, the poor man who uses gas in his home, must pay in order to maintain this emergency service for the big mercantile houses and others. It seems to me that the little fellow must therefore pay for the service that is now rendered to these big concerns. Some of the concerns would not have a gas bill of fifty cents a month, and unless they are permitted to collect these service charges, naturally that expense falls over and is placed on the regular consumers of gas, which are the common people, the poor people in the State. It seems to me, therefore, that this relieves the larger mercantile houses from paying for the maintaining of this service, and it simply takes that burden and throws it over on the small fellow. I feel it would be better to leavee it as it is now, rather than pass this bill.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—70.

Albert,
Alexander,
Anderson,
Armstrong,
Aston,
Beaver,
Bell, F. A.,
Bell, W. T.,
Bentley,
Bidelspacher,
Bluett,
Blumberg,
Brenneman,
Brewster,
Bromley,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Dietz,
Driggs,
Drinkhouse,
Dunn,
Flinchbaugh,
Frazier,
Gallaher,
Goehring,
Griffith,
Haas,
Haines,
Harer,
Haws,
Hetrick,
Himes,
Holcombe,
Hollis,
Hontz,
Horne,
Howell,
Irvin,
Jones, C. B.,
Jones, D. J.,
Little,
Long,
Lucas,
Ludlow,
Marcus, J. C.,
McCaig,
McClure,
McCurdy,
McVicar,
Metcalf,
Patterson,
Peelor,
Pitts,
Rhodes,
Richards,
Sample,
Sautter,
Schwartz,
Smith, J. W.,
Sowers,
Stark,
Steedle,
Storer,
Thompson,
Wells,
Wright,
Goodnough,
Speaker.

NAYS—56.

Arthur,
Betts,
Blair,
Brown,
Brownmiller,
Burchinal,
Craig,
Dilsheimer,
Donahue,
Eaches,
Edmonds,
Fratt,
Gibbon,
Goss,
Griffith,
Gundy,
Hall,
Harter,
Hoover,
Jones, E. P.,
Keene,
Kennedy,
Marshall, J. G.,
Marshall, W. F.,
McKim,
Millar,
Moffatt,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Ogle,
Parkinson,
Raymond,
Sarig,
Schoener,
Shambach,
Sheridan,
Smith, G. A.,
Spangler,
Stavitski,
Stevens, A. F.,
Storb,
Thomas, M. G.,

Eshelman,
Evans, B. P.,
Fowler, A. L.,
Kunkle,
Mack,
MacKinney,
Posey,
Post,
Price,
Wheeler,
Wood, N.,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 142, entitled:

An Act making an appropriation to the County of Philadelphia for the payment of a judgment obtained by the said county against the Commonwealth of Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Bentley,
Bell, . A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gilchrist,
Golder,
Gorham,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Horne,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
McKim,
McVicar,
Metcalf,
Miller,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Schaeffer,
Schleiter,
Schoener,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. F.,
Storb,
Stoner,
Thomas, M. G.,
Thompson,
Van Alen,
Walker,
Weamer,
Wells,
Wettach,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 581, entitled:

An Act imposing a poll tax for county purposes on male and female residents over the age of twenty-one years and abolishing the occupation tax

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. ALEXANDER. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. HEYBURN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER declared the "yeas" appeared to have to have it.

Whereupon, a division was called for, and 100 members having voted in the affirmative and 5 in the negative, the question was determined in the affirmative and the motion was agreed to.

REPORT FROM COMMITTEE.

Mr. HARER asked and received unanimous consent to report a bill from committee at this time.

Mr. HARER, from the Committee on Appropriations, reported as amended House Bill No. 81, entitled:

An Act to provide for the ordinary expenses of the executive, judicial and legislative departments of the Commonwealth, interest on the public debt and the support of the public schools for the two fiscal years beginning June first, one thousand nine hundred and twenty-three.

HOUSE BILL No. 81 MADE SPECIAL ORDER.

Mr. HARER. Mr. Speaker, I move that House Bill No. 81 be made a special order of business for next Monday evening at 9:30 o'clock.

Mr. HEFFERNAN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. STEEDLE. Mr. Speaker, I would like to ask the gentleman from Lycoming, the Chairman of the Appropriations Committee, whether he would not consent to have the special order set for Tuesday morning in order to give the members a chance to look over the bill.

Mr. HARER. Mr. Speaker, I would like to consent to that request, but we have already held the bill here for so long a time that I think everybody knows what is in it. Now, I would like to get it to the Senate as quickly as possible. If this special order is not until Tuesday, it will retard the bill another day in the Senate, and I had hoped to get it through Monday night.

Mr. DILSHEIMER. Mr. Speaker, in fairness to the members who are not members of the Appropriations Committee, I would ask the Chairman of the Appropriations Committee to accede to the request of the gentleman from Allegheny, for this reason, that I think he will gain time in the arguments on the bill. The members have a right to consult the bill and see what amendments have been put in, and I would ask the Chairman to accede to the request of Mr. Steedle. I think we would gain time by so doing.

Mr. HARER. Mr. Speaker, if the House insists, I will agree to make it Tuesday and I withdraw my motion.

Mr. HEFFERNAN. Mr. Speaker, I withdraw my seconding of the motion.

Mr HARER. Mr. Speaker, I move that House Bill No. 81 be made a special order of business for Tuesday, May 8, at 11:30 o'clock A. M.

Mr. HEFFERNAN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1244, as follows:

An Act relating to the regulation of brick and tile work and inspection of same in cities of the second and third class and other municipalities within the Commonwealth wherein such work is performed and inspectors are employed providing for the appointment of inspectors and penalties for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in cities of the second and third class and in municipalities within the Commonwealth of Pennsylvania all brick work shall be performed in accordance with this act and not otherwise that all brickwork performed in and about the erection of hospitals schools dwellings apartments warehouses and other buildings wherein human beings shall be housed collected or assembled in numbers or wherein shall be placed or stored machinery and materials or both being of excessive or dangerous weight said buildings being recognized and known as "strong" durable and slushed built buildings with mortars specified by the Architects' Association of Pennsylvania

Section 2 All floors partitions and furred walls in hospitals schools dwellings apartments warehouses and other buildings where tile shall be used the tile shall be hard burnt durable and of sufficient strength to stand the necessary stress and strain required in said buildings and be laid with full bed and cross joints made from good trowel mortar

Section 3 That all brickwork upon such buildings shall be laid plumb level and straight and in a workmanlike manner under the supervision of practical inspectors as hereinafter provided for

Section 4 Nothing in this act shall affect the laws of this Commonwealth relative to the erection of tenement houses in cities of the first second third and fourth class and in municipalities wherein brickwork and inspectors are employed

Section 5 In cities of the second and third class there shall be appointed by the Director of Public Works not less than two inspectors both of whom shall be competent and practical bricklayers of not less than ten years' experience having certificates of approval as competent and practical bricklayers by the Board of Examiners of the recognized bricklayers' organization of the particular district or districts in which they are appointed

Section 6 The councils of said cities shall pass the necessary ordinance or ordinances to put this Act of Assembly in force and effect to fix the salaries of inspectors when authority has been given for their appointment and to prescribe reasonable penalties for failure to comply with the provisions of the said ordinance or ordinances

Section 7 This act shall take effect on the first day of January one thousand nine hundred and twenty-four

Section 8 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. McCAIG. Mr. Speaker, because of some misprints in the bill which I wish to have rectified, I move that further consideration of this bill be postponed for the present.

Mr. LUDLOW. Mr. Speaker, I second the motion.

The motion was agreed to.

RECESS.

Mr. BREWSTER. Mr. Speaker, I move that this House do now take a recess until 8:30 o'clock this evening.

The motion was agreed to, and (at 6:00 o'clock P. M.), the House took a recess until 8:30 o'clock P. M.

AFTER RECESS.

The House reconvened at 8:30 o'clock P. M.

The SPEAKER, (C. J. Goodnough), in the Chair.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1338, entitled:

An Act providing a means whereby the individual justice of the peace may better inform himself as to the law changes in the law and decisions of the Courts on the law of this Commonwealth

Whereas The income of the office in a great majority of cases does not permit the maintaining of a private library therefore

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Adams, Mr. Myers, permit himself to be interrogate?

Mr. MYERS. Yes, sir.

Mr. ALEXANDER. I would like to ask the gentleman if he does not know that all counties at the present time have law libraries which are open to the public. Not only to justices of the peace, but to everybody.

Mr. MYERS. In our county we have such libraries, but we do not have such files that a justice of peace can have access to to get the record of the Court. That is what this bill gives to them, if this were compulsory.

Mr. ALEXANDER. Mr. Speaker, and members of the House, it has been my experience that all counties have at the present time law libraries. These law libraries are kept up somtimes by appropriations from the Commissioners of the county, for awhile they were kept up by receiving one-half of the fees in each county, and these law libraries are open to the public. Now, we had a bill today on the calendar, which is on the postponed calendar at the present time, which provides that at the discretion of the court all or part of the fees or penalties may be paid to the law library association for the furnishing and the up-keep of these law libraries. Now, that means a complete law library and that law library is not only for the members of the bar, but for the whole county at large. On the other hand I can see no reason for a bill of this kind. You generally have about two or three justices of the peace in the county that want to know the law. And as a general thing what they want to know they ask some friend, an attorney, and he tells them. At any rate, as I said before, they already have this provision.

Mr. Spangler, says don't fuss about this bill. Now I have been defending the justices of the peace all through this session, while Mr. Spangler has been fussing about them all through the session, and while he tells me not to fuss about this, I can see no reason for having such a bill on the statute books.

Mr. SPANGLER. Mr. Speaker, this, I think, is probably the most important bill that has been before this session of the legislature, since we have been sitting here. One of the justices of the peace in Adams county called to see me about a bill providing a law library for justices of the peace, and it seems to me that if a justice of the peace in the Commonwealth of Pennsylvania wants to be informed and wants to be educated in the law, certainly the legislature should encourage them in that worthy pursuit.

Now this bill formerly provided that the county commissioners shall provide the ways and means of access to certain law books in a law library. The chief justice of Adams county, Mr. Bucher, called to see me, and we changed that from "shall" to "may", so that it is not obligatory on the county commissioners. This law is to say the least trifling, but if these justices of the peace believe they ought to have some instructions in the law, and the county commissioners in the goodness of their hearts are willing to appoint a library of some kind, or a digest of the laws for their convenience, why should not the legislature permit the county commissioners to do that? It is not obligatory, it is optional with the county commissioners.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—116.

Allman,
Anderson,.
Armstrong,
Arthur,
Baker,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brenneman,
Bromley,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Goss,
Glasgow,
Greeby,
Grimes,
Gundy,
Hall,
Harter,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Hoover,
Howell,
Huber,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Lafferty,
Long,
Lucas,
Mack,
MacKinney,
Mangan,
Marcus, J.,
Marshall, W. F.,
McBride,
McCaig,
McClure,
McDermott,
McGowan,
Miller,
Minehart,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Orr,
Patterson,
Peelor,
Perry,
Posey,
Post,
Raymond,
Richards,
Sample,
Sarig,
Sautter,
Schoener,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Sprowls,
Stavitski,
Stevens, A. J.,
Stofflet,
Storb,
Thomas, M. G.,
Van Alen,
Walker,
Wells,
Wheeler,
Whitehouse,
Williams, G. W.
Woner,
Zook,
Goodnough,
Speaker.

NAYS—14.

Alexander,
Brewster,
Brownmiller,
Evans, B. P.,
Gallaher,
Heffran,
Hollis,
Irvin,
Kohler,
Lauver,
Metcalf,
Moffatt,
Schwartz,
Storer,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE.

Mr. SPANGLER. I move that the vote by which House Bill No. 204, file folio 5319, entitled,

> An Act directing the Governor with the assistance of a budget director and assistants to prepare and transmit to each General Assembly a budget for each of the two fiscal years next succeeding and to submit therewith a general and other appropriation and revenue bills providing for the consideration thereof by the General Assembly requiring spending agencies of the Commonwealth and the fiscal officers thereof to furnish certain information and providing for uniform systems of accounting and financial reports for control and supervision over the expenditures of the Commonwealth and for the lapsing of appropriations

was defeated on final passage on Wednesday, April 25, 1923, be reconsidered.

Mr. CRAIG. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. EDMONDS. Mr. Speaker and members of the House, this is the bill which provided for the establishment of a budget, which came up for consideration last Wednesday night in a light House, and was defeated by eighty-seven votes in favor of it and fifty-nine against it; but a majority did not vote on it. There was merely a discussion of the provisions of the bill and I think some proper criticisms of it were made. I took the mater up with those who originally prepared the bill, and if this motion to reconsider should prevail in the House, I should be very glad to offer some amendments which I think will have the effect of meeting the objections which were made on the floor of the House. I hope, therefore, you will see your way clear to support this motion to reconsider.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Mr. EDMONDS. Mr. Speaker, I move that the vote by which House Bill No. 204 passed third reading be reconsidered.

Mr. FRATT. Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. EDMONDS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, page 2, line 8, by striking out the words "legislative and"

Amend section 1, page 2, line 9, by striking out the word "branches" and inserting in lieu thereof: "branch"

Amend section 1, page 2, lines 16 to 18, by striking out all the words in said lines after the word "commission" in line 16, to and including the word "Representatives" in line 18.

Amend section 2, page 2, line 28, by inserting as a new paragraph in section 2 the following: "The Governor shall have power to employ clerical assistance to aid in the preparation of the budget, and may expend biennially for such purposes a sum not exceeding five thousand dollars ($5,000), provision of which shall be made by an item made in the general appropriation bill

Amend section 3, page 2, line 29, by striking out the entire line.

Amend section 3, page 3, lines 1 to 11, by striking out lines 1 to 11, both inclusive and eliminating them from the bill.

Amend section 4, page 3, lines 12 to 17, by striking out lines 12 to 17, both inclusive and eliminating them from the bill.

Amend section 5, page 3, line 18, by striking out the figure "5" and inserting in lieu thereof: "3"

Amend section 6, page 3, line 28, by striking out the figure "6" and inserting in lieu thereof: "4"

Amend section 7, page 4, line 8, by striking out the figure "7" and inserting in lieu thereof: "5"

Amend section 8, page 4, line 23, by striking out the figure "8" and inserting in lieu thereof. "6"

Amend section 9, page 5, line 3, by striking out the figure "9" and inserting in lieu thereof: "7"

Amend section 10, page 6, line 1, by striking out the figure "10" and inserting in lieu thereof: "8"

Amend section 11, page 6, line 29, by striking out the figure "11" and inserting in lieu thereof: "9"

Amend section 12, page 7, line 14, by striking out the figure "12" and inserting in lieu thereof: "10"

Amend section 12, page 8, lines 12 to 17, by striking out lines 12 to 17, both inclusive and eliminating them from the bill.

Amend section 13, page 8, line 22, by striking out the figure "13" and inserting in lieu thereof: "11"

Amend section 14, page 8, line 28, by striking out the figure "14" and inserting in lieu thereof: "12"

Amend section 15, page 9, line 21, by striking out the figure "15" and inserting in lieu thereof: "13"

Amend section 16, page 10, line 15, by striking out the figure "16" and inserting in lieu thereof: "14"

Amend section 17, page 10, line 20, by striking out the figure "17" and inserting in lieu thereof: "15"

Amend section 18, page 10, line 27, by striking out the figure "18" and inserting in lieu thereof: "16".

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1368 (Senate Bill No. 30), entitled:

An Act to amend an act approved May fifth one thousand nine hundred and twenty-one (Pamphlet Laws three hundred seventy-nine) entitled "An Act to amend an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand fifty-nine) entitled 'An Act extending the powers of judges of courts of quarter sessions and of oyer and terminer in relation to releasing prisoners in jails and workhouses on parole' by extending said act to include houses of correction conferring similar powers on other courts of record and providing that the power of parole shall extend for a period not to exceed the maximum sentence as provided by law" providing the procedure in cases of parole conferring power to parole upon the several courts instead of judges thereof and fixing the time when petitions for parole may be first presented.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—126.

Alexander,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Blair,
Bluett,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fratt,
Frazier,
Gelder,
Glasgow,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haines,
Hall,
Haslett,
Haws,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kohler,
Kunkle,
Lafferty,
Long,
Ludlow,
Lynch,
MacKinney,
Marshall, W. F.,
McBride,
McCaig,
McClure,
McCurdy,
McKim,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sarig,
Schleiter,
Schoener,
Schwartz,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Staudenmeier,
Stevens, A. J.,
Stevens, A. F.,
Storer,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Ogle,
Orr,
Patterson,
Peelor,
Perry,
Posey,
Wettach,
Wheeler,
Whiteman,

NAYS—6.

Bidelspacher,
Kennedy,
Lucas,
Marshall, J. G.,
Stark,
Stavitski,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 861, (Senate Bill No. 46), entitled:

An Act making an appropriation to carry into effect the provisions of an act approved the ninth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred fourteen), entitled "An Act providing for the erection and construction by the Commonwealth of Pennsylvania and the state of New Jersey of a bridge over the Delaware River, connecting the city of Philadelphia and the city of Camden and the approaches thereto; providing for a joint commission for that purpose and defining its powers and duties; providing for an independent commission in this Commonwealth in relation thereto and defining its powers and duties; providing for the payment of a part of the cost thereof by the city of Philadephia and providing for the acquiring, taking and condemnation of the real estate for the site and approaches thereof; providing for the turning over of said bridge upon its completion and making an appropriation for the purposes of this act" and its amendments.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Albert,
Alexander,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig
Diehm,
Dilsheimer,
Donahue,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gilchrist,
Glasgow,
Golder,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hoover,
Horne,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDermott,
McGowan,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Price,
Raymond,
Richards,
Rippman,
Sample,
Sarig,
Sautter,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Stevens, A. F.,
Storb,
Storer,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whiteman,
Williams, G. W.
Williams, J. M.,

Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Patterson,
Peelor,
Posey,
Pitts,
Posey,
Woner,
Wood, N.,
Wood, W. P.,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideratio nof House Bill No. 1449, (Senate Bill No. 496), entitled:

An Act to further amend section two of an act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An Act providing for the imposition and collection of certain taxes uon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as amended

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162.

Albert,
Alexander,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig.
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gibbon,
Gilchrist,
Golder,
Goss,
Greeby,
Grimes,
Guerin,
Gundy,
Haas,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hoover,
Horne,
Horne,
Huber.
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
O'Boyle,
Ogle,
Orr,
Parkinson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Sample,
Sarig,
Sautter,
Schaeffer,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Steedle,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Thomas, M. G.,
Van Alen,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Williams, G. W.
Williams, J. M.,
Wood, N.,
Wood. W. P..
Wright,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 673, as follows:

An Act to amend section one of the act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and eighty) entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll-bridges over the Delaware River and making an appropriation therefor" Providing for the acquisition of municipally owned bridges

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and eighty) entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll-bridges over the Delaware River and making an appropriation therefor" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "bridge" wherever used in this act shall mean any bridge over the Delaware River between the Commonwealth of Pennsylvania and the State of New York which is municipally owned or to cross which toll is charged except such bridges as are used exclusively for railroad or railway purposes and shall include the actual bridge the approaches thereto and all real and personal property including the franchise belonging to the owner or owners of such bridge used in the operation and maintenance of same

On the question,

Will the House agree to the bill on third reading?

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Wayne, Mr. Gilchrist, permit himself to be interrogated?

BILL RECOMMITTED.

Mr. GILCHRIST. Mr. Speaker, I move that House Bill No. 673, file folio 6139, be recommitted to the Committee on Public Buildings for the purpose of amendment.

Mr. NOLTE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1448, (Senate Bill No. 448), entitled:

An Act providing for the transfer to Pennsylvania of the titles to and liens affecting any lands heretofore regarded as being in the State of Delaware but found to be in Pennsylvania in acordance with the interstate boundary run by the joint commission of said States appointed by virtue of the act of Assembly of Pennsylvania approved the fourth day of May one thousand eight hundred and eigthy-nine (Pamphlet Laws eighty-one) entitled "An Act relative to the boundary lines and boundary line monuments"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the and nays were taken and were as follows, viz:

YEAS—170.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Burchinal,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig.
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gallaher,
Gelder,
Gilchrist,
Glasgow,
Golder,
Goss,
Greeby,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis.
Hontz,
Hoover,
Horne,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Mack,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDermott,
McGowan,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffat,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Sample,
Sarig,
Sautter,
Schaeffer,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle;
Stevens, A. F.,
Storb,
Storer,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whiteman,
Williams, G. W
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirm tive.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1435, (Senate Bill No. 686), entitled:

An Act relating to the registration and re-registration of nurses by the State Board of Examiners for Registration of nurses and the issuance of a license to practice nursing

On the question,

Will the House agree to the bill on third reading?

Mr. VICKERMAN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend Section 1, page 6, line 18 by inserting after the word "nurse" the words "and licensed attendant".

Amend section 2, page 7, line 26, by inserting after the word "all" the following: "licensed attendants".

Amend section 2, page 8, line 21, by inserting after "tion" the word: "blank".

Amend section 2, page 9, line 5, by inserting after the word "nurse" the following: "or licensed attendant"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1411, entitled:

An Act to amend section one of an act approved the twenty-seventh day of April, one thousand nine hundred and eleven, (P. L. 86), entitled "An Act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants; providing for the payment of the same by the particular county limiting the number of tipstaves to be appointed; and repealing an act of Assembly entitled 'An Act to regulate the fees of court criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants' approved the twenty-nineth day of April, Anno Domini one thousand nine hundred and nine" as amended.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brenneman,
Brewster,
Bromley,
Burchinal,
Burns,
Bush,
Chaplin,
Conner,
Coyne,
Craig,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh
Flynn.
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Golder,
Goss,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Honts,
Hoover,
Horne,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
MacKinney,
Mangan,
Marcus, J.,
Marshall, J. G.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson.
Peelor,
Perry,
Pitts,
Posey.
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman.
Sample,
Sarig,
Sautter,
Schaeffer,
Schoener
Schwartz,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark.
Staudenmeier,
Steedle.
Sterling,
Stevens, A. F.,
Storb.
Storer,
Thomas, M. G.,
Thompson,
Van Alen.
Vickerman,
Walker,
Weamer,
Wells.
Wheeler,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Wright,
Goodnough.
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1434 (Senate Bill No. 685), as follows:

An Act to amend sections one two three five and seven as amended of an act approved the first day of May one thousand nine hundred and nine Pamphlet Laws three hundred and twenty-one entitled "An act to provide for State registration of Nurses to establish a State Board of Examiners in connection therewith and to provide penalties for the violation of certain provisions regarding such registration" by providing for a change in membership of the Board for a change in salary of the secretary treasurer the educational director and of the members of the Board

Section 1 Be it enacted et cetera That section one of the act approved the first day of May one thousand nine hundred and nine entitled "An act to provide for State Registration of Nurses to establish a State Board of Examiners in connection therewith and to provide penalties for the violation of certain provisions regarding such registration" as amended by an act approved the twentieth day of June one thousand nine hundred and nineteen Pamphlet Laws five hundred and forty-five is hereby amended to read as follows

"Section 1 Be it enacted et cetera That within sixty days after the passage of this act the Governor shall appoint a State Board of Examiners for Registration of Nurses composed of five members all of whom shall be registered nurses graduated from training schools connected with hospitals where practical and theoretical instruction is given in general surgical and medical nursing and who shall have been engaged in nursing in the State of Pennsylvania at least five years since graduation (The Governor shall also name two physicians as members of said board They shall be connected in an official capacity with public hospitals where nurses' training schools are maintained and shall have practiced their profession in the State of Pennsylvania for at least five years immediately preceding the time of their appointment) They shall be in good standing in the Graduate Nurses' Association of Pennsylvania

Section 2 That section two of said act as the same is amended by the act approved the twentieth day of June one thousand nine hundred and nineteen Pamphlet Laws five hundred and forty-five is hereby amended to read as follows

Section 2 The Governor shall appoint the original members of said board from a list of not less than twenty names submitted to him by the Board of Directors of the Graduate Nurses' Association of Pennsylvania one for one year one for two years one for three years one for four years one for five years and upon the expiration of the term of office of any member the Governor shall likewise appoint persons with the above specified qualifications from a list of not less than five names submitted to him by the Board of Directors of the Graduate Nurses' Association of Pennsylvania to fill the vacancy for a term of five years and until a successor is chosen The unexpired term of any member caused by death resignation or otherwise shall be filled by the Governor in the same manner as an original appointment (The Governor may remove any member for neglect of duty incompetence or dishonorable or unprofessional conduct

Upon the enactment of this amendment at the time fixed by this act for the appointment of the members of the board by the Governor the terms of the members of the board now in office shall terminate) except that not less than five names shall be submitted to him

Upon the enactment of this (amendment) law at the time fixed by this act for the appoinment of the members of the Board by the Governor the terms of the members of the board now in office shall terminate

Section 3 That section three of said act as the same is amended by the act approved the twentieth day of June one thousand nine hundred and nineteen Pamphlet Laws five hundred and forty-five is hereby amended to read as follows

Section 3 The said board as soon as appointed and annually thereafter on a date to be fixed by the by-laws shall meet for organization and shall also hold other meetings by call of the secretary upon written request of two members or under such other circumstances as may be prescribed by the by-laws Three members shall constitute a quorum At such organization meeting the board shall elect from its members a president and a secretary (and an educationl director) the secretary shall act as treasurer and shall give her entire time to the duties of the said office during working hours

The said officers shall be elected for a term of one year and until their successors shall be duly chosen and all vacancies arising in said offices shall be filled by the board in like manner for the unexpired term The board shall adopt a seal and shall establish by-laws and regulations for its own government and for the execution of the provisions of this act The secretary shall keep a record of all proceedings of the board and also a register of all nurses and licensed attendants registered under this act which register shall at all reasonable times be open for public inspection

The board shall submit annually to the Governor or (State Board of Charities) at any other time required by (the said board) him a report of its findings or investigations and the work of the board pertaining to the training schools in the several hospitals throughout the State"

Section 4 That section five of said act as the same is amended by the act approved the twentieth day of June one thousand nine hundred and nineteen Pamphlet Laws five hundred and forty-five is hereby amended to read as follows

Section 5 The secretary of the board shall receive a salary of (eighteen hundred)three thousand ($3,000.00) dollars (a) per year and in addition shall receive all actual expenses incurred while engaged in the transaction of official business All other members (excepting the educational director whose salary is otherwise provided for herein) shall receive (five dollars ($5.00) fifteen ($15.00) dollars for each day actually engaged in the transaction of official business together with all actual expenses incurred as aforesaid (all) Expenditures shall in no case be paid from the State Treasury The treasurer of the board shall give bond in such sums as may be fixed by the by-laws which bond shall be subject to the approval of the State Treasurer The said treasurer shall pay all necessary and current expenses of the board and may retain in the treasury a sum not exceeding five thousand ($5,000.00) dollars to defray the ordinary expenditures but all moneys exceeding the (said) sum of five thousand dollars shall be paid by the treasurer of the board to the State Treasurer The said board shall have no power to fix prices or in any way control the compensation received by the registered nurse or the licensed attendant

Section 5 That section seven of said act as the same is amended by the act approved the twentieth day of June one thousand nine hundred and nineteen Pamphlet Laws five hundred forty-five is hereby amended to read as follows

Section 7 (On and after August first one thousand nine hundred and fifteen) No application for registration as a registered nurse shall be considered unless accompanied by a fee of ten dollars ($10.00) Every applicant to be eligible for examination must furnish evidence satisfactory to the board that he or she is twenty-one years of age or over is of good moral character and has graduated from a training school for nurses which gives at least a two years' course of instruction or has received instruction in different schools or hospitals for periods of time amounting to at least a two years' course as aforesaid and then graduated and that such applicant during said period of at least two years has received practical and theoretical training in surgical and medical nursing Provided That a graduate nurse registered in any State of the United States where the requirements for registration in the judgment of the registration board for nuress of this State are at least equal to the requirements of law for such nurses in Pennsylvania may at the discretion of the board be registered without examination upon application in writing on forms provided by the board and upon the payment of a fee of ten dollars And provided further That it shall be the duty of the registration board to prepare and make a report for public distribution at intervals regulated by the by-laws of the said board of all training schools or combinations of training schools that are approved by the Board as possessing the necessary requirements for giving a pupil-nurse a full and adequate course of instruction And provided further That a State educational director of training schools for nurses shall be appointed (from among its members) by the State Board of Examiners for (the) Registration of Nurses (of the State of Pennsylvania) This appointee shall have (all the powers of) the same qualifications as a member of the board (while acting officially as a member of said board but) and shall be under the direction of the board of examiners in all matters pertaining to her position as educational director and her duty shall be to assist in maintaining the necessary standards in the living working and educational conditions of training schools for nurses The salary of the educational director shall be (twenty-five hundred) three thousand dollars ($3000.00) dollars per year and her railroad mileage and actual expenses incurred while engaged in official business to be paid from the (additional) registration fee provided for in this act

Section 6 All acts or parts of acts inconsistent with this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. VICKERMAN. Mr. Speaker, I move that further consideration of House Bill No. 1434, (Senate Bill No. 685) be postponed for the present.

Mr. HORNE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1113, as follows:

An Act to further amend section ten of an act approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of an act Approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended by section two of an act approved the ninth day of July Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws eight hundred thirty-nine) entitled "An Act to amend sections seven ten thirteen fourteen and fifteen of an act entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party officers including State Committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) as amended so as to provide fully how many official and specimen ballots shall be provided for each party at the primaries and to whom the same shall be delivered what other election materials shall be furnished and what printed instructions shall be given voters and election officers how the official ballots shall be given to qualified electors how party membership shall be evidenced and how and when it may challenged how the vote shall be counted recorded and returned by the election officers what shall be done with the ballots voted their stubs and the unused spoiled and void ballots tally papers oaths of election officers affidavits of voters et cetera lists of voters of each party triplicate and other return sheets and who shall have the custody of same to require the return and public inspection of all the spoiled and unused ballots from each election district before the computation of any returns therefrom to prescribe the method of computing and canvassing such returns publicly to provide who shall constitute the return board for any county wherein one or more of the commissioners are candidates at any primary to regulate the manner of correcting apparent errors in certain returns and the opening of ballot-boxes and the recounting of votes when any county commissioner prothonotary or judge of the court of common pleas deems it necessary in order to obtain a correct count or upon the petition of three electors averring fraud or error to assure the right of any authorized representative of any party or candidate to hear record and check up the returns as read as well as to inspect the same and any other public documents relating to any primary election to allow any person aggrieved by any decision of the county commissioners or prothonotary to appeal therefrom to the court of common pleas of the proper county to make certain violations of said act as amended hereby misdemeanors and to provide penalties for the punishment of such offenses to provide that nomination petitions of candidates for any municipal office to be filled by a vote of the electors of a senatorial district shall be signed by at least two hundred qualified electors of such district and to repeal inconsistent legislation" is hereby amended to read as follows

Section 10 The county commissioners shall prepare and furnish to the election officers in each election district in due time for use at the primaries one book of fifty official ballots of each party for every forty and fraction of forty votes cast within the particular election district for the candidate of the particular party who received the largest vote cast for any candidate of such party at any of the last three preceding elections either general or municipal and no additional official ballots shall be furnished any party in any election district unless the number of electors registered and enrolled as members of any particular party in any election district shall exceed the largest vote aforesaid in which case the county commissioners shall furnish official ballots for said party in the ratio aforesaid upon the basis of such enrollment or registration

With the official ballots to be furnished in advance of the primaries the county commissioners shall also furnish and deliver to the election officers specimen ballots for the use of electors at the polls equal in number to one-fifth the whole number of such official ballots said specimen ballots to be printed on colored paper and to be of the same size and form as the official ballots but without any permanent binding or stubs and in addition thereto on the Wednesday preceding every primary the county commissioners shall upon request having been made in writing at their office six weeks or more before each primary by each candidate or his authorized representative there deliver to each candidate whose name is printed on any party ballot or to his authorized representative without charge three specimen ballots of such party for each election district in the county or city or political district thereof in which such candidates may be voted for for the use of such candidate and the watchers whom he may appoint as hereinafter provided

On the back of each specimen ballot for the primary next preceding the election of a President of the United States the county commissioners shall print subdivision (c) of section six of this act

The official ballots shall be attached to stubs which shall be numbered consecutively from one to the highest number to be furnished to each particular election district and bound in books of fifty each which shall be numbered in the order of the numbers of their stubs in the same manner as at elections and the county commissioners shall keep a record of the number of such books and ballots printed and delivered to each election district and of the number of stubs unused ballots and spoiled and canceled ballots subsequently returned therefrom

In addition to official and specimen ballots as aforesaid the county commissioners shall prepare and furnish to the election officers in due time for use at the primaries sufficient ballot-boxes through the nearest Justice of the Peace or such person or persons designated by the Court of Common Pleas of said county and other election materials properly numbered for each election district including the assessor's lists or registers known as the "ballot check list" and the "voting check list" respectively blank forms including froms for the duplicate oaths of the election officers and forms of affidavits for electors desiring assistance in marking their ballots and for those challenged as to their identity party membership residence or bribery to make proof of their right to vote blank tally papers (and triplicate return sheet for each party) blank statements for general returns of all votes cast blank books for making lists of persons voting with sufficient space for noting their party enrollments printed instructions and notice of penalties for the information of electors and election officers and such other supplies as they are or hereafter may be required by law to furnish to said election officers for use at elections and shall deliver them in the same manner as at elections The said form blanks books and other supplies shall have printed upon them appropriate instructions and shall be in appropriate form for use at the primaries The county commissioners shall also provide for the opening of the polling-places and for the compensation of the owners thereof and shall see that they are in proper order and provided with voting booths as at elections

The county commissioners shall provide each election district with cards of instructions as aforesaid equal in number to one-fifth of the whole number of official ballots furnished thereto on which shall be printed the last paragraph of section eleven of this act and all of section thirteen hereof and such part of section fourteen as relates to the duties of the election officers after the closing of the polls and such other directions regarding the marking and counting of ballots or the general election laws not inconsistent herewith as the county commissioners may think proper The election officers shall post at least three cards of instructions in the voting room outside of the guard-rail as soon as the polls are open and thereafter give such cards to such persons desiring to vote as shall request the same

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. McKIM. Mr. Speaker, I move that further consideration of House Bill No. 1113 be postponed for the present.

Mr. LITTLE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1115, as follows:

An Act amending section one hundred and twenty-seven of an act approved the second day of July Anno Domini one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen) entitled "An Act Relating to the Elections of this Commonwealth"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one hundred and twenty-seven of an act approved the second day of July Anno Domini one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen) entitled "An Act Relating to the Elections of this Commonwealth" is hereby amended to read as follows

Section 127 If any justice of the peace or such person or persons designated by the court of common pleas to receive ballot boxes shall refuse to receive such ballot boxes delivered to him as is hereinbefore provided or having received same shall neglect the safe keeping thereof or refuse to deliver the said ballot boxes as provided by law shall on conviction of any such refusal or neglect be fined in any sum not less than one hundred nor more than one thousand dollars

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. McKIM. Mr. Speaker, I move that further consideration of House Bill No. 1115 be postponed for the present.

Mr. LITTLE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1117, as follows:

An act to further amend section seventy-four of an act approved the second day of July Anno Domini one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen) entitled "An Act relating to the elections of this Commonwealth"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventy-four of an act approved the second day of July one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen) entitled "An Act relating to elections of this Commonwealth" which was amended by section one of an act approved the sixteenth day of April Anno Domini one thousand nine hundred and three (Pamphlet Laws two hundred and seventeen) entitled "An Act amending section seventy-four of an act "Relating to the elections of this Commonwealth" approved the second day of July Anno Domini one thousand eight hundred and thirty-nine" is hereby further amended to read as follows

Section 74 As soon as the election shall be finished the tickets lists of taxables one of the list of voters the tally papers and one of the certificates of the oath or affirmation taken and subscribed by the inspectors judges and clerks shall all be carefully collected and deposited in one or more of the ballot-boxes and such box or boxes being closely bound round with tape shall be sealed by the inspectors and judge of the election and together with the remaining ballot-boxes shall within one day thereafter be delivered by one of the inspectors to the nearest justice of the peace or such person or persons designated by the court of common pleas who shall keep such boxes containing the tickets and other documents (said justice of the peace or such person or persons designated by the court of common pleas to receive the sum of Three ($3.00) dollars per year per district for all services rendered in the care and storage of the ballot-box or boxes placed in his custody and for collecting said boxes from each district the sum of one ($1.00) dollar for each box for each election and for delivering each box to each election district the sum of one ($1.00) dollar per box per district for each election said sum to be paid by the County Treasurer upon an order drawn by the County Commissioners) to answer the call of any person or tribunal authorized to try the merits of such election and the other list of voters tally papers and certificates shall be enclosed by the said inspectors and judge in a sealed cover directed to the Prothonotary of the Court of Common Pleas of the County and shall by some one of them be delivered into his office within three days thereafter where the same shall be filed

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. McKIM. Mr. Speaker, I move that further consideration of House Bill No. 1117 be postponed for the present.

Mr. LITTLE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1206, entitled:

An Act to amend Route number two hundred and sixty-four of section six of the act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight), entitled "An Act providing for the establishment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities and towns and extending to the State line; describing and defining the same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and Stateaid highways; providing method of application for State aid in the improvement, maintenance and repair of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
Diehm,
Dietz,
Dilsheimer.
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fratt,
Frazier,
Gallaher,
Gilchrist,
Glasgow,
Golder,
Gorham,
Greeby,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hontz,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Little,
Lucas,
Ludlow,
Mack,
MacKinney,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond.
Rhodes,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schoener,
Schwartz,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Sprowls,
Stark,
Sterling,
Stevens, A. F.,
Storb,
Storer,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Wells,
Wettach,
Wheeler,
Williams, G. W.,
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Wright,
Goodnough,
Speaker.

NAYS—3.

Blumberg,
Fowler, A. I.,
Fowler, D.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1455 (Senate Bill No. 781), entitled:

An Act authorizing the State Highway Commissioner to combine certain State Highways or any part or sections thereof into a route under a common letter name number or other marker or designation or any combination thereof for the purpose of informing and assisting the traveling public in and through the State

Whereas In order to more properly accommodate and inform the traveling public using the highways of the Commonwealth it is deemed advisable to designate certain State Highway Routes or any part or sections thereof comprising the system as now or hereafter created by Acts of Assembly by a common letter name or number

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163.

Albert,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker.
Beaver,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brenneman,
Brewster,
Flynn,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Glasgow,
Golder,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haines,
Hall,
Harer,
Harter,
Haslett,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Mack.
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCaig,
McClure.
McCurdy,
McVicar,
Richards,
Rippman.
Sample,
Sarig,
Sautter,
Schaeffer,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,

Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Stavitski,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1383 (Senate Bill No. 434), entitled:

An act to further amend section one of an act, approved the twelfth day of June, one thousand nine hundred and nineteen, entitled "An act permitting counties of the Commonwealth of Pennsylvania to appropriate and expend moneys, and to incur indebtedness and issue bonds and other obligations, for the improvement and maintenance of State highways and State-aid highways of any public highwy and any county of the Commonwealth, and providing the method for applying for said moneys and for the approval thereof by the State Highway Department in certain cases."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the gentleman from Tioga, Mr. Williams.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. WILLIAMS. Yes, Mr. Speaker.

Mr. ALEXANDER. I desire to ask the gentleman, the chairman of the Public Roads Committee, if this bill is satisfactory to the Highway Department?

Mr. WILLIAMS. I should say it is not.

Mr. ALEXANDER. I desire to interrogate the gentleman further.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. WILLIAMS. Yes, sir.

Mr. ALEXANDER. Will the gentleman explain what the bill is.

Mr. WILLIAMS. In reply to the gentleman from Delaware, under the present law, the Highway Department has the authority or right to construct all township and county roads, where the money is furnished locally, the same as they do when the money is furnished by the State. This bill gives to the municipalities and counties, the right to construct their own roads where they furnish the money without intervention or any supervision from the Highway Department, unless they ask for it.

Mr. ALEXANDER. Will the gentleman explain, the reason I am asking this is because I notice this bill does not set forth or underline the amendments, and there is no way of picking out what the amendment to the old bill is.

Mr. BIDELSPACHER. The only change in the existing law that Senate Bill No. 434, file folio 1011, makes to the existing law is on the bottom of page 2, by striking out the words, "and until and unless the said application has been submitted to and approved by the State Highway Department." This bill pertains entirely to a road that is desired to be constructed entirely by the county, not by the county and the State or by county and the township and the State or by the county and the borough and the State, but where the highway is a county highway and it to be constructed entirely by county funds. It simply provides that in that case, it is not necessary that the application be submitted and approved by the State Highway Department. In other words, those words, "and until and unless the application has been submitted to and approved by the State Highway Department" are stricken out. And there is also a change in the last phrase on page 4: "And provided further that when the improvement or maintenance of any public highawy in the county"—and these are the new words—"is necessary and is to be paid for wholly by the county, the commissioners of said county may proceed with the improvements or maintenance." Those are the new words added to the existing law.

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the gentleman from Lycoming, Mr. Bidelspacher.

The SPEAKER. Will the gentleman from Lycoming, Mr. Bidelspacher, permit himself to be interrogated?

Mr. BIDELSPACHER. I will, Mr. Speaker.

Mr. ALEXANDER. The gentleman from Tioga has stated that this is not satisfactory to the Highway Department. Do you know what the objections of the Highway Department are to the bill?

Mr. BIDELSPACHER. I am not aware, personally, whether this bill meets with the approval of the Highway Department or not, but it does seem to me that when a highway is to be constructed wholly by the county, with the funds of the county, that it ought to be done under the supervision of the county commissioner, and the county commissioner alone, and for that reason I am in favor of this bill.

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—79.

Alexander,
Beaver,
Bell, F. A.,
Bell, W. T.,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brenneman,
Brewster,
Bromley,
Brownmiller,
Burns,
Bush,
Colville,
Conner,
Craig,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Flynn,
Fowler, A. I.,
Fowler, D.,
Gallaher,
Haas,
Hall,
Harer,
Haws,
Heffernan,
Heffran,
Hetrick,
Heyburn,
Hontz,
Horne,
Howell,
Irvin,
Jones, C. B.,
Jones, D. J.,
Keene,
Kelly,
Kohler,
Little,
Long,
Lucas,
Mack,
Marshall, W. F.,
McCurdy,
McVicar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Sarig,
Sautter,
Schoener,
Schwartz,
Spangler,
Stevens, A. J.,
Storb,
Storer,
Van Alen,
Vickerman,
Walker,
Wells,
Wright,

NAYS—36.

Armstrong,
Baker,
Henderson,
Himes.
Price,
Raymond,
Thompson,
Weamer,

Bentley,
Brown,
Burchinal,
Clutton,
Coldsmith,
Frazier,
Gelder,
Grimes,
Jones, E. P.,
Kennedy,
Ludlow,
MacKinney,
McKim,
Ogle,
Peelor,
Posey,
Richards,
Rippman,
Sample,
Shambach.
Smith, G. A.,
Stark,
Stavitski,
Thomas, M. G.,
Williams, G. W.,
Woner,
Wood, W. P.
Goodnough,
Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1454 (Senate Bill No. 775), entitled:

An Act requiring supervisors and commissioners of townships to apply for county aid in the construction and maintenance of roads upon application therefor by property owners

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. HORNE. Mr. Speaker, I move that further consideration of House Bill No. 1454, Senate Bill No. 775, be postponed for the present.

Mr. LUDLOW. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 275, as follows:

An Act providing in cities of the first and second classes for the recovery and collection of taxes assessed on personal property by action of assumpsit against the owner or owners of the personal property upon which or against the owner of which the said taxes have been assessed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the other remedies provided by law that all cities of the first and second class of this Commonwealth may proceed for the collection of any taxes lawfully imposed and assessed on personal property of any nature or character including stocks bonds mortgages and money at interest or assessed against the owner or owners of such personal property by action of assumpsit against the owner or owners thereof such action to be brought before any Magistrate Justice of the Peace or Court of Record of competent jurisdiction depending on the amount involved with similar rights of appeal as in other actions of assumpsit Judgments obtained in such actions of assumpsit to collect any of the taxes aforesaid shall include interest and penalties as provided by law and shall have the same effect to all intents and purposes as judgments in other cases Upon such judgments a writ of execution may be issued as in other actions of assumpsit for the collection thereof together with costs of suit without any stay of execution and no defendant in any such judgment shall have the right to any exemption of property levied upon to collect the same Provided That this act shall also extend to and include all taxes personal heretofore assessed which became due and payable at any time not exceeding six (6) years prior to the passage of this act

Section 2 All acts or parts of acts and all laws inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—154.

Albert,
Alexander,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig.
Diehm,
Dietz,
Dilsheimer.
Driggs,
Drinkhouse,
Dunn,
Eaches.
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher.
Gilchrist,
Golder,
Grimes,
Gundy,
Haas,
Haines,
Hall,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
MacKinney,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G..
Marshall, W. F.,
Mathay,
McBride,
McCaig,
McClure,
McCurdy,
McGowan,
McVicar,
Metcalf,
Millar,
Miller,
Minehart.
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schoener,
Schwartz,
Shambach.
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Steedle,
Stevens, A. F.,
Storb,
Storer,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whiteman,
Williams, G. W.
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Wright,
Goodnough.
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1318, as follows:

An Act imposing a State tax on the premiums paid into the State Workmen's Insurance Fund and providing for collection thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first of July one thousand nine hundred and twenty-three the State Workmen's Insurance Board shall pay into the general fund of the State treasury a tax of eight mills on the dollar upon the gross amount of premiums paid by subscribers to the State Workmen's Insurance Fund In calculating the amount of gross premiums taxable deduction shall be made for return premiums and for dividends or savings returned to subscribers by credit or cash payment

Section 2 The said tax shall be payable semi-annually upon the last days of January and July in each year and for the purpose of ascertaining the amount of the same it shall be the duty of the State Workmen's Insurance or proper officer thereof to transmit to the Auditor General semi-annually on the first day of January and July in each year a report under oath or affirmation setting forth the entire amount of premiums received by the said board from subscribers to the said State Workmen's Insurance Fund during the six calendar months immediately preceding

Section 3 It shall be the duty of the officer or officers charged with the adjustment settlement and collection of State taxes to add ten per centum to the account of the said State Workmen's Insurance Board upon its neglect or refusal for a period of thirty days to make said report or to pay into the State Treasury the tax imposed by this act and the said officer or officers are hereby authorized to examine the books and papers of the said State Workmen's Insurance Board pertaining to the premiums made taxable by this act to verify the accuracy of any return made under the provisions of this act and in the adjustment settlement and collection of said tax the said officer or officers shall have all the powers now vested in the Auditor General and the State Treasurer by the laws of the Commonwealth for the adjustment settlement and collection of State taxes

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. BURNS. Mr. Speaker, I move that further consideration of House Bill No. 1318 be postponed for the present.

Mr. COLVILLE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 992, as follows:

A Joint Resolution proposing an amendment to article three of the Commonwealth of Pennsylvania by adding thereto section thirty-five

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following is proposed as an amendment to the Constitution of the Commonwealth of Pennsylvania in accordance with the provisions of the eighteenth article thereof

That article three of the Constitution of the Commonwealth of Pennsylvania be amended by adding thereto section thirty-five as follows

Section 35 Laws may be enacted authorizing assessments against properties which are specially and particularly benefited by public improvements made by the State Government or by a municipality whether or not such properties abut upon such public improvements provided however that nothing herein contained shall be construed to modify change or in any way affect any law whether contained in the Constitution or statutes specifically enacted for the city and county of Philadelphia or for cities of the first class

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. LITTLE. Mr. Speaker, I move that further concideration of House Bill No. 992 be postponed for the present.

Mr. FREDERICK A. BELL. Mr. Speaker, I second the motion.

The motion was agreed to.

'BILLS SIGNED BY THE SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 134.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section sixteen

HOUSE BILL No. 206.

An Act to further amend section three of the act approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued" as amended providing for the impounding of property where an affidavit is filed before issuing of the writ

HOUSE BILL No. 225.

A Supplement to an act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and seventy-three) entitled "An act constituting a commission to make an investigation of the battlefields of France and Belgium and to select points for the erection of monuments and markers of appropriate design to commemorate the achievements of Pennsylvania soldiers during the World War defining the powers and duties of the commission and making an appropriation" continuing said commission providing for the erection of certain memorials in France and Belgium and making an appropriation

HOUSE BILL No. 276.

An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior Acts of Assembly

HOUSE BILL No. 593.

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation

HOUSE BILL No. 652.

An Act relating to suits against and service of process upon corporations organized and existing under the laws of the Commonwealth of Pennsylvania ceasing to do business or ceasing to maintain an office within the Commonwealth and the effect of such service

HOUSE BILL No. 740.

An Act to amend section four hundred and eighty-seven of article one of chapter ten of the act appproved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

HOUSE BILL No. 880.

An act to amend section two hundred and seven of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provision by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended.

HOUSE BILL No. 916.

An Act to amend section eighteen twenty-two twenty-six thirty-two thirty-four thirty-eight fifty-four fifty-five fifty-six fifty-seven fifty-nine and sixty-one of an act entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine)

HOUSE BILL No. 924.

An Act to amend part of section one of an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

HOUSE BILL No. 955.

An Act making an appropriation to the legal representative of the estate of Honorable Samuel A. Whitaker deceased elected a Representative in the General Assembly of the Commonwealth from Chester county

HOUSE BILL No. 1034.

An Act to promote the health and efficiency of firemen in cities of the first class by providing for a two-platoon system for the certain officers of the uniformed fire force of the Department of Public Safety of such cities

HOUSE BILL No. 1313.

An Act to amend section ten of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as amended

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL RECOMMITTED.

Mr. WHITEMAN. Mr. Speaker, I move that House Bill No. 1041, file folio 5519, entitled

An Act to amend sections one and two of an act approved the twentieth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, one thousand twenty-one), entitled "An act imposing a State tax on gasoline, and on all other liquids containing any derivative of petroleum or natural gas, produced, prepared, or compounded or usable for the purpose of generating power by means of internal combustion and sold in this Commonwealth, except for the purpose of resale; providing for the collection of such tax and for the distribution and use of the revenues derived therefrom; making an appropriation; and fixing penalties;" by increasing the amount of said tax and providing for the use of the revenues thereof for State highway purposes.

on page 1 of today's calendar, bills on second reading, be recommitted to the Committee on Ways and Means for the purpose of amendment.

Mr. DAVID J. JONES. Mr. Speaker, I second the motion.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE.

Mr. FLYNN. Mr. Speaker, Under a question of personal privilege I desire to make a statement.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. FLYNN. Mr. Speaker, a practice has prevailed recently in the House of members calling up their bills out of order for the purpose of amendment. Back of that purpose usually is the desire to advance bills at the expense of other bills on the calendar. This very much delays work of the session and at times gives undue preference to bills under consideration, and therefore I would suggest that hereafter that should not be done. It requires unanimous consent to do this, and I make the statement that objections will be filed when it is attempted.

The SPEAKER. The Chair regards the remarks of the gentleman from Elk, Mr. Flynn, as very timely, and they will be spread upon the Journal.

Mr. DILSHEIMER. Mr. Speaker, I wholly endorse what my colleague, Mr. Flynn, has said, and I think we will expediate matters in this House by so doing. We are late in the session now and I think the members should take heed and warning. As I stated a week ago, I shall be one of those who will object at any time when bills are called up out of order. It is unfair. If we are going to get through, if we are going to help do the fair thing with every member to get his bill through, it must be done in a businesslike manner.

ADJOURNMENT.

Mr. ARMSTRONG. Mr. Speaker, I move that this House do now adjourn until 10:00 o'clock tomorrow morning.

The motion was agreed to and (at 9:57 o'clock P. M.) the House adjourned until tomorrow morning at 10:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

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HOUSE OF REPRESENTATIVES

THURSDAY, MAY 3, 1923.

The House met at 10:00 o'clock A. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

O God, our Father, we thank Thee for all the kindness, health, strength and friendship that has come to us through Thy great gift, and we pray that Thou wouldst help us to be true to Thee and give ourselves in an unstinted degree to fruitful service for the welfare of mankind in this day of the world's crying need. Save us from that degradation of soul that comes from unbelief in Thee and from calloused indifference to the welfare of mankind. Inspire within us an unswerving faith and confidence in Thee and a continued interest in the welfare of our fellowmen. We ask it in the name of Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Bush, the further reading was dispensed with and the Journal approved.

REPORT FROM COMMITTEE

Mr. DAVID FOWLER, from the Committee on Appropriations, reported as committed, House Bill No. 88, entitled:

A further supplement to an act, approved the eighteenth day of July, one thousand nine hundred and nineteen, entitled "An act authorizing the appointment of a commission to supervise the revising, amending, consolidating, and simplifying of the laws relating to the assessment, levy, and collection of taxes for all purposes; prescribing the power and duty of such commission; imposing certain duties on the Legislative Reference Bureau; and making an appropriation": continuing the commission appointed under the provisions of said act for a further period of two years and making an appropriation.

Mr. SARIG, from the Committee on Appropriations, reported as amended, House Bill No. 897, entitled:

An Act to amend sections nine and ten of an act approved the twenty-second day of June, one thousand eight dred and ninety-one, (P. L. 379), entitled "An act to provide for the selection of a site and the erection of a State asylum for the chronic insane, to be called the State asylum for the chronic insane of Pennsylvania, and making an appropriation therefor;" changing the name and purposes of said hosital;and repealing sections eleven and fifteen of said act.

Mr. McCAIG, from the Committee on Appropriations, reported as amended, House Bill No. 106, entitled:

An Act making an appropriation to the trustees of the University of Pennsylvania.

Mr. HAAS, from the Committee on Municipal Corporations reported as committed, House Bill No. 1441, (Senate Bill No. 583), entitled

An Act authorizing the annexation to cities of portions of townships not exceeding one hundred acres in area and totally surrounded by said cities and providing for the division of the assets and liabilities of said townships.

Mr. DILSHEIMER, from the Committee on Municipal Corporations, reported as committed House Bill No. 1471, (Senate Bill No. 734), entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania by adding thereto an additional section.

Miss MacKINNEY, from the Committee on Law and Order, re-reported as committed House Bill No. 1252, entitled:

An Act providing for the licensing of certain stills and other distilling apparatus; imposing certain duties upon the Secretary of the Commonwealth; providing for the search for and seizure and destruction of unlicensed stills and distilling apparatus and providing penalties.

BILL ON FIRST READING.

Mr. DILSHEIMER asked and obtained unanimous consent to have House Bill No. 1471, (Senate Bill No. 734), read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1471, (Senate Bill No. 734), entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania by adding thereto an additional section.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 84, as follows:

An Act making an appropriation to the Washington Crossing Park Commission for the purpose of the acquisition of land and property and the making of improvements in accordance with the provisions of the act of July twenty-fifth one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and nine) entitled "An act to authorize the acquisition by purchase or condemnation of land for a park and the erection of a monument commemorative of Washington Crossing the River Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purposes of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby specifically appropriated to the Washington Crossing Park Commission constituted and appointed under the provisions of the act of the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and nine) entitled "An act to authorize the acquisition by purchase or condemnation of lands for a park and erection of a monument commemorative of Washington crossing the River Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act" for the purpose of acquiring additional lands and property in the manner provided for in this act the payment of labor materials tools supplies and rent already incurred or contracted for and for making of necessary improvements to said park and the buildings erected thereon

And said bill having been read at length the second time, time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 85, as follows:

An Act making an appropriation to the Pennsylvania State Park and Harbor Commission of Erie

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby appropriated to the Pennsylvania State Park and Harbor Commission of Erie for the payment of necessary expenses incurred by the commission as authorized by law during the two fiscal years beginning June first one thousand nine hundred and twenty-three

An said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 86, as follows:

An Act making an appropriation to the several fire companies of the city of Harrisburg

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of six thousand four hundred ($6,400) dollars or so much thereof as may be necessary is hereby specifically appropriated for the several fire companies of the city of Harrisburg Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three said sum to be distributed among said companies in equal amounts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 997, as follows:

An Act authorizing and empowering the District Attorneys of each county to organize themselves into a State Association for the purpose of holding meetings and providing for the payment of the expenses thereof and of the District Attorneys attending by the several counties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the district attorneys of the several counties of the Commonwealth are hereby authorized to organize themselves into a State Association with the authority to hold meetings at such times and places within the Commonwealth as they may designate not to exceed one meeting in each year for the purpose of discussing the various questions arising in the discharge of their duties and for the purpose of providing for a uniform and economical method of administering the affairs of their respective offices

Section 2 The actual expenses of the District Attorneys attending such meetings of said State Association including traveling expenses and hotel bills actually paid by them shall be paid by the various counties out of the county funds by orders drawn on the county treasury The time spent in attending such meetings shall not be more than two days exclusive of the time employed in traveling thereto and therefrom

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 216, as follows:

An Act to provide for the payment of moneys by the Commonwealth to counties and townships the tax funds of which are diminished by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the Commonwealth of Pennsylvania shall for the conservation of water or to prevent flood conditions acquire or has heretofore acquired any lands and property within the limits of any county or township and shall or has by such acquisition reduced the amount of property taxable within the county or township for county township and road purposes the officers of such county or township authorized by law to levy taxes shall immediately after such acquisition or as soon as may be after the passage of this act certify to the Auditor General the assessed valuation of such lands and property at the time of such acquisition

Section 2 After any such acquisition the municipal officers of such county or township authorized by law as aforesaid shall from year to year at the time of their annual levy of taxes for county township or road purposes certify to the Auditor General the rate of levy of such taxes for the ensuing fiscal year Thereupon the Auditor General shall ascertain the amount of taxes which would have been collected upon the assessed valuation certified as hereinbefore provided at the rate of the levy so certified Upon the ascertainment of such amount the same shall be paid by the Commonwealth from time to time to the county or township entitled thereto from funds appropriated for such purposes

Section 3 The sum of three thousand nine hundred eighty-five dollars and thirty-six cents ($3,985.36) is hereby specifically appropriated to the Auditor General for payment for the years one thousand nine hundred twenty-three and one thousand nine hundred twenty-four of the county township and road taxes imposed upon the Commonwealth by the provisions of this act The said appropriation shall be applied as follows

For the payment of county taxes for the year one thousand nine hundred and twenty-three nine hundred forty-four dollars and forty-six cents ($944.46) and for the year one thousand nine hundred and twenty-four one thousand and forty-nine dollars and forty cents ($1,049.40)

For the payment to the several townships entitled thereto for township or road taxes for the year one thousand nine hundred and twenty-three nine hundred ninety-two dollars and nineteen cents ($992.19) and for the year one thousand nine hundred and twenty-four nine hundred ninety-nine dollars and thirty-one cents ($999.31)

The moneys hereinbefore appropriated shall be paid to the counties and townships entitled thereto by warrant of the Auditor General on the State Treasurer in the usual manner

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 351, as follows:

An Act to amend section forty-two of the act approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws five hundred and thirty-seven) entitled "An act relating to counties and township and county and township officers" by making county treasurers agents of the Commonwealth in collecting and transmitting money for the Commonwealth and providing their compensation for such services

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section forty-two of the act approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws five hundred and thirty-seven) entitled "An act relating to counties and townships and county and township officers" which reads as follows

"Section 42 Each county treasurer shall be entitled to deduct from the gross amount of money received by him for the use of the Commonwealth on each separate account he is required to keep and settle a commission in the following proportions namely where the whole sum accounted for and paid into the State Treasury or otherwise for the use of the Commonwealth as directed by law arising from either of the accounts specified in this act does not exceed one thousand dollars at the rate of five per centum when it exceeds that sum and does not exceed two thousand dollars one percentum for such excess over the one thousand dollars and on all beyond the sum of two thousand dollars one-half of one per centum Provided That no commission shall be allowed to any county treasurer unless the amount due to the Commonwealth and received by him be paid over within the times hereinbefore specified and unless his accounts shall be transmitted and settled on or before the second Tuesday of December in each and every year" is hereby amended to read as follows

Section 42 County treasurers of the several counties shall be the agents of the Commonwealth for the collecting and transmitting of money for the Commonwealth Each county treasurer shall be entitled to deduct for his own use from the gross amount of moneys received by him for the use of the Commonwealth on each separate account he is required to keep and settle a commission in the following proportions namely where the whole sum accounted for and paid into the State Treasury or otherwise for the use of the Commonwealth as directed by law arising from either of the accounts specified in this act does not exceed one thousand dollars at the rate of five per cent when it exceeds that sum and does not exceed two thousand dollars one per cent for such excees over the one thousand dollars and on all beyond the sum of two thousand dollars one half of one per cent Provided That no commission shall be allowed to any county treasurer unless the amount due to the Commonwealth and received by him be paid over within the times hereinbefore specified and unless his accounts shall be transmitted and settled on or before the second Tuesday of December in each and every year

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1190, as follows:

An Act providing for the granting of licenses to practice dentistry to certain persons who served in the army or navy of the United States or any branch or unit thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Dental Council of the Commonwealth of Pennsylvania may without requiring the passing of an examination as now provided by law grant a license to practice dentistry to any person of good moral character not less than twenty-one years of age and a resident of this Commonwealth at the time of enlistment in the army or navy of the United States or any branch or unit thereof who served as dentist in the army or navy of the United States or any branch or unit thereof during the war with Germany or Austria who is a graduate of a dental school or college and who passed the examination required by the Army or Navy Dental Examining Board

Section 2 Such license to practice dentistry shall be granted by the Dental Council of Pennsylvania upon furnishing proof to said Council that the applicant possesses the qualifications required by section one of this act

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 99, as follows:

An Act making an appropriation to the Commissioners of Valley Forge Park

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty thousand dollars ($20,000) is hereby appropriated to the Commissioners of Valley Forge Park for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the payment of salaries wages or other compensation of such superintendents guards shepherds wardens and workmen as may be necessary for the care preservation and maintenance of Valley Forge Park for the necessary cost of freight office rent stationery postage fertilizers seeds weed killers and other supplies for plowing and mowing for the purchase of trees and shrubs and to replace trees killed by the chestnut blight and for planting the same and for other incidental and contingent expenses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 93, as follows:

An Act making an appropriation to carry into effect the provisions of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State Supervisor and assistants and fixing the salaries of such State Supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in Geeeral Assembly met and it is hereby enacted by the authority of the same That the sum of one million seven hundred fifty thousand ($1,750,000) dollars is hereby specifically appropriated for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of carrying into effect the provisions of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State Supervisor and assistants and fixing the salaries of such State Supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties"

Section 2 Upon the approval of this act the State Treasurer after deducting from the entire amount appropriated the sums hereinafter designated for salaries and expenses shall divide the balance into two equal parts

The one part hereinafter referred to as the second part shall be held intact for distribution on and after the first day of June one thousand nine hundred and twenty-four in the manner hereinafter provided

The other part shall upon the approval of this act be distributed and apportioned to the several counties of the State according to the following classification

First Class Counties with a population of more than one million five hundred thousand inhabitants twenty-four per centum

Second Class Counties with a population of more than one million five hundred thousand inhabitants sixteen per centum

Third Class Counties with a population of more than two hundred thousand and not more than one million inhabitants equal parts of nineteen per centum

Fourth Class Counties with a population of more than one hundred thousand and not more than two hundred thousand inhabitants equal parts of twenty-six percentum

Fifth Class Counties with a population of more than fifty thousand and not more than one hundred thousand inhabitants equal parts of nine per centum

Sixth Class Counties with a population of twenty-five thousand and not more than fifty thousand inhabitants equal parts of four and one-fourth per centum.

Seventh Class Counties with a population of twenty-five thousand inhabitants or less equal parts of one and three-fourths per centum

Section 3 On the first day of June one thousand nine hundred and twenty-four the State Treasurer shall set aside out of the second part to each county then organized under the Mothers' Assistance System a sum equal to that appropriated to it under the preceding section Except as in section five of this act provided the amount so set aside to any county together with the unexpended balance of the amount apportioned to the county during the first year shall constitute the State's assistance during the second year to such county

Section 4 No county shall receive any sum from the State under sections two and three of this act unless such county shall appropriate a like sum for the same purpose

Section 5 The money set aside on the approval of this act to counties that were not at that time organized under the Mothers' Assistance System and which did not come into the system during the year ending May thirty-first one thousand nine hundred and twenty-four together with the balance of the second part remaining after the proper amounts have been set aside as provided in section three shall constitute a fund to be known as the surplus fund

A county organized under the Mothers' Assistance System prior to or during the year ending May thirty-first one thousand nine hundred and twenty-four may receive during the second year out of the surplus fund a sum additional to that apportioned and set aside to it under sections two and three

Section 6 No county shall receive its allotment of the State appropriation available for any year under the classification appointed by this act unless such county has accepted the provisions of the act of July tenth one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) and has placed at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such year But a county may participate in the surplus fund if in addition to the appropriations and provisions herebefore required it shall appropriate a sum equal to the amount which it desires from the surplus fund

No county shall be permitted to participate in such surplus fund to an amount in excess of twenty-five per centum of the aggregate sum apportioned and set aside by the State Treasurer to that county for the entire two-year period

Section 7 Out of the amount hereinbefore appropriated the following amounts shall be set apart and applied for the following purposes

For the payment of the salary of the State Supervisor of the Mothers' Assistance Fund at the rate of three thousand dollars ($3,000) per annum two years the sum of six thousand dollars ($6,000)

For the payment of the salaries of such Assistant State clerks and other employes as may be required for the proper conduct of the work of the Supervisor for the traveling and hotel expenses of the Supervisor and his assistant if any for the cost of making special investigations and for contingent and office expenses two years the sum of nineteen thousand dollars ($19,000) so much thereof as may be necessary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of Hiuse Bill No. 653, as follows:

An Act making an appropriation to the Lake Erie and Ohio River Canal Board of Pennsylvania for the payment of expenses incurred in printing distributing and making available for public use reports maps documents and records of the board in securing the co-operation and aid of the Government of the United States and other public authorities in the construction of the canal or waterway authorized to be constructed by the board for the payment if incidental office expense and for the payment of salaries fees and expenses

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby specifically appropriated to the use of the Lake Erie and Ohio River Canal Board of Pennsylvania created by the Act of General Assembly approved June twenty-seventh one thousand nine hundred and thirteen (Pamphlet Laws six hundred fifty-two) the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary for the payment of expenses incurred in printing distributing or in otherwise making available for public reports maps documents and records issued by or in possession of the board for the payment of expenses incurred in doing such things as the board may deem expedient to secure the cooperation and aid of the Government of the United States and other public authorities in the construction of the canal or waterway authorized to be constructed by the said act and for the payment of expenses incidental to the maintenance of the officers of the board in the city of Pittsburgh the traveling expenses of the board and any of its officers or employes and the payment of the salaries fees and expenses of such engineers draftsmen attorneys experts and clerical assistance as the board may employ

All expenditures of the board shall be made in the manner provided in the eighth section of said act approved June twenty-seventh one thousand nine hundred and thirteen (Pamphlet Laws six hundred fifty-two)

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 217, as follows:

An Act making an appropriation to the Superintendent of Public Instruction to carry into effect the provisions of the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand and thirty-four) entitled "An act to provide for the payment of moneys to school districts the taxes of which are reduced by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of six thousand two hundred twenty-four dollars and seventeen cents ($6,224.17) is hereby specially appropriated to the Superintendent of the Public Instruction for the payment of school taxes due or to become due to the several school districts for the years one thousand nine hundred twenty-one one thousand nine hundred twenty-two one thousand nine hundred twenty-three and one thousand nine hundred twenty-four on lands acquired by the Commonwealth for water conservation purposes which taxes are imposed on the Commonwealth by the provisions of the act approved the twentieth day of May one thousand nine hundred twenty-one (Pamphlet Laws one thousand thirty-four) entitled "An act to provide for the payment of moneys to school districts the taxes of which are reduced by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions"

Said appropriations shall be applied for the payment of said school taxes as follows for the year one thousand nine hundred twenty-one two hundred eighty-five dollars ($285.00) for the year one thousand nine hundred twenty-two one thousand four hundred forty-two dollars and forty-nine cents ($1442.49) for the year one thousand nine hundred twenty-three two thousand two hundred forty-eight dollars and thirty-four cents ($2,248.34) and for the year one thousand nine hundred twenty-four two thousand two hundred forty-eight dollars and thirty-four cents ($2,248.34)

The moneys hereinbefore appropriated shall be paid to the several school districts entitled thereto by warrant of the Auditor General on the State Treasurer upon requisition of the Superintendent of Public Instruction

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1443 (Senate Bill No. 798), entitled:

An Act to amend sections two and twenty of an act approved the seventh day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and eighty-eight) entitled "An act regulating through the Commissioner of Labor and Industry the business of assisting employers to obtain employes and persons to secure employment including the business of collecting information to the same end and prescribing penalties"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1384 (Senate Bill No. 435), as follows:

An Act to further amend section three hundred eighty-six clause four of the act approved the fourteenth day of July one thousand nine hundred seventeen (Pamphlet Laws eight hundred forty) entitled "An act concerning townships and revising amending and consolidating the law relative thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three hundred eighty-six clause four of the act approved the fourteenth day of July one thousand nine hundred seventeen (Pamphlet Laws eight hundred forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto" which as amended reads as follows

"IV To purchase such timber material equipment machinery road-drags tools and implements as shall be necessary for making and repairing roads and bridges to employ sufficient number of laborers to make and repair the same and to contract for the construction reconstruction and improvement of roads

All contracts for the construction reconstruction and improvement of roads and for the purchase of materials used in such work and for the purchase of equipment and machinery shall be submitted to the Township Commissioner of the State Highway Department for approval or disapproval before such contracts are actually entered into and no such contract shall be valid unless it shall be approved and signed by the Township Commissioner

No purchase of materials and no purchase of equipment and machinery which shall involve the expenditure of more than one hundred dollars ($100) shall be made except by contract in writing An itemized report of all purchase of materials and of all purchase of and repairs to equipment or machinery made by the township supervisors involving an expenditure of less than one hundred dollars ($100) and made without a contract in writing shall be certified to the Township Commissioner

No payment for work done under a contract for the construction reconstruction and improvement of roads or bridges shall be made until an estimate of the work done has been made and submitted to the Township Commissioner of the State Highway Department for his approval or disapproval" is hereby amended to read as follows

IV. To purchase such timber material equipment machinery road-drags tools and implements as shall be necessary for making and repairing roads and bridges to employ sufficient number of laborers to make and repair the same and to contract for the construction reconstruction and improvement of roads

All contracts for the construction of bridges and for the construction reconstruction and improvement of roads and for the purchase of materials used in such work and for the purchase of equipment and machinery costing in execss of two hundred dollars ($200.00) shall be submitted to the State Highway Department for approval or disapproval before such contracts are actually entered into and no such contract shall be valid unless it shall have this approval

No final payment for work done under a contract for the construction reconstruction and improvement of roads or bridges shall be made until the final estimate of the work done has been made and submitted to the State Highway Department for its approval or disapproval

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1457 (Senate Bill No. 657), entitled:

An Act empowering School Districts to employ a Police Force

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1466 (Senate Bill No. 761), entitled:

An Act to amend section two of an act approved the twenty-second day of April one thousand nine hundred and nine (Pamphlet Laws one hundred twenty-one) entitled "An act restricting the use of the word 'trust' as part of a corporate name forbidding advertising or doing business as a trust company except by corporations under the supervision of the banking department and providing a penalty for violations thereof"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1421 (Senate Bill No. 268), as follows:

A Joint Resolution proposing an amendment to article four section eight of the Constitution of the Commonwealth of Pennsylvania prohibiting after adjournment the appointment to office of any person whose nomination the Senate failed to confirm

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section eight of article four be amended by adding thereto the following

No person nominated for any office for the advice and consent of the Senate whose nomination was not confirmed by the Senate shall be appointed during the ensuing recess of the Senate to any office to which the advice and consent of the Senate is required by the Constitution or the laws of the Commonwealth except Justice of the Peace or Notary Public

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1460, (Senate Bill No. 793), entitled:

An Act to repeal the act approved the tenth day of May one thousand eight hundred and seventy-one (Pamphlet Laws six hundred sixty-seven) entitled "An act to empower the school directors of Tuscarora and Spruce Hill townships in the county of Juniata to annex certain lands in Spruce Hill township and Tuscarora township in the county of Juniata for school purposes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1446, (Senate Bill No. 285), entitled:

An Act making a deficiency appropriation to the Cottage State Hospital situated in Connellsville Fayette county Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1430, (Senate Bill No. 770), entitled

An Act fixing the salary of sheriffs in counties of the eighth class providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county and prescribing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1428, (Senate Bill No. 654), entitled.

An act to amend sections one two three and four of an act approved the eighteenth day of June one thousand nine hundred and nineteen (Phamphlet Laws four hundred ninety-eight) entitled "An act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1386, (Senate Bill No. 446), entitled

An Act fixing the salaries of the county commissioners county controller county treasurer register of wills recorder of deeds and clerk of the courts in counties of the third class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1442, (Senate Bill No. 769), as follows

A Supplement to an act approved the tenth day of March one thousand nine hundred and twenty-one (appropriation acts page eleven) entitled "An act making an appropriation to the State Highway Department for the construction of permanent State Highways for the payment of the Commonwealth's share in the expenses of constructing State-aid highways for the maintenance and repair of State Highways within the limits of boroughs for the maintenance and repair of State-aid highways for the payment of rewards due townships of the second class for the payment of damages to property caused or occasioned in connection with the work of the State Highway Department" by extending the date for the apportionment of State-aid appropriations made by said act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners may by formal action at any time before December thirty-first one thousand nine hundred and twenty-three take up State-aid applications on file with the State Highway Department for the amount of the appropriation made by the act approved the tenth day of March one thousand nine hundred and twenty-one- (appropriation acts page eleven) entitled "An act making an appropriation to the State Highway Department for the construction of permanent State Highways for the payment of the Commonwealth's share in the expenses of constructing State-aid highways for the maintenance and repair of State Highways within the limits of boroughs for the maintenance and repair of State-aid highways for the payment of rewards due townships of the second class for the payment of damages to property caused or occasioned in connection with the work of the State Highway Department" for the payment of the Commonwealth's share in the expenses of constructing State-aid highways and which has been ratably apportioned by the State Highway Commissioner among the several counties in accordance with existing law and the unused balances of said appropriation shall not revert to the State-aid fund for redistribution among the several counties which have filed with the State Highway Department formal indication of preference for taking up applications requiring the expenditure of such sums greater than the amount of their apportionment until after said thirty-first day of December one thousand nine hundred and twenty-three

Section 2 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1436, (Senate Bill No. 59), entitled:

An Act to repeal an Act entitled "An Act to regulate the practice of the profession of engineering and of land surveying creating a State Board for the registration of Professional Engineers and Land Surveyors defining its powers and duties imposing certain duties upon the Commonwealth and political subdivisions thereof in connection with public work and providing penalties"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

The SPEAKER. If there are no objections the Chair will take up the first reading calendar on page 14. Are there objections? The Chair hears none.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1314, entitled:

An Act to give concurrent jurisdiction to the municipal court in actions for divorce in any judicial district in which such court shall exist and providing that all laws relating thereto are hereby made applicable to said court

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1443, (Senate Bill No. 15), entitled:

An Act relating to the retirement of certain officers and employes of the State Government and their compensation including officers and employes heretofore retired

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1451 (Senate Bill No. 629), entitled:

An Act to amend part of section three of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An Act to provide for the incorporation and regulation of certain corporations" by authorizing certain corporations of the first class to be incorporated by the Governor

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1148 (Senate Bill No. 345), entitled:

An Act to amend section two of the act, approved the eleventh day of July, one thousand nine hundred and one, (P. L. 663) entitled "An Act to regulate and establish the fees to be charged by Sheriffs in this Commonwealth, and to provide for the taxation and collection of the same."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1438 (Senate Bill No. 494), entitled:

An Act to exempt from county, city, borough, township, county, road, school and poor taxes, real and personal property owned by one or more corporations of purely public charity and used by such owner or owners and other similar associations or corporations exclusively for the purposes of such occupants.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1150 (Senate Bill No. 347), entitled:

An Act empowering any chief deputy appointed by deed of any sheriff in any county of this Commonwealth to perform any duty incumbent upon such sheriff, until a written revocation of such appointment be recorded. with like effect as if such official act had been done by the sheriff in person, regardless of the ability or temporary disability of such sheriff to act, while such sheriff continues in office.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1149 (Senate Bill No. 346), entitled:

An Act authorizing the sheriffs of the several counties of this Commonwealth to organize themselves into a State Association for the purpose of holdiug annual meetings to secure more uniformity and co-operation in the conduct of their offices and providing for the payment of certain expenses in connection with such meetings by the various counties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1467 (Senate Bill No. 764), entitled:

An Act fixing the salary of court criers in counties of the sixth class

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 90, entitled:

A further supplement to an act, approved the first day of April, one thousand eight hundred and sixty-three (Pamphlet Laws, two hundred and thirteen, entitled "An act to accept the grant of public lands by the United States to the several States for the endowment of agricultural colleges", and making an appropriation for carrying the same into effect.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 91, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of, and purchase of equipment for, the university and for the maintenance of teaching facilities in hospitals for students in the school of medicine.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1129, entitled:

An act to amend section twenty-four of an act approved the thirteenth day of May Anno Domini one thousand nine hundred and fifteen entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupation and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" so far as to fix responsible upon school authorities in school districts of the first second and third classes for enforcing in such districts the provisions of the child labor law relating to street trades and to prescribe the means of such enforcement

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1268, entitled:

An Act prohibiting the appointment of certain persons as police officers game protectors fish wardens and detectives

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 535, entitled:

An Act providing a method of annexation of cities boroughs townships or parts of townships to cities of the third class regulating the proceedings pertaining thereto and repealing inconsistent legislation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 189, entitled:

An Act making an appropriation to the trustees of Temple University at Philadelphia Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1458, (Senate Bill No. 690), entitled:

An Act authorizing and empowering counties of the second class in this Commonwealth to acquire by lease, purchase or condemnation proceedings any land within the county for he purpose of establishing and maintaining airdromes or aviation landing fields; providing for the precedure in case of condemnation and the extent of title acquired; authorizing the lease by the county of portions of said land to individuals or corporations upon such term as may be fixed and the lease thereof to the Government of the United States upon nominal rental; authorizing and empowering the county to use land now owned by it for such purposes and authorizing joint operation by said county and any city within the county of airdromes or aviation land fields where such city is authorized to establish and maintain the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1459 (Senate Bill No. 691), entitled:

An Act authorizing and empowering the cities of the second class in this Commonwealth to acquire by lease purchase or condemnation proceedings any land within or without the limits of said cities but within the limits of the counties in which such cities are located for the purpose of establishing and maintaining municipal airdromes or aviation landing fields providng for the procedure n cases of condemnation and the extent of title acquired authorizing the lease by the cities of portions thereof to individuals or corporations upon such terms as may be fixed and the lease thereof to the Government of the United States upon nominal rental and empowering said cities to operate and maintain fields jointly with any county within which said city is situate where the county is empowered to operate and maintain an airdrome or aviation landing field

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1393 (Senate Bill No. 294), entitled:

An Act to amend section two andfive of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An Act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1146 (Senate Bill No. 341), entitled:

An Act fixing the mileage chargeable by sheriffs requiring its pay in advance in certain cases and providing for its taxation and collection as sheriff's costs when unpaid

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1450 (Senate Bill No. 497), entitled:

An Act relating to county bridges authorizing counties to issue and sell bonds for the erection thereof and providing for the division of the cost of construction and erection of joint county bridges and the collection of tolls thereon

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1147 (Senate Bill No. 343), entitled:

An Act to amend section two of an act, approved the twenty-sixth day of May, one thousand eight hundred and ninety-seven (P. L. 95), entitled "An Act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff, and claimed to belong to others than the defendant in the execution or process," as amended.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 396, entitled:

An Act to amend route number two hundred and thirty of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth; and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways, making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

TIME EXTENDED ON BILL.

Mr. ALLEN J. STEVENS. Mr. Speaker, I move that the time on House Bill No. 751, (Senate Bill No. 40) file folio 475 entitled:

An Act fixing the salary of the prothonotary in counties of the eighth class and providing for the payment of all fees and commissions into the county treasury

on page 10 of today's calendar, bills on third reading postponed be extended five days.

Miss BENTLEY. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL.

Mr. STORER. Mr. Speaker, I move that the time on House Bill No. 1164 file folio 5273 entitled:

An Act amending an act entitled "An act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth" approved the tenth day of April Anno Domini one thousand eight hundred and sixty-seven Pamphlet Laws page sixty-two

on page 11 of today's calendar, bills on third reading postponed be extended five days.

Miss THOMAS. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL

Mr. STORER. Mr. Speaker, I move that the time on House Bill No. 855 file folio 1477 entitled:

An Act authorizing the county commissioners and sheriff of any county of the second class to organize a uniformed and mounted Police

on page 8 of today's calendar, bills on third reading postponed be extended five days.

Miss THOMAS. Mr. Speaker, I second the motion.

The motion was agreed to.

ADJOURNMENT.

Mr. DUNN. Mr. Speaker, I move that this House do now adjourn until 9:30 Monday evening, May 7, 1923.

The motion was agreed to and (at 10:29 o'clock A. M.) the House adjourned until Monday evening at 9:00 o'clock, May 7, 1923.

COMMONWEALTH OF PENNSYLVANIA

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SENATE

MONDAY, MAY 7, 1923.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor **David J. Davis**) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Our Heavenly Father: We believe Thou art everywhere; not only in the Heavens above but here on earth. Thou art in the sanctuary and we meet Thee as we worship there Sunday by Sunday. But more than this, Thou art in the home and the school, in the factory and in the marts of trade. Thou art with the mothers and with the little children. Thou art with the men who toil with their hands and with those who toil with their brains. Thou art in all places. Be present in this Senate chamber tonight we pray Thee, and bless these Senators in all the work they have to do. For Jesus' sake. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE.

Mr. MacDADE asked and obtained leave of absence for the Senator from Philadelphia, Mr. **Woodward**, on account of illness in his family.

HOUSE MESSAGES.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 134.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 134, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section sixteen

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 916.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 916, entitled:

An Act to amend sections eighteen twenty-six thirty-two thirty-four thirty-eight fifty-four fifty-five fifty-six fifty-seven fifty-nine and sixty-one of an act entitled "An Act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine)

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1313.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1313, entitled:

An Act to amend section ten of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred eleven) entitled "An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as amended

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 142, (Senate Bill No. 1120), entitled:

An Act making an appropriation to the County of Philadelphia for the payment of a judgment obtained by the said county against the Commonwealth of Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 275, (Senate Bill No. 1121), entitled:

An Act providing for the recovery and collection of taxes assessed on either real or personal property by action of assumpsit against the owner or owners of the real or personal property upon which or against the owner of which the said taxes have been assessed

Which was committed to the Committee on Judiciary General.

House Bill No. 603, (Senate Bill No. 1122), entitled:

An act concerning declaratory judgment and decrees and to make uniform the law relating thereto

Which was committed to the Committee on Judiciary General.

House Bill No. 831, (Senate Bill No. 1123), entitled:

An act providing punishment for the selling and furnishing of intoxicating liquors or liquids represented as intoxicating liquors contrary to law thereby causing the death of persons drinking the same

Which was committed to the Committee on Law and Order.

House Bill No. 970, (Senate Bill No. 1124), entitled:

An Act to amend section one of an act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand sixty-five) entitled "A further supplement to an act approved the twenty-fourth day of July one thousand nine hundred thirteen (Pamphlet Laws nine hundred seventy-seven) entitled 'An Act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violation of its provisions and to repeal acts inconsistent herewith"

Which was committed to the Committee on Elections.

House Bill No. 1002, (Senate Bill No. 1125), entitled:

An Act to further amend part of section six of an act, approved the thirty-first day of May, Anno Domini one thousand nine hundred and eleven, entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several township or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes, or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts, or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended.

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 1091, (Senate Bill No. 1126), entitled:

An act providing for the safe-keeping of ballot boxes by the sheriff wherein any vacancies occurs in the office of justice of the peace or persons designated by the Court of Common Pleas to receive ballot boxes and making the sheri responsible for the safe-keeping of such ballot boxes whil in his possession

Which was committed to the Committee on Elections.

House Bill No. 1112, (Senate Bill No. 1127), entitled:

An act to amend section one of an act, approved the twenty-second day of July Anno Domini, One thousand nine hundred and nineteen (Pamphlet Laws, one thousand and ninety-three), entitled, "An act creating, in counties having population of from eight hundred thousand to one million five hundred thousand, a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; fixing their salaries, payable by the county; defining the powers and duties of such board, and regulating the assessment of property and occupations for State and county purposes authorizing the appointment of subordinate assessors and clerks, defining their duties and providing for their compensation, payable by such counties; imposing a penalty on subordinate assessors for failure to comply with certain provisions of this act, and abolishing the office of ward, borough, and township assessor, in so far as respects the assessment of property and occupations for State and County purposes," as amended.

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1134, (Senate Bill No. 1128), entitled:

An Act fixing the per diem compensation of assistant or registry assessors of boroughs and second class townships for attendance at elections

Which was committed to the Committee on Elections.

House Bill No. 1206, (Senate Bill No. 1129), entitled:

An Act to amend Route two hundred and sixty-four of section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing the same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 1338, (Senate Bill No. 1130), entitled:

An Act providing a means whereby the individual Justice of the Peace may inform himself as to the law changes in the law and decision of the Courts on the law of this Commonwealth

Which was committed to the Committee on Judiciary General.

House Bill No. 1411, (Senate Bill No. 1131), entitled:

An Act to amend section one of an act approved the twenty-seventh day of April one thousand nine hundred and eleven (Pamphlet Laws eighty-six) entitled "An Act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants providing for the payment of the same by the particular county limiting the number of tipstaves to be appointed and repealing an act of Assembly entitled 'A act to regulate the fees of court criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants' approved the twenty-ninth day of April Anno Domini one thousand nine hundred and nine" as amended

Which was committed to the Committee on Judiciary General.

HOUSE CONCURS IN SENATE BILL NO. 282.

He also returned to the Senate, Senate Bill No. 282, entitled:

An act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 649.

He also returned to the Senate, Senate Bill No. 649, entitled:

An act to repeal the act approved the sixth day of June one thousand eight hundred and seventy-three (one thousand eight hundred and seventy-four Pamphlet Laws four hundred ten) entitled "An act to provide for the creation of a board of examiners and the appointment of an inspector of steam engines and steam boilers for the county of Allegheny"

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 30.

He also returned to the Senate, Senate Bill No. 30, entitled:

An Act to amend an act approved May fifth one thousand nine hundred and twenty-one (Pamphlet Laws three hundred seventy-nine) entitled "An Act to amend an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand fifty-nine) entitled 'An Act extending the powers of judges of courts of quarter sessions and of oyer and terminer in relation to releasing prisoners in jails and workhouses on parole' by extending said act to include houses of correction conferring similar powers on other courts of record and providing that the power of parole shall extend for a period not to exceed the maximum sentence as provided by law" providing the procedure in cases of parole conferring power to parole upon the several courts instead of judges thereof and fixing the time when petitions for parole may be first presented

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 46.

He also returned to the Senate, Senate Bill No. 46, entitled:

An Act making an appropriation to carry into effect the provisions of an act approved July ninth one thousand nine hundred and nineteen (Pamphlet Laws eight hundred fourteen) entitled "An Act providing for the erection and construction by the Commonwealth of Pennsylvania and the State of New Jersey of a bridge over the Delaware River connecting the city of Philadelphia and the city of Camden and the approaches thereto providing for a joint commission for that purpose and defining its powers and duties providing for an independent commission in this Commonwealth in relation thereto and defining its powers and duties providing for the payment of a part of the cost thereof by the city of Philadelphia and providing for the acquiring taking and condemnation of the real estate for the site and approaches thereof providing for the turning over of said bridge upon its completion and making an appropriation for the purposes of this act" and its amendments

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 496.

He also returned to the Senate, Senate Bill No. 496, entitled:

An act to further amend section two of an act approved the twentieth day of June, one thousand nine hundred and nineteen, (Pamphlet Laws five hundred and twenty-one) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing acts for repeal" as amended

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 448.

He also returned to the Senate, Senate Bill No. 448, entitled:

An act providing for the transfer to Pennsylvania of the titles to and liens affecting any lands heretofore regarded as being in the state of Delaware but found to be in Pennsylvania in accordance with the interstate boundary run by the joint commission of said States appointed by virtue of the act of Assembly of Pennsylvania approved the fourth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws eighty-one) entitled "An act relative to the boundary lines and boundary line monuments"

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 781.

He also returned to the Senate, Senate Bill No. 781, entitled:

An Act authorizing the State Highway Commissioner to combine certain State Highways or any part or sections thereof into a route under a common letter name number or other marker or designation or any combination thereof for the purpose of informing and assisting the traveling public in and through the State

with the information that the House has passed the same without amendment.

SENATE BILL NO. 511, RETURNED WITH AMENDMENTS.

He also returned to the Senate, Senate Bill No. 511, entitled:

An Act making it a misdemeanor to forge or to make or manufacture any object with intent of representing or of permitting the same to be represented as an archeological specimen or to sell or exchange or to possess for the purpose of selling or exchanging as such any object so unlawfully forged made or manufactured and providing penalties

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution were twice read, as follows:

Amend title, line 1, by striking out the words "to forge or"; also line 6 by striking out the word "forged"; also section 1, page 1, line 4, by striking out the following: "a reproduction copy or forgery of any archaeological object or to make or manufacture"; also line 6 by striking out the words "whether copied or not"; also page 2, line 4, by striking out the words "forged or".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix.
Davis.
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher.
Huffman,
Jones,
Joyce.
Krause,
Kutz.
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus.
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES.

Mr. PHIPPS, from the Committee on Military Affairs, re-reported as committed, Senate Bill No. 920, (House Bill No. 448), entitled:

An Act requiring the display of the United States flag at all polling places providing for the purchase by the county commissioners and its care between elections.

Mr. STEELE, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 811, (House Bill No. 333), entitled:

An Act authorizing the State Highway Department the Public Service Commission, counties, cities, boroughs, townships, and railroad and railway corporations to purchase or condemn by the right of eminent domain free and unobstructed view over and across lands at certain highway railroad and railway intersections and curves so as to prevent and permit removal of interference with and obstruction of the vision of users of said highways, railroads and railways and providing for the use of such lands in such manner as not to interfere with a free and unobstructed view.

Mr. DAIX, from the Committee on Judiciary General, re-reported as committed, Senate Bill No. 834, (House Bill No. 848), entitled:

An Act to provide for the care treatment and maintenance of dependent crippled children conferring powers in connection therewith upon the Department of Public Welfare and Juvenile Courts and imposing certain expenses upon counties.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 812, (House Bill No. 388), entitled:

An Act providing that the negligence of a servant or employe of any municipality shall under the rule of respondent superior be attributable to the municipality responsible for his compensation or wages.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 498, entitled:

An Act to amend sections one, two and seven of an Act approved the seventeenth day of May, one thousand nine hundred twenty-one, (Pamphlet Laws 912), entitled "An Act to regulate the drilling, operating and abandoning of oil and gas wells, and providing a penalty for violation of the provisions of this act" by providing regulations for the drilling and abandoning of oil or gas wells drilled through a marketable vein of coal or any mine therein.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 843, (House Bill No. 920), entitled:

An Act to amend section one of the act approved the fourteenth day of April, one thousand nine hundred five (P. L. 169) entitled "An Act making it unlawful to trespass upon land posted as private property and providing the penalty therefor."

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 1092, (House Bill No. 1234), entitled:

An Act authorizing the creation of a commission to negotiate with the duly constituted agents of the States of New York and New Jersey for the regularization of the flow of the Delaware River the conservation apportionment and utilization of the water resources thereof providing the method of ratification of such compact by this Commonwealth and prescribing the conditions of its being in full force and effect.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 1093, (House Bill No. 1235), entitled:

An Act authorizing Department of Forestry to grant on terms conditions and stipulations, rights to occupy and use any portions of the State Forests for dams, reservoirs, canals pipe lines and other water conduits for water supply purposes and providing for forfeiture and other remedies for breach of such terms conditions and stipulations.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 1094, (House Bill No. 1236), entitled:

An Act providing for a giant power survey creating a Giant Power Survey Board defining the power and duties thereof, requiring officers, Departments, Commissions and other agencies of the Commonwealth to give information thereto and making an appropriation.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 1095, (House Bill No. 1238), entitled:

An Act authorizing the Department of Forestry to lease for periods of not more than fifty years on terms, conditions and stipulations expressed in each lease any portions of the State Forests for dams reserviors canals pipe lines and other water conduits power houses and transmission lines for the development of water power for steam raising and condensation and for the generation and transmission of electric energy

Mr. KRAUSE, from the Committee on Agriculture, reported as committed, Senate Bill No. 490, entitled:

An Act for the protection of live stock by prohibiting the use of metal and wire tag fasteners on bags containing feeding stuffs.

Mr. DAIX, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 808, (House Bill No. 136), entitled:

An Act requiring telephone companies operating in the same territory to make connections and to provide for the interchange of messages regulating the rates to be charged for such interchange and confering certain powers and duties in connection therewith upon the Public Service Commission.

Mr. SPROWLS, from the Committee on Game and Fisheries, reported as committed Senate Bill No. 1036, (House Bill No. 353), entitled:

An Act to amend section eight of the act approved the sixteenth day of May, one thousand nine hundred and twenty-one, (P. L. 559), entitled "An Act for the better protection of fish; requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth, or in the waters bounding or adjacent thereto; and regulating the issuance of such license; providing penalties for the violation of this act, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the penalites recovered and license fees received," by making county treasurers agents of the Commonwealth in collecting license fees and issuing licenses.

Mr. EINSTEIN, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 1118, (House Bill No. 1084), entitled:

A Supplement to an act approved the twenty-third day of June, one thousand nine hundred eleven, Pamphlet Laws one thousand one hundred twenty-three, entitled "An act establishing in each county a Board of Viewers, prescribing their duties, providing for their appointment as viewers road juries, juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" as the same was amended and supplemented by subsequent acts, by providing for the compensation to be paid to the members of the Board of Viewers in counties of the second class.

Mr. STINEMAN, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 1023, (House Bill No. 686), entitled:

An Act authorizing probation officers of the various counties to attend the annual State Association or Conference of Probation and Parole and providing for the payment of their expenses and membership dues by counties.

Also from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 538, (House Bill No. 571), entitled:

An Act to amend section three hundred and twenty-five of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships revising amending and consolidating the law relating thereto" changing the compensation of township auditors.

Mr. HOMSHER, from the Committee on Agriculture, reported as committed, Senate Bill No. 1111, (House Bill No. 352), entitled:

An Act to amend section three of the act approved the eleventh day of May, 1921 (P. L. 522) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs, providing for the licensing of dogs by the Secretary of Agriculture, providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases, providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State, county, city, borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" making the county treasurer the agent of the Commonwealth in the issuing of licenses and the collection of fees and providing his compensation for such services.

Mr. SISSON, from the Committee on Agriculture, reported as committed, Senate Bill No. 671, (House Bill No. 719), entitled:

An Act to amend sections two, three and thirteen, and to repeal section eleven of the act approved the ninth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred nine), entitled "An Act prescribing the powers and duties of the Bureau of Markets in the Department of Agriculture; providing for co-operation with the Bureau of Standards of the Department of Internal Affairs to establish standard receptacles for farm products and to promulgate regulations for the enforcement thereof; and prescribing penalties for violations of the provisions of this act," by clarifying certain provisions, extending said act to cover the manufacture of standard receptacles for farm products and providing that violations be prosecuted by summary proceeding.

Mr. DAVIS, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 895, (House Bill No. 1086), entitled:

An Act providing for the public health, safety and welfare requiring owners and operators of coal mines and operations to furnish and sell fuel coal at current or market prices to and for the use of Hospitals, poor houses or other charitable institutions, schools, churches and buildings of municipal or quasi municipal character and providing penalties for the violation of this act.

Mr. SCHANTZ, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1030, (House Bill No. 1058), entitled:

An Act authorizing cities and boroughs to appropriate moneys to organizations of veterans to assist in paying rent.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 109, entitled:

An Act making an appropriation to the commission constituted for the purpose of acquiring and maintaining toll bridges over the Delaware River between Pennsylvania and New Jersey.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 278, entitled:

An Act authorizing the Governor to appoint a commission which, with a similar commission of the State of New Jersey is authorized to acquire, purchase, maintain, and operate ice boats on the Delaware River to keep said river open to navigation.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 320, entitled:

An Act authorizing the Secretary of Agriculture separately or jointly with the county commissioners to provide for the installation of rural index maps and signs.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 559, entitled:

An Act making an appropriation to the commission constituted for the purpose of acquiring and maintaining toll-bridges over the Delaware River between Pennsylvania and New York.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 777, entitled:

An Act authorizing the commissioners of Valley Forge Park to convey certain lands to an Historical Society incorporated to secure, preserve and publish documents relating to the history of Valley Forge and the heroes of the United States in creating and perpetuating the republic and making an appropriation of the moneys received therefor.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 941, (House Bill No. 939), entitled:

An Act providing for the payment of certain claims for damages done to livestock, poultry or bees by bear providing a method for the ascertainment of such damages and making an appropriation.

Also from the Committee on Appropriations, reported as amended Senate Bill No. 1082, entitled:

An Act making an appropriation to pay for the care treatment removal and maintenance of the indigent insane for two years ending the thirty-first day of May, 1925.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 1083, entitled:

An Act making an appropriation to pay for the deficiency in the care, treatment, removal and maintenance of the indigent insane for the two years ending May thirty-first, 1923.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1113, (House Bill No. 444), entitled:

An Act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1120, (House Bill No. 142), entitled:

An Act making an appropriation to the County of Philadelphia for the payment of a judgment obtained by the said county against the Commonwealth of Pennsylvania.

Mr. LONG, from the Committee on Agriculture, reported as committed, Senate Bill No. 1084, entitled:

An Act requiring all State institutions to use bread stuffs made from Pennsylvania milled flour and corn meal and milled from Pennsylvania grown wheat, rye and corn.

Mr. BUCKMAN, from the Committee on Agriculture, reported as amended, Senate Bill No. 715, (House Bill No 693), entitled:

An Act providing for the quarantine and control of the Japanese Beetle imposing certain powers and duties on the Department of Agriculture providing penalties and making an appropriation.

Mr. MANSFIELD, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1037, (House Bill No. 428), entitled:

An Act to amend section one of the act approved the twenty-first day of April 1921, (P. L. 268) entitled "An act relating to police pension funds in cities of the third class and directing such cities to appropriate certain moneys thereto"

Mr. DAIX, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 814, (House Bill No. 440), entitled:

An Act to provide for the licensing of transient retail merchants in cities boroughs and townships and providing a penalty for the failure to obtain such license

Also from the Committee on Judiciary Special, reported as committed, Senate Bill No. 526, (House Bill No. 383), entitled:

An Act to repeal the act approved July 25, 1913 (P. L. 1273), entitled "An act to authorize the compilation and publication of not less than two or more than four volumes of Statutes at Large of Pennsylvania in addition to the sixteen volumes heretofore authorized additional volumes being necessary to connect the Statutes at Large and the Pamphlet Laws of Pennsylvania in a serial and complete publication of the Laws of the Province and Commonwealth and to provide for the appointment of a Commission to control and supervise the preparation of said volumes and of a competent person to compile and edit them and making an appropriation therefor."

Mr. KUTZ, from the Committee on New Counties and County Seats, reported as amended, Senate Bill No. 1042, (House Bill No. 1023), entitled:

An Act providing a system of employment and compensation for the inmates of county jails and prisons.

Mr. VARE, from the Committee on Elections, reported as amended, Senate Bill No. 889, (House Bill No. 1), entitled:

An Act fixing the pay of election officers and clerks in cities of the first class.

Mr. SCHANTZ, from the Committee on Appropriations, reported as committed, Senate Bill No. 765, entitled:

A Joint Resolution providing for the continuation of the commission appointed in accordance with the provisions of a joint resolution, approved the twenty-fifth day of July, 1917, (P. L. 1188), entitled "A joint resolution providing for a commission to submit a revised penal code of Pennsylvania, and making an appropriation for the expenses of the commission;" providing for additional members; and making an appropriation.

Mr. BARR, from the Committee on Education, re-reported as amended, Senate Bill No. 896, (House Bill No. 1229), entitled:

An Act to further amend section one thousand two hundred ten as amended, of an act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

Mr. SCHANTZ, from the Committee on Appropriations, reported as amended, Senate Bill No. 832, (House Bill No. 813), entitled:

An Act to amend section one of an act approved the eighth day of May, 1889 (P. L. 127), entitled "A supplement to the act of April 28th, 1869 entitled 'An act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge therefrom fixing the amount of compensation to be paid to the commissioners appointed under section six of said act and declaring who shall be liable therefor and for the costs of proceedings under said section" by imposing certain duties on the lawyer member of the commission and fixing his compensation therefor.

Mr. STEELE, from the Committee on New Counties and County Seats, reported as amended, Senate Bill No. 394, entitled:

An Act to amend section fifteen as amended, and section seventeen of chapter six of article seven of the act approved May 14, 1915 (P. L. 312), entitled "An Act providing a system of government for boroughs, and revising, amending and consolidating the law relating thereto."

Mr. ARON, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 951, (House Bill No. 1080), entitled:

An Act to make reinstatements in the civil service of persons honorably released from the active military or naval service of the United States after service in any of the wars in which the United States has been engaged.

Also from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 952, (House Bill No. 1095), entitled:

An Act relating to debts of municipalities.

Mr. BUCKMAN, from the Committee on Corporations, reported as committed, Senate Bill No. 419, (House Bill No. 406), entitled:

An Act authorizing corporations incorporated under the laws of any other state of the United States to acquire use encumber and dispose of such real estate and rights and interests in the nature of or in respect to real estate in Pennsylvania as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful for them to exercise in this State defining certain of their powers, rights and liabilities in connection therewith, regulating the exercise of said rights by foreign public service corporations repealing certain acts and validating certain titles, rights and interests heretofore acquired.

BILLS INTRODUCED.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 1132, entitled:

An Act making an appropriation to the trustees of the Jefferson Medical College of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SMITH read in his place and presented to the Chair Senate Bill No. 1133, entitled:

A joint resolution making an appropriation to the Auditor General for the purpose of adjusting and paying certain outstanding bills contracted by the commission appointed under the provisions of the act approved the twenty-fifth day of July, one thousand nine hundred and thirteen, (P. L. 1306), entitled "An Act to provide for the selection of a site and the erection of a State institution for the detention, care and treatment of inebriates, or persons habitually addicted to the use of alcoholic drink or intoxicating drugs, to be called the State Institution for Inebriates, and making an appropriation therefor."

Which was committed to the Committee on Appropriations.

Mr. CLARK read in his place and presented to the Chair Senate Bill No. 1134, entitled:

An Act to authorize the Department of Forestry to offer and to pay rewards for evidence sufficient to convict anyone maliciously setting forest fire and to authorize payment of such rewards to Local Forest Fire Wardens under certain conditions.

Which was committed to the Committee on Forestry.

Also read in his place and presented to the Chair Senate Bill No. 1135, entitled:

An Act to amend section one, paragraph three, of an act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, eight hundred thirty-one), entitled "An Act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth; prescribing the qualifications, defining the powers and duties, and fixing the compensation of such examiners; providing for the appointment and removal of inspectors of anthracite mines, prescribing their qualifications and regulating their salaries and term of office; and abolishing the terms of office of the present mine inspectors of the anthracite mines;" authorizing the Chief of the Department of Mines to determine the maximum number of days for which the members of the Anthracite Mine Inspectors' Examining Board shall receive compensation.

Which was committed to the Committee on Mines and Mining.

Also read in his place and presented to the Chair Senate Bill No. 1136, entitled:

An Act to amend section eleven of an act, approved the seventeenth day of May, one thousand nine hundred twenty-one (Pamphlet Laws, eight hundred thirty-one), entitled "An Act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth; prescribing the qualifications, defining the powers and duties, and fixing the compensation of such examiners; providing for the appointment and removal of inspectors of anthracite mines, prescribing their qualifications, and regulating their salaries and term of office; and abolishing the terms of office of the present mine inspectors of the anthracite mines."

Which was committed to the Committee on Mines and Mining.

Also read in his place and presented to the Chair Senate Bill No. 1137, entitled:

An Act to amend section one, paragraph two, of an act approved the ninth day of June, one thousand nine hundred and eleven (Pamphlet Laws, page seven hundred fifty-six), entitled "An Act to provide for the health and safety of persons employed in and about bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith;" authorizing the Chief of the Department of Mines to determine the maximum number of days for which the members of the Bituminous Mine Inspectors' Examining Board shall receive compensation.

Which was committed to the Committee on Mines and Mining.

Also read in his place and presented to the Chair Senate Bill No. 1138, entitled:

An Act to amend section nine of article nineteen of an act, approved the ninth day of June, one thousand nine hundred eleven (Pamphlet Laws, seven hundred fifty-six), entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith."

Which was committed to the Committee on Mines and Mining.

Mr. McCLINTOCK read in his place and presented to the Chair Senate Bill No. 1139, entitled:

An Act making an appropriation to the Pittsburgh Hospital Association, of Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 1140, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania the purchase by the United States of about one hundred and forty-seven and five hundred and forty-three thousandths acres of land in O'Hara Township, Allegheny County, Pennsylvania, for use in the care and treatment of discharged sick and disabled soldiers and ceding jurisdiction over such land; and also providing for the retention of a concurrent jurisdiction by the Commonwealth of Pennsylvania with the United States on such land for the service of legal process thereupon.

Which was committed to the Committee on Judiciary General.

Mr. STITES read in his place and presented to the Chair Senate Bill No. 1141, entitled:

An Act relating to the condemnation and appropriation of lands, waters, and other property by public service corporations holding limited power permits and limited water supply permits.

Which was committed to the Committee on Corporations.

Also read in his place and presented to the Chair Senate Bill No. 1142, entitled:

An act relating to permits from the Water Supply Commission for the construction of dams for the development of water power, for changing or diminishing the course, current, or cross section of any stream or body of water, for the construction of dams for supplying water for steam power, and dams for water supply; the imposing of reasonable annual charges upon the holders of such permits and the embodying therein of terms, conditions, and stipulations by said Commissions; limiting such permits for the construction of dams for the development of water power, or for in any manner changing or diminishing the course, current, or cross section of any stream or body of water, or for the construction of dams for supplying water for steam power when the same are not within the jurisdiction of the United States under the Federal Water Power Act, to a period of fifty years, but when the same are so within the jurisdiction of the United States requiring the permittee to secure a license under the Federal Water Power Act and making the rights and powers set forth as rights and powers of the United States enforceable by the Commonwealth of Pennsylvania in certain cases; authorizing the flooding of islands owned by the Commonwealth under permits from the Water Supply Commission; empowering the said Commission to make rules, regulations, and orders, and providing remedies for the enforcement thereof, of the provisions of this Act, and of the terms, conditions, and stipulations of permits issued under this Act, and providing for the revocation of such permits in certain cases; and reserving the right of amendment and repeal.

Which was committed to the Committee on Corporations.

Mr. DeWITT read in his place and presented to the Chair Senate Bill No. 1143, entitled:

An act providing for approved electric motors, and requiring attendants at ventilating fans, in the anthracite mines of Pennsylvania, and providing penalties for violations thereof.

Which was committed to the Committee on Mines and Mining.

Mr. STINEMAN read in his place and presented to the Chair Senate Bill No. 1144, entitled:

An Act providing for the collection of city and school taxes in third class cities by the city treasurer, and fixing and providing for the payment of his salary and expenses, and the salaries of his assistants and clerks.

Which was committed to the Committee on Municipal Affairs.

Mr. PHIPPS read in his place and presented to the Chair Senate Bill No. 1145, entitled:

An Act reappropriating moneys to the trustees of the State Institution for Feeble Minded of Western Pennsylvania, at Polk, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. MacDADE read in his place and presented to the Chair Senate Bill No. 1146, entitled:

An Act making it a misdemeanor for any person being or about to be a witness upon any trial or hearing to receive, agree or offer to receive any bribe or other thing of value to influence his testimony at or cause his absence from such trial or hearing and prescribing the punishment therefor.

Which was committed to the Committee on Judiciary General

Mr. DAIX read in his place and presented to the Chair Senate Bill No. 1147, entitled:

An Act to authorize and provide for the transfer of person or persons confined in any penitentiary under sentence of law to some other prision or institution.

Which was committed to the Committee on Judiciary General

Mr. WEAVER read in his place and presented to the Chair Senate Bill No. 1148, entitled:

An Act to amend section three, paragraph one, of an act, approved the eighteenth day of July, one thousand nine hundred and and seventeen (Pamphlet Laws, ten hundred and forty-three), entitled "An Act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contribution by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and proivding for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties", by extending the time for a "present employe", as defined in the act, to elect to be covered by the retirement system, and including among "present employes" those employed in certain educational institutions.

Which was committed to the Committee on Education.

Mr. STEELE read in his place and presented to the Chair Senate Bill No. 1149, entitled:

An Act making an appropriation to the Snyder-Middleswarth Park Commission.

Which was committed to the Committee on Appropriations.

Mr. SCHANTZ read in his place and presented to the Chair Senate Bill No. 1150, entitled:

An Act making an appropriation to the Department of Public Welfare for major repairs and upkeep of plant and equipment in the several State hospitals, homes and institutions.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 1151, entitled:

An Act making an appropriation to the Department of Public Welfare for capital outlay, new construction, alterations, extensions and equipment of the several State Institutions.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 1152, entitled:

An Act making an appropriation to the Department of Public Welfare for administration and operation expenses and maintenance of the State institutions for mental defectives at Laurelton, Polk and Spring City.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 1153, entitled:

An Act making an appropriation to the Department of Public Welfare for administration and operation expenses and maintenance of the State schools for the deaf.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 1154, entitled:

An Act making an appropriation to the Department of Public Welfare for administration and operation expenses and maintenance of the several State medical and surgical hospitals.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Senate Bill No. 1155, entitled:

An Act making an appropriation to the Department of Public Welfare for the support and expenses of the State Penal and Correctional Institutions.

Which was committed to the Committee on Appropriations.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 472.

Mr. PHIPPS, offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 7, 1923.

Resolved (if the House of Representatives concur), That Senate Bill No. 472, File Folio 1153, entitled "An act to amend section one of an act, approved the eighteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand and seventy-two), entitled 'An act providing a method of establishing title to land acquired at a sale for unpaid taxes' extending the provisions of said act to all such sales," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

REPORT FROM COMMITTEE.

Mr. STINEMAN. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STINEMAN, from the Committee on Forestry, reported as committed, Senate Bill No. 1134, entitled:

An Act to authorize the Departemnt of Forestry to offer and pay rewards for evidence sufficient to convict anyone maliciously setting forest fire and to authorize payment of such rewards to Local Forest Fire Wardens under certain conditions.

COMMUNICATIONS FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which were read as follows:

APPROVAL OF SENATE BILL No. 217.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 3, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 217, entitled, "An act to amend section one of an act approved the thirteenth day of April one thousand eight hundred and eighty-seven (Pamphlet Laws twenty-one) entitled 'An act for the establishment of a uniform standard of time throughout the Commonwealth' prohibiting the adoption of other standards of time".

GIFFORD PINCHOT.

APPROVAL OF SENATE BILLS NOS. 84, 438 AND 489.

Commonwealth of Pennsylvania,
Executice Chamber, Harrisburg, May 3, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed the following:

Senate Bill No. 84, entitled, "An Act relating to the acquisition of land for park purposes by any city in this Commonwealth in sections not entirely built up limiting time for condemnation by councils or condemnation or purchase by park commissioners after same has been placed on city plan for park purposes by ordinance of councils or action of park commissioners and providing for removal from city plan upon failure to condemn or purchase within time specified herein."

Senate Bill No. 438, entitled, "An act making a deficiency appropriation to the Commissioners of Fairmount Park".

Senate Bill No. 489, entitled, "An Act to amend section two of the Act of April nineteen one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled 'An act relating to replevin and regulating the practice in cases where the writ of replevin is issued".

GIFFORD PINCHOT.

APPROVAL OF RESOLUTION RECALLING FROM GOVERNOR SENATE BILL No. 337.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 25, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 337, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF SENATE BILL NO. 337, RECALLED FROM THE GOVERNOR.

Mr. BUCKMAN. Mr. President, I move to reconsider the vote by which the bill passed finally.

The PRESIDENT. How did the Senator vote?

Mr. BUCKMAN. Mr. President, I voted "aye"

Mr. SALUS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SALUS. Mr. President, I voted "aye"

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. BUCKMAN. Mr. President, I move to reconsider the vote by which the bill passed third reading.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. BUCKMAN. Mr. President, I ask unanimous consent to amend title, page 3, line 15, by striking out the words "payment of damages" also line 16, by striking out the words "for change of grades of highways and for"; also line 17, by striking out the words "and authorizing counties"; also by striking out line 18, being the words "to incur indebtedness for the payment of such dam" by striking out line 19 as follows :"ages"; also Section 1, page 8, line 1, by striking out the words "change of grade" also line 2, by striking out the word "change"; also line 5, by striking out the word "grades" and inserting in lieu thereof the word "width" by striking out the word "damages" and inserting in lieu thereof the word "damaged"

The PRESIDENT. Is there objections? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended,

It was agreed to.

Ordered, that the bill as amended be printed for the use of the Senate.

NOMINATIONS BY THE GOVERNOR.

ALDERMAN.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 7, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate Miss Kathrine E. Bentzel, of York, as Alderman, in and for the Sixth Ward of the City of York, York County, vice Edward D. Bentzel, deceased, to serve until the first Monday in January 1924.

GIFFORD PINCHOT.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 7, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ADAMS COUNTY.

Miss Rhoda E. Breighner, Gettysburg.

ALLEGHENY COUNTY.

Michael J. Benedik, Duquesne.
D. R. Morris, Pittsburgh.

DAUPHIN COUNTY.

David M. Wallace, Harrisburg.

LACKAWANNA COUNTY.

Miss Catherine E. Regan, Scranton.
James A. Shingler, Winton.

LEHIGH COUNTY.

George Thomas Leisenring, Allentown.
Miss Beatrice E. McFadden, Allentown.

LUZERNE COUNTY.

Arthur L. King, Wilkes-Barre.

NORTHAMPTON COUNTY.

Edward J. Fox, Jr., Easton.

PHILADELPHIA COUNTY.

Robert M. Hogan, Phila., 242 E. Rockland St.
William R. Horn, Phila., 1225 Allengrove St.
Daniel L. Husted, Jr., Phila., 618 Arthur St.
Miss. Dorothy L. King, Yeadon.
Miss F. V. Lordan, Phila., 1546 S. 55th St.
Robert B. Moore, Phila., 5538 Ridgewood St.
Eric Ruegenberg, Phila., 1131 E. 41st St.
Mrs. Teresa M. Weist, Phila., 929 Chestnut St.

YORK COUNTY.

J. R. Markle, Hanover.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Excutive Chamber, Harrisburg, May 7, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date or expiration of their present commissions:

ALLEGHENY COUNTY.

O. R. Cooke, Carnegie, April 21, 1923.
L. F. DAUME, E. McKeesport, May 17, 1923.
J. B. Donley, Pittsburgh, May 20, 1923.
Miss Alma A. Jordan, Pittsburgh, May 13, 1923.
Ray Maxwell, Wilkinsburg, May 18, 1923.
Roy J. Sternagle, Pittsburgh, April 1, 1923.
Fabian W. Wright, Pittsburgh, May 19, 1923.

ARMSTRONG COUNTY.

W. W. Marshall, Rural Valley, May 20, 1923.
Alfred Shoop, Rural Valley, May 20, 1923.

BUCKS COUNTY.

Titus Franklin, Furlong, May 20, 1923.

CHESTER COUNTY.

Charles N. Howell, Jr., Phoenixville, May 16, 1923.

DAUPHIN COUNTY.

James D. Bowman, Millersburg, May 12, 1923.

ERIE COUNTY.

Eugene J. Blakely, Erie, May 5, 1923.
Rubert R. Rall, Erie, April 1, 1923.
Miss Lillian R. Scully, Erie, May 5, 1923.

LUZERNE COUNTY.

L. T. Seward, Shickshinny, May 19, 1923.

McKEAN COUNTY.

Ira McCarthy, Eldred, May 15, 1923.

MONTGOMERY COUNTY.

James B. Ferree, Ardmore, May 19, 1923.

NORTHAMPTON COUNTY.

Frank G. Shimer, Easton, April 13, 1923.

PHILADELPHIA COUNTY.

Joseph Fisher, Philadelphia, May 19, 1923.
Thomas J. Lappin, Philadelphia, May 17, 1923.
Miss Elizabeth V. Martin, Philadelphia, May 20, 1923.
Abraham Shotz, Philadelphia, May 18, 1923.
George A. Weber, Philadelphia, May 15, 1923.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. BUCKMAN. Mr. President, I move that the Executive Session do now rise.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS SIGNED.

The PRESIDENT (Lieutenant-Governor David J. Davis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 134, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section sixteen

House Bill No. 206, entitled:

An Act to further amend section three of the act approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued" as amended providing for the impounding of property where an affidavit is filed before the issuing of the writ

House Bill No. 225, entitled:

A Supplement to an act approved the twenty-seventh day of May, one thousand nine hundred and twenty-one (P. L. 1173), entitled "An Act constituting a commission to make an investigation of the battlefields of France and Belgium, and to select points for the erection of monuments and markers of appropriate design to commemorate the achievements of Pennsylvania soldiers during the World War; defining the powers and duties of the commission; and making an appropriation;" continuing said commission; providing for the erection of certain memorials in France and Belgium; and making an appropriation.

House Bill No. 276, entitled:

An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior Acts of Assembly

House Bill No. 593, entitled:

An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation

House Bill No. 652, entitled:

An Act relating to suits against and service of process upon corporations organized and existing under the laws of the Commonwealth of Pennsylvania ceasing to do business or ceasing to maintain an office within the Commonwealth and the effect of such service

House Bill No. 740, entitled:

An Act to amend section four hundred and eighty-seven of article one of chapter ten of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

House Bill No. 880, entitled:

An Act to amend section two hundred and seven of an act approved the eighteenth day of May, one thousand nine-hundred and eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

House Bill No. 916, entitled:

An Act to amend section eighteen twenty-six thirty-two thirty-four thirty-eight fifty-four fifty-five fifty-six fifty-seven fifty-nine and sixty-one of an act entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine)

House Bill No. 924, entitled:

An act to amend part of section one of an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

House Bill No. 955, entitled:

An Act making an appropriation to the legal representative of the estate of Honorable Samuel A. Whitaker deceased elected a Representative in the General Assembly of the Commonwealth from Chester County

House Bill No. 1034, entitled:

An Act to promote the health and efficiency of firemen in cities of the first class by providing for a two-platoon system for the certain officers of the uniformed fire force of the Department of Public Safety of such cities

House Bill No. 1313, entitled:

An Act to amend section ten of the act approved the twelfth day of July, one thousand nine hundred and thirteen, (P. L. 711), entitled "An Act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," as amended.

Whereupon,

The PRESIDENT (Lieutenant-Governor David J. Davis) in the presence of the Senate signed the same.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 763, as follows:

An Act relating to the preparation of a new Constitution of the Commonwealth by a convention and its adoption or rejection by the people and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at the general election for the year one thousand nine hundred and twenty-four the question "Shall a constitutional convention be held in the year one thousand nine hundred and twenty-six as provided in the act of Assembly approved the ....day of........ one thousand nine hundred and twenty-three" (intersecting the date of the approval of this act) followed by the words "yes" and "no" in appropriate voting blocks shall be printed upon the official ballots to be used at such election as provided by the election laws of the Commonwealth for the submission of questions to the vote of the people Below the said question shall appear the words "voters" favoring the holding of a constitutional convention in the year one thousand nine hundred and twenty-six will mark a cross (X) to the right of the word 'yes' those opposing the holding of a convention will mark a cross (X) to the right of the word 'no' "

Section 2 If a majority of the electors who shall vote upon the aforesaid question shall favor the holding of a constitutional convention the said convention shall convene in the Hall of the House of Representatives in the State Capitol in the city of Harrisburg on the second Tuesday of January one thousand nine hundred and twenty-six at twelve o'clock noon and shall conclude its sessions not later than August first one thousand nine hundred and twenty-six and delegates to said convention shall be nominated and elected as hereinafter provided

Section 3 The said constitutional convention if authorized by the electors as hereinbefore provided shall consist of three district delegates from each Senatorial district within the Commonwealth as said districts are constituted at the time of the election A district delegate shall be at least twenty-five years of age a citizen of the United States of America for at least five years a citizen and inhabitant of the Commonwealth for at least four years but may not be an inhabitant of the Senatorial District from which he or she shall be elected a delegate

Section 4 If the electors vote in favor of the convention nominations for district delegates to the said constitutional convention shall be made at the primary election for the year one thousand nine hundred and twenty-five The names of candidates for nomination shall be printed upon the official ballot of each political party upon the filing of nomination petitions in their behalf in the office of the Secretary of the Commonwealth at least forty days before the date of the said primary Such nomination petitions for district delegates shall be in the form required by law for the nomination of candidates for the office of Senator in the General Assembly except that a candidate may or may not be an inhabitant of the Senatorial District in which he or she is a candidate and shall be signed by at least two hundred qualified electors of the Senatorial districts within which the respective candidates are to be nominated

The Secretary of the Commonwealth in forwarding to the county commissioners of each county a list of the candidates for the various offices to be nominated at the said primary election shall include the names of the candidates of each party for delegates to be the constitutional convention

Each elector voting at such primary shall be entitled to vote for two candidates for district delegates to such constitutional convention

The county commissioners or the proper return judges shall make the proper certificates of return of votes cast for the candidates for nomination for the office of delegate to the constitutional convention to the Secretary of the Commonwealth

The two candidates of any political party receiving the largest number of votes at the said primary election shall be the nominees of such party for delegates from the Senatorial district within which such candidates reside

Section 5 Nominations for district delegates to said constitutional convention if authorized as hereinbefore provided may also be made by nomination papers in the manner provided by law for the nomination by nomination papers of candidates for Senator in the General Assembly

Section 6 If the electors at the said election for the year one thousand nine hundred and twenty-four shall authorize the holding of a constitutional convention as hereinbefore provided district delegates to such convention shall be elected at the municipal election for the year one thousand nine hundred and twenty-five

The ballots for use at such municipal election in the several Senatorial districts of the Commonwealth shall from such districts nominated as hereinbefore provided Each elector voting at such municipal election shall be entitled to vote for two district delegates to such constitutional convention and the three candidates for district delegates in each district receiving the highest vote shall be the district delegates from such district to the constitutional convention

Section 7 Returns of the said election shall be made by the proper prothonotary or return judges to the Secretary of the Commonwealth who shall certify the result to the Governor who shall thereupon declare by proclamation the names of the persons duly elected Any vacancies occurring in the office of delegate to said constitutional convention may be filed by vote of the remaining delegates

Section 8 If a constitutional convention be authorized as hereinbefore provided it shall be called to order by the Governor and it shall immediately organize by electing a president secretary and such other officers as shall be necessary for the transaction of its business It shall have the power to adopt rules of procedure finally to determine the election and qualification of delegates and generally to adjourn to such time or times and such place or places as it shall determine

Section 9 It shall be the duty of such constitutional convention to consider the constitution recommended by "The Commission on Constitutional Amendment and Revision" appointed under the act approved the fourth day of June Anno Domini one thousand nine hundred nineteen

The convention may submit a proposed constitution as a whole or may submit separately such parts thereof as it may determine Provided That one-third of all the members of the convention shall have the right to require the separate and distinct submission to a popular vote of any change and amendment proposed by the convention

The convention shall also frame the question necessary to elicit from the electors their approval or rejection of the said proposed costitution and of any parts to be separately submitted in brief form and so that they can be answered by either the word "yes" or the word "no"

Section 10 Such constitution as may be proposed by the constitutional convention shall be engrossed and signed by the president and secretary of the convention and shall be delivered to the Secretary of the Commonwealth not later than the first Monday of September of the year one thousand nine hundred and twenty-six The Secretary of the Commonwealth shall enter the proposed constitution upon the records of his office He shall publish the said proposed constitution in at least two newspapers in every county of the State wherein said number of newspapers may be published once during the week immediately preceding the election and shall publish the same in convenient form and send a copy thereof to every elector in the Commonwealth making application therefor He shall also cause to be sent through the county commissioners to each polling place in the Commonwealth in sufficient time to be there available to persons voting thereat at least ten copies of the proposed constitution so published for the use of voters desiring to consult the same while in the polling place

The question framed by the convention as aforesaid shall be by said convention certified to the Secretary of the Commonwealth who shall in turn at least thirty days before the general election of one thousand nine hundred and twenty-six certify the same to the county commissioners of the several counties The question so certified shall be printed on the official ballot to be used at such general election followed by the words "yes" and "no" and appropriate voting blocks as provided by the election laws of the Commonwealth for the submission of question to the vote of the people

Section 11 The constitution and any parts thereof to be submitted separately proposed by such constitutional convention shall be submitted to the qualified electors of the Commonwealth for their approval or rejection at the general election in the year one thousand nine hundred and twenty-six A majority of the electors voting upon the adoption or rejection of the proposed constitution shall be necessary for its adoption Such proposed constitution and any parts thereof submitted separately if approved by a majority of the electors voting thereon shall become effective unless the proposed constitution or the schedule thereto shall otherwise provide upon the first day of January one thousand nine hundred and twenty-seven Returns of the vote cast for and against the proposed constitution and for and against any parts thereof submitted separately as hereinbefore provided shall be canvassed as provided by law and shall be certified by the prothonotary of every county to the Secretary of the Commonwealth who shall compute the same and certify the result to the Governor If from said certificate it shall appear that the proposed constitution and any parts thereof submitted separately shall have been adopted by the people the Governor shall immediately make proclamation thereof

Section 12 The members of the constitutional convention if held as provided by this act shall receive a salary of one thousand dollars ($1,000) payable in five equal instalments an allowance for traveling expenses of twenty cents per mile circular for one session and an allowance for postage stationery and contingencies of one hundred dollars ($100)

The convention shall have the power to employ and to fix the compensation of a secretary and such officers assistants clerks and other employes as shall be deemed necessary to carry out the provisions of this act

Section 13 It is the intent of this act that the procedure provided for the nomination and election of district delegates shall be the same as that provided by law for the nomination and election of Senators in the General Assembly and matters relating to the nomination and election of delegates not expressly covered by this act shall be governed by the laws relating to the nomination and election of such Senators

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

Mr. SCHANTZ. Mr. President, I move to reconsider the vote by which

An Act relating to the preparation of a new Constitution of the Commonwealth by a convention and its adoption or rejection by the people; and making an appropriation.

the bill passed third reading.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. SCHANTZ. Mr. President, I ask unanimous consent to amend the title by striking out on page one in line three after the word people "and making an appropriation"; also section four, page four, line fifteen, by striking out the word "reside" and inserting in lieu thereof the words "are nominated".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 872, as follows:

The Senate proceeded to the second reading and consideration of Senate Bill No. 872, as follows:

An Act to amend section three article seven of the act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and sixty-eight) entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officer therein and repealing consolidating and extending existing laws in relation thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three article seven of the act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and sixty-eight) entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" is hereby amended to read as follows

Section 3 The mayor shall be the chief executive magistrate of the city It shall be his duty to be vigilant and active in causing the ordinances of the city and the laws of the Commonwealth relating to the government of the city to be executed and enforced therein and in order to enable him effectually to preserve the public peace within the city all the powers which are devolved by the laws of this State upon sheriffs to prevent and suppress mobs riots unlawful and tumultuous assemblies are hereby conferred upon him and he shall have authority upon occasions of threatened public disorder to require and enforce the closing up of bars or any establishments in which liquors are sold during the continuance thereof The mayor as superintendent of public affairs shall have charge of the police force and of the fire department of the city excepting any volunteer fire departments

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Aron,
Baldwin,
Barr.
Betts,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix.
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz.
Smith,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—3.

Sisson,
Snyder,
Sones,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 931, (House Bill No. 837), as follows:

An Act to assure to persons within the jurisdiction of every county the equal protection of the laws by providing for their removal from the county and their trial in certain criminal cases by a court of quarter sessions of the peace or oyer and terminer of another county imposing penalties upon the counties and officers thereof for failure to provide proper protection and upon individuals for interfering with or obstructing the carrying out of the provisions of this act and imposing certain duties upon the Superior Court

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any criminal prosecution shall have been instituted or any warrant of arrest shall have been issued or any arrest shall have been made or attempted with the purpose and intent of criminal prosecution in the courts of any county against any person within the jurisdiction of the county whether he be a citizen of the United States or not and such person shall appeal as hereinafter provided for protection of the government upon the ground that he has reasonable cause to apprehend that he will be denied the equal protection of the laws by the county within whose jurisdiction he is or by any officers or inhabitant of such county such person shall be entitled to the protection of the courts and officers of the State to the end that the protection guaranteed by the Constitution of this State may be given

Section 2 That any person within the jurisdiction of any county charged with a felony or other crime who shall file with the prothonotary of the Superior Court of this Commonwealth a duly verified petition showing (1) that he is charged with or has been arrested for the alleged commission of or participation in some felonious or criminal act the nature of which shall be set out in his petition (2) that he has reason to apprehend that because of his race nationality or religion which shall be specifically stated in his petition the petitioner is likely to be denied the equal protection of the laws either by the courts the officers of the law or other inhabitants of the county within whose jurisdiction he is and (3) that some other person or persons of his race color nationality or religion within the jurisdiction of such county charged with an offense similar to that with which the petition is charged have been put to death without trial or brutally assaulted or otherwise maltreated or have been denied trial by due course of law in the courts of such county upon similar charges because of the race color nationality or religion of such person or persons he shall be entitled to and shall receive the protection of all officers of the Commonwealth The duly verified petition above described may be verified and filed either by the person in jeopardy as above described or by another person in his behalf Upon the filing of such petition with the prothonotary of such court it shall be the duty of such prothonotary to issue forthwith to a member of the State Police a warrant commanding him to bring the body of such petitioner into court for hearing upon such petition

Section 3 That it shall be the duty of such State Policeman upon receipt of such warrant to arrest and detain the petitioner and to protect him from assault or injury and in case such petitioner is in the custody of any officer or person upon a warrant to hold petitioner for prosecution in any county court for felony or other crime such State Policeman shall take such petitioner from such official receipting to him for the body of the petitioner

Section 4 That when said petitioner shall have been brought into said Superior Court he shall be entitled to a summary hearing upon his petition before one of the judges thereof and in case he has been taken from the custody of any officer he shall in event his petition is not sustained be surrendered by the State Policeman to the officer whom he had been taken and if he has not been taken from the custody of any officer he shall in the event his petition is not sustained be set at liberty and the costs of the proceedings shall be taxed against him in case the petition is sustained by the court the petitioner shall be remanded to the custody of the Superintendent of State Police for protection or committed to a proper penal institution until petitioner may be tried in a court of quarter sessions of the peace or oyer and terminer of some other county to be selected by the Superior Court upon such indictment information or other charge as may have been or may be made or returned against him and for the purpose of such trial such court so selected shall have and possess jurisdiction to try and determine any and all proceedings upon indictment or information which may be removed from any other court under this act

Section 5 Whoever shall knowingly and wilfully obstruct resist or oppose any officer of the Commonwealth or other person duly authorized in serving or attempting to serve or execute the warrant herein provided for or shall assault beat or wound any officer or other person duly authorized to serve the same knowing or having reason to believe him to be such officer or other person so duly authorized or any person lawfully in the custody if such officer or other person so duly authorized in serving or executing any such warrant shall be fined not more than ten thousand dollars and imprisonment not more than ten years

Section 6 Whoever shall rescue or attempt to rescue take or abduct from the custody of any officer or person lawfully assisting him any person taken upon a warrant under the provisions of this act or shall directly or indirectly aid abet or assist any person so arrested to escape or to be taken or abducted from the custody of such officer or other person or shall harbor or conceal any person for whose arrest such a warrant has been issued so as to prevent his discovery and arrest after notice or knowledge of the fact that a warrant or process has been issued for the apprehension of such person shall be fined not more than one thousand dollars or imprisoned not more than six months or both and in case the taking or rescue of any such person in custody as aforesaid shall be followed by the killing of the person so taken from custody all persons engaged in such taking or abduction or killing or in any way contributing thereto shall be guilty of murder

Section 7 That the putting to death within any county of any person within the jurisdiction of the county by mob or riotous assemblage of three or more persons openly acting in concert in violation of law and in default of protection of such person by such county or the officers thereof shall be deemed a denial to such person by such county of the equal protection of the laws and a violation of the peace of the Commonwealth and an offense against the same

Section 8 That every person participating in such mob or riotous assemblage by which such person is put to death as described in the section immediately preceding shall be guilty of murder

Section 9 That every county in which such unlawful putting to death occurs shall be subject to a forfeiture of ten thousand dollars which may be recovered by action therefor in the name of the Commonwealth against such county for the use of the dependent family if any of the person so put to death and if none for the use of the Commonwealth which action shall be brought and prosecuted by the Attorney General in a court of common pleas of any county within the Commonwealth other than the county in which such unlawful putting to death occurred If such forfeiture is not paid upon recovery of judgment therefor the Court in which said judgment was recovered shall have jurisdiction to enforce payment thereof by extent of levy of execution upon any property of the county or may compel the levy and collection of a tax therefore or otherwise compel payment thereof by mandamus or other appropriate process and every officer of such county and every other person who disobeys or fails to comply with any lawful order of the court in the premises shall be liable to punishment according to law as for contempt and to any other penalty provided by law therefor

Section 10 That in the event any person so put to death who shall have been taken from an officer in one county by a mob or riotous assemblage of three or more persons shall have been taken in one county and transported to another before such killing shall have taken place each and every county through which such murderd person shall have been transported during the time intervening between his capture by such mob or riotous assemblage shall be jointly and severally liable to the forefeiture hereinabove provided

Section 11 That every officer having the duty or power of preservation or conservation of the peace at the time and place of any such putting to death as described in section seven hereof who having reasonable cause to beleive that the same is being or is to be attempted neglects or omits to make all reasonable efforts to prevent the same and every officer having the duty or power of prosecuting criminal offenses at such time and place who neglects or omits to make all reasonable efforts to prevent the same and every officer having the duty or power of prosecuting criminal offenses at such time and place who neglects or omits to make all reasonable efforts to prosecute to judgment under the laws of this State all persons participating in such mob or assemblage as herein above described except such if any as have been or are held to answer therefor as hereinabove provided shall be deemed guilty of a felony and upon conviction thereof shall be punished by imprisonment not exceeding five years or by fine not exceeding five thousand dollars or both such fine and imprisonment

Section 12 That every officer having the custody within a county of any person charged with or held to answer for any crime or offense who suffers such person to be taken from his custody by a mob or riotous assemblage of three or more persons openly acting in concert in violation of law with the purpose of putting such person to death or inflicting bodily violence upon him in default of protection of such person by such county or the officers thereof shall be deemed guilty of a felony and upon conviction thereof shall be punished by imprisonment not exceeding five years or by fine not exceeding five thousand dollars or by both such fine and imprisonment

Section 13 That in any prosecution for any of the offenses defined herein and in any action for forfeiture imposed as herein provided every person who has participated in lynching or in putting to death of or of the infliction of great bodily violence upon any person without authority of law and every person who entertains or has expressed any opinion in favor of lynching or in justification or excuse thereof or whose character conduct or opinions have been or are such as in the judgment of the court may tend to dsqualify him for the impartial and unprejudiced trial of the cause shall be disqualified to serve as a juror and the Attorney General in such action or prosecution shall be entitled to make full inquiry thereof and to produce evidence thereon and every person who refuses to answer any inquiry touching his qualifications on the ground that he may thereby criminate himself shall be disqualified as aforesaid

Section 14 All acts and parts of acts inconsistent with this act are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Aron,
Baldwin,
Betts,
Clark,
Daix,
Davis,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Joyce,
Lanius,
Leslie,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Sisson,
Smith,
Snyder,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—10.

Barr,
Craig,
Derrick,
Huffman,
Jones,
Krause,
Kutz,
Long,
Sones,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 101, on third reading entitled:

An act for the registration and regulation of certain individuals and entities selling offering for sale or delivery soliciting subscription to or orders for or undertaking to dispose of inviting offers for or inquiries about or dealing in any manner in securities defined therein conferring powers and imposing duties on the Commissioner of Banking and otherwise providing for the administration of this act prescribing penalties and making an appropriation

be recommitted to the Committee on Appropriations.

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. CLARK. Mr. President, I obect.

Mr. SCHANTZ. This is a bill making an appropriation. It has not been in the Committee on Appropriations and I, therefore ask for a vote on the question.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 162, entitled:

An Act to amend section one of the act approved June seventeenth one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and County purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes"

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. MANSFIELD. Mr. President, I ask unanimous consent to amend section 1, page 5, line 23, by inserting after the word "shall" the word "be".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 516, entitled:

An Act providing for the appointment and election of assistant assessors for election purposes in certain wards in cities of the third clas fixing their term of office and providing for their compensation.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

BILL POSTPONED.

Mr. SCHANTZ. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. LESLIE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 524, (House Bill No. 317), entitled:

An Act to amend section one of an act approved the seventeenth day of May, one thousand nine hundred and nineteen, (P. L. 208), entitled "An Act prohibiting, under certain conditions, the commutation, encumbrance, or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto; prohibiting the attachment of such proceeds and income; and authorizing life insurance companies to hold such proceeds as part of the general corporate funds," by extending the same to the proceeds and income from policies issued by both domestic and foreign companies.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,

Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,

Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,

Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 535, (House Bill No. 536), entitled:

An Act to amend sections two three four five as amended seven nine and ten of the act approved the thirtieth day of March one thousand nine hundred and seventeen (Pamphlet Laws twenty-one) entitled "An Act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Aptometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by the board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith"

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,

Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,

Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,

Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 580, entitled:

An Act to enable city county poor ward school borough and township tax collectors their executors and administrators or their surety or sureties to collect taxes for the payment of which they have become personally liable by the expiration of the authority of their respective bonds or warrants or terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act and authorizing such taxes to be entered as municipal liens and the land on which such taxes were assessed to be sold.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,

Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,

Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,

Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 720, (House Bill No. 774), entitled:

An Act authorizing courts of quarter sessions to commit the care of certain burial grounds to the councils of boroughs township commissioners and township supervisors of townships and requiring boroughs and townships to pay the expenses in connection therewith.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,

Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,

Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,

Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. NORTON. Mr. President, I ask that Senate Bill No. 738, on third reading, entitled:

An Act to amend sections one, four, eight, thirteen and fifteen, and to repeal sections five and six of the act approved the seventh day of June, 1887, (P. L. 365), entitled "An act to encourage and authorize the formation of co-operative associations, productive and distributive, by farmers, mechanics, laborers, or other persons;" providing for the formation of such associations by five or more natural or legal persons; eliminating the provisions with regard to the giving of credit and the sale and leasing of real estate, and the clause requiring the keeping posted of a balance sheet for three months.

go over in order.

The PRESIDENT. Is there obection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 751, entitled:

An Act to amend section two hundred and eighty-six of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas ad nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 782, entitled:

An Act to amend section nineteen of an act approved the second day of May, one thousand nine hundred and five (Pamphlet Laws, three hundred and fifty-two), entitled "An Act to regulate the employment, in all kinds of industrial establishments, of women and children employed at wages or salary, by regulating the age at which minors can be employed and the mode of certifying the same, and by fixing the hours of labor for women and minors; to provide for the safety of all employes in all industrial establishments, and of men, women and children in school-houses, academies, seminaries, colleges, hotels, hospitals, storehouses, office buildings, public halls and places of amusements, in which proper fire escapes, exits and extinguishers are required; to provide for the health of all employes, and of men, women and children in all such establishments, storehouses and buildings, by proper sanitary appliances; and to provide for the appointment of inspectors, office clerks and others who, with the Chief Factory Inspector, shall constitute the Department of Factory Inspection; to enforce the same, and providing penalties for violations of the provisions thereof; fixing the term and salaries of the Chief Factory Inspector and his appointees," by providing for inspection of boilers by the Department of Labor and Industry, for examination and certification of boiler inspectors and a fee therefor, for issuance of certificates of operation and a fee therefor, and, for the use of the fees collected.

On the question,

Will the Senate agree to the bill?

Mr. CRAIG. Mr. President, I ask unanimous consent to amend section 1, page 3, line 8, by inserting after the word "appointees" the following: "as amended by the act approved the twelfth day of July, one thousand nine hundred and nineteen (P. L. 924)"; also by inserting after the word "hereby" the word: "further".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 783, entitled:

An Act to amend section one of an act approved May thirtieth one thousand eight hundred and ninety-five entitled "An Act to provide for safety guards upon passenger elevators and providing a penalty for violation thereof"

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. CRAIG. Mr. President, I ask unanimous consent to amend title, page 1, line 3, by inserting after "entitled" the following: "(P. L. 129)"; also section 1, page 1, by striking out all the words in said section after the word "enacted" in line 10, to and including "same" in line 13, and inserting in lieu thereof "&c.,".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL OVER IN ORDER.

Mr. CRAIG. Mr. President, I ask that Senate Bill No. 784, on third reading, entitled:

An Act to amend section twelve of an act approved May 2, 1905, (P. L. 352) entitled "An act to regulate the employment, in all kinds of industrial establishments, of women and children employed at wages or salary, by regulating the age at which minors can be employed and the mode of certifying the same, and by fixing the hours of labor for women and minors; to provide for the safety of all employes in all industrial establishments, and of men, women and children in school-houses, academies, seminaries, colleges, hotels, hospitals, storehouses, office buildings, public halls and places of amusements, in which proper fire-escapes, exits and extinguishers are required, to provide for the health of all employes, and of men, women and children in all such establishments, storehouses and buildings, by proper sanitary appliances; and to provide for the appointment of inspectors, office clerks and others, who with the Chief Factory Inspector, shall constitute the Department of Factory Inspection; to enforce the same, and providing penalties for violations of the provisions thereof; fixing the term and salaries of the Chief Factory Inspector and his appointees" by providing for inspection of elevators by the Department of Labor and Industry, for examination and certification of elevator inspectors for an examination fee for issuance of certificates of operation and a fee therefor, and for the use of the fees collected.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 796, entitled:

An Act providing for the alteration of the boundaries of counties in certain cases for the adjustment of the indebtedness thereof providing the effect thereof

And said bill having been read at length the third time,

On the question,

Will tht Senate agree to the bill?

Mr. ARON. Mr. President, I ask unanimous consent to amend section 1, line 5, by inserting after the word "that" the following: "it is to".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL RECOMMITTED.

Mr. DAVIS. Mr. President, I move that Senate Bill No. 799, on third reading, entitled:

An Act to amend section seven hundred and nine of the act approved the 18th of May, 1911, (P. L. 509) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

be recommitted to the Committee on Education, for further consideration.

Mr. WEAVER. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. LESLIE. Mr. President, I ask that Senate Bill No. 833, (House Bill No. 830), on third reading, entitled:

An Act amending section one of an act entitled "A further supplement to an act entitled 'An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expense thereof' approved the fifth day of May one thousand nine hundred and eleven constituting the said court the juvenile court of said county and prescribing its organization jurisdiction and powers therein and otherwise" approved the nineteenth day of March one thousand nine hundred and fifteen by providing that the said county court sitting as a juvenile court shall have sole jurisdiction in all proceedings for the custody of dependent neglected incorrigible and delinquent children

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none?

BILLS RECOMMITTED.

Mr. LONG. Mr. President, I move that Senate Bill No. 848, (House Bill No. 962), on third reading, entitled:

An Act to amend sections twenty forty and forty-seven of an act entitled "An act relating to warehouse receipts approved the eleventh day of March Anno Domini one thousand nine hundred and nine"

be recommitted to the Committee on Judiciary General.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

Mr. BARR. Mr. President, I move that Senate Bill No. 878, on third reading, entitled:

An Act to amend section eleven of the act approved June 20, 1919, (P. L. 521), entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal."

be recommitted to the Committee on Education.

Mr. LONG. Mr. President, I second the motion.

The motion was agreed to.

MOTION TO RECOMMIT BILL.

Mr. LESLIE. Mr. President, I move that Senate Bill No. 914, (House Bill No. 246), on third reading, entitled:

A Joint Resolution proposing an amendment to section eleven of article eight of the Constitution of Pennsylvania

be recommitted to the Committee on Elections.

Mr. VARE. Mr. President, I second the motion.

On the question?

Will the Senate agree to the motion.

Mr. BARR. Mr. President, I object. I would like to interrogate the Senator from Allegheny, about the purpose of the motion to recommit.

The PRESIDENT. Will the Senator from Allegheny, Mr. Leslie, permit himself to be interrogated.

Mr. LESLIE. Mr. President, I certainly will.

Mr. BARR. Mr. President, I desire to learn from the Senator from Allegheny, Mr. Leslie, the purpose in recommitting this bill to the Committee on Elections?

Mr. LESLIE. Mr. President, my only object in recommitting the bill is because it refers entirely to one county.

Mr. BARR. Mr. President, I do not see that that is a reason. This bill has been in the Committee on Elections before. It has been considered, is now on the calendar and the time is getting short. The sponsor of the bill spoke to me as the Senator from the district from which he comes to ask that the bill be forwarded, if possible. Now if the

Senator from Allegheny has any real reason for sending it to the Committee on Elections, then I have no objection.

Mr. LESLIE. Mr. President, I would say to my colleague from Allegheny County that there are at least four, if not five, constitutional amendments pertaining to election laws which are still in committee. One is a House Bill. These amendments to the election laws, refer to one county, Allegheny County. We all believe in the Constitution of this state and I think we all know that election laws must be general as to the provisions. There is no objection to it whatever, but as an amendment to the Constitution pertaining to the election laws does it pertain specifically to Allegheny County only? That is what I want to know before it goes any further, not going into the question of providing for the advertisement for the next two years of these constitutional amendments, not going into that proposition of the expenditure of two or three hundred thousand dollars for that purpose, but knowing full well that each and every one of these constitutional amendments are unconstitutional.

Mr. BARR. Mr. President, if the Senator from Allegheny, can convince me that there is anything in this bill that refers to counties of the second class, I will have no objection. I did not read it that way.

Mr. LESLIE. Mr. President, under the circumstances, I will withdraw my motion and ask that the bill go over in its order.

Mr. VARE. Mr. President, I withdraw my second to the motion.

Mr. BARR. Mr. President, I am satisfied.

The PRESIDENT. The motion has been withdrawn.

BILLS OVER IN ORDER.

Mr. LESLIE. Mr. President, I ask that Senate Bill No. 914, (House Bill No. 246), on third reading, entitled:

A Joint Resolution proposing an amendment to section eleven of article eight of the Constitution of Pennsylvania

go over in its order.

The President. Is there objection? The Chair hears none.

Mr. LONG. Mr. President, I ask that Senate Bill No. 923, (House Bill No. 598) on third reading, entitled:

An Act declaring the construction to be given deeds wills and other instruments in writing in which real and personal property is donated granted devised or bequeathed either directly or in trust for the benefit of one or more persons for years or for life or upon condition with remainder over to the heirs or next of kin or to the persons thereunto entitled under the intestate laws or other similar or equivalent phrase

and Senate Bill No. 924, (House Bill No. 632) on third reading, entitled:

An Act to amend an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and ninety-one) entitled "An act restricting the appointment of corporate fiduciaries by testators or by any court or register of wills to corporations fully subject to supervision and examination by the Banking Department" by exempting certain corporations from the provisions thereof

go over in their order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EYRE. Mr. President, I ask that Senate Bill No. 933, (House Bill No. 882) on third reading, entitled:

An Act to amend section thirteen of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating election in this Commonwealth" as amended by authorizing the members of the board of receiving computing and certifying election returns to act when a majority of the members thereof are not qualified

and Senate Bill No. 934, (House Bill No. 883) on third reading, entitled:

An Act to amend the fourth paragraph of section fourteen of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

go over in their order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE. Mr. President, I ask that Senate Bill No. 961, (House Bill No. 1224) on third reading, entitled:

An Act regulating service of process and authorizing the service of writs of summons and other process in actions for damages for breaches of covenants of warranty in any deed or conveyance of real estate in any county of the Commonwealth

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 969, (House Bill No. 1345), entitled:

An Act to enable an incorporated hospital association to acquire by lease or purchase any State owned hospital specially devoted to the reception care and treatment of injured persons or of any State owned general medical and surgical hospital and to provide for the regulation and management thereof

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. BROWN. Mr. President, I ask unanimous consent to amend section 3, page 2, line 25 by striking out the word "three" following the word "years" and inserting in lieu thereof the following "two"

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 977, entitled:

An act prohibiting the purchase sale accepting as a pledge or pawn offering for sale stealing or conversion of medals buttons insignias or decorations granted by the Government of the United States for service in the army navy marines or nurses corps

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 979, entitled:

An act to authorize the trustees of The Pennsylvania State College to borrow for the erection and equipment of buildings and to liquidate present mortgage indebtebness

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 980, entitled:

An act to amend section one of an act approved the fifth day of April one thousand nine hundred and seventeen (Pamphlet Laws forty-seven) entitled "An act specifying additional securities in which trusteees or directors of savings banks savings institutions and provident institutions chartered under general or special acts of Assembly may invest moneys deposited therein"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 984, entitled:

An Act granting water companies organized after April 13, 1905, the right of eminent domain, and requiring such water companies, and also water companies incorporated under Clause eighteen, section two, of the act approved April 29, 1874, entitled "An Act to provide for the incorporation and regulation of certain corporations," to secure certificates from the Water Supply Commission prior to the exercise of the power of condemnation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,
Baldwin,
Barr,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—5.

Betts,
Derrick,
Lanius,
Snyder,
Sprowls,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. LONG. Mr. President, I ask that Senate Bill No. 985, on third reading, entitled:

An Act to amend section three hundred and twenty-nine, as amended, and section five hundred and fifty-four of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 993, on third reading, entitled:

An act to amend section seventeen of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation"

be recommitted to the Committee on Elections, for the purpose of amendment.

Mr. ARON. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1006, entitled:

An act exempting in certain cases the net proceeds of life insurance policies or annuities from the claims of creditors

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1024, (House Bill No. 885), entitled:

An Act limiting the power of State banks banking companies trust companies savings banks unincorporated banks to become surety on bonds

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS RECOMMITTED.

Mr. CRAIG. Mr. President, I move that Senate Bill No. 1033, (House Bill No. 1335), on third reading, entitled:

An Act relating to certain county officers in counties of the fifth class providing for their salaries and the compensation of deputies and clerks in the respective county offices establishing a salary board and defining its powers and duties placing certain duties on the county commissioners county controllers and county auditors requiring the payment into the respective county treasury of the fees of such county officers and providing penalties for violation of this act

be recommitted to the Committee on New Counties and County Seats.

Mr. PHIPPS. Mr. President, I second the motion.

The motion was agreed to.

Mr. CHRISTLEY. Mr. President, I move that Senate Bill No. 1035, (House Bill No. 19), on third reading, entitled:

An act to provide for the physical welfare of all persons confined (whether such persons be tried or untried prisoners) in any penitentiary or county prison in this Commonwealth

be recommitted to the Committee on Judiciary General.

Mr. MANSFIELD. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1038, (House Bill No. 469), entitled:

An Act to amend section three of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

And said bill having been read at length the third time,
On the question,
Will the Senate agree to the bill?

Mr. DAIX. Mr. President, I ask unanimous consent to amend section 3, lines 22 and 23 by striking out the following: "fourth Tuesday of April in all even-numbered years" and insert in lieu thereof the following: "third Tuesday of May in all even-numbered years, except in the year of the nomination of a President of the United States, in which year the primary shall be held on the fourth Tuesday of April;" also section 1, page 3, line 25 by inserting before the word "fourth" the following: "third Tuesday of May and the."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.
On the question,
Will the Senate agree to the bill on third reading as amended?
It was agreed to.
Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 1063, entitled:

An Act to amend section seventeen of the act approved June 20, 1919 (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal."

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 1070, entitled:

An Act to amend part of section two of the act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Appropriation Acts page thirty-three) entitled "An act to provide for the ordinary expenses of the Executive Judicial and Legislative Departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and twenty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and twenty-one"

An said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 1071, entitled:

An Act to validate deeds and conveyances defectively acknowledged prior to the fourth day of April one thousand nine hundred and one

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1080, entitled:

An Act amending section two of article XVI of an act entiled "An act for the better government of cities of the first class of this Commonwealth"

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SALUS. Mr. President, I ask unanimous consent to amend title, page 1, line 1 by adding after the word "act" the following: "approved the twenty-ninth day of June, one thousand nine hundred and nineteen, (P. L. 581)"; also section 1, page 1, line 8 by striking out the words "which reads" and inserting in lieu thereof "is hereby amended to read"; also lines 10 to 14 by striking out all the words in lines 10 to 14 inclusive; also page 2, line 1 to 29 by striking out all the words in lines 1 to 29 inclusive; also page 3, lines 1 to 15 by striking out all the words in lines 1 to 15 inclusive; also line 17 by inserting after "and" the following "(nineteen)"; also line 20 by inserting after "of" the word "(assessed)"; also line 22 by inserting before "registration" the word "(assessment)"; also line 25 by inserting before "registered" the word "(assessed)"; also line 28 by inserting after "units" the following: "(Provided however, That if any time hereafter the women of this Commonwealth shall be given the right to vote the unit of representation aforesaid shall be forty thousand assessed voters instead of twenty thousand as above provided: And provided further, That such assessment lists may be corrected prior to August That such assessment lists may be correct prior to August first of one thousand nine hundred nineteen and of every fourth year thereafter by striking therefrom names of voters not residing in the district at the time of such revision and by adding the names of voters then residing therein but not included in said assessment)"; also page 4, line 1 by inserting after "each" the word "(such)"; also line 3 by inserting after "first" the word "(of)"; also by inserting after "first" the word "(of)"; also by inserting after "hundred" the word "(nineteen)"; also line 4 by inserting after the word "thereafter" the following: "(on the basis of the said lists as revised. The registration commissioners in each city of the first class shall be empowered and it shall be their duty in case of petitions filed by one or more qualified voters objecting to names on the assessors' list or in case of personal application of voters to be added to said lists to hear said petitions or applications and to strike from the lists the names of persons who are not voters then residing within the district and to add the names of voters then residing within the district but who were not included in said assessment. Such petitions shall be filed and personal applications made not later than July fifteenth of such years and shall be acted upon not later than July twenty-fifth thereof)"; also line 9 by striking out the word "on" and inserting in lieu thereof "in".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

RECONSIDERATION OF HOUSE BILL No. 358.

Mr. MacDADE. Mr. President, I move to reconsider the vote by which Senate Bill No. 916, (House Bill No. 358), entitled:

An Act to amend sections one and eighteen of the act approved the sixteenth day of May, one thousand nine hundred and twenty-one, (Pamphlet Laws five hundred and fifty-nine), entitled "An Act for the better protection of fish; requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth, or in the waters bounding or adjacent thereto, and regulating the issuance of such license; providing penalties for the violation of this act, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the penalties recovered and license fees received:" changing the age limit of persons required to procure licenses; and providing for the purchase with surplus moneys of lands and waters, and the impounding of waters.

was defeated, on May 2nd.

The PRESIDENT. How did the Senator vote?

Mr. MacDADE. Mr. President, I voted "aye".

Mr. STITES. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. STITES. Mr. President, I voted "aye"

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. MacDADE. Mr. President, I move to reconsider the vote by which the bill passed third reading.

Mr. STITES. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senatte agree to the bill on third reading?

BILL RECOMMITTED.

Mr. BALDWIN. Mr. President, I move that the bill be recommitted to the Committee on Game and Fisheries.

Mr. CLARK. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 309, (House Bill No. 203), entitled:

An Act relating to and regulating the speed of motor vehicles driven through cemeteries and burial grounds and providing penalties for violation thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 415, (House Bill No. 449), as follows:

An Act to amend paragraph one section five of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An Act to provide for the incorporation and regulation of certain corporations" as amended changing the effect of the by-laws of corporations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That paragraph one section five of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An Act to provide for the incorporation and regulation of certain corporations" which was amended by the act approved the fourteenth day of May one thousand eight hundred and ninety-one (Pamphlet Laws sixty-one) entitled "An Act to amend the fifth section of an act entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four defining the officers of corporations and allowing certain officers receiving salaries to be directors and receive compensations" is hereby further amended to read as follows

Section 5 The by-laws of every corporation created under the provisions of this statute or accepting the same shall be deemed and taken to be the law for the internal government and management of the corporation only and shall be in conformity with the charter of the corporation the Constitution and laws of this Commonwealth and the Constitution of the United States The by-laws shall not be construed to affect the rights of parties not officers members or stockholders of the corporation who deal with the corporation and who have no knowledge of the contents of the by-laws except such parties as deal under such circumstances as require them to taken notice of the by-laws of the corporation They shall be made by the stockholders or members of the corporation at a general meeting called for that purpose unless the charter prescribes another body or a different mode They shall prescribe the time and place of meeting of the corporation the powers and duties of its officials and such other matters as may be pertinent and necessary for the business to be transacted and may contain penalties for the breach thereof not exceeding twenty-dollars No transaction by any person with an officer or agent of a corporation within the scope of the authority of such officer or agent shall be held invalid by reason of any by-law of such corporation unless such person shall have knowledge thereof at the time of the transaction

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. LONG. Mr. President, I move that Senate Bill No. 415, (House Bill No. 449), the bill just read, be recommitted to the Committee on Judiciary General.

Mr. McCLINTOCK. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 539, (House Bill No. 588), entitled:

An Act to regulate the alloting or subdividing of land in cities of the second class by requring the recording in the office of the Recorder of Deeds of a map or plat prior to the sale conveyance or mortgaging of any part thereof and providing penalties for the violation of the act

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. CRAIG. Mr. President, I move that Senate Bill No. 569 on second reading, entitled:

An Act fixing the salaries of certain State Officers and abolishing all additional compensation of such officers

be recommitted to the Committee on Finance.

Mr. PHIPPS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 573, as follows:

A Joint Resolution proposing an amendment to section twelve of article three of the Constitution of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section twelve of article three of the Constitution of Pennsylvania which reads as follows

Section 12 All stationery printing paper and fuel used in the legislative and other departments of government shall be furnished and the printing binding and distributing of the laws journals department reports and all other printing and binding and the repairing and furnishing the halls and rooms used for the meetings of the General Assembly and its committees shall be performed under contract to be given to the lowest responsible bidder below such maximum price and under such regulations as shall be prescribed by law no member or officer of any department of the government shall be in any way interested in such contracts and all such contracts shall be subject to the approval of the Governor Auditor General and State Treasurer" be amended so as to read as follows

Section 12 The printing and binding for the State Government shall be done under contract or by the State Government The furnishings and fuel for the Capitol buildings and paper and stationery for the State Government shall be made or produced by the State Government or produced under contract Contracts for work or material designated in this section shall be awarded to the lowest responsible bidder subject to the approval of the Auditor General and of the State Treasurer No Member of the General Assembly or officer of any department of the State Government shall be in any way interested in such contracts

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. EYRE. Mr. President, I move that Senate Bill No. 573, the bill just read, be recommitted to the Committee on Finance.

Mr. LESLIE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 586, as follows:

An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and certain existing and certain new Administrative Departments Boards Commissions and officers abolishing combining changing the names or reorganizing or authorizing the reorganization of certain administrative Departments Boards Commissions Bureaus Divisions offices and Agencies defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative Departments Boards and Commissions fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain Departments Boards and Commissions and prescribing the manner in which the number and compensation of the Deputies and all other assistants and employees of certain Departments Boards and Commissions shall be determined

ARTICLES

Article I	Short Title and General Reorganization Provisions
Article II	Administrative Organization
Article III	Organization of Independent Administrative Boards and Commissions
Article IV	Organization of Pennsylvania State Police and of Departmental Administrative Bodies Boards and Commissions and Advisory Boards and Commissions
Article V	Powers and Duties in General
Article VI	Budgetary and Financial Powers and Duties of Administrative officers Departments Boards and Commissions
Article VII	Powers and Duties of the Governor and other Constitutional officers and of the Executive Board and of the Pennsylvania State Police
Article VIII	Powers and Duties of the Department of State Financé
Article IX	Powers and Duties of the Department of Justice and its Departmental Administrative Bodies Boards and Commissions
Article X	Powers and Duties of the Department of the Auditor General
Article XI	Powers and Duties of the Treasury Department and its Departmental Administrative Board
Article XII	Powers and Duties of the Department of Internal Affairs and its Departmental Administrative Board
Article XIII	Powers and Duties of the Department of Public Instruction and its Departmental Administrative Boards and Commissions
Article XIV	Powers and Duties of the Department of Military Affairs and its Departmental Administrative Boards and Commissions
Article XV	Powers and Duties of the Department of Agriculture and its Departmental Administrative Commission
Article XVI	Powers and Duties of the Department of Forests and Waters its Officers and Departmental Administrative and Advisory Boards and Commissions
Article XVII	Powers and Duties of the Department of Labor and Industry and its Departmental Administrative and Advisory Boards
Article XVIII	Powers and Duties of the Department of Health and its Departmental Administrative and Advisory Boards
Article XIX	Powers and Duties of the Department of Highways
Article XX	Powers and Duties of the Department of Welfare and its Departmental Administrative and Advisory Boards and Commissions
Article XXI	Powers and Duties of the Department of Property and Supplies and its Departmental Administrative and Advisory Boards and Commissions
Article XXII	Powers and Duties of the Department of Banking
Article XXIII	Powers and Duties of the Department of Insurance
Article XXIV	Powers and Duties of the Board of Game Commissioners and its Enforcement Officers
Article XXV	Powers and Duties of Fish Commissioners and its Enforcement Officers
Article XXVI	Powers and Duties of the Public Service Commission of the Commonwealth of Pennsylvania
Article XXVII	Interpretation and Effective Date
Article XXVIII	Repealer

ARTICLE I

SHORT TITLE AND GENERAL REORGANIZATION PROVISIONS

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "The Administrative Code"

Section 2 Certain Existing Departments Boards Commissions and offices abolished To accomplish the purposes of this act all places and positions except those specifically retained by this act in or under the executive and administrative bureaus divisions boards commissions offices and agencies of the State Government and in or under the several executive and administrative departments except the Departments of the Auditor General the State Treasurer and the Department of Internal Affairs are hereby abolished and the following departments bureaus divisions boards commissions offices and agencies of the State Government as now established by law are hereby abolished namely Deputy Secretary of the Commonwealth the Executive Corporation Commission Election and Legislative Requisition and Warrant and Registration Bureaus in the Department of the Secretary of the Commonwealth First Deputy Attorney General and all Deputy Attorneys General Deputy Superintendent of State Police Bureau of Fire Protection Chief of the Bureau of Fire Protection Board of Public Accounts Board of Revenue Commissioners Sinking Fund Commission Bureaus of Vocational Education and of Professional Education in the Department of Public Instruction The State Library and Museum State Librarian and Director of the Museum Deputy State Librarian and Director of the Museum General Library Law Library Public Records Library Extension and Museum Divisions in the State Library and Museum the Bureaus of Administration of Accounts of Records and of Supplies in the Adjutant General's Department State Military Board Soldiers' Bonus Commission State Military Cemetery Commission Commission to make an Investigation of the Battlefields of France and Belgium Deputy Secretary of Agriculture Economic Zoologist Dairy and Food Commissioner State Veterinarian Bureaus of Animal Industry of Plant Industry of Markets of Foods of Chemisty and of Statistics in the Department of Agriculture State Live Stock Sanitary Board State Forest Commission Bureau of Forest Protection Fort Washington Park Commission Snyder Middleswarth Park Commission Wyoming Valey Memorial Park Commission Chief Inspector of the Department of Labor and Industry Bureaus of Inspection of Mediation and Arbitration of Rehabilitation of Workmen's Compensation and of Employment in the Department of Labor and Industry Division of Industrial Hygiene and Engineering Industrial Board State Workmen's Insurance Board Chief of the Department of Mines Bureaus of Housing of Vital Statistics and the Advisory Board in the Department of Health Assistant State Highway Commissioner Chief Engineer of the State Highway Department Division of Township Highways Township Commissioner Deputy Commissioner of Public Welfare Bureau of Mental Health Board of Inspectors of Eastern State Penitentiary Philadelphia Board of Inspectors of the Western Penitentiary Rockview Board of Managers Pennsylvania Industrial Reformatory at Huntingdon Board of Managers of State Industrial Home for Women Muncy Board of Managers Pennsylvania Training School Morganza Board of Trustees Pennsylvania State Oral School for the Deaf of Scranton Lackawanna County Pennsylvania Trustees of the State Hospital for the Insane at Danville Pennsylvania Board of Trustees Home for the Training in Speech of Deaf Children Before they are of School Age Philadelphia Soldiers' Orphan School Commission Board of Trustees Soldiers' and Sailors' Home Erie Board of Trustees Homeopathic State Hospital for the Insane Allentown Board of Trustees State Hospital for the Criminal Insane Farview Board of Trustees Harrisburg State Hospital Harrisburg Board of Trustees State Hospital for the Insane of the Southeastern District of Pennsylvania Norristown Board of Trustees of the State Hospital for the Insane at Warren Pennsylvania Board of Trustees State Asylum for the Chronic Insane of Pennsylvania South Mountain Board of Trustees Western State Hospital for the Insane Torrence Board of Trustees State Hospital for Injured Persons of the Anthracite Coal Regions of Pennsylvania Ashland The Trustees of the Cottage State Hospital for Injured

Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Blossburg Board of Trustees State Hospital of Coaldale Schuylkill County The Trustees of the Cottage State Hospital for injured persons of the Bituminous and semi-Bituminous Coal of Pennsylvania at Connellsville The Trustees of the State Hospital of the Middle Coal Field of Pennsylvania at Hazleton The Trustees of the Cottage State Hospital for Injured Persons of the Bituminous and semi-Bituminous Coal Regions of Pennsylvania at Mercer Board of Trustees State Hospital of Luzerne County Nanticoke The Trustees of the Cottage State Hospital for Injured Persons of the Bituminous and semi-Bituminous Coal Regions of Pennsylvania at Philipsburg The Trustees of the State Hospital of the Northern Anthracite Coal Region of Pennsylvania Scranton The Trustees of the State Hospital of the Trevorton Shamokin and Mt. Carmel Coal Fields of Pennsylvania Shamokin Board of Managers Pennsylvania Village for Feeble-Minded Women Laurelton Board of Trustees State Institution for the Feeble-Minded and Epileptic of Eastern Pennsylvania Pennhurst Board of Trustees State Institution for Feeble-Minded of Western Pennsylvania Polk Commission for the selection of a site and the erection of a State Institution for Inebriates Building Commission of the Eastern State Hospital for the Insane Selinsgrove Board of Commissioners of Public Grounds and Buildings Superintendent of Public Grounds and Buildings Deputy Superintendent of Public Grounds and Buildings Assistant Deputy Superintendent of Public Grounds and Buildings Bureau of Information The Department of Public Printing and Binding Superintendent of Public Printing and Binding Deputy Superintendent of Public Printing and Binding Division of Documents Chief of the Division of Documents Gettysburg Battlefield Memoral Commission Commission for the Erection of a Statue of General George Gordon Meade Robert Morris Monument Commission General Galusha Pennypacker Monument Camp Curtin Park Commission First Deputy Commissioner of Banking Second Deputy Commissioner of Banking Third Deputy Commissioner of Banking Board to License Private Bankers Deputy Insurance Commissioner Counsel Assistant Counsel Marshal Investigator of Accidents of the Public Service Commission of the Commonwealth of Pennsylvania Board to Pass Upon the Necessity for the Construction of Elevated and Underground Passenger Railways Valley Forge-Fairmount Park Road Commission State Truancy School Commission Engineer to Co-operate with Director of Wharves Docks and Ferries Philadelphia Emergency Public Works Commission Secretary and Assistant Secretary of Board of Pardons and Thaddeus Stevens Educational Memorial Commission

Section 3 Transfer of Functions of Abolished Governmental Agencies All rights powers and duties which have heretofore been vested in exercised by or imposed upon any officer whose office is abolished by this act or any board commission institution bureau division or department abolished by this act or any deputy officer agent or other subordinate or employe thereof and which are by this act transferred either in whole or in part to a department board or commission created by this act shall be vested in exercised by and imposed upon the department board or commission to which the same are transferred by this act and not otherwise and every act done in the exercise of such rights or powers and the performance of such duties shall have the same legal effect as if done by the former officer board commission institution bureau division or department or deputy officer agent or other subordinate or employe thereof Every person or corporation shall be subject to the same obligation and duties and shall have the same rights arising from the exercise of such rights or powers or in the performance of such duties as if such rights or powers had been exercised or such duties performed by the officer board commission institution bureau division or department or deputy officer agent or other subordinate or employe thereof designated in the respective laws which are to be administered by departments boards or commissions created by this act Every person and corporation shall be subject to the same penalty or penalties civil or criminal for failure to perform any such obligation or duty or for doing a prohibited act as if such obligation or duty arose from or such act were prohibited in the exercise of such rights powers or duties by the officer board commission institution bureau division or department deputy officer agent or other subordinate or employe thereof designated in the respective laws which are to be administered by the Departments Boards or Commissioners created by this act

Section 4 Documents Where an existing office board Commission institution bureau division or department is abolished by this act all books papers maps charts plans records and all other equipment in the possession of such office board commission institution bureau division or department or of any member or officer thereof shall be delivered to the head of the administrative department or independent or departmental administrative board or commission to which its rights powers duties and obligations are transferred If such rights powers duties and obligations are not specifically transferred to any such department board or Commission by this act such books documents and equipment shall be delivered to the Secretary of the Commonwealth who shall make such disposition of them as is appropriate In case rights powers duties and obligations are divided between two or more departments boards or commissions each of said departments boards or commissions shall receive such books papers maps charts plans records and other equipment as pertain to the rights powers duties and obligations transferred to that department board or commission All questions arising under this section shall be determined by the Governor

Section 5 Employes Where an existing office board commission institution bureau division or department is abolished by this act all employes thereof shall as temporary appointees of the department board or commission to which the rights powers duties and obligations of such office board commission institution bureau division or department are transferred continue to perform their usual duties upon the same terms and conditions as theretofore until removed appointed to positions in accordance with the provisions of this act relative to such department board or commission or transferred to other departments boards or commissions Where the rights powers duties and obligations of any such office board commission institution bureau division or department are divided between two or more departments boards or commissions each of said departments boards or commissions shall receive on the above terms and conditions such of the employes of said office board commission institution bureau division or department as are regularly occupied in connection with the functions thereof which are by this act transferred to such department board or commission Provided That every employe of such office board commission institution bureau division or department shall be placed temporarily in one of said departments boards or commission All questions arising under this section shall be determined by the Governor

Section 6 Retirement Rights Persons who at the time when this act takes effect are appointed to or employed by any office board commission institution bureau division or department abolished by this act and are appointed to positions in any other administrative departments boards or commissions shall retain all rights to retirement with pension that shall have accrued or would thereafter accrue to them and their services shall be deemed to have been continuous as if this act had not been passed

Section 7 Pending Proceedings All petitions hearings and other proceedings pending before any officer board commission institution bureau division or department which is abolished by this act and all prosecutions legal or other proceedings and investigations begun by such officer board commission institution bureau division or department and not completed at the time of the taking effect of this act shall continue and remain in full force and effect notwithstanding the passage of this act and may be completed before or by the department board or commission which succeeds to the rights powers duties and obligations of such office board commission institution bureau division or department All questions arising under this section shall be determined by the Governor

Section 8 Rules and Regulations All orders rules and regulations made by any officer board commission institution bureau division or department which is abolished by this act shall remain in full force and effect until revoked or modified by the department board or commission which succeeds to the rights powers duties and obligations of such officer board commission institution bureau division or department

Section 9 Contracts and Obligations All existing contracts and obligations of the officers boards commissions institutions bureaus divisions or departments abolished by this act shall remain in full force and effect and shall be performed by the departments boards or commissions to which the rights powers duties and obligations of such governmental offices boards commissions institutions bureaus divisions or departments are transferred

Section 10 Service of Notices Wherever reports or notices are now required or given or papers or documents furnished or served by any person to or upon any officer board commission institution bureau or department or deputy officer agent or other subordinate or employe thereof abolished by this act the same shall be made given furnished or served in the same manner to or upon the department board or commission upon which are devolved by this act the rights powers and duties now exercised or discharged by such officer board commission institution bureau or department or deputy officer agent or other subordinate or employe thereof and every penalty for failure so to do shall continue in effect

Section 11 Appropriations The unexpended balances of any and all appropriations made to any department board commission or other governmental agency abolished by this act shall on and after the date upon which this act becomes effective be available to the department board or commission to which the powers and duties of such abolished department board commission or other governmental agency are by this act transferred Provided That where the powers and duties of a department board or commission abolished by this act are transferred to a departmental administrative body board or commission the unexpended balance of any appropriation made to such abolished department board or commission shall be available to the department of which the departmental administrative body board or commission is a part

In cases where the functions of a department board or commission abolished by this act are divided between and transferred to several administrative departments boards and commissions the unexpended balance of any appropriation made to such abolished department board or commission for performing any of its functions shall be available to the administrative department board or commission to which such function is by this act transferred

Any unexpended balance of an appropriation made to a department board commission or other agency abolished by this act the powers and duties of which department board commission or other agency are not transferred to any other department board or commission shall be transferred to the general fund of the State Treasury

ARTICLE II

ADMINISTRATIVE ORGANIZATION

Section 201 Executive Officers Administrative Departments and Independent Administrative Boards and Commissions The executive and administrative work of this Commonwealth shall be performed by the Executive Department consisting of the

Governor
Lieutenant Governor
Secretary of the Commonwealth
Attorney General
Auditor General
State Treasurer
Secretary of Internal Affairs and
Superintendent of Public Instruction

by the

Executive Board

which is hereby created

by the Department of the State Police hereafter to be known as Pennsylvania State Police by the following administrative departments which except as in this act expressly otherwise provided shall continue as now organized and existing

Department of the Auditor General
Treasury Department
Department of Internal Affairs

by the Department of the Secretary of the Commonwealth the Attorney General's Department the Department of Public Instruction the Adjutant General's Department the Department of Agriculture the Department of Forestry the Department of Labor and Industry the Department of Health the State Highway Department and the Department of Public Welfare the Banking Department and the Insurance Department. Which shall be reorganized as in this act provided and shall hereafter be known respectively as

Department of State and Finance
Department of Justice
Department of Public Instruction
Department of Military Affairs
Department of Agriculture
Department of Forests and Waters
Department of Labor and Industry
Department of Health
Department of Highways
Department of Welfare
Department of Banking and
Department of Insurance

by the following administrative department which is hereby created

and by the Board of Game Commissioners the Department of Fisheries and The Public Service Commission of the Commonwealth of Pennsylvania which shall be reorganized as provided in this act and shall be known as independent administrative Boards and Commissions under the following names respectively

Board of Game Commissioners
Board of Fish Commissioners and
The Public Service Commission of the Commonwealth of Pennsylvania

Section 202 Departmental Administrative Bodies Boards Commissions and Offices The following departments boards commissions and offices are hereby placed and made departmental administrative bodies boards commissions or offices as the case may be in the respective Administrative Departments mentioned in the preceding section as follows

In the Department of Internal Affairs
  Board of Property
In the Department of Justice
  Board of Pardons
  Board of Commissioners on Uniform State Laws
In the Department of Public Instruction
  Council of Education
  Pennsylvania State Board of Censors
  Public School Employes' Retirement Board
  Pennsylvania Historical Commission
  Bureau of Medical Education and Licensure hereafter to be known as
  State Board of Medical Education ond Licensure
  The Pennsylvania Board of Pharmacy hereafter to be known as
  State Board of Pharmacy
  Dental Council of Pennsylvania and Board of Dental Examiners of the Commonwealth of Pennsylvania which are hereby combined into one Departmental Administrative Board to be known as
  State Dental Council and Examining Board
  Board of Optometrical Education Examination and Licensure hereafter to be known as
  State Board of Optometrical Examiners
  State Board of Osteopathic Examiners
  State Board of Examiners for the Registration of Nurses
  State Board of Undertakers
  State Board of Veterinary Medical Examiners
  State Board for the Examination of Public Accountants
  State Board for Registration of Professional Engineers and of Land Surveyors
  State Board of Examiners of Architects
  Anthracite Mine Inspectors' Examining Board and Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania which are hereby combined into one Departmental Administrative Board to be known as
  State Mine Inspectors' Examining Board
In the Department of Military Affairs
  Armory Board of the State of Pennsylvania
In the Department of Agriculture
  State Fair Commission
In the Department of Forests and Waters
  Water Supply Commission of Pennsylvania hereafter to be known as
  Water and Power Resources Board
  Lake Erie and Ohio River Canal Board
  Pennsylvania State Park and Harbor Commission of Erie
  Washington Crossing Park Commission
  Commissioners of Valley Forge Park hereafter to be known as
  Valley Forge Park Commission

In the Department of Labor and Industry
  Department of Mines hereafter to be known as Mining Branch of the Department of Labor and Industry
  Anthracite Mine Inspectors
  Bituminous Mine Inspectors
  Workmen's Compensation Board
  Workmen's Compensation Referees
  State Anthracite Mine Cave Inspectors.
In the Department of Health
  Anatomical Board
In the Department of Property and Supplies
  State Art Commission

All the foregoing departmental administrative boards and commissions shall be reorganized as provided in this act

The following departmental administrative boards and commissions are hereby created in the respective Administrative Departments as follows

In the Treasury Department
In the Department of Public Instruction
  Board of Trustees of Pennsylvania State Oral School for the Deaf
  Board of Trustees of Home for Training in Speech of Deaf Children before they are of School Age
  Board of Trustees of Pennsylvania Soldiers' Orphan School
  Board of Finance and Revenue
In the Department of Forest and Waters
  Geographic Board
In the Department of Health
  Santiary Water Board
In the Department of Welfare
  Board of Trustees of the Eastern State Penitentiary
  Board of Trustees of Western State Penitentiary
  Board of Trustees of Pennsylvania Industrial Reformatory
  Board of Trustees of State Industrial Home for Women
  Board of Trustees of Pennsylvania Training School
  Board of Trustees of Pennsylvania Soldiers' and Sailors' Home
  Board of Trustees of Allentown State Hospital
  Board of Trustees of Danville State Hospital
  Board of Trustees of Farview State Hospital
  Board of Trustees of Harrisburg State Hospital
  Board of Trustees of Norristown State Hospital
  Board of Trustees of Warren State Hospital
  Board of Trustees of Wernersville State Hospital
  Board of Trustees of Torrance State Hospital
  Board of Trustees of Ashland State Hospital
  Board of Trustees of Blossburg State Hospital
  Board of Trustees of Coaldale State Hospital
  Board of Trustees of Connellsville State Hospital
  Board of Trustees of Hazleton State Hospital
  Board of Trustees of Mercer State Hospital
  Board of Trustees of Nanticoke State Hospital
  Board of Trustees of Philipsburg State Hospital
  Board of Trustees of Scranton State Hospital
  Board of Trustees of Shamokin State Hospital
  Board of Trustees of Laurelton State Village
  Board of Trustees of Pennhurst State School
  Board of Trustees of Polk State School
  Board of Trustees of New Cumberland Industrial Farm
In the Department of Property and Supplies
  Board of Commissioners of Public Grounds and Buildings

Section 203 Advisory Boards and Commissions The following advisory boards and commissions are hereby created and designated in and as parts of the respective departments as follows

In the Department of Forests and Waters
  State Forest Commission
  Fort Washington Park Commission and
  Wyoming Valley Memorial Park Commission
In the Department of Labor and Industry
  Industrial Board
In the Department of Health
  Advisory Health Board
In the Department of Welfare
  State Welfare Commission
In the Department of Property and Supplies
  Gettysburg Battlefield Memorial Commission
  General George Gordon Meade Statue Commission
  Robert Morris Monument Commission
  General Galusha Pennypacker Monument Commission
  Camp Curtin Monument Commission

Section 204 Executive Board The Executive Board shall consist of the Governor who shall be chairman thereof and four other heads of administrative departments to be designated from time to time by the Governor

Section 205 Department Heads Each Administrative Department shall have as its head an officer who shall either personally by deputy or by the duly authorized agent or employe of the department and subject at all times to the provisions of this act exercise the powers and perform the duties by law vested in and imposed upon the department

(a) The following officers shall be the heads of the Administrative Departments following their respective titles

Auditor General of the Department of the Auditor General
State Treasurer of the Treasury Department
Secretary of Internal Affairs of the Department of Internal Affairs
Secretary of the Commonwealth of the Department of State and Finance
Attorney General of the Department of Justice
Superintendent of Public Instruction of the Department of Public Instruction
Adjutant General of the Department of Military Affairs
Secretary of Agriculture of the Department of Agriculture
Commissioner of Forestry who shall hereafter be known as
Secretary of Forests and Waters of the Department of Forests and Waters
Commissioner of Labor and Industry who shall hereafter be known as
Secretary of Labor and Industry of the Department of Labor and Industry
Commissioner of Health who shall hereafter be known as Secretary of Health of the Department of Health
State Highway Commissioner who shall hereafter be known as Secretary of Highways of the Department of Highways
Commssioner of Public Welfare who shall hereafter be known as
Secretary of Welfare of the Department of Welfare
Commissioner of Banking who shall hereafter be known as Secretary of Banking of the Department of Banking
Insurance Commissioner who shall hereafter be known as Secretary of Insurance of the Department of Insurance

(b) The incumbent of the office known as Secretary of Property and Supplies which is hereby created shall be the head of the Department of Property and Supplies

Section 206 Appointment The Governor shall nominate and by and with the advice and consent of two-thirds of all the members of the Senate appoint

(a) The Secretary of the Commonwealth the Attorney General the Superintendent of Public Instruction The Adjutant General the Secretary of Agriculture the Secretary of Forests and Waters the Secretary of Labor and Industry the Secretary of Health the Secretary of Highways the Secretary of Welfare the Secretary of Banking the Secretary of Insurance the Secretary of Property and Supplies and the members of all independent administrative boards and commissions

(b) Except as in this act otherwise provided the members of all departmental administrative bodies boards and commissions and the officers who shall fill the departmental administrative offices mentioned in this article

(c) Except as in this act otherwise provided the members of all advisory boards and commissions

Section 207 Terms of Office The terms of office of the persons appointed by the Governor under the preceding section shall be as follows

(a) The Secretary of the Commonwealth and the Attorney General shall serve during the pleasure of the Governor

(b) The term of the Superintendent of Public Instruction shall be four years

(c) Except as in this act otherwise provided the heads of other administrative departments, of independent administrative boards and commissions of departmental administrative bodies boards commissions and of advisory boards and commissions and departmental administrative offices shall hold office for terms of four years from the third Tuesday of January next following the election of a Governor and until their successors shall have been appointed and qualified Provided That except as in this act otherwise provided the terms of the persons appointed hereunder to fill offices or as members of Boards or Commissions shall expire upon the third Tuesday of January one thousand nine hundred and twenty-seven

Section 208 Compensation of the Governor Lieutenant Governor and Heads of Departments Annual salaries shall be payable in equal semi-monthly instalments as follows

To the Governor eighteen thousand dollars

To the Lieutenant Governor five thousand dollars

To the Secretary of the Commonwealth eight thousand dollars

To the Attorney General twelve thousand dollars

To the Auditor General ten thousand dollars

To the State Treasurer ten thousand dollars

To the Secretary of Internal Affairs eight thousand dollars

To the Superintendent of Public Instruction twelve thousand dollars

To the Adjutant General eight thousand dollars

To the Secretary of Agriculture eight thousand dollars

To the Secretary of Forest and Waters eight thousand dollars

To the Secretary of Labor and Industry ten thousand dollars

To the Secretary of Health ten thousand dollars

To the Secretary of Highways ten thousand dollars

To the Secretary of Welfare ten thousand dollars

To the Secretary of Banking ten thousand dollars.

To the Secretary of Insurance seven thousand five hundred dollars

To the Secretary of Property and Supplies eight thousand dollars

Neither the Governor Lieutenant Governor nor the head of any administrative department hereafter elected or appointed shall receive any additional compensation for any services rendered to the Commonwealth in any capacity

Section 209 Compensation of Members of Independent Administrative Boards and Commissions Annual salaries shall be payable in equal semi-monthly instalments as follows

To the Commissioner of Fisheries four thousand five hundred dollars

To the Chairman of The Public Service Commission of the Commonwealth of Pennsylvania ten thousand five hundred dollars

To the members of The Public Service Commission of the Commonwealth of Pennsylvania other than the Chairman each ten thousand dollars

The members of the Board of Game Commissioners and of the Board of Fish Commissioners other than the Commissioner of Fisheries shall not receive any compensation

Section 210 Compensation of Departmental Admisistrative Bodies Boards and Commissions and of Advisory Boards and Commissions Except as in this act otherwise provided the members of departmental administrative bodies boards and commissions and of advisory boards and commissions shall serve without compensation

Section 211 Employes of the Governor's Office The Governor shall appoint to serve at his pleasure a Secretary to the Governor and such consultants experts accountants investigators clerks stenographers messengers watchmen and other employes as may be required for the proper conduct of the work of his office and of the Executive Board and shall fix their salaries wages fees or other compensation

Section 212 Bureaus and Divisions The heads of the several administrative departments except the Auditor General State Treasurer and Secretary of Internal Affairs and the several independent administrative boards and commissions shall subject to the approval of the Executive Board establish such Bureaus or Divisions in their respective Departments Boards or Commissions as may be required for the proper conduct of the work of such Departments Boards or Commissions

Section 213 Deputies The head of any Administrative Department except the Auditor General Treasurer and Secretary of Internal Affairs shall have the power with the approval of the Governor to appoint and fix the compensation of a Deputy or such number of deputies as the Executive Board shall approve who shall in the absence of the head of such Department have the right to exercise all the powers and perform all the duties by law vested in and imposed upon the head of such department except the power to appoint deputies bureau or division chiefs or other assistants or employes and who may at any time exercise such of the powers and perform such of the duties of the head of his department as may be prescribed by the head of his department Provided however That any such deputy shall not have the right to exercise any power or perform any duty which the Constitution of the Commonwealth of Pennsylvania requires the head of his Department personally to exercise or perform

Section 214 Employment and Compensation of Directors Bureau Chiefs and other Employes The heads of the several Administrative Departments except the Auditor General State Treasurer and Secretary of Internal Affairs and the independent Administrative Boards and Commissions shall appoint and fix the compensation of such Directors Superintendents Bureau or Division Chiefs Assistant Directors Assistant Superintendents Assistant Chiefs Experts Scientists Engineers Surveyors Draftsmen Accountants Secretaries Auditors Inspectors Examiners Statisticians Marshals Clerks Stenographers Bookkeepers Messengers and other assistants and employes as may be required for the proper conduct of the work of their respective departments boards or commissions Except as otherwise provided in this act the heads of the respective administrative departments shall appoint and fix the compensation of such clerks stenographers and other assistants as may be required for the proper conduct of the work of any departmental admisistrative bodies boards commissions or officers and of any advisory boards or commissions established in their respective departments

The number and compensation of all employes appointed under this section shall be subject to approval by the Governor and after the Executive Board shall have fixed the standard compensation for any kind grade or class of service or employment the compensation of all persons in that kind grade or class appointed hereunder shall be fixed in accordance with such standard

Section 215 Extra Compensation Prohibited No employe in any administrative department or independent administrative board or commission employed at a fixed compensation shall be paid for any extra service unless expressly authorized by the Executive Board prior to the rendering of such services

Section 216 Expenses The heads of Admisistrative Departments the members of indepenednt administrative boards and commissions the members of departmental administrative bodies and commissions the members of advisory boards and commissions all administrative officers and all persons employed under the provisions of this act shall be entitled to receive their traveling and other necessary expenses actually incurred in the performance of their public duties upon requisition of the head of the appropriate administrative department or of the appropriate independent administrative board or commission

Section 217 Qualifications All Deputies Directors Superintendents and Bureau or Division Chiefs and other employes shall be persons especially qualified for their positions by training and experience in the particular kind of work which their official duties will require them to perform

Section 218 Oath of Office All persons appointed by the Governor under the provisions of this act and all deputy heads of administrative departments shall before entering upon the duties of their offices take and subscribe the constitutional oath of office which shall be filed in the office of the Secretary of the Commonwealth

Section 219 Fidelity Bonds The heads of all Administrative departments and such deputies directors bureau or division chiefs and such other officers or employes and such members of departmental administrative bodies boards and commissions as the heads of the various Departments shall subject to the approval of the Governor prescribe the Secretary of the Board of Game Commissioners the Commissioner of Fisheries the members of The Public Service Commission of the Commonwealth of Pennsylvania the members of the Pennsylvania State Board of Censors and such officers and employes of the independent administrative boards and commissions as the respective boards and commissions shall subject to the approval of the Governor prescribe shall before entering upon the discharge of the duties of their respective offices or positions give bond with security to be approved by the Attorney General in such penal sums as shall be fixed by the Governor conditioned for the faithful performance of their respective duties which bonds shall be filed with the State Treasurer Provided That the amount of such bond in the case of the head of any Administrative Department or any of the officers specifically mentioned in this section shall not be less than twenty thousand dollars

Section 220 Departmental Offices Each Administrative Department and each independent administrative Board and Commission shall maintain a central office at Harrisburg in rooms assigned to them by the Board of Commissioners of

Public Grounds and Buildings The head of any Department or any independent administrative Board or Commission may with the approval of the Governor establish and maintain at places other than Harrisburg in quarters assigned by the Board of Commissioners of Public Grounds and Buildings branch offices for the conduct of any one or more functions of such department board or commission or of any departmental administrative or advisory board or commission in such department

Section 221 Office Hours All administrative offices of the State Government shall be open for the transaction of public business at least eight hours each day except Saturdays Sundays and legal holidays On Saturdays when not legal holidays such offices shall be open for business for at least three hours The hours when such offices shall open and close shall from time to time be determined by the Executive Board

Section 222 Work-Hours and Vacations Each employe of an administrative department or of an independent administrative board or commission if employed for continuous service shall work during such hours as the head of the department or the board or commission shall require but not less than thirty-eight hours per week Such employe shall be entitled during each calendar year to fifteen days' leave of absence with full pay and in special and meritorious cases where to limit the annual leave to fifteen days in any one calendar year would work peculiar hardships the extent of such leave with pay may in the discretion of the head of the department or of the board or commission be extended but any such extension shall not be for more than fifteen days except with the approval of the Executive Board This section shall be construed to mean that the pay of such employe shall cease upon the expiration of the granted leave regardless of his or her continuation thereafter upon the rolls of the department board or commission The annual leave of absence with pay shall be exclusive of Sundays and legal holidays

ARTICLE III

ORGANIZATION OF INDEPENDENT ADMINISTRATIVE BOARDS AND COMMISSIONS

Section 301 Board of Game Commissioners The Board of Game Commissioners shall consist of six competent citizens of this Commonwealth no two of whom shall be from the same senatorial district The Board shall annually elect a president and a vice-president from among its members It shall also appoint to serve at its pleasure and with the approval of the Governor fix the compensation of an executive secretary who need not be a member of the Board and who shall attend to the administrative work of the Board

Four members of the Board shall constitute a quorum

Members of the Board shall be appointed to serve for terms of six years

Section 302 Board of Fish Commissioners The Board of Fish Commissioners shall consist of a Commissioner of Fisheries and seven other citizens of the Commonwealth

Five members of the Board shall constitute a quorum

The Commissioner of Fisheries shall be the president and executive officer of the Board and chief superintendent of all hatching-stations and fish cultural establishments belonging to the State

Members of the Board shall be appointed to serve for terms of six years

Section 303 The Public Service Commission of the Commonwealth of Pennsylvania The Public Service Commission of the Commonwealth of Pennsylvania shall consist of seven members Each Commissioner at the time of his appointment and qualification shall be a resident of the Commonwealth of Pennsylvania and shall have been a qualified elector therein for a period of at least one year next preceding his appointment and shall not be less than thirty years of age

A member designated by the Governor shall be the Chairman of the Commission during such member's term of office When present the Chairman shall preside at all meetings but in his absence the member whose term shall first expire shall preside

The Commission may appoint a Secretary to hold office at its pleasure Such secretary if appointed shall have such powers and shall perform such duties not contrary to law as the Commission shall prescribe and shall receive such compensation as the Commission with the approval of the Governor shall determine He shall have power and authority to administer oaths in all parts of the Commonwealth in all proceedings by or before the Commission or any Commissioner and in all cases or matters appertaining to the duties of his office and shall further have the power to designate from time to time one of the clerks appointed by the Commission to perform the duties of the Secretary during his absence and the clerk so appointed shall possess for the time so designated the powers of the Secretary of the Commission

A quorum of the Commission shall be four members who for all purposes including the making of any order or the ratification of any act done or order made by one or more of the Commissioners must act unanimously but hearings may from time to time be held by one commissioner as may now or hereafter be provided by law

No vacancy in the Commission shall impair the right of a quorum to exercise all the rights and perform all the duties of the Commission

No person shall be appointed a member of the Commission or hold any place position or office under it who occupies any official relation to any public service company doing business in this Commonwealth or who holds any other elective or appointive office of the Commonwealth or any municipality thereof No Commission shall during his term be a candidate for any such office

No Commissioner and no employe appointee or official engaged in the service of or in any manner connected with the Commission shall hold any office or position or be engaged in any business employment or vocation the duties of which are incompatible with the duties of his office or employment as Commissioner or in the service or in connection with the work of the Commission No Commissioner shall participate in any hearing or proceeding in which he has direct or indirect pecuniary interest Every Commissioner and every individual employed or appointed to office under and in the service or in connection with the work of the Commission is hereby forbidden to solicit suggest request or recommend directly or indirectly to any Public Service Company or any officer attorney agent or employe thereof the appointment of any individual to any office place or position in or the employment of any individual in any capacity by said Public Service Company and any person employed or appointed in the service of the Commission who shall violate any provision of this act shall forthwith be removed by the Commission from the office or employment held by him

The terms of the members of the Commission shall be ten years

ARTICLE IV

ORGANIZATION OF PENNSYLVANIA STATE POLICE AND OF DEPARTMENTAL ADMINISTRATIVE BOARDS AND COMMISSIONS AND ADVISORY BOARDS AND COMMISSIONS.

Section 401 Pennsylvania State Police - The Pennsylvania State Police shall consist of a Superintendent the State Police Force as now or hereafter authorized by law and such deputies chiefs statisticians clerks experts and other assistants as the Superintendent with the approval of the Governor shall deem necessary for the work of the force

The Superintendent of the Pennsylvania State Police shall receive a salary at the rate of six thousand dollars per annum

The State Police Force shall receive such compensation as is now or may hereafter be fixed by law

The deputies chiefs statisticians clerks experts and other assistants engaged in the work of the Pennsylvania State Police shall be appointed by the Superintendent and shall receive such compensation as shall be fixed by the Superintendent with the approval of the Governor which compensation shall however conform to the standards established by the Executive Board

The members of the State Police Force shall be appointed by the Superintendent

Section 402 Board of Finance andRevenue The Board of Finance and Revenue shall consist of the Secretary of the Commonwealth the Attorney General the Auditor General and the State Treasurer

Three members of the Board shall constitute a quorum The powers and duties vested in and imposed upon the Board shall in all cases be exercised or performed by a majority of the Board

The Board shall keep full and exact minutes of its proceedings which shall at all times be open to the inspection of the Governor and the General Assembly

Section 403 Board of Property The Board of Property shall consist of the Secretary of Internal Affairs the Secretary of the Commonwealth and the Attorney General Two members of the Board shall constitute a quorum

Section 404 Board of Pardons The Board of Pardons shall consist of the Lieutenant Governor Secretary of the Commonwealth Attorney General and Secretary of Internal Affairs

Three members of the Board shall constitute a quorum

Section 405 Board of Commissioners on Uniform State Laws The Board of Commissioners on Uniform State Laws shall consist of three persons learned in the law and the Attorney General ex-officio

Section 406 State Council of Education The State Council of Education shall consist of the Superintendent of Public Instruction who shall be the president and chief executive officer thereof and nine other members

All appointments shall be for terms of six years

The Superintendent of Public Instruction and five other members shall continue a quorum

Section 407 Pennsylvania State Board of Censors The Pennsylvania State Board of Censors shall consist of three residents and citizens of Pennsylvania two males and one female well qualified by education and experience to act as censors of moton-picture films and stereoptican views or slides One member of the Board shall be designated as Chairman one member as vice-chairman and the other member as Secretary theerof

The Chairman of the Board shall receive a salary of three thousand six hundred dollars per annum and the vice-chairman and secretary shall receive a salary of three thousand three hundred dollars per annum

Two members of the Board shall constitute a quorum

Section 408 Public School Employes' Retirement Board The Public School Employes' Retirement Board shall consist of the Superintendent of Public Instruction who shall be Chairman thereof the State Treasurer one member who shall be appointed by the Governor three members of the School Employes' Association elected from among their number in a manner to be approved by the Superintendent of Public Instruction the State Treasurer and the member of the Retirement Board appointed by the Governor and one member not an officer or employee of the State who shall be elected by the Board

A vacancy occuring during a term shall be filled for the unexpired term by the appointment or election of a successor in the same manner as his or her predecessor

Of the members of the Public School Employes' Retirement Board the member who is appointed by the Governor shall serve until his successor is appointed The members elected by the School Employes' Association shall be elected for terms of three years The member elected by the Board shall be elected annually to serve for a term of one year

The members of the Board elected by the School Employes' Association shall not suffer any loss of salary or wages through serving on the Board

Section 409 Pennsylvania Historical Commission The Pennsylvania Historical Commission shall consist of the Superintendent of Public Instruction ex-officio and five citizens of the Commonwealth

Three members of the Commission shall constitute a quorum

The Commission shall select from their number a chairman and shall elect a secretary who need not be a member of the Commission

The Secretary shall receive such compensation as the Commission shall with the approval of the Superintendent of Public Instruction determine but such salary shall not exceed eighteen hundred dollars per annum

Section 410 State Board of Medical Education and Licensure The State Board of Medical Education and Licensure shall consist of seven members two of whom shall be the Superintendent of Public Instruction and the Secretary of Health ex-officio Of the five remaining members one shall be appointed from the Medical Society of the State of Pennsylvania one from the Homeopathic Medical Society of the State of Pennsylvania and one from the Eclectic Medical Society of the State of Pennsylvania The two remaining members shall not be of the same school or system of practice

Each of the five members appointed shall at the time of his appointment be licensed and qualified under the existing laws of this Commonwealth to practice medicine and surgery and shall have practiced the same in this Commonwealth for a period of not less than ten years prior to his appointment No member of the Board shall be a member of the faculty of any undergraduate school or college or university teaching medicine and surgery

The terms of members of the Board shall be four years from the respective dates of their appointment

Four members of the Board shall constitute a quorum

The Board shall select from among their number a Chairman and shall elect a Secretary who need not be a member of the Board

Each member of the Board other than the Superintendent of Public Instruction and the Secretary of Health shall receive fifteen dollars per diem while actually engaged in the work of the Board The Secretary shall receive such reasonable compensation as shall be determined by the Board with the approval of the Superintendent of Public Instruction

Section 411 State Board of Pharmacy The State Board of Pharmacy shall consist of the Superintendent of Public Instruction ex officio and five persons who shall be appointed for terms of six years from among the most skilful pharmacists in Pennsylvania who are not teachers or instructors in any educational institution teaching pharmacy Each appointee must have been registered as a pharmacist in Pennsylvania at least ten years previous to his appointment and he must be actually engaged in conducting a pharmacy

Three members of the Board shall constitute a quorum

The Board shall select from their number a Chairman and shall elect a Secretary who need not be a member of the Board

The members of the Board other than the Superintendent of Public Instruction shall be paid fifteen dollars per diem when actually engaged in the performance of their official duties and the Secretary shall receive such reasonable compensation as the Board shall determine with the approval of the Superintendent of Public Instruction

Section 412 State Dental Council and Examining Board The State Dental Council and Examining Board shall consist of the President of the Pennsylvania State Dental Society the Superintendent of Public Instruction the Secretary of Health and six persons whose term of office shall be six years from the first day of September of the year in which they may be appointed

The Pennsylvania State Dental Society shall have power to nominate from its membership at least double the number of candidates required to fill the vacancies occurring annually in the membership of the State Dental Council and Examining Board Such candidates shall have been engaged in the actual practice of dentistry in this Commonmonwealth during a period of not less than ten years The Governor shall appoint members to fill all vacancies occurring from any cause only from the candidates nominated as aforesaid No member of the faculty of a Dental College shall be eligible to appointment as a member of the State Dental Council and Examining Board In the event of failure of the Pennsylvania State Dental Society to nominate candidates as aforesaid the Governor shall appoint members in good standing of the said Society without other restriction

The members of the State Dental Council and Examining Board shall annually select one of their number to act as Chairman and shall elect a Secretary who need not be a member of the Board

Each of the members of the State Dental Council and Examining Board other than the Superintendent of Public Instruction the Secretary of Health and the President of the Pennsylvania State Dental Society shall receive fifteen dollars per diem while actually engaged in the work of the Board and the Secretary shall receive such reasonable compensation as the Board shall determine with the approval of the Superintendent of Public Instruction

The terms of the present members of the Dental Council and of the Board of Dental Examiners for the Commonwealth of Pennsylvania shall expire upon the date when this Act becomes effective Of the first members of the State Dental Council and Examining Board appointed under this Act two shall be appointed for two years two for four years and two for six years

Section 413 State Board of Optometrical Examiners The State Board of Optometrical Examiners shall consist of the Superintendent of Public Instruction ex officio and seven members all of whom shall be Optometrists citizens of Pennsylvania who possess the requisite qnalifications to practice Optometry under the laws of this Commonwealth and who shall have been so practicing in this Comomnwealth during the five years next previous to their appointment

The terms of members of the Board shall be four years from the respective dates of their appointment

No member of the Board shall be a member of the Faculity of any undergraduate school or college teaching Optometry

Four members of the Board shall constitutte a quorum and the Board shall select from its membership a Chairman and shall elect a Secretary who need not be a member of the Board

The members of the Board other than the Superintendent of Public Instruction shall receive fifteen dollars per diem for each day actually devoted to the work of the Board and the Secretary shall receive such reasonable compensation as shall be determined by the Board with the approval of the Superintendent of Public Instruction

Section 414 State Board of Osteopathic Examiners The State Board of Osteopathic Examiners shall consist of the Superintendent of Public Instruction ex officio and five members each of whom shall be a graduate of a legally incorporated and reputable college of Osteopathy and shall have been licensed to practice Osteopathy under the laws of this Commonwealth and shall not be in any manner financially interested in or connected with the faculty or management of any Osteopathic School or College and shall have been engaged in the practice of Osteopathy in this Commonwealth for a period of at least three years

The members of the Board qualified as aforesaid shall be appointed from a full list of the members in good standing of the Pennsylvania Osteopathic Association which list shall be furnished to the Governor by the President and Secretary of such Association annually In the case of the failure of the Pensylvania Osteopathic Association to submit such a list to the Governor the Governor shall appoint members in good standing of such Association without restriction

The terms of members of the Board shall be four years from the respective dates of their appointment

Three members of the Board shall constitute a quorum and the Board shall annually select from among its number a Chairman and shall elect a Secretary who need not be a member of the Board

The members of the Board other than the Superintendent of Public Instruction shall receive fifteen dollars per diem when actually engaged in the performance of their official duties and the Secretary shall receive such reasonable compensation as the Board shall determine with the approval of the Superintendent of Public Instruction

Section 415 State Board of Examiners for Registration of Nurses The State Board of Examiners for Registration of Nurses shall consist of the Superintendent of Public Instruction ex officio and five members who shall be registered nurses graduated from training schools connected with hospitals where practical and theoretical instruction is given in general surgical and medical nursing and who shall have been engaged in nursing in the Commonwealth of Pennsylvania for at least five years since graduation

The Governor shall appoint the original members of the board from a list of not less than twenty names submitted to him by the Board of Directors of the Graduate Nurses Association of Pennsylvania One member shall be appointed for six years two members for four years and two for two years and upon expiration of the term of office of any member the Governor shall appoint a person with the above specified qualifications from a list of not less than ten names submitted to him by the Board of Directors of the Graduate Nurses Association of Pennsylvania for a term of six years and until a successor is appointed and qualified Vancancies shall be filled in like manner

Three members of the Board shall constitute a quorum and the Board shall selcet from among its members a Chairman and shall elect a Secretary who need not be a member of the Board

The Board with the approval of the Superintendent of Public Instruction shall also appoint and fix the compensation of a State Educational Director of Training Schools for Nurses who shall have the same qualifications as the members of the Board

The members of the Board other than the Superintendent of Public Instruction shall receive fifteen dollars per diem when actually engaged in the transaction of official business and the Secretary shall receive such reasonable compensation as shall be determined by the Board with the approval of the Superintendent of Public Instruction

The terms of the present members of the Board shall expire upon the date when this Act becomes effective

Section 416 State Board of Undertakers The State Board of Undertakers shall consist of the Superintendent of Public Instruction ex officio and five persons who shall be practicing undertakers The terms of members of the Board shall be six years

Three members of the Board shall constitute a quorum The Board shall select from among their number a Chairman and shall elect a Secretary who need not be a member of the Board

Each member of the Board other than the Superintendent of Public Instruction shall receive fifteen dollars per diem when actually engaged in the transaction of official business

The Secretary of the Board shall receive such reasonable compensation as the Board may determine with the approval of the Superintendent of Public Instruction

Section 417 State Board of Veterinary Medical Examiners The State Board of Veterinary Medical Examiners shall consist of the Superintendent of Public Instruction ex officio and five members who shall be of good standing in the Veterinary Profession and shall be graduates of a legally incorporated and reputable veterinary school They shall have practiced veterinary medicine for at least five years immediately preceeding their appointment

Three members of the Board shall constitute a quorum The Board shall select from among their number a Chairman and shall elect a Secretary who need not be a member of the Board

Each member of the Board other than the Superintendent of Public Instruction shall receive fifteen dollars per diem while actually engaged in the transaction of official business and the Secretary shall receive such reasonable compensation as the Board shall determine with the approval of the Superintendent of Public Instruction

Section 418 State Board of Examiners of Public Accountants shall consist of the Superintendent of Public Instruction ex officio and five members two of whom shall be appointed from the eastern part of the State two from the western part and one from the central part Three of them shall be certified public accountants holding degrees of the same from the Commonwealth of Pennsylvania The other two shall be practicing attorneys in good standing in any of the Courts of the Commonwealth

The terms of members of the Board shall be four years from the respective dates of their appointment

Three members of the Board shall constitute a quorum The Board shall select from among their number a Chairman and shall elect a Secretary who need not be a member of the Board

Each member of the Board other than the Superintendent of Public Instruction shall receive fifteen dollars per diem when actually engaged in the work of the Board and the Secretary shall receive such reasonable compensation as the Board shall determine with the approval of the Superintendent of Public Instruction

Section 419 State Board of Registration of Professional Engineers and of Land Surveyors The State Board of Registration of Professional Engineers and of Land Surveyors shall consist of the Superintendent of Public Instruction ex officio and five members all of whom shall be registered professional engineers and full corporate members in good standing in at least one of the following societies American Society of Civil Engineers American Institute of Mining and Metallurgical Engineering American Society of Mechanical Engineers or American Institute of Electrical Engineers The members of the Board shall be so selected that not more than two of them shall be members of the same Society Each member of the Board shall be a citizen of the United States and a resident of this Commonwealth shall have been engaged in the practice of the Profession of engineering for at least ten years and shall have been in responsible charge of engineering work for at least five years

The term of members of the Board shall be six years

Three members of the Board shall constitute a quorum The Board shall select from their number annually a President and shall elect a Secretary who need not be a member of the Board

Each member of the Board except the Superintendent of Public Instruction shall receive fifteen dollars per diem when actually attending to the work of the Board and the Secretary shall receive such reasonable compensation as shall be determined by the Board with the approval of the Superintendent of Public Instruction

Section 420 State Board of Architects shall consist of the Superintendent of Public Instruction ex officio and five members all of whom shall be architects who have been in active practice in this Commonwealth for not less than ten years prior to their appointment

The terms of members of the Board shall be six years

Three members of the Board shall constitute a quorum

The Board shall annually select from among their number a President and shall elect a Secretary who need not be a member of the Board

Each member of the Board except the Superintendent of Public Instruction shall receive fifteen dollars per diem while actually engaged in the work of the Board and the Secretary shall receive such reasonable compensation as shall be determined by the Board with the approval of the Superintendent of Public Instruction

Section 421 State Mine Inspectors Examining Board The State Mine Inspectors Examining Board shall consist of the Superintendent of Public Instruction ex officio the Chief of the Mining Branch of the Department of Labor and Industry one mining engineer who shall have had at least five years' experience in the anthracite mines of Pennsylvania one mining engineer who shall have had at least five years' experience in the bituminous mines of Pennsylvania two members who shall be miners in actual practice and shall have had at least five years' practical experience as miners in the bituminous mines of Pennsylvania and two members who shall be miners in actual practice and shall have had at least five years' practical experience in the anthracite mines of Pennsylvania All members of the Board shall be at least thirty years of age

The Chief of the Mining Branch of the Department of Labor and Industry shall be chairman of the Board The Board shall elect a Secretary who need not be a member of the Board

Each member of the Board other than the Superintendent of Public Instruction and the Chief of the Mining Branch of the Department of Labor and Industry shall receive fifteen dollars per diem while actually engaged in the performance of the work of the Board and the Secretary shall receive such reasonable compensation as shall be determined by the Board with the approval of the Superintendent of Public Instruction Provided That the Chief of the Mining Branch of the Department of Labor and Industry shall have the right to determine from time to time the maximum number of days for which the members of the Board entitled tnereto shall receive compensation

The terms of the present members of the Anthracite Mine Inspectors' Examining Board and of the Bituminous Mine Inspectors' Examining Board shall expire on the date upon which this act becomes effective

Section 422 Armory Board of the State of Pennsylvania The Armory Board of the State of Pennsylvania shall consist of the Governor the Adjutant General and five other persons of whom three shall be officers of the National Guard of Pennsylvania

The Adjutant General shall be Chairman of the Board

The Board shall select a Secretary

Four member of the Board shall constitute a quorum

Each member of the Board except the Governor and the Adjutant General shall receive a salary at the rate of twelve hundred dollars per annum

Section 423 State Fair Commission The State Fair Commission shall consist of eleven citizens of the Commonwealth of Pennsylvania of whom three shall be the Secretary of Agriculture the Superintendent of Public Instruction and the Secretary of Labor and Industry

The Secretary of Agriculture shall be Chairman of the Commission and the Commission shall elect a Secretary who need not be a member thereof

Six members of the Commission shall constitute a quorum

Section 424 Water and Power Rescources Board The Water and Power Resources Board shall consist of five members four of whom shall be the Secretary of Forests and Waters and the Secretary of Health the Commissioner of Fisheries and the Chairman of the Public Service Commission of the Commonwealth of Pennsylvania The fifth member shall be an engineer and shall receive compensation for his services at such rate per diem as shall be fixed by the other members of the Board but such compensation shall not exceed three thousand dollars per annum

The terms of the present members of the Water Supply Commission of Pennsylvania shall expire upon the date when this act becomes effective

The Secretary of Forests and Waters shall be Chairman of the Board

Section 425 Geographic Board The Geographic Board shall consist of the Secreary of Forests and Waters who shall be the chairman thereof the Secretary of Highways the President of the Pennsylvania Historical Commission and the Chief of the Land Office Bureau in the Department of Internal Affairs

Three members of the Board shall constitute a quorum

Section 426 Lake Erie and Ohio River Canal Board The Lake Erie and Ohio River Canal Board shall consist of the Secretary of Forests and Waters ex officio and seven members three of whom may be non-residents of Pennsylvania

The Governor shall designate one member of the Board as Chairman and the Board shall elect a Secrettary

Four members of the Board shall constitute a quorum

Section 427 Pennsylvania State Park and Harbor Commission of Erie The Pennsylvania State Park and Harbor Commission of Erie shall consist of nine persons of whom two shall be appointed by the Council of the City of Erie The Secretary of Forests and Waters and the Commissioner of Fisheries shall be members ex officio of the Commission

The Commission shall annually elect a Chairman and a secretary

Five members of the Commission shall constitute a quorum

Section 428 Washington Crossing Park Commission The Washington Crossing Park Commission shall consist of the Secretary of Forests and Waters ex officio and ten other persons

The Commission shall annually elect a Chairman and a Secretary

Six members of the Commission shall constitute a quorum

Section 429 Valley Forge Park Commission The Valley Forge Park Commission shall consist of the Secretary of Forests and Waters ex officio and thirteen other persons

The Commission shall annually elect a Chairman and a Secretary

Seven members shall constitute a quorum

Section 430 Workmen's Compensation Board The Workmen's Compensation Board shall consist of three members of whom the Governor shall designate one as Chairman The Secretary of Labor and Industry shall be ex officio a member of the Board Two members of the Board shall be a quorum and no action of the Board shall be valid unless it shall have the concurrence of at least two members A vacancy on the Board shall not impair the right of a quorum to exercise all the rights and perform all the duties of the Board

The Secretary of Labor and Industry with the approval of th Governor shall appoint a Secretary to the Workmen's Compensation Board who shall receive such salary as the Secretary of Labor and Industry with the approval of the Governor shall determine

The Chairman of the Workmen's Compensation Board shall receive a salary at the rate of nine thousand dollars per annum The other members of the Board except the Secretary of Labor and Industry shall receive salaries at the rate of eight thousand five hundred dollars per annum

Section 431 Workmen's Compensation Referees There shall be in the Department of Labor and Industry as many Workmen's Compensation Referees as in the judgment of the Governor and of the Secretary of Labor and Industry shall be necessary properly to administer the Workmen's Compensation Laws of the Commonwealth Such Referees shall be subject to the direction and control of the Workmen's Compensation Board The Board shall assign them to the various Workmen's Compensation Districts and shall prescribe from time to time the duties to be performed by them

Each Workmen's Compensation Referee shall receive a salary at the rate of five thousand dollars per annum

Section 432 Sanitary Water Board The Sanitary Water Board shall consist of the Secretary of Health who shall be

Chairman thereof the Secretary of Forests and Waters the Attorney General the Commissioner of Fisheries and the Chairman of the Public Service Commission of the Commonwealth of Pennsylvania

Three members of the Board shall constitute a quorum

Section 433 Anatomical Board The Anatomical Board of the State of Pennsylvania shall consist of the Professors of anatomy the professors of surgery the demonstrators of anatomy and the demonstrators of surgery of the medical and dental schools and colleges of this Commonwealth which are now or may hereafter become incorporated together with one representative from each of the unincorporated schools of anatomy or practical surgery within this Commonwealth in which there are or from time to time at the time of the appointment of such representatives shall be not less than five scholars

The Secretary of Health shall be a member of the Board ex officio

The Board shall effect such organization and elect such officers as it shall from time to time determine

Section 434 Boards of Trustees of State Institutions The Board of Trustees of each of the State Institutions hereinafter mentioned shall consist of nine members and the head of the Department having supervision over the Institution exofficio

Of the first members of each such Board appointed under this act three shall be appointed for two years three for four years and three for six years Thereafter all appointments shall be for terms of six years

Five members of any such Board shall constitute a quorum

Each such Board shall annually elect a President and Vice-President from among its members and a Secretary and Treasurer who need not be members of the Board The Secretary and Treasurer may be the same person

This section shall apply to

Board of Trustees of Eastern State Penitentiary
Board of Trustees of Western State Penitentiary
Board of Trustees of Pennsylvania Industrial Reformatory
Board of Trustees of State Industrial Home for Women
Board of Trustees of Pennsylvania Training School
Board of of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Home for Training in Speech of Deaf Children before they are of School age
Board of Trustees of Pennsylvania Soldiers' Orphan School
Board of Trustees of Pennsylvania Soldiers' and Sailors' Home
Board of Trustees of Allentown State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Hazelton State Hospital
Board of Trustees of Mercer State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Philipsburg State Hospital
Board of Trustees of Scranton State Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School

Section 435 Board of Commissioners of Public Grounds and Buildings The Board of Commissioners of Public Grounds and Buildings shall consist of the Governor the Auditor General and the State Treasurer

Section 436 State Art Commission The State Art Commission shall consist of five citizens of this Commonwealth of whom the Governor shall designate one as Chairman and another as Secretary of the Commission

Three members shall constitute a quorum

Section 437 State Anthracite Mine Cave Commission The State Anthracite Mine Cave Commission shall consist of a Chairman and two other members one of whom shall be a practical mining engineer and all of whom shall be citizens of the anthracite producing counties of this Commonwealth

The Governor shall designate one of the members as Chairman of the Commission

Every member of the Commission shall receive a salary of eight thousand dollars per annum Provided however that all salaries and other expenses of the Commission shall be payable only out of the funds received by them from mine owners and operators who shall have accepted the provisions of Section eight of the act approved the twenty-seventh day of May one thousand nine hundred and twenty-one entitled "An Act affecting anthracite operations establishing the Pennsylvania State Anthracite Mine Cave Commission defining its jurisdicton and powers imposing duties upon owners and operators of anthracite coal mines and imposing penalties"

Section 438 Advisory Boards and Commissions The advisory boards and commissions created by this article shall be constituted as follows

(a) The State Forest Commission shall consist of four persons and the Secretary of Forests and Waters ex officio who shall be chairman thereof

(b) The Fort Washington Park Commission shall consist of the Commissioners of Fairmount Park Philadelphia and the Secretary of Forests and Waters ex officio

The Commission shall annually elect a chairman and a Secretary

Seven members of the Commission shall constitute a quorum

(c) The Wyoming Valley Memorial Park Commission shall consist of the Secretary of Forests and Waters ex officio and ten citizens of this Commonwealth

The Commission shall annually elect a chairman and Secretary

Six members of the Commission shall constitute a quorum

(d) The Industrial Board shall consist of the Secretary of Labor and Industry and four additional members one of whom shall be an employer of labor one a wage earner and one a woman The Secretary of Labor and Industry shall be the Chairman of the Board Three members of the Board shall be a quorum

The members of the Industrial Board other than the Chairman shall receive ten dollars per day while in the performance of their official duties

(e) The Advisory Health Board shall consist of the Secretary of Health and six members a majority of whom shall be physicians graduates of legally constituted medical colleges and of at least ten years experience in the practice of their profession and one of whom shall be a civil engineer The Secretary of Health shall be Chairman of the Board

Three members of the Board together with the Secretary of Health shall constitutte a quorum

(f) The State Welfare Commission shall consist of nine members three of whom as ex officio members shall be the Secretary of Welfare the Secretary of Labor and Industry and the Secretary of Health The Secretary of Welfare shall be Chairman of the Board The Secretary of Welfare and four other members of the Board shall constitute a quorum

(g) The Gettysburg Battlefield Memorial Commission shall consist of five persons and the Secretary of Property and Supplies ex officio

The Commission shall annually elect a Chairman and a Secretary

Three members shall constitute a quorum

(h) The General George Gordon Meade Statue Commission shall consist of the Governor of the Commonwealth and the Secretary of Property and Supplies ex officio the Commander of the Grand Army of the Republic Department of Pennsylvania one member of the Senate and one member of the House of Representatives to be designated by the Governor and the General Chairman of the Committee on Meade Statue of the Philadelphia Brigade Association and three other persons

The Commission shall annually elect the Chairman and a Secretary

Five members of the Commission shall constitute a quorum

(i) The Robert Morris Monument Commission shall consist of five persons and the Secretary of Property and Supplies ex officio

The Commission shall annually elect a Chairman and a Secretary

Three members of the Commission shall constitute a quorum

(j) The General Galusha Pennypacker Monument Commission shall consist of the Secretary of Property and Supplies the President of the Pennsylvania Academy of Fine Arts Philadelphia and three other persons The Commission shall annually elect a President and Secretary

Three members of the Commission shall constitute a quorum

(k) The Camp Curtin Monument Commission shall consist of seven persons and the Secreaary of Property and Supplies ex officio

The Commission shall annually elect a President and Secretary

Four members shall constitute a quorum

Section 439 Mining Branch of the Department of Labor and Industry The Mining Branch of the Department of Labor and Industry shall be in charge of a Chief thereof who shall have the qualifications of a mine inspector and shall have had at least ten years experience as a miner He shall receive a salary at the rate of six thousand dollars per annum

Section 440 Mine Inspectors There shall be as many Anthracite Mine Inspectors and as many Bituminous Mine Inspectors as may now or hereafter be provided by law All such Mine Inspectors shall be appointed from among persons holding valid certificates of qualification issued by the Anthracite Mine Inspectors Examining Board or the Examining Board for the Bituminous Coal Mines of Pennsylvania or by the State Mine Inspectors Examining Board

The manner of appointing Mine Inspectors and their terms of office shall be as may now or hereafter be provided by law

Each Mine Inspector shall receive a salary at the rate of four thousand eight hundred dollars per annum

ARTICLE V

POWERS AND DUTIES IN GENERAL

Section 501 Coordination of Work The heads of the several administrative departments except the Auditor General State Treasurer and Secretary of Internal Affairs and the several independent administrative boards and commissions shall devise a practical and working basis for cooperation and coordination of work eliminating duplication and overlapping of functions and shall so far as practical cooperate with each other in the employment of assistance and use of quarters and equipment The head of any administrative department board or commission to which this section applies may empower or require an employe of another department board or commission to which this section applies subject to the consent of the head of such department or of such board or commission to perform any duty which he or it might require of the employes of his or its own department board or commission

Section 502 Cooperative Duties Whenever in this act power is vested in a department board or commission to inspect examine secure data or information or to procure assistance from any other department board or commission a duty is hereby imposed upon the department board or commission upon which demand is made to render such power effective

Section 503 Departmental Administrative Boards and commissions except as otherwise provided in this act departmental administrative bodies boards and commissions within the several administrative departments shall exercise their powers and perform their duties independently of the heads or any other officers of the respective administrative departments with which they are connected but in all matters involving the expenditure of money all such departmental administrative boards and commissions shall be subject and responsible to the departments with which they are respectively connected

Whenever the head of a Department is by this Act made ex offico a member of a departmental administrative board or commission such department head shall have the privilege of attending meetings and participating in the deliberations of such Board or Commission but shall not have the right to vote upon any matter coming before such Board or Commission

Section 504 Departmental Reports The head of each administrative department and each independent administrative board and commission shall not later than October first of each even-numbered year report in writing to the Governor concerning the condition management and financial transactions of the department board or commission Such reports shall except where impracticable be for the two year period ending May thirty-first of the year in which they are made Each departmental administrative body board and commission and each advisory board and commission shall not later than September first of each even-numbered year report in writing to the head of the department of which such body board or commission is a part All such reports shall be attached as exhibits to the report made by the head of the department to the Governor

Section 505 Departmental Seals Each Administrative Department each independent administrative board and commission shall and any departmental administrative body board or commission may adopt and use an official seal A copy of any paper or document on file with any such Department Board or Commission authenicated by any such seal shall be evidence equally and in like manner as the original

Section 506 Rules and Regulations The heads of all administrative departments the several independent administrative boards and commissions the several departments administrative bodies boards and commissions and the Executive Board are hereby empowered to prescribe rules and regulations not inconsistent with law for the government of their respective departments boards or commissions the conduct of their employes and clerks the distribution and performance of their business and the custody use and preservation of the records books documents and property pertaining thereto

Section 507 Purchases It shall be unlawful for any administrative Department other than the Department of Property and Supplies or for any independent administrative Board or Commission or for anv departmental administrative Body Board or Commission or for any advisory Board or Commission to purchase any furniture materials or supplies except

(a) The Department of Health which shall have the right to purchase medicines medical and surgical supplies required by the Department and furniture materials and supplies for the Tuberculosis Senatoria maintained by the Department

(b) The Department of Highways which shall have the right to purchase materials supplies and equipment necessary for the construction and repair of highways

(c) Any Department Boards or Commissions which by law are authorized to purchase materials or supplies and pay for the same out of fees or other moneys collected by them or out of moneys appropriated to them by the General Assembly Provided That every such Department Board and Commission shall make its purchases through the Department of Property and Supplies as its purchasing agency and

(d) Boards of Trustees of State Institutions That after the Department of Property and Supplies shall have established a standard specification for any article required by any such institution it shall be unlawful for any such institution to purchase such article under any other specifications unless such institution shall forward to the Department of Property and Supplies at the time the purchase is made the modified specification the price paid thereunder and the reason for the modification and whenever practicable forward to the Department for analysis a sample of the article purchased under the modified specification

Section 508 Disposition of Unserviceable Personal Property Whenever any furnishings or other personal property of this Commonwealth shall be no longer of service to the Commonwealth it shall be the duty of the department board or commission in whose possession such property shall be or come to put such property into the custody of the Department of Property and Supplies Provided however that in the case of any perishable property which is not in the City of Harrisburg the department board or commission having possession of the same may sell it in such manner and upon such terms as the head of the department or the board or commission may determine

Section 509 Legal Advice and Services Whenever any Department Board Commission or Officer of the State Government shall require legal advice concerning its conduct or operation or when any legal difficulty or dispute arises or litigation is commenced or to be commenced in which any Department Board Commission or Officer is concerned or whenever any taxes or other accounts of any kind whatever due the Commonwealth remain overdue and unpaid for a period of six months it shall be the duty of such Department Board Commission or Officer to refer the same to the Department of Justice

It shall be the duty of any Department Board Commission or Officer having requested and received legal advice from the Department of Justice regarding the official duty of such Department Board Commission or Officer to follow the same and when any officer shall follow the advice given him by the Department of Justice he shall not be in any way liable for so doing upon his official bond or otherwise

It shall be unlawful for any Department Board Commission or Officer of the Commonwealth to engage any Attorney to represent such Department Board Commission or Officer in any matter or thing relating to the public business of such Department Board Commission or Officer without the approval in writing of the Attorney General

Section 510 Contracts No member or officer of any department of the government shall be in any way interested in any contract for furnishing stationery printing paper fuel furniture materials or supplies to the State government or for the printing binding and distributing of the laws journals department reports or any other printing and binding or for the repairing and furnishing the halls and rooms used for the meetings of the General Assembly and its Committees

Section 511 Administering Oaths The head of every administrative department all deputy heads of administrative departments every member of a departmental administrative board or commission the Superintendent of the Pennsylvania State Police the Secretary of the Workmen's Compensation Board every Workmen's Compensation Referee and such employes of the several administrative departments as their respective heads shall designate shall have the power to administer oaths or affirmation with regard to any matter or thing which may properly come before such head deputy member superintendent secretary or referee as the case may be

Section 512 Meetings of Boards and Commissions Every departmental administrative board or commission and every advisory board or commission shall meet upon the call of the chairman thereof at such times and places as the chairman shall designate and at such times and places as the board or commission may by rule designate

Section 513 Geographic Names Every administrative Department Board or Commission of the Commonwealth shall in preparing or publishing maps reports or other documents showing or referring to any mountain river creek or other topographic feature within the Commonwealth designate such mountain river creek or other topographic feature by and only by such name as shall have been adopted therefor by the Geographic Board created by this act

Section 514 Subpoenas Every Administrative Department Board and Commission every departmental administrative board and commission every advisory board and commission and the several Workmens Compensation Referees shall have the power to issue subpoenas requiring the attendance of witnesses and the production of books and papers pertinent to any hearing before such Department Board Commission or office and to examine such witnesses books and papers

Any witness who refuses to obey a subpoena issued hereunder or who refuses to be sworn or affirmed or to testify or who is guilty of any contempt after summons to appear may be punished as for contempt of court and for this purpose an application may be made to any court of common pleas within whose territorial jurisdiction the offense was committed for which purpose such court is hereby given jurisdiction

ARTICLE VI

BUDGETARY AND FINANCIAL POWERS AND DUTIES OF ADMINISTRATIVE OFFICERS DEPARTMENTS BOARDS AND COMMISSIONS

Section 601 Preparation of Budget The Secretary of the Commonwealth shall in each even-numbered year obtain and prepare information necessary for the preparation of a State Budget for the biennium beginning June first of the following year He shall not later than the fifteenth day of August of such even-numbered year distribute to the Governor to the Lieutenant Governor to each Administrative Department to independent Administrative Board and Commission to the Secretary of the Senate to the Resident Clerk of the House of Representatives to the Prothonotaries of the various Courts of the Commonwealth and to all Institutions or other agencies which desire State appropriations to be made to them the proper blanks necessary to the preparation of the budget estimates with a request that such blanks be returned with the information desired not later than the first day of November of the same year Such blanks shall be in such form as shall be prescribed by the Secretary of the Commonwealth to procure any or all information pertaining to the revenues and expenditures for the preceding fiscal years and for the current fiscal year the appropriations made by the previous General Assembly the expenditures therefrom encumbrances thereon the amount unencumbered and unexpended an itemized estimate of the revenues and expenditures of the currnt fiscal year and for the succeding biennium and an estimate of the revenues and amounts needed for the respective Departments Boards and Commissions for expenses of the General Assembly for the Judicial Department and for any and all Institutions or other agencies to which appropriations are likely to be made by the General Assembly for the two fiscal years next succeeding Such blanks shall also request the person returning them to accompany them with a statement in writing giving the facts and an explanation of and reasons for the estimates of receipts and expenditures for the succeeding biennium contained upon the blanks returned It shall be the duty of each Administrative Department and each Independent Administrative Board and Commission to comply not later than November first with any and all requests made by the Secretary of the Commonwealth in connection with the budget

The Secretary of the Commonwealth may under the direction of the Governor make further inquiries and investigation as to the financial needs expenditures estimates or revenues of any Department Board Commission Institution or other agency The Governor may after giving to each Department Board Commission Institution or other agency an opportunity to be heard approve disapprove or alter the estimates The Secretary of the Commonwealth shall on or before the first day of January next succeeding submit to the Governor in writing the above information and any additional information requested by the Governor as a basis for the Governor's estimates for appropriations for the next succeeding biennium

Section 602 Submission of Budget to General Assembly As soon as possible and not later than four weeks after the organization of the General Assembly the Governor shall submit a State Budget embracing therein the amounts recommended by him to be appropriated to the Departments Boards and Commissions of the State Government and to Institutions within the State and for all other public purposes the estimated revenues or receipts from any and all sources and an estimated amount to be raised by taxation or otherwise Together with such budget the Governor shall transmit the estiamtes of receipts and expenditures as received by the Secretary of the Commonwealth from the elective offices in the Executive and Judicial Departments

Section 603 List of Employes to be Furnished to the Auditor General The heads of all Administrative Departments and the several independent administrative boards and commissions shall on the fifeenth day of June of each year transmit to the Auditor General and to the Secretary of the Commonwealth a complete list as of June first preceding of the names of all persons except day-laborers entitled to receive compensation from the Commonwealth for services rendered in or to the Department Board or Commission as the case may be Such list shall show the position occupied by each such person the date of birth and voting residence of such person the salary at which or other basis upon which such person is entitled to be paid the date when such person entered the service of the Commonwealth whether such person has been continuously employed by the Commonwealth since that date and all periods of service and positions held as an employee of the Commonwealth

Each month thereafter the heads of the several administrative Departments and the several independent administrative boards and commissions shall certify to the Auditor General and to the Secretary of the Commonwealth any changes in the annual list of employes last transmitted to them which shall have occurred during the preceding month

The information received by the Auditor General and the Secretary of the Comomnwealth under this section shall be public information

Section 604 Estimates of Current Expenditures by Departments Boards and Commissions Each administrative Department Board and Commission except the Departments of which the Auditor General the State Treasurer and the Secretary of Internal Affairs are respectively the heads shall from time to time as requested by the Governor prepare and submit to the Governor for approval or disapproval an estimate of the amount of money required for each activity or function to be carried on by such Department Board or Commission during the ensuing month quarter or such other period as the Governor shall prescribe If such estimate does not meet with the approval of the Governor it shall be revised in accordance with the Governor's desires and resubmitted for approval

After the approval of any such estimate it shall be unlawful for the Department Board or Commission to expend any appropriation or part thereof except in accordance with such estimate unless the same be revised with the approval of the Governor

If any Department Board or Commission to which this section applies shall fail or refuse to submit to the Governor estimates of expenditures in accordance with the Governor's request the Governor may notify the Auditor General in writing of such failure or refusal and after receipt of such notice the Auditor General shall not draw any warrant in favor of such Department Board or Commision until the Governor shall have notified the Auditor General in writing that the delinquent Department Board or Commission has furnished him with and he has approved the estimate as required by this section

Section 605 Estimates of Current Expenditures by Departments of Elective Officers The Auditor General State Treasurer and Secretary of Internal Affairs shall from time to time as requested by the Governor prepare and submit to the Governor estimates of the amounts of money required for each activity or function to be carried on by their respective Departments during the ensuing month quarter or such other period as the Governor shall prescirbe

Section 606 Departmental Administrative Bodies Boards and Commissions It shall be the duty of each departmental administrative body board and commission promptly to furnish to the head of the Department of which it is a part such information as may be requested by the head of the Department for the departmental budget estimates or the periodical estimates of the current expenditures of the department

Section 607 Fiscal Year All Books and accounts kept by the Auditor General the State Treasurer and every department board and commission shall be kept as of the fiscal year which shall be the period beginning on the first day of June each calendar year and ending on the thirty-first day of May of the calendar year next succeeding The books and accounts kept by the Auditor General and State Treasurer which under laws in force at the date of the passage of this act would be closed as of November thirtieth one thousand nine hundred and twenty-three shall be closed as of the thirty-first day of May one thousand nine hundred and twenty-three

Section 608 Collection of Moneys Authorized Each Executive Officer Administrative Department independent Administrative Board and Commission and Departmental Administrative Board and Commission shall collect such fees licenses fines and costs as are or may be authorized by law in connection with the exercise of its powers and the performance of its duties

ARTICLE VII

POWERS AND DUTIES OF THE GOVERNOR AND OTHER CONSTITUTIONAL OFFICERS AND OF THE EXECUTIVE BOARD

Section 701 The Governor The Governor shall have power and it shall be his duty

(a) To take care that the laws of the Commonwealth shall be faithfully executed

(b) To act as Commander-in-Chief of the Army and Navy of the Commonwealth and of the Militia except when they shall be called into active service by the United States Government

(c) To submit to the General Assembly a State Budget and

(d) To do all other acts make all appointments fill all vacancies exercise all the powers vested in him and perform all the duties imposed upon him as provided and required by the Constitution and laws of this Commonwealth

Section 702 Lieutenant Governor The Lieutenant Governor shall exercise such powers and perform such duties as may now or hereafter be vested in or imposed upon him by the Constitution and laws of this Commonwealth

Section 703 Secretary of the Commonwealth The Secretary of the Commonwealth shall

(a) Keep a record of all official acts and proceedings of the Governor and when required lay the same with all papers minutes and vouchers relating thereto before either branch of the General Assembly

(b) Record and file in his office the recommendations of the Board of Pardons together with the reasons therefor

(c) Keep the seal of the Commonwealth and affix it to all public instruments to which the attestation of the Governor's signature now is or may hereafter be required by law

(d) Have power and authority to administer to all officers of the State Government such oaths or affirmations as by the Constitution or laws of the Commonwealth such officers are required to make in any and all matters pertaining to the administrative work of the Commonwealth

(e) Procure the copyright of the State Reports in his name and be the custodian of the plates from which the State Reports are printed after the same are delivered to him as required by law

(f) Procure and keep deposited in his Department as required by law an official state flag

(g) Perform such other duties as may now or hereafter be imposed upon him by law

Section 704 Attorney-General The Attorney-General shall be the legal advisor of the Governor in the performance of his official duties and the chief law officer of the Commonwealth

He shall exercise such powers and perform such duties as may now or hereafter be vested in or imposed upon him by the Constitution of the Commonwealth of Pennsylvania and by law

Section 705 Secretary of Internal Affairs The Secretary of Internal Affairs shall exercise all the powers and perform all the duties vested in and imposed upon him by the Constitution of the Commonwealth of Pennsylvania and subject to any inconsistent provisions in this act contained by law

Section 706 Auditor-General The Auditor-General shall exercise such powers and perform such duties as are vested in and imposed upon him by the Constitution of the Commonwealth of Pennsylvania and subject to any inconsistent provisions in this act contained by law

Section 707 State Treasurer The State Treasurer shall exercise such powers and perform such duties as are vested in and imposed upon him by the Constitution of the Commonwealth of Pennsylvania and subject to any inconsistent provisions in this act contained by law

Section 708 Superintendent of Public Instruction The Superintendent of Public Instruction shall

(a) Exercise all the powers and perform all the duties of the Superintendent of Common Schools in the manner prescribed by law

(b) Sign all orders on the State Treasurer for the payment of such moneys to the treasurer of the several school districts as they may be entitled to receive from the State and for all other moneys to be paid out of the appropriation for public school purposes

(c) Fill all vacancies occurring in the office of county superintendent until the next regular election but in filling such vacancies he shall give careful consideration to any recommendations concerning them made by the officers of the proper county school directors associations within ten days after the vacancies occur

(d) Have charge of the seal of the Department of Public Instruction by which copies of papers deposited or filed therein and all official acts and decisions may be authenticated and when so authenticated they shall be evidence equally and in like manner as the originals

(e) Perform such other duties as may now or hereafter be imposed upon him by law

Section 709 Executive Board The Executive Board shall have the power

(a) To standardize all titles salaries and wages of persons employed by the administrative Department Boards and Commissions except the Department of the Auditor General the Treasury Department and the Department of Internal Affairs In esablishing such standards the Board may

(1) Take into consideration the location of the work and the conditions under which the service is rendered and

(2) Establish different standards for different kinds grades and classes of similar work or service

(b) To approve or disapprove the establishment of bureaus and divisions by the Administrative Departments other than the Department of the Auditor General the Treasury Department and the Department of Internal Affairs and by the independent administrative boards and commissions and to investigate duplication of work of the several administrative Departments Boards and Commissions and the efficiency of the organization and administration thereof and the better co-ordination of such Departments Boards and Commissions

(c) To approve or disapprove as provided by this act the payment of extra compensation to employes of administrative departments boards or commissions who are employed at fixed compensation

(d) To determine from time to time the hours when the administrative offices of the State Government shall open and close

(e) To approve or disapprove extensions of leaves of absence with pay for employes of administrative departments boards or commissions

(f) After each biennial appropriation to the Department of Property and Supplies for the purchase of stationery fuel printing paper supplies furniture furnishings repairs alterations and improvements to allocate to the several administrative departments boards and commissions such portions of such appropriation as will fairly represent the needs of the departments boards and commissions for the biennium taking into consideration the right of any such department board or commission to pay its necessary expenses or purchase furniture materials or supplies out of fees or other moneys received by or moneys specifically appropriated to it

Every administrative department board or commission shall be limited in its right to make requisition upon the Department of Property and Supplies to the amount allocated to it unless the Executive Board shall subsequently permit the Department of Property and Supplies to honor requisitions in excess of such amount

Section 710 Pennsylvania State Police The Pennsylvania State Police shall have the power and its duty shall be

(a) Subject to any inconsistent provisions in this act contained to continue to exercise the powers and perform the duties by law vested in and imposed upon the Department of State Police

(b) To assist the Governor in the administration and enforcement of the laws of the Commonwealth in such manner at such times and in such places as the Governor may from time to time request

(c) With the approval of the Governor to assist any administrative Department Board or Commission of the State Government to enforce the laws applicable or appertaining to such Department Board or Commission or any organization thereof

(d) Whenever possible to cooperate with counties and municipalities in the detection of crime the apprehension of criminals and the preservation of law and order throughout the State

(e) To aid in the enforcement of all laws relating to game fish forests and waters

(f) To collect and classify and keep at all times available complete information useful for the detection of crime and the indentification and apprehension of criminals Such information shall be available for all police officers within the Commonwealth under such regulations as the Superintendent of State Police may prescribe

Section 711 Superintendent of State Police The Superintendent of State Police shall be the head and executive officer of the Pennsylvania State Police He shall provide for the members of the police force suitable uniforms arms equipment and where it is deemed necessary horses or motor vehicles and make such rules and regulations subject to the approval of the Governor as are deemed necessary for the control and regulation of the police force It shall also be the duty of the Superintendent to establish local headquarters in various places so as best to distribute the force through the various sections of the Commonwealth where they will be most efficient in carrying out the purposes of this act to preserve the peace and prevent and detect crime

Section 712 The State Police Force The various members of the State Police are hereby authorized and empowered

(a) To make arrests without warrant for all violations of the law which they may witness and to serve and execute warrants issued by the proper local authorities They shall have all the powers and prerogatives conferred by law upon members of the police force of cities of the first class and upon constables of the Commonwealth

(b) To act as game-protectors and as forest- fish- or fire wardens and for the better performance of such duties

(1) Seize all guns boats decoys traps dogs game fish shooting paraphernalia or hunting or fishing appliances or devices used taken or had in possession contrary to the laws of this State Any article so seized shall be held subject to such disposition as the Commissioner of Fisheries or the Secretary of the Board of Game Commissioners of Forests and Waters may respectively determine

(2) Seize and take possession of all birds animals or fish which have been taken caught or killed or had in possession or under control or which have been shipped or are about to be shipped contrary to any law of this State

(3) Search without warrant any boat conveyance vehicle or receptacle when there is good reason to believe that any law has been violated the enforcement or administration of which is imposed on or vested in the Board of Fish Commissioners or the Board of Game Commissioners or in the Department of Forest and Waters

(4) Serve subpoenas issued for any examination investigation or trial had pursuant to any law as aforesaid

(5) Purchase game or fish for the purpose of securing evidence

ARTICLE VIII

POWERS AND DUTIES OF THE DEPARTMENT OF STATE AND FINANCE

Section 801 Powers and Duties in General The Department of State and Finance shall subject to any inconsistent provisions in this Act contained continue to exercise the powers and perform the duties heretofore by law vested in and imposed upon the Department of the Secretary of the Commonwealth and the several bureaus thereof and shall exercise such additional powers and perform such additional duties as are vested in and imposed upon it by this Act

Section 802 General Administration The Department of State and Finance shall have the power and its duty shall be

(a) To publish from time to time for the information of the public bulletins of the work of the government

(b) To permit any committee of either branch of the General Assembly to inspect and examine the books papers records and accounts filed in the Department and to furnish such copies or abstracts therefrom as may from time to time be required

(c) To furnish to any person upon request and the payment of such charges as may be required and fixed by law certificates of matters of public record in the Department or certified copies of public papers or documents on file therein

Section 803 Accounts The Department of State and Finance shall have the power and its duty shall be

(a) To prescribe and require the installation of a uniform system or systems of bookkeeping accounting and reporting for the several administrative Departments Boards and Commissions except the Department of the Auditor General the Treasury Department and the Department of Internal Affairs

(b) To prescribe from for accounts and financial records and statements for the several Administrative Departments Boards and Commissions except the Department of the Auditor General the Treasury Department and the Department of Internal Affairs

Section 804 Budget The Department of State and Finance shall prepare and submit to the Governor biennially no later that the first day of January preceding the convening of the General Assembly such information as the Governor may require for the preparation by him of a State Budget

Section 805 Elections The Department of State and Finance shall have the power and its duty shall be to care for compile publish and certify returns of elections in all cases in which such duties shall heretofore have been imposed by law upon the Department of the Secretary of the Commonwealth or may hereafter be imposed upon the Department of State and Finance

Section 806 Legislation The Department of State and Finance shall have the power and its duty shall be

(a) To record all laws resolutions acts and proceedings of the General Assembly and perform all other duties with reference thereto required by law

(b) To punctuate the laws passed by the General Assembly and read the proof of and prepare an index for the same and carefully to examine all bills as soon as printed for either house directing the attention of members to errors of typography and construction in bills presented by them

(c) As soon as possible after the signing of any bill by the Governor whereby it becomes a law to cause the Department of Property and Supplies to print advance sheets of the same and transmit one copy thereof by mail to each Department Board and Commission of the State Government to each Prothonotary and to each Law Judge of the Courts and to every County and Public Law Library of this Commonwealth and to each member of the General Assembly Such copies shall be furnished without charge The Department shall also cause the Department of Property and Supplies to mail to any person who shall pay to the Department of State and Finance for the use of the Commonwealth the sum of five dollars one copy of each such law enacted during any legislative session

Section 807 Corporations The Department of State and Finance shall have the power and its duty shall be to examine and file all applications for charters of corporations for the amendment of such charters for the merger and consolidation of such corporations for the change of their corporate names for reorganization after judicial sale of their franchises and property for the increase of their capitalization or indebtedness or the decrease of their capitalization for the change of the par value of the shares of their stock for the change of the location of their principal office and for any other proceeding by or with reference to such corporations as may be permitted or required by law to transmit to the Governor such papers in connection therewith as may be required and to perform all such other duties acts and things in connection therewith as are now or may hereafter be prescribed by law Provided however That the Department shall not be required to file any papers or documents except such as are by law required to be filed nor any papers or documents which do not conform to law

Section 808 Registration The Department of State and Finance shall have the power and its duty shall be to register foreign corporations desiring to transact business in this Comomnwealth and act as the attorney-in-fact and authorized agent of such corporations for the service of process thereon and to register the assumed or fictitious names under which individuals carry on or conduct business upon application duly made trade-marks trade-names labels bottle descriptions union labels and applications for license to manufacture or distill and sell ethyl alcohol in accordance with the several Acts of Assembly providing for such registrations and to register all other matters or things for the registration of which in the office of the Secretary of the Commonwealth provision may now or hereafter be made by law

Section 809 Warrants The Department of State and Finance shall have the power and its duty shall be to keep a record of all death warrants respites pardons remittances of fines forfeitures and commutations of sentences and to pass upon and approve all proceedings for extradition of fugitives from justice before laying the same before the Governor and to make report quarterly to the Auditor General of all remissions of fines granted by the Governor

ARTICLE IX

POWERS AND DUTIES OF THE DEPARTMENT OF JUSTICE AND ITS DEPARTMENTAL BODIES BOARDS AND COMMISSIONS

Section 901 Powers and Duties in General The Department of Justice shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the Attorney General's Department and shall exercise such additional powers and perform such additional duties as are vested in and imposed upon it by this act

Section 902 Legal Advice The Department of Justice shall have the power and its duty shall be

(a) To furnish legal advice to the Governor and to all administrative departments boards commissions and officers of the State Government concerning any matter or thing arising in connection with the exercise of the official powers or the performance of the official duties of the Governor or such administrative departments boards commissions or officers

(b) To supervise direct and control all of the legal business of every administrative department board and commission of the State Government

Section 903 Litigation The Department of Justice shall have the power and its duty shall be

(a) To collect by suit or otherwise all debts taxes and accounts due the Commonwealth which shall be placed with the Department for collection by any department board or commission The Department shall keep a proper docket or dockets duly indexed in which it shall make and preserve memoranda of all such claims showing whether they are in litigation and their nature and condition

(b) To represent the Commonwealth or any Department board commission or officer thereof in any litigation to which the Commonwealth or such department board commission or officer may be a party or in which the Commonwealth or such department board commission or officer is permitted or required by law to intervene or interplead

Section 904 Investigation and Law Enforcement The Department of Justice shall have the power and its duty shall be with the approval of the Governor

(a) To investigate any violations or alleged violations of the laws of the Commonwealth which may come to its notice

(b) To take such steps and adopt such means as may be reasonably necessary to enforce the laws of the Commonwealth

Section 905 Codification of the Laws The Department of Justice shall have the power and its duty shall be to prepare for submission to the General Assembly from time to time such revisions and codifications of the laws of this Commonwealth or any part thereof as may be deemed advisable

Section 906 Deputy Attorneys General In addition to such Deputy Attorneys General as may be appointed to assist in the conduct of the regular work of the Department the Attorney General with the approval of the Governor shall have power

(a) To appoint and fix the compensation of such Special Deputy Attorneys General as may be required to represent and advise The Public Service Commission of the Commonwealth of Pennsylvania the Workmen's Compensation Board and any other Departments Boards and Commissions which may require the services of counsel to such an extent as to render it reasonably necessary to assign Deputy Attorneys General exclusively to their work

(b) From time to time to appoint and fix the compensation of Special Deputy Attorneys General to represent the Commonwealth or any Department Board or Commission thereof in special work or in particular cases

(c) To appoint and fix the compensation of Deputy Attorneys General to represent the Commonwealth and the several Departments Boards and Commissions thereof in all legal matters arising in any City or County other than the State Capitol Provided That the same Deputy Attorney General may be assigned to two or more Cities or Counties in the discretion of the Attorney General

Section 907 Special Attorneys in Criminal Cases When the President Judge in the district having jurisdiction of any criminal proceedings before any Court of Oyer and Terminer General Jail Delivery or Quarter Sessions in this Commonwealth shall request the Attorney General to do so in writing setting forth that in his judgment the case is a proper one for the Commonwealth's intervention the Attorney General is hereby authorized and empowered to retain and employ a special attorney or attorneys as he may deem necessary properly to represent the Commonwealth in such proceedings and to investigate charges and prosecute the alleged offenders against the law Any Attorney so retained and employed shall supercede the District Attorney of the County in which the case or cases may arise and shall investigate prepare and bring to trial the case or cases to which he may be assigned He shall take the oath of office required by law to be taken by District Attorneys and shall be clothed with all the powers and subject to all the liabilities imposed upon them by law The compensation for services rendered and necessary expenses incurred by such attorney or attorneys shall be fixed by the Attorney General

Section 908 Access to Books and Papers The Attorney General shall have the right of access at all times to the books and papers of any administrative department Board or Commission of the State Government

Section 909 Board of Pardons The Board of Pardons shall have the power to hear applications for the remission of fines and forfeitures and the granting of reprieves commutations of sentence and pardons except in cases of impeachment and to make recommendations in writing to the Governor thereon in the manner provided in and under and subject to Article IV Section 9 of the Constitution of the Commonwealth of Pennsylvania

Section 910 Board of Commissioners on Uniform State Laws Subject to any inconsistent provisions in this act contained the Board of Commissioners on Uniform State Laws shall have the power and its duty shall be

(a) To examine such subjects as it may deem necessary and to ascertain the best means to effect an assimilation and uniformity of state legislation throughout the United States relating to the subjects so examined

(b) To meet with the National Conference of Commissioners on Uniform State Laws for the promotion of uniformity of legislation in the United States at its annual or other sessions and join with it in such measures as may be deemed most expedient to advance the objects if its appointment

ARTLCLE X

POWERS AND DUTIES OF THE DEPARTMENT OF THE AUDITOR GENERAL

Section 1001 Powers and Duties Retained Subject to any inconsistent provisions in this act contained the Department of the Auditor General shall exercise its powers and perfrom its duties as now provided by law

ARTICLE XI

POWERS AND DUTIES OF THE TREASURY DEPARTMENT AND ITS DEPARTMENTAL ADMINISTRATIVE BOARD

Section 1101 Powers and Duties Retained Subject to any inconsistent provisions in this act contained the Treasury Department shall exercise its powers and perform its duties as now provided by law

Section 1102 Board of Finance and Revenue The Board of Finance and Revenue shall have the power and its duty shall be

(a) Subject to any inconsistent provisions in this Act contained to exercise the powers and perform the duties heretofore by law vested in or imposed upon the Board of Public Accounts the Board of Revenue Commissioners and the Sinking Fund Commission namely

Re-Settlements

(b) To revise any settlement made with any person or body politic by the Auditor General or any other agency of the State Government charged with the settlement of State taxes when it may appear from the accounts or from other information that the same has been erroneously or illegally made and to resettle the same according to law and to credit or charge as the case may be account of such person or body politic

State Depositories

(c) To select and designate as depositories for the State moneys banks banking institutions or trust companies which are subject to national or state supervision and each of which

1 Has made written application to the State Treasurer for a deposit of State moneys designating the amount of deposit solicited and accompanying its application by a written statement showing the amount of its capital actually paid in the amount of its surplus the number of its stockholders and whether its stock is well distributed or largely held by a few individuals and the length of time that said institution has been engaged in business under its charter Each such statement shall be verified by the oath or affirmation of the president cashier or trust officer as the case may be and the State Treasurer shall present the same to the Board for its consideration within thirty days after the receipts thereof Provided That where the selection of any bank banking institution or trust company as a depository of State moneys has been made by the former Revenue Commissioners and the Banking Commissioner or a majority of them as heretofore provided by law such selection and the deposit made in accordance therewith in such bank banking institution or trust company shall in no way be affected by the failure of such bank banking institution or trust company to have made application in the manner herein provided but it shall be the duty of the depository so selected to furnish on request the information aforesaid verified in the manner stated

2 Shall upon the receipt of notice of its selection as a depository of State moneys furnish a bond to secure payment of deposits and interest to the Commonwealth of Pennsylvania with a proper warrant of attorney to confess judgment in favor of the Commonwealth secured by a surety company or individual sureties to be approved by the Board in double the amount of the deposit to be made If a corporate bond be given no one surety company shall be approved in an aggregate amount in excess of five times its capital surplus and reserve and whenever individual sureties are presented for approval they shall qualify in an aggregate over and above their individual liabilities to three times the amount of the deposit No one person may qualify for more than one-fourth of the total amount of the bond required Provided That in lieu of the surety bonds of surety companies or of individuals as aforesaid the deposit of State moneys may be secured by the deposit with the State Treasurer of United States municipal or county bonds to be approved by the Board in an amount measured by their actual market value equal to the amount of deposit so secured and twenty per centum in addition thereto Said bonds shall be accompanied by proper assignment or power of attorney to transfer the same and said trust deposit of securities shall be maintained on request at the amount aforesaid in case of any depreciation in the value thereof

3 Agree to pay interest upon all State deposits at the rate of not less than two per centum per annum upon active deposits and not less than three per centum per annum upon non-active deposits and that all collections shall be made for the Commonwealth without cost or compensation

(d) To select as depositories for State funds private banking institutions located and doing business in this Commonwealth if such private banking institutions shall file a statement in writing with the Board and the Department of Banking agreeing that they will subject themselves to the same supervision in all respects including an examination by the bank examiners of the Department of Banking at anytime as banks banking institutions or trust companies which are depositories of State funds and if and after compliance with the conditions required of any other depository

(e) To designate three banks or trust companies in Dauphin county two banks or trust companies in Allegheny County and two banks or trust companies in Philadelphia County to be known as active depositories in which shall be deposited a sufficient amount of the daily receipts of the State Treasury to transact the current business of the Commonwealth The Board may designate two other banks or trust companies located in any of the counties above mentioned or in any other county of the Commonwealth to be known as active depositories and to be used for the purposes above mentioned

(f) To see that no bank banking institution or trust company shall receive a deposit of State moneys in excess of twenty-five per centum of its paid in capital and surplus or have at any one time an aggregate of deposits in excess of three hundred thousand dollars This section shall not apply to institutions to be designated by the Board as active depositories of State funds subject to daily check by the State Treasurer but at no time shall the combined deposits in the active depositories exceed the total sum of six million dollars

(g) In case it is of the opinion that the credit of any depository is impaired the safety of the State deposits imperiled or for any other cause whatsoever to require the State Treasurer to reduce change or wholly withdraw within thirty days any deposit or deposits held by any such depository of State moneys

(h) Whenever it is considering applications for State deposits to invite the Commissioner of Banking to sit with and advise the Board The Commissioner shall however not vote on any question coming before the Board

Sinking Fund

(i) To supervise and direct the State Treasurer in receiving the incomes and revenues payable in accordance with the existing laws into the sinking fund and in applying the same first to payment of the accruing interest on the public debt and second to the principal thereof and not otherwise except to repeal invasion suppress insurrection or defend the State in war in accordance with the provisions of the Constitution of the Commonwealth of Pennsylvania

(j) To see that the State Treasurer under its supervision and direction shall open books in his department keep separate and distinct accounts of all sinking fund moneys received and disbursed under this act specifying the source of revenue and when paid and from time to time as the funds paid in may justify apply the same to the payment of the accruing interest or the public debt and the principal at or before the semi-annual payments hereof may become due and at no time or in no manner shall any portion of the fund hereby created be otherwise applied

(k) On the first business day of each month to prepare a statement of the total amount of money in said fund which having been verified by oath or affirmation shall be published in two newspapers in Harrisburg for public information The Board shall also on the first day in the months of January April July and October in each and every year hereafter apply the moneys in the sinking fund in excess of the amount required to pay the interest on the public debt to the redemption or purchase at not above par of an equivalent amount of the public debt They may purchase any evidence of the said debt in the open market if such purchase can be made to advantage If they shall determine to redeem any part of said debt they shall forthwith give legal notice of the amount of said debt which they are prepared to redeem that the said amount will be redeemed on presentation to the designated disbursing agent of the State and that the interest upon the certificates thereof shall cease from and after an interest due—date to be designated by them which shall not be more than ninety days after the publication of said notice Provided That the loans of the Commonwealth shall be redeemed as far as practicable in the order of their maturity

(l) If in the opinion of the Board the purchase or redemption of loans of the Commonwealth cannot be made for the best interest of the Commonwealth to purchase bonds of the United States at the then market prices The State Treasurer under the direction of the Board shall enter on the "sinking fund ledger" the number amount and premium paid for each United States bond so purchased The Board shall have the right to dispose of bonds purchased hereunder whenever the money shall be required for the extinguishment of the public debt or whenever the loans of the Commonwealth can be bought at such prices as they may deem for the best interests of the Commonwealth

(m) To report and certify to the Governor biennially for the preceding two calendar years the amount received under and in accordance with existing law the amount of interest paid the dates of the purchase of the public debt the prices paid the place where said sale was effected the amount of the debt of the Commonwealth redeemed and held by them and the number and amount of the bonds of the United States purchased and held in the sinking fund and the amount and date of maturity of the respective loans of the Commonwealth together with a summary statement of the receipts from all sources and the expenditure of said fund and a complete statement of the total amount of bonds and money remaining in said fund whereupon the Governor shall direct the certificates representing the said indebtedness to be cancelled and on such cancellation issue his proclamation stating the fact of the extinguishment and final discharge of so much of the principal of said debt

(n) Within ten days after the organization of the General Assembly to report thereto the amount of the public debt so as aforesaid liquidate and proclaimed by the Governor to have been cancelled the amount then remaining due and the annual interest thereon and what increase or modification of the sinking fund may be made and what increase or reduction of taxes may be required or made in order that the Legislature may provide for such contingencies as may arise

ARTICLE XII

POWERS AND DUTIES OF THE DEPARTMENT OF INTERNAL AFFAIRS AND ITS DEPARTMENTAL ADMINISTRATIVE BOARD

Section 1201 Powers and Duties Retained Subject to any inconsistent provisions in this act contained the Department of Internal Affairs shall exercise its powers and perform its duties as now provided by law

Section 1202 Board of Property The Board of Property shall

Subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said Board of Property

It shall hear and determine in all cases of controversy on caveats in all matters of difficulty or irregularity touching escheats warrants on escheats warrants to agree rights of preemption promises imperfect titles or otherwise which heretofore have or hereafter may arise in transacting the business of the Land Office in the Department of Internal Affairs Provided however that no determination of the Board of Property shall be deemed taken and construed to prevent either of the parties from bringing their action at the common law either for the recovery of possession or determination for waste or trespass

ARTICLE XIII

POWERS AND DUTIES OF THE DEPARTMENT OF PUBLIC INSTRUCTION AND ITS DEPARTMENTAL ADMINISTRATIVE BOARDS AND COMMISSIONS

Section 1301 Powers and Duties in General Subject to any inconsistent provisions in this act contained the Department of Public Instruction shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Department the Bureau of Vocational Education thereof and the Bureau of Professional Education thereof The Department shall also exercise such additional powers and perform such additional duties as are vested in and imposed upon it by this Act

Section 1302 Public Schools The Department of Public Instruction shall have the power and its duty shall be

(a) To administer all of the laws of this Commonwealth with regard to the establishment maintenanse and conduct of the public schools and particularly the Act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent herewith" its amendments and supplements

(b) To prepare blank forms for the annual district reports with suitable instructions and forms for conducting the various proceedings and details of the system in a uniform and efficient manner and forward the same to the county and district superintendents for distribution to and among the proper district officers of their respective counties or school districts

(c) To prepare and furnish to the proper persons suitable blanks and all other papers required by law

(d) Whenever required to give advice explanations construction or information to the district officers and to citizens relative to the school laws the duties of school officers the management of the schools and all other questions and matters calculated to promote the cause of education

(e) To classify the high schools of the State upon the basis of the reports of the directors and the State inspectors of high schools in compliance with the provisions of the school laws

(f) To issue all commissions to superintendents and assistant superintendents of schools in this Commonwealth

(g) To prescribe minimum courses of study for the public schools

(h) To prepare and furnish to boards of school directors sample blank forms for keeping and reporting school accounts and sample bonds for their treasurers secretaries tax collectors and depositories and samples of other bonds or forms required by law

(i) When requested to give decisions and interpretations of the school law which shall be valid and binding with like effect as law until reversed by proper judicial authority

(j) Subject to such rules not inconsistent with law as it may prescribe to endorse and make valid for teaching in Pennsylvania any permanent or life teacher's certificate from any other State

(k) To condemn as unfit for use on account of unsanitary or other improper conditions any school building school site or outbuilding in this Commonwealth and upon failure on the part of the board of school directors to remedy such condition to withhold and declare forfeited all or any part of the annual appropriation apportioned to any such school district

Section 1303 Vocational Education The Department of Public Instduction shall have the power and its duty shall be

(a) To administer the laws of this Commonwealth relating to vocational education industrial education agricultural education and household arts education as defined in said laws

(b) To investigate the need for and aid in the establishment to supervise inspect and approve for the purpose of reimbursement on the part of the State schools departments and courses for manual training domestic science household arts agricultural industrial and commercial education as well as continuation schools when maintained as a part of the public school system of the Commonwealth

(c) Out of the funds appropriated to it by the General Assembly for the purpose to pay for the education of deaf and dumb children blind children and deaf and dumb and blind children residents of Pennsylvania in schools located within the Commonwealth which afford vocational training to such children to make appropriate rules and regulations for the admission of State pupils to such schools and to supervise the education of State pupils in any such schools

Section 1304 Professional Education and Licensure The Department of Public Instruction shall have the power and its duty shall be

(a) To determine value standardize and regulate the preliminary education both secondary and collegiate of those to be hereafter admitted to the practice of medicine dentistry and pharmacy in this Commonwealth

(b) To prepare and distribute circulars of information

(c) To prepare uniform blank forms

(d) To hold examinations at suitable times and places to be designated by the Superintendent of Public Instruction for the determination of the fitness of applicants unable to present satisfactory certificates

(e) To establish reciprocity with other States as regard preliminary education and professional licenses

(f) To determine and publish a standard high school course and compile a list of high schools and other secondary schools in this State conforming to the standards of the Department and take such steps as may be appropriate to raise the standard of secondary education Provided That nothing in this section shall be construed to conflict with the provisions of the statutes of this Commonwealth regulating the practice of medicine dentistry or pharmacy respectively

(h) To keep the records of all of the professional examining boards established in the Department

(i) To issue all certificates and other official documents of the various professional examining boards in the Department Provided however that the officers and members or any of them of any such examining board may also sign such certificates and other documents if such board shall have taken action authorizing such signatures

(j) To assist any professional examining board within the department if as and when requested by such board

(k) To co-operate with the several professions whose examining bodies are within the Department in the determination and establishment of standards of professional eduation

Section 1305 Library and Museum The Department of Public Instruction shall have the power and its duty shall be to exercise the powers and perform the duties heretofore by law vested in and imposed upon the State Library and Museum and the several divisions thereof namely

(a) To control direct supervise and manage the State Library and Museum

(b) To edit the Pennsylvania Archives

(c) To maintain as a part of the State Library and Museum a Law Library

(d) To preserve all public records throughout the Commonwealth and to give special attention to the preservation of all records of the State Government not in current use and of historical value

(e) To collect classify preserve and make acceptable for reference all records which may come into the possession of the library with such exceptions as may be indicated by the Department and to examine into the condition of the records books pamphlets documents manuscripts archives maps and papers kept filed or recorded in the several offices of the Counties Cities and Boroughs of the State

(f) To recommend such action to be taken by the persons having the care and custody of public records as may be necessary to secure their safety and preservation and to cause all laws relating to public records to be enforced

(g) To furnish to persons applying therefor certificates relating to the public records or copies thereof upon the payment of such charges as shall be fixed by law

(h) To give advice and counsel to all free libraries in the State and to all communities which may propose to establish free libraries in the selection of books cataloging and other details of library management and as to the best means of establishing and administering such libraries

(i) Generally to supervise and inspect free libraries to require reports in such manner as may be deemed proper and to establish and maintain a system of traveling libraries as far as possible throughout the Commonwealth

(j) To preserve objects illustrating the flora and fauna of the State and its mineralogy geology archaelogy arts history and education and whenever deemed necessary to illustrate the same with lantern slides or films which may be circulated throughout the Commonwealth under such rules and regulations as the Department may adopt which rules and regulations may provide for a reasonable charge for the use of such slides and films

Section 1306 Pennsylvania State Board of Censors The Pennsylvania State Board of Censors shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said Board It shall enforce and administer such provisions of the Act approved the fifteenth day of May one thousand nine hundred and fifteen Pamphlet Laws five hundred and thirty-four entitled "An Act relating to motion picture films reels or steroptician views or slides Providing a system of examination approval and regulation thereof and of the banners posters and other like advertisement matter used in connection therewith creating a Board of Censors and providing penalties for the violation of the provisions of this act" as are not inconsistent with the provisions of this act

Section 1307 State Council of Education The State Council of Education shall have the power and its duty shall be

(a) Subject to any inconsistent provisions in this Act contained to continue to exercise the powers and perform the duties by law vested in and imposed upon the said Council

(b) To report and recommend to the Governor and the General Assembly legislation needed to make the public schools of this Commonwealth more efficient and useful

(c) To equalize through special appropriations for this purpose or otherwise the educational advantages of the different parts of this Commonwealth

(d) To inspect and require reports from the educational work in the schools and institutions wholly or partly supported by the State which are not supervised by the public school authorities Provided That a copy of the report of the inspection of any such institution which may be made to the State Council of Education shall be sent to the head of such institution

(e) To encourage and promote agricultural education manual training domestic science and such other vocational and practical education as the needs of this Commonwealth may from time to time require

(f) To prescribe rules and regulations for the sanitary equipment and inspection of school buildings and to take such other action as it may seem necessary and expedient to promote the physical and moral welfare of the children in the public schools of this Commonwealth

(g) To investigate and make recommendations pertaining to the work of any schools of design school of industrial arts or industrial schools or other educational institutions within the Commonwealth to which the General Assembly may make an appropriation

(h) To exercise all the powers and perform all the duties formerly vested in the State Board of Education

Section 1308 Public School Employes' Retirement Board Subject to any inconsistent provisions in this act contained the Public School Employes' Retirement Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Reitrement Board under the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand forty-three) entitled "An Act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes' exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" its amendments and supplements

Section 1309 Pennsylvania Historical Commission Subject to any inconsistent provisions in this act contained the Pennsylvania Historical Commission shall have the power

(a) To continue to exercise the powers by law vested in the said Historical Commission

(b) Upon its own initiative or upon petition of municipalities or historical societies to mark by proper monuments tablets or markers places or buildings within this Commonwealth where historical events have transpired and to arrange for the care or maintenance of such markers or monuments

(c) To underake within the means at its command the preservation or restoration of ancient or historical public buildings military works or monuments connected with the history of Pennsylvania and for this purpose to contract with cities boroughs and townships for and on behalf of the Commonwealth or with historical societies or other associations with proper bond or security for the maintenance of such buildings works or monuments as a consideration for assistance in their erection restoration preservation or marking by the Commission

(d) To publish or republish with the approval of the Department of Property and Supplies all matters of historical or archaeological interest and to arrange for the compiling heading printing and distribution of such publications

(e) Upon its own initiative or in cooperation with reputable societies or organizations to conduct investigations upon historical or archaeological matters relative to Pennsylvania and report the same for public information

(f) To assume the care and maintenance of historical buildings monuments or antiquities committed to its custody

(g) To receive for and on behalf of the Commonwealth gifts or bequests or relics or other articles of historical interest which shall be deposited by it in the State Museum

(h) To accept for the Commonwealth gifts and bequests of or securities for the endowment of its work in accordance with the instructions of the donors and in conjunction with the Governor Auditor General and State Treasurer who shall together with the members of the Commission constitute a body of trustees for the care of such funds invest the same in the bonds of this Commonwealth or of any political subdivision thereof and to employ the interest and income from such investments for the purposes of the commission or apply the same to such uses as may have been specified by the respective donors of such funds

Section 1310 Professional Examining Boards The professional examining boards within the Department of Public Instruction shall respectively exercise the rights and powers and perform the duties by law vested in and imposed upon them subject however to the following provisions

(a) The Department of Public Instruction shall appoint and fix the compensation of all clerical stenographic and other assistance required for the proper conduct of the work of any such examining board

(b) All certificates and official documents shall be issued by the Department of Public Instruction but may be signed by the members of the appropriate examining board or any of them as determined by such board

(c) All warrants or requisitions drawn by any such board as authorized by law shall not be valid without the signature of the Superintendent of Public Instruction

Subject to the preceding provisions of this section and to any other inconsistent provisions in this act contained

The State Board of Medical Examination and Licensure shall continue to exercise the powers and perform the duties by law vested in the Bureau of Medical Examination and Licensure in the Department of Public Instruction

The State Board of Pharmacy shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Board

The State Dental Council and Examining Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the State Dental Council and the Board of Dental Examiners for the Commonwealth of Pennsylvania

The State Board of Optometrical Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the Board of Optometrical Education Examination and Licensure

The State Board of Osteopathic Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the State Board of Osteopathic Examiners of Pennsylvania

The State Board of Examiners for Registration of Nurses shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Board

The State Board of Undertakers shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Board

The State Board of Veterinary Medical Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Board

The State Board of Examination of Public Accountants shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Board

The State Board for Registration of Professional Engineers and of Land Surveyors shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Board

The State Board of Examiners of Architects shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Board

The State Mine Inspectors Examining Board shall continue to exercise the powers and perform the duties heretofore vested in and imposed upon the Anthracite Mine Inspectors Examining Board and the Mine Inspectors Examining Board created by the Act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred and fifty-six) entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith"

Section 1311 Boards of Trustees of State Institutions for the Deaf and of Soldiers' Orphan School The Board of Trustees of Pennsylvania State Oral School for the Deaf The Board of Trustees of Home for Training in Speech of Deaf Children before they are of School Age and the Board of Trustees of Pennsylvania Soldiers' Orphan School shall have general direction and control of the property and management of their respective Institutions Each of the said Boards of Trustees shall have the power and its duty shall be

(a) To elect a Superintendent of the Institution who shall subject to the authority of the Board administer the Institution

(b) On nomination by the Superintendent from time to time to appoint such officers and employes as may be necessary

(c) To fix the salaries of its employes in conformity with the standards established by the Executive Board

(d) Subject to the approval of the Superintendent of Public Instruction to make such by-laws rules and regulations for the management of the Institution as it may deem advisable

ARTICLE XIV

POWERS AND DUTIES OF THE DEPARTMENT OF MILITARY AFFAIRS AND ITS DEPARTMENTAL BOARDS AND COMMISSIONS

Section 1401 Powers and Duties in General The Department of Military Affairs shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the Adjutant General's Department the several Bureaus thereof and the Adjutant General

Section 1402 Pennsylvania National Guard The Department of Military Affairs shall have the power and its duty shall be

(a) To keep in its custody all books and accounts and military property of the Commonwealth issued by it pertaining to the Pennsylvania National Guard

(b) To distribute all orders from the Commander in Chief and perform such other duties as the Commander in Chief shall direct

(c) To make returns periodically as required of the Pennsylvania National Guard and report of their arms uniforms accoutrements and ammunition according to such forms as may be prescribed by the Secretary of War of the United States and to forward a copy thereof to the Secretary of War of the United States

(d) To pay the troops and make all other disbursements authorized by law by warrants drawn by the Department upon the State Treasurer and countersigned by the Auditor General

(e) To supply to all officers of the Pennsylvania National Guard such copies of drill regulations manuals of rifle practice service manuals and military publication forms and books prescribed for use of the United States Army as the Governor as Commander in Chief may designate

(f) To supply to all organizations of the Pennsylvania National Guard all necessary military stores arms and equipment

(g) With the approval of the Governor as Commander in Chief to sell or exchange from time to time such military stores belonging to the Commonwealth as are found to be unserviceable or in state of decay or which it may be deemed for the best interests of the Commonwealth to sell or exchange All moneys received for stores so sold shall be paid into the State Treasury

(h) To audit and adjust all claims incident to the organization training discipline maintenance and service of the Pennsylvania National Guard other than fixed allowances and to pay such claims when audited and adjusted

(i) Subject to the approval of the Governor as Commander in Chief to procure and issue from time to time to the Pennsylvania National Guard such flags standards and guidons as may be necessary which shall however as far as practical be similar in style to those of the United States Army

Section 1404 Pensions and Relief The Department of Military Affairs shall have the power and its duty shall be

(a) To establish rules governing the filing of claims for pensions made under and by virtue of the laws of this Commonwealth

(b) To investigate all circumstances connected with the death of a soldier whose death is the basis of a claim for a pension

(c) To determine the amount of relief payable to any officer or enlisted man of the Pennsylvania National Guard who is wounded or otherwise disabled while doing duty in active service of the State

(d) On satisfactory evidence submitted or obtained to grant such pensions as may now or hereafter be provided by law and certify the same to the Auditor General who shall draw such warrants upon the State Treasurer therefor to the order of the pensioner as may now or hereafter be provided by law

Section 1405 Naval Militia The Department of Military Affairs shall subject in all respects to the Governor as Commander in Chief have general supervision over the Naval Militia of this Commonwealth

Section 1406 Soldier's Bonus The Department of Military Affairs shall have the power and its duty shall be

(a) To investigate all claims and applications filed with it of soldiers and sailors who served in the military or naval forces of the United States during the World War and if satisfied of the sufficiency of any such claim on application to approve the same and arrange for the payment thereof out of any funds available for the purpose

(b) To make such rules and regulations as shall seem necessary for the purpose of carrying into effect the provisions of the laws providing for the payment of soldiers' and sailors' compensation for service in the World War

Section 1407 Loans of Arms and Accoutrements The Department of Military Affairs shall have the power to issue arms and accoutrements which are the property of this Commonwealth to the cadets of any Military School organizations of Veterans of any wars in which the United States has been engaged under such terms and conditions as may now or hereafter be provided by law

Section 1408 State Military Cemetery The Department of Military Affairs shall have the power

(a) To select and make arrangements for ground to be set apart in some historic spot in the Commonwealth as an appropriate space for use as a cemetery for the burial of the bodies of soldiers sailors marines and war nurses who served in the Army or Navy of the United States during times of war who died while in active service or after an honorable discharge and who entered such service while residents of Pennsylvania as well as the bodies of members of the National Guard of Pennsylvania who died while members of the National Guard or after an honorable discharge therefrom

(b) On behalf of the Commonwealth to accept the dedication of any lands in a historic spot for use as such a cemetery

(c) When any such cemetery shall be located and established to maintain and regulate the same and for that purpose to adopt rules and regulations to regulate burials therein of the bodies of persons entitled to be buried therein as provided in this section

Section 1409 The Armory Board of the State of Pennsylvania The Armory Board of the State of Pennsylvania shall subject to any inconsistent provisions in this Act contained continue to exercise the powers and perform the duties by law vested in the said Board It shall purchase land to erect provide equip maintain manage and regulate armories within the limits of this Commonwealth for the use of the National Guard of Pennsylvania as may now or hereafter be provided by law

ARTICLE XV

POWERS AND DUTIES OF THE DEPARTMENT OF AGRICULTURE AND ITS DEPARTMENTAL ADMINISTRATIVE COMMISSION

Section 1501 Powers and Duties in General The Department of Agriculture shall subject to any inconsistent provisions in this act contained continue to exercise all the powers and perform all duties by law vested in and imposed upon the Department of Agriculture the several Bureaus thereof and the Secretary of Agriculture

Section 1502 Animal Industry The Department of Agriculture shall have the powers and its duty shall be

(a) To promote the livestock industry and to prevent suppress control and eradicate any transmissible diseases of animals and poultry

(b) To establish and maintain general or special quarantines as may now or hereafter be provided by law

(c) To prevent the spread of infectious and communicable diseases of animals and poultry and for this purpose the officers agents or employes thereof may at any time enter any premises where domestic animals or products thereof are kept confined or stored to take such measures as may seem advisable concerning methods of preventing controlling and eradicating desease of animals to cause the disinfection of any premises and when deemed necessary to prevent the spread of disease to cause the destruction of animals poultry and personal property and to regulate and prohibit the movement or transportation of animals or poultry into this Commonwealth or from one place to another within this Commonwealth

(d) To purchase such supplies and materials as may be deemed necessary

(e) To provide for the licensing of breeding animals kept for public service and to prevent fraud and deception in the licensing of stallions kept for public service

(f) To regulate the manufacture use and sale of biological products for use on domestic animals

(g) To make such examinations and tests as may be deemed necessary to determine the healthfulness of the domestic animals and poultry of the Commonwealth

(h) To organize and administer a service for the purpose of protecting the public against the use of unwholesome meat or meat food products

Section 1503 Plant Industry The Department of Agriculture shall have the power and its duty shall be

(a) To inspect any nursery orchard farm garden park cemetery or any private or public place which may become infested or infected with harmful insects or plant diseases to establish and enforce quarantines to issue and enforce orders and regulations and make investigations for the control of said pests wherever they may exist within the Commonwealth and to perform such other duties relating to "plants" and "plant products" as may seem advisable and not contrary to law

(b) To inspect apiaries for diseases inimical to bees and beekeeping and enforce the laws relating thereto

Section 1504 Markets The Department of Agriculture shall have the power and its duty shall be

(a) To investigate the subject of marketing farm products including the costs of marketing to publish the results of such investigations and to furnish advice and assistance to the public with reference to the marketing of farm products within this Commonwealth and all matters relevant thereto

(b) To gather and diffuse timely information concerning the supply demand prevailing prices and commercial movement of farm products including quantities in common and cold storage

(c) To secure in the performance of the duties herein prescribed the cooperation and assistance of all other agencies

(d) To assist and advise in the organization and conduct of public markets of cooperative and other associations for improving marketing conditions and activities among producers distributors and consumers

(e) To investigate delays embargoes conditions practices charges and rates in the transportation and storage of all farm products which appear to be detrimental to a free economical and efficient marketing of such products

(f) To take such lawful steps as may be deemed advisable to prevent waste of perishable products

(g) To establish standards for the grading and other classifications of farm products as provided in the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred nine) entitled "An Act prescribing the powers and duties of the Bureau of Markets in the Department of Agriculture providing for cooperation with the Bureau of Standards of the Department of Internal Affairs to establish standard receptacles for farm products and to promulgate regulations for enforcement thereof and prescribing penalties for the violation of provisions of this act" and in all other respects to enforce the provisions of said act

Section 1505 Foods The Department of Agriculture shall have the power and its duty shall be

(a) To enforce all the laws of the Commonwealth relating to the production manufacture transportation and sale of foods used for man as well as every article entering into and intended for use as ingredient in the preparation of foods for man

(b) For the purpose of enforcing such laws from time to time to purchase from wholesale or retail dealers samples of any food or drink and have the same analyzed or examined and prosecute the sale of adulterated misbranded or deleterious food or drink

(c) To examine all cold storage warehouses within the meaning of the laws of this Commonwealth to ascertain whether they are kept in a sanitary condition the wholesomeness of the food therein and the time within which such foods shall have been so kept

(d) To make such rules and regulations as shall be necessary for the enforcement of the laws of this Commonwealth relating to oleomargarine food drink and cold storage warehouses

Section 1506 Chemistry The Department of Agriculture shall have the power and its duty shall be

(a) To purchase from wholesale or retail dealers for the purpose of making chemical analyses any fertilizers lime and lime products feeds feeding-stuffs insecticides fungicides paints oils turpentine putties or materials or ingredients used in the manufacture or compound of any such fertilizers lime and lime products feeds feeding-stuffs insecticides fungicides paints oils turpentine or putties and to make examinations and analyses thereof whenever the Secretary of Agriculture shall deem advisable

(b) To keep correct records of all analyses made of each of the commodities received

Section 1507 Statistics The Department of Agriculture shall have the power and its duty shall be to collect tabulate and publish monthly crop and livestock reports and such other information from time to time pertaining to the agricultural industries and interests of the State and such bulletins and reports as may be deemed advisable

Section 1508 Quarantines The Department of Agriculture shall have the power to establish general quarantines relating to diseases of animals or plants and their products and to make all needful rules and regulations for the enforcement of the laws relating to animals and plants or the products thereof

When a quarantine relating to plants or their products has been declared or rules and regulations for the enforcement of the laws relating to animals or plants or their products have been adopted such quarantine or rules and regulations shall be enforced by the officers or agents of the Department and for the purpose of enforcing such quarantines rules and regulations such officers and agents shall have and possess all the powers of the Department including the powers formerly by law vested in the State Livestock Sanitary Board and the Economic Zoologist

Section 1509 State Fair Commission Subject to any inconsistent provisions in this act contained the State Fair Commission hall have the power

(a) To continue to exercise the powers by law vested in and imposed upon the said Commission

(b) To formulate plans for the establishment organization conduct and management of an annual State Fair to embrace exhibits of all agricultural industrial and artistic products of the Commonwealth including exhibits of all classes of farm products embracing live stock dairying horticulture all classes of manufactures industries mining mechancis and domestic arts and such other exhibits as will best advance the interests of agriculture and the other industries of the Commonwealth

(c) To examine sites and if possible to secure a donation of a proper and convenient site for the annual State Fair and to examine sites for purchase by the Commonwealth for the purpose of the State Fair and for this purpose to secure options

(d) To prepare plans for exhibits together with their equipment and formulate plans for advertising management and exhibits and generally to do and undertake all work necessary and appropriate for the establishment maintenance and operation of an annual State Fair

ARTICLE XVI

POWERS AND DUTIES OF THE DEPARTMENT OF FORESTS AND WATERS ITS OFFICERS AND DEPARTMENTAL ADMINISTRATIVE AND ADVISORY BOARDS AND COMMISSIONS

Section 1601 Powers and Duties In General The Department of Forests and Waters shall subject to any inconsistent provisions of this Act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the Department of Forestry the various bureaus and officers thereof including the Bureau of Forest Protection the Commissioner of Forestry and the State Forest Commission and such other powers and duties as are vested in and imposed upon the Department of Forests and Waters by this Act

Section 1602 Forests Powers and Duties The Department of Forests and Waters shall have the power and its duty shall be

(a) With the approval of the State Forest Commission to acquire in the name of the Commonwealth by purchases gift or condemnation and hold as State Forests subject to such reservations if any of mineral rights stumpage rights rights of way or other encumberances as the Department and the State Forest Commission deem to be consistent with such holding any lands which in the judgment of the Department the Commonwealth should hold manage control protect maintain utilize and regulate as State Forests Provided that the purchase price of any such lands shall not exceed ten dollars per acre and that the amount expended for the acquisition of lands for State Forest purposes in any biennial appropriation period shall not exceed the appropriation for that purpose for such period

(b) To purchase and hold as State Forests unseated vacant or unappropriated land lands advertised for sale for vacant or unappropriated lands advertised for sale for taxes taxes and lands sold for taxes as may now or hereafter be provided by law

(c) To hold manage control protect maintain utilize develop and regulate the occupancy and use of all lands heretofore or hereafter acquired owned and maintained as State Forests together with the resources thereof

(d) To divide the State into such convenient forest districts as it deems economical and effective to administer prodevelop utilize and regulate the occupancy and use of the lands and resources of the State Forests to protect all forest land in the State from forest fires fungi insects and other enemies to promote and develop forestry and knowledge of forestry throughout the State to advise and assist land owners in the planting of forest and shade trees to obtain and publish information respecting forest lands and forestry in the State to assist in Arbor Day work and promote and advance any other activity in local forestry which the Department may deem helpful to the public interest and to execute the rules and regulations of the Department for the protection of forests from fire and depredation It may also assign district foresters to take active charge of such forest districts and also foresters forest rangers and other help for the administration of such forest districts as the Secretary of Forests and Waters may deem necesary for the accomplishment throughout the State of the purposes for which the Department is established

(e) To cooperate with the authorities of townships boroughs and cities of this Commonwealth in the acquisition and administration of municipal forests as may now or hereafter be provided by law

(f) With the advice of the State Forest Commission to establish such rules and regulations not inconsistent with law for the control management protection utilization development occupancy and use of the lands and resources of the State Forests as the Department deems proper to conserve the interests of the Commonwealth Such rules and regulations shall be compatible with the purposes for which the State Forests are created namely to provide a continuous supply of timber lumber wood and other forest products to protect the watersheds conserve the waters and regulate the flow of rivers and streams of the State and to furnish opportunities for healthful recreation to the public

The net receipts arising out of the occupancy and use of the State Forests hereunder shall be paid into the State Treasury and shall belong to and form part of the State School Fund

(g) Whenever it shall appear that the welfare of the Commonwealth with reference to reforesting and the betterment of the State Forests with respect to control management protection utilization development and regulation of their occupancy and use will be advanced by selling or disposing of any of the timber on the State Forests to dispose of such timber on terms most advantageous to the State Provided That the Department is authorized and directed to set aside within the State Forests unusual or historical groves of trees or natural features especially worthy of permanent preservation to make the same accessible and convenient for public use and to dedicate them in perpetuity to the people of the State for their recreation and enjoyment And the said Department is hereby empowered with the advice of the State Forest Commission to make and execute contracts or leases in the name of the Commonwealth for the mining or removal of any valuable minerals that may be found in said State Forests whenever it shall appear to the satisfaction of the Department that it would be for the best interests of the State to make such disposition of said minerals And provided further That any proposed contracts or leases of valuable minerals exceeding three hundred dollars in value shall have been advertised once a week for three weeks in at least two newspapers published nearest the locality indicated in advance of awarding such contract or lease Said contracts or leases may then be awarded to the highest and best bidder who shall give bond for the proper performance of the contract as the Department shall designate

(h) To appoint and with the approval of the Governor fix the compensation of a chief forest fire warden and such district forest fire wardens and to appoint and fix the compensation of such local forest fire wardens and other assistants as shall be required for the prevention control and extinction of forest fires

(i) To establish and administer auxiliary forest reserves in the manner and under such terms and conditions as may now or hereafter be provided by law

(j) To distribute young forest trees as provided by law to those desiring to plant them

(k) To furnish information and issue certificates and warrants necessary for the payment of such fixed charges in lieu of taxes on State Forests and auxiliary forest reserves to school districts road districts and counties as may now or hereafter be provided by law

(l) To sell or exchange State Forest land as provided by law whenever it shall be to the advantage of the State Forest interests Provided That such action has been authorized by resolution of the State Forest Commission unanimously adopted at a meeting at which a majority of its members are present and voting and has been approved by the Governor

Section 1603 Forests Powers The Department of Forests and Waters shall have the power

(a) To lease for a period not exceeding ten years on such terms and conditions as it may consider reasonable to any citizen church organization or school board of Pennsylvania such portion of any State Forest as the Department may deem suitable as a site for a temporary building to be used by such citizen church organization or school board for health and recreation or as a site for a church or school purposes

(b) The Department in its discretion may lease for not more than ten years small areas in State Forests deemed by it to be better suited for the growing of other crops than for the growing of forest trees If more than one person shall apply for the same tract the lease shall be advertised for sale in three local county papers if there be so many once a week for three weeks and may then be awarded to the highest responsible bidder but the Department may nevertheless reject any or all bids Upon the termination of any such leases the lessee may remove buildings and fences placed thereon at his own expense or the same may be purchased by the lessor as a part of the permanent improvement of the tract upon such terms as may be agreed upon by the Department and the lessee

(c) To lease for periods of not more than fifty years on such terms conditions and stipulations as it shall deem necessary to protect the present and future interests of the Commonwealth and its people any portions of the State Forests for use as sites for dams reservoirs canals pipe lines and other water conduits power houses and electric transmission lines for water power development for the main purpose of steam raising or condensation in the generation of electric energy for use in public service and for the transmission of electric energy and

To grant upon terms conditions and stipulations as aforesaid the right to occupy and use any portions of the State Forests as sites for dams reservoirs canals pipe lines and other water conduits for other water supply purposes

(d) To grant rights of way through State Forests to individuals or corporations who may apply therefor when it shall appear to the Department that the grant of a right of way will not so adversely affect the land as to interfere with its usual and orderly administration and when it shall apear that the interests of the Commonwealth or of its citizens will be promoted by such grant Rights of way as used in this subsection is hereby construed to include rights of passage and haulage for any lawful purpose also rights of flowage or transmission for any lawful purpose except reservoirs water conduits and transmission lines for the purposes within the preceding subsection

(e) To give to street railway companies duly incorporated under the laws of this Commonwealth upon such terms and subject to such restrictions and regulations as the Department with the advice of the State Forest Commission may deem proper the privilege to construct maintain and operate their lines of railway over along and upon public highways now laid out and in actual use which lie within or border on any State Forests whenever the interests of the Commonwealth will be benefited thereby

(f) With the advice of the State Forest Commission to give to boroughs and other municipalities of this Commonwealth upon such terms and subject to such restrictions and regulations as the Department may deem proper the privilege of impounding water upon any State Forest and of constructing maintaining and operating lines of pipes upon and through State Forests for the purpose of conveying water therefrom whenever it shall be to the public interest so to do

(g) In all cases where there are public roads regularly established running into or through or bordering upon State Forests from time to time to expend such reasonable sums for the maintenance repair or extension of such roads as may be necessary for the proper administration and protection of State Forests All expenses that may thus be incurred shall be paid in the same manner as the other expenses of the Department

(h) To enter into cooperative agreements with county township municipal and private agencies for the prevention and supperssion of forest fires as provided by law

Section 1604 Waters The Department of Forests and Waters shall have the power and its duty shall be

(a) To study consider and determine upon a public policy with regard to the conservation marketing and equitable distribution of the water and power to be derived from the utilization of the water resources of the Commonwealth to the restoration development and improvement of transportation by water to the supply of water and power for municipal domestic aid industrial use and to the conservation of water resources by the aid of forestation

(b) To investigate or examine dams and other water obstructions determine whether they are unsafe need repair or should be removed notify owners to repair or remove the same remove the same in emergencies without notice and at the cost of the owners and apply for injunctions to enforce compliance with or restrain the violation of the law in regard to the safety of dams or other water obstructions or the violation of any lawful order or notice of the Department in regard thereto

(c) To collect such information relative to the existing conditions of the water resources of the State as in the opion of the Department shall be necessary for the utilization of waters and for the conservation purification development and equitable distribution of water and water power resources and in particular for the use of such citizens and communities as may be in need of extended facilities for these purposes

(d) To establish and maintain gauging stations on rivers and their tributaries

(e) To issue bulletins during freshet and flood conditions forecasting gauge heights and the times thereof

(f) To maintain a complete inventory of all the water resources of the Commonwealth collect all pertinent data facts and information in connection therewith classify tabulate record and preserve the same and upon the basis thereof determine with the approval of the Water and Power Resources Board the points at which storage reservoirs may be constructed for flood control for municipal and domestic supply hydraulic and hydroelectric power steam raising steam condensation navigation and other utilization and generally to devise all possible ways and means to conserve and develop the water supply and water resources of the Commonwealth for the use of the people thereof

(g) To construct maintain and operate works for water storage flood control channel improvement or other hydraulic purposes

Section 1605 Parks The Department of Forests and Waters shall have the power and its duty shall be

(a) To supervise maintain improve regulate police and preserve all parks belonging to the Commonwealth except the Pennsylvania State Park at Erie Washington Crossing Park and Valley Forge Park

(b) From time to time to acquire additional lands for State parks when money shall have been specifically appropriated by the General Assembly

Section 1606 Pennsylvania State Forest School The Department of Forests and Waters shall have the power and its duty shall be

(a) To maintain and operate the State Forest Academy at Mont Alto which shall hereafter be known as the "Pennsylvania State Forest School"

(b) For that purpose to employ such inspectors assign such foresters for school instruction and employ such services as may reasonably be necessary (1) to continue at the school professional education in forestry and maintain a close association of theory and practice (2) to train forest rangers and (3) to give such forest extension summer courses as the Secretary of Forests and Waters may approve

Section 1607 Water and Power Resources Board The Water and Power Resources Board shall have the power and its duty shall be

(a) Subject to any inconsistent provisions in this act contained to continue to exercise the powers and perform the duties by law invested in and imposed upon the Water Supply Commission of Pennsylvania with regard to

1 Applications for charters for corporations for the supply of water for the public or for the supply storage and transportation of water and water power for commercial and manufacturing purposes or for any other water or water power company

2 Agreements for the merger and consolidation of two or more such corporations heretofore or hereafter formed

3 The sale assignment disposition transfer and conveyance of the franchises and all the property real personal and mixed of any such corporation heretofore or hereafter formed to any other such corporation

4 Consents or permits for the construction of dams and other water obstructions or of any change therein or addition thereto and consents or permits for changing or diminishing the course current or cross section of any stream of body of water

5 Permits for the condemnation or appropriation of waters or for the construction of hydraulic works

6 Applications for new or additional sources of supply of water or waterpower

7 Applications by companies for approval of the construction operation and maintenance of tunnels under navigable rivers to connect their power to manufacturing plants with coal lands wherein such companies have coal mining rights

The extension of time fixed by law for the beginning or completion of the construction of the works of water or water power companies inquiry into the standing of water or water power charters hearings as to such beginning or completion and as to the due diligence and bona fide intent of water and water power companies to fulfill the requirements of law and the certification of facts to the Attorney General requesting him to institute quo warranto proceedings

(b) In granting consents or permits for the construction of dams and other water obstructions or of any change therein or addition thereto or for changing or diminishing the course current or cross-section of any stream or body of water to make them subject to such terms conditions and stipulations therein expressed as the Board shall deem necessary to protect the present and future interests of the Commonwealth and its people and suitable to afford a reasonable opportunity for a fair return on the actual investment providently made on the faith of any such permit And such permits if for the purpose of the development of water power or for the main purpose of storing or cooling water for steam raising or condensation in generating electric energy for use in public service shall be for such periods not more than fifty years as may be expressed therein respectively

(c) To hold hearings upon and decide any other matter or thing relating to waters which may be within the jurisdiction of the Department of Forests and Waters and which the Secretary of Forests and Waters may request the Board to hear and determine

Section 1608 Geographic Board The Geographic Board shall have the power and its duty shall be

(a) To pass upon and determine all unsettled questions concerning geographic names which arise in the administrative departments of the State Government

(b) To determine change and fix the names of mountains rivers creeks and other topographic features within the Commonwealth

In the exercise of its powers and the performance of its duties the Geographic Board shall cooperate with the United States Geographic Board

Section 1609 Lake Erie and Ohio River Canal Board Subject to any inconsistent provisions in this act contained the Lake Erie and Ohio River Canal Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

Section 1610 Pennsylvania State Park and Harbor Commission of Erie Subject to any inconsistent provisions in this act contained the Pennsylvania State Park and Harbor Commission of Erie shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Commission

Section 1611 Washington Crossing Park Commission Subject to any inconsistent provisions in this act contained the Washington Crossing Park Commission shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Commission

Section 1612 Valley Forge Park Commission Subject to any inconsistent provisions in this act contained the Valley Forge Park Commission shall continue to exercise the powers and perform the duties by law vested in and imposed upon the Commissioners of Valley Forge Park

Section 1613 State Forest Commission The State Forest Commission shall have the power

(a) To consider study and advise in the work of the Department of Forests and Waters relating to forests and Parks For this purpose the Commission shall have access at any time to all books papers documents and records pertaining or belonging to the Department

(b) To advise the Department on request and to make recommendations upon its initiative for the improvement of the work of the Department

(c) To approve or disapprove the rules and regulations which the Department may from time to time propose to adopt

(d) To give or withhold its consent to any act of the Department the validity of which is by this act made subject to the consent of the Commission

Section 1614 Advisory Park Commission The several advisory park commissions by this act created in the Department of Forests and Waters shall have the right from time to time to meet for the purpose of considering and studying the work of the Department with regard to the particular parks over which they respectively have jurisdiction and to make recommendations and render advice to the Department with reference to the conduct improvement and maintenance of such parks

For such purposes the several park commissions shall have jurisdiction as follows

(a) Fort Washington Park Commission over Fort Washington Park Montgomery County

(b) Wyoming Valley Memorial Park Commission over Wyoming Valley Memorial Park in Luzerne County

Section 1615 Powers of Forest Officers The persons employed under the provisions of this act by the Department of Forests and Waters for the protection of the State Forests shall after taking the proper official oath before the clerk of the court of quarter sessions of any county of the Commonwealth be vested with the same powers as are by existing laws conferred upon constables and other peace officers to arrest on view without first procuring a warrant therefor persons detected by them in the act of trespassing upon any forest or timber land within this Commonwealth under such circumstances as to warrant the reasonable suspicion that such person or persons have committed are committing or are about to commit any offense or offenses against any of the laws now enacted or hereafter to be enacted for the protection of forests and timber lands. Such officers shall likewise be vested with similar powers of arrest in the case of offenses against the laws or rules and regulations enacted or established or to be enacted or established for the protection of the State Forests or for the protection of the fish and game contained therein Provided That the above mentioned rules and regulations shall have been previously conspicuously posted upon the State Forests Said officers shall further be empowered and it shall be their duty immediately upon any such arrest to take and convey the offender or offenders before a justice of the peace or other magistrate having jurisdiction for hearing and trial or other due process of law Provided further That this act shall extend only to the case of offenses committed upon the State Forests and lands adjacent thereto and the powers herein conferred upon said officers shall not be exercised beyond the limits thereof except where necessary for the purposes of pursuing and arresting such offenders or of conveying them into the proper legal cutody for punishment as aforesaid

Section 1616 Powers of Chief Forest Fire Wardens The Chief Forest Fire Warden shall subject to the approval of the Secretary of Forests and Waters have the power and his duty shall be

(a) To take such measures for the prevention control and extinction of forest fires as will assure a reasonable protection from fire to woodlots forest and wild land within the Commonwealth

(b) To supervise and manage the forest fire wardens throughout the Commonwealth and when necessary to appoint persons who shall serve without compensation as special or as ex offico fire wardens Such special or ex officio fire wardens shall have the same powers as local forest fire wardens but their duties may be changed or extended by the chief forest fire warden Any special or ex officio forest fire warden appointed as herein provided shall be entitled to receive the necessary expenses incurred by him in the performance of his duties as fire warden

(c) To report to the Secretary of Forests and Waters at such times as the Secretary shall require covering all phases of the work done under his direction

(d) To collect with the assistance of the fire wardens under his supervision data as to location area and fire hazards of woodlots forest and wild lands within the State as to forest fires and losses resulting therefrom and such other data as he may desire to present to the Department or to the public

(e) To plan and to put into operation and maintain a system of fire towers and observation stations which shall cover the regions subject to forest fires and to purchase necessary materials and equipment and hire the labor therefor

(f) During dry seasons whenever necessary to appoint certain forest fire wardens as patrolmen for regions subject to great fire risk

(g) To enter into agreements with persons associations or corporations upon satisfactory terms for forest fire prevention or control

(h) To conduct educational work in relation to the protection of forests from fire

(i) To approve and transmit to the Secretary of Forests and Waters all correct bills for expenses incurred by him or under his supervision

(j) To declare a public nuisance any property which by reason of its condition or operation is a special forest fire hazard and as such endangers other property or human life He shall notify the owner of the property or the person responsible for the condition declared a public nuisance and advise him of the abatement of such public nuisance In case of a railroad such notice shall be served upon the Superintendent of the Division upon which the nuisance exists

(k) To collect and arrange information concerning violation of laws relating to the protection of forests from fire and present the same to the Secretary of Forests and Waters who shall file it with the Department of Justice for legal action

(l) To issue to persons appointed forest fire wardens certificates of appointment and when deemed advisable to issue badges to such persons

Section 1617 Powers of District Forest Fire Wardens Each District Fire Warden shall have the power and his duty shall be

(a) To establish headquarters at some advantageous place within his district

(b) To act as the field representative of the Chief Forest Fire Warden

(c) To collect and forward to the Chief Forest Fire Warden such data within his district as may be required by the Chief Forest Fire Warden

(d) To make recommendations to the Chief Forest Fire Warden for the appointment of local fire wardens the location of towers the employment of patrolmen the region to be patroled and such other matters as may come to his attention which would tend to improve the protective system

(e) To arrange for annual meetings of fire wardens within his district for instruction in forest fire matters

(f) To report to the Chief Forest Fire Warden conditions existing within his district which are or may become forest fire hazards and to serve notices for the correction or removal of such conditions after and when issued by the Chief Forest Fire Warden

(g) To receive audit and if correct approve the report and accounts of the local fire wardens before submitting them to the Chief Forest Fire Warden

(h) To act as an Inspector of the work of the local fire wardens and render assistance to them

(i) To conduct educational work and develop cooperation between local agencies and the Department of Forests and Waters for the prevention and suppression of forest fires

(j) To perform such other duties as may be assigned to him by the Secretary of Forests and Waters and the Chief Forest Fire Warden

Section 1618 Powers of Local Forest Fire Wardens It shall be the duty of each local forest fire warden

(a) Whenever fire is discovered in or approaching woodlots forests or wild lands whether the same be owned by individuals corporations or by the Commonwealth immediately to take such measures as are necessary to extinguish the fire

(b) Whenever fires have been combated or extinguished to prepare a correct statement of expenses upon forms to be furnished by the Department which must be filed with the district forest fire warden and by him forwarded to the chief forest fire warden within sixty days of the date of the fire

(c) Promptly to investigate the cause of each fire which comes to his knowledge collect such evidence as may be discovered relating thereto and such other facts as he may be directed and report the same to the chief forest fire warden

(d) To attend an annual meeting of forest fire wardens in his district when notified or present a reasonable excuse

(e) When designated as a patrolman or watchman to perform such duties as may be assigned him by the chief forest fire warden or by the district forest fire warden

Section 1619 Powers of all Forest Fire Wardens Every forest fire warden appointed as provided in this act shall have the power

(a) To employ such other persons as in his judgment may be necessary to render assistance in extinguishing forest fires and to compel the attendance of persons and to require their assistance in the extinguishing of forest fires

(b) To administer an oath or affirmation in order to examine any person who he believes knows facts relating to any forest fire or who claims compensation for services rendered

(c) To enter upon any land at any time for the purpose of performing duties in accordance with this act

(d) To arrest on view without first procuring a warrant any person detected by him in the act of committing an offense against any of the laws for the protection of forests woodlots or wild lands or when he shall have a reasonable suspicion that any person is committing or about to commit some such offense Such forest warden shall have further power to take the offender before a justice of the peace magistrate or other officer having jurisdiction for hearing trial or other due process of law

(e) To exercise the foregoing powers not only in the jurisdiction for or within which he may have been appointed by also in adjacent or other boroughs townships or counties

ARTICLE XVII

POWERS AND DUTIES OF THE DEPARTMENT OF LABOR AND INDUSTRY AND ITS DEPARTMENTAL ADMINISTRATIVE AND ADVISORY BOARDS

Section 1701 Powers and Duties In General The Department of Labor and Industry shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said Department the several Bureaus and divisions thereof and the Industrial Board It shall also exercise such additional powers and perform such additional duties as are vested in and imposed upon it by this act

Section 1702 Inspection and Administration The Department of Labor and Industry shall have the power and its duty shall be

(a) To inspect during reasonable hours and as often as practicable every room building or place within this Commonwealth where and when any labor is being performed which is affected by the provisions of any law of this Commonwealth and all buildings in which public assemblies are held and for this purpose to enter any such room building or place

(b) To receive and examine plans for all buildings more than two stories high and all places of assembly outside of cities of the first and second classes and to approve the same as may now or hereafter be provided by law

(c) To receive and check plans for elevator installations outside of cities of the first and second classes and to issue permits for the erection and repair of elevators as may now or hereafter be provided by law

(d) To file reports of inspection of elevators received from inspectors employed by the Department or from inspectors holding certificates of competency issued by the Department

(e) To inspect boilers and to receive and check reports of inspection of boilers made by inspectors holding certificates of competency issued by the Department

(f) To issue licenses after examination to motion picture projectionists and apprentices as may now or hereafter be provided by law

(g) To receive reports of industrial accidents to persons and to direct the investigation of such accidents and prescribe means for the prevention of similar accidents

(h) To issue orders for removing or safe guarding against hazards that may cause accidents to employes as may now or hereafter be provided by law

Section 1703 Investigation The Department of Labor and Industry shall have the power to make investigations and surveys upon any subject within the jurisdiction of the Department either upon its own initiative or upon the request of the Industrial Board

Section 1704 Statistics The Department of Labor and Industry shall have the power to collect compile and publish statistics relating to labor and industry to organizations of employes and to organizations of employers

Section 1705 Rules and Regulations Subject to approval by the Industrial Board the Department of Labor and Industry shall have the power to make rules and regulations for carrying into effect the laws regulating the labor of persons within this Commonwealth and the construction ventilation and equipment of the rooms buildings or places where such labor is performed or where public assemblies are held and to enforce all such rules and regulations

Section 1706 Mediation and Arbitration The Department of Labor and Industry shall have the power and its duty shall be whenever a difference arises between an employer and his employes with regard to wages hours or conditions of employment to send a representative of the Department promptly to the locality in which such difference exists and endeavor by mediation to effect an amicable settlement of the controversy If such settlement cannot be effected and the dispute is submitted for arbitration the Department in the event of the failure of representatives of employer and employes to name an impartial chairman of the board of arbitration shall select such chairman to act as such third member

Section 1707 Women and Children The Department of Labor and Industry shall have the power and its duty shall be

(a) To make studies and investigations of the special problems connected with the labor of women and children

(b) To create the necessary organization and to appoint an adequate number of inspectors to enforce the laws and rules and regulations of the Department relating to the work of women and children

Section 1708 Workmen's Compensation The Department of Labor and Industry shall have the power and its duty shall be

(a) To administer and enforce the laws of this Commonwealth as now existing or hereafter enacted relating to Workmen's Compensation Provided however That the Workmen's Compensation Board and the Workmen's Compensation Referees shall perform their respective duties independently of the Secretary of Labor and Industry or any other official of the Department except that all clerical stenographic and other assistance required by the Workmen's Compensation Board and the several Workmen's Compensation Referees shall be appointed by the Department as provided in this act

(b) To receive and classify reports of all accidents and to receive and approve or disapprove agreements and receipts in workmen's compensation cases as provided by law

(c) To follow up all cases in which workmen's compensation agreements shall have been filed and see that such agreements are fulfilled in accordance with the provisions thereof and the laws of this Commonwealth

(d) To advise injured workmen of their rights under the workmen's compensation laws

(e) To receive and refer to the Workmen's Compensation Board claims in contested cases and mail decisions of the Workmen's Compensation Board and of Workmen's Compensation Referees in all contested cases to claimants and defendants

(f) To render to the Workmen's Compensation Board any reasonable assistance requested by the Board in the conduct of its work

(g) To prepare and issue to the Auditor General certificates or requisitions for the payment of workmen's compensation to injured employes of the Commonwealth

Section 1709 Workmen's Insurance Fund The Department of Labor and Industry shall exercise the powers and perform the duties heretofore exercised and performed by the State Workmen's Insurance Board It shall administer the State Workmen's Insurance Fund as provided in the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and sixty-two) entitled "An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof" its amendments and supplements Provided That the State Treasurer shall continue to be the custodian of the said fund

Section 1710 Rehabilitation The Department of Labor and Industry shall have the power

(a) To render aid to persons injured in industrial pursuits to arrange for medical treatment for such persons and procure artificial limbs and appliances to enable them to engage in renumerative occupations

(b) To make surveys to ascertain the number and condition of physically handicapped persons within the Commonwealth

(c) To cooperate with the Department of Public Instruction in arranging for training courses in the public schools or other educational institutions for persons injured in industrial pursuits and to arrange for such courses in industrial or agricultural establishments and

(d) To such extent as the Department shall have funds available for the purpose to provide maintenance for such injured persons during such training in such amounts as may be provided by law

Section 1711 Employment and Unemployment The Department of labor and Industry shall have the power

(a) To endeavor to bring together employers seeking employes and applicants for employment

(b) To supervise all public and private employment agencies

(c) To report on the extent of unemployment The remedy therefor and the means for the prevention thereof

(d) To establish employment offices or labor exchanges at convenient places throughout the Commonwealth

(e) To promote the intelligent distribution of labor and when necessary to assist in securing transportation for employes desiring to go to places where work is available

Section 1712 Mining Branch of the Department of Labor and Industry Subject to any inconsistent provisions in this act contained the Mining Branch of the Department of Labor and Industry under the direction of its Chief shall continue to exercise the powers and perform the duties by law vested in and imposed upon the Department of Mines and the Chief of the Departtment of Mines It shall

(a) See that the mining laws of the Commonwealth are faithfully executed and for that purpose cause lawfully qualified mine inspectors to enter inspect and examine any mine or colliery within the Commonwealth and the work and machinery connected therewith

(b) Give such aid and instruction to the mine inspectors from time to time as may be calculated to protect the health and promote the safety of all persons employed in and about the mines

(c) Make such examinations and investigations as may be necessary to enable it to make recommendations upon any matters pertaining to the general welfare of coal miners and others connected with mining and the interests of mine owners and operators in the Commonwealth

Section 1713 Workmen's Compensation Board Subject to any inconsistent provisions in this act contained the Workmen's Compensation Board shall continue to exericse the powers and perform the duties by law vested in and imposed upon the said Board

Section 1714 Workmen's Compensation Referees Subject to any inconsistent provisions in this act contained each Workmen's Compensation Referee shall have the power and his duty shall be to hear such claims for compensation as shall be assigned to him by the Workmen's Compensation Board and to perform such other duties as shall be required of him by the Workmen's Compensation Board or imposed upon him by law

Section 1715 Industrial Board The Industrial Board created by this act shall have the power and its duty shall be

(a) To meet at least once each month for the purpose of considering such matters as are brought before it or the Secretary shall request

(b) To hold hearing with reference to the application by the Department of the laws affecting labor upon appeal either of employes or employers or of the public and after such hearings to make recommendations to the Department

(c) To approve or disapprove the rules and regulations established by the Department of Labor and Industry and to make suggestions to the Department for the formulation of such rules and regulations

(d) To consider study and investigate the conduct of the work of the Department of Labor and Industry For this purpose the Board shall have access at any time to all books papers documents and records pertaining to or belonging to the Department and may require oral or written information from any officer or employe thereof

Section 1716 Mine Inspectors Subject to any inconsistent provisions in this Act contained Anthracite Mine Inspectors and Bituminous Mine Inspectors shall respectively under the direction of the Chief of the Mining Branch of the Department of Labor and Industry continue to exercise the powers and perform the duties by law vested in and imposed upon them

Section 1717 State Anthracite Mine Cave Commission Subject to any inconsistent provisions in this Act containing the State Anthracite Mine Cave Commission shall continue to exercise the power and perform the duties by law vested in and imposed upon said Commission

ARTICLE XVIII

POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ITS DEPARTMENTAL ADMINISTRATIVE AND ADVISORY BOARDS

Section 1801 Powers and Duties in General The Department of Health shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said Department of Health the bureaus thereof and the Commissioner of Health It shall also exercise such additional powers and perform such additional duties as are vested in and imposed upon it by law

Section 1802 General Health Administration The Department of Health shall have the power and its duty shall be

(a) To protect the health of the people of this Commonwealth and to determine and employ the most efficient and practical means for the prevention and suppression of disease

(b) To purchase such medicines medical and surgical supplies and materials as may be necessary to carry on the work of the Department

(c) To cause examination to be made of nuisances or questions affecting the security of life and health in any locality and for that purpose without fee or hindrance to enter examine and survey all grounds vehicles apartments buildings and places within the Commonwealth and all persons authorized by the Department to enter examine and survey such grounds vehicles apartments buildings and places shall have the powers and authority conferred by law upon constables

(d) To order nuisances detrimental to the public health or the causes of disease and mortality to be abated and removed and to enforce quarantine regulations

(e) If the owner or occupant of any premises whereon any nuisance detrimental to the public health exists fails to comply with any order of the Department for the abatement or removal thereof to enter upon the premises to which such order relates and abate or remove such nuisances as may now or hereafter be provided by law

(f) For the purpose of collecting or recovering the expense of the abatement or removal of a nuisance to file a claim or maintain an action in such manner as may now or hereafter be provided by law against the owner or occupant of the premises upon or from which such nuisance shall have been abated or removed by the Department

(g) To revoke or modify any order regulation by-law or ordinance or a local board of health concerning a matter which in the judgment of the Department affects the public health beyond the territory over which such local board has jurisdiction

(h) To promulgate its rules and regulations by sending printed copies thereof to all local boards of health school boards or clerks of councils of cities and boroughs and by writing the same once in at least one daily newspaper of Philadelphia and Pittsburgh and to print in circular form such rules and regulations and give copies thereof to any preson requesting the same and

(i) Whenever in the opinion of the Department conditions exist in any borough or any township of the first class within the Commonwealth which constitute a menace to the lives and health of the people living outside the corporate limits of such borough or township or after it be known to the Department that any boroughs or any township of the first class is without an existing or efficient Board of Health to enter and take full charge of and administer the health laws regulations and ordinances of such borough or township and to continue in charge thereof until the Department shall decide that a competent and efficient Board of Health has been appointed and qualified for such borough or township and is ready able and willing to assume and carry into effect the duties imposed upon it by law and to collect all expenses incurred by the Department in performing its duties hereunder as may now or hereafter be provided by law

(j) To prescribe standard requirements for the conduct of the medical inspection of the pupils of the public schools throughout the Commonwealth and to appoint medical inspectors to make such school inspections as may be now or hereafter be provided by law

Section 1803 Housing The Department of Health shall have the power and its duty shall be to investigate the sanitary condition of tenements lodging and boarding houses and when the same are found to be a menace to those occupying the same or employed therein or to be overcrowded to condemn the same in such manner and subject to such limitations as may now or hereafter be provided by law and to notify the owners or agents thereof in writing setting forth the unsanitary or overcrowded condition thereof specifying the changes or alterations which shall be made thereto for the purpose of relieving such condition and further specifying the time within which such changes or alterations shall be completed or overcrowding relieved Provided That in making inspections as autnorized by this section the Department of Health shall cooperate with the Department of Labor and Industry for the purpose of avoiding any duplication of inspection or overlapping of functions

For the purpose of making investigations authorized by this section the officers and agents of the Department shall at all times have the right of ingress into all tenement lodging and boarding houses

Section 1804 Vital Statistics The Department of Health shall have the power and its duty shall be

(a) To obtain collect compile and preserve all statistics of marriages deaths diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all professions whose occupation is deemed to be of importance in obtaining a complete registration of births deaths marriages and diseases or other vital statistics

(b) To prepare the necessary methods forms and blanks for obtaining and preserving records of registration of births deaths marriages and diseases and to insure the faithful registration of the same in the townships boroughs cities and counties of the State and in the Department

(c) To see that the laws requiring the registration of births deaths marriages and diseases are uniformly and thoroughly enforced throughout the State and prompt returns of such registrations made to the Department

(d) With the advice and concurrence of the Advisory Health Board to make appropriate regulations for the thorough organization and efficiency of the registration of the vital statistics throughout the Commonwealth and to enforce such regulations

(e) To issue marriage birth and death certificates and such burial or removal permits as may now or hereafter be provided by law

(f) To establish such districts for the registration of vital statistics and appoint such registrars deputies and sub-registrars as may be necessary properly to obtain collect compile and preserve the statistics which the Department is required to obtain collect compile and preserve All local registrars deputies and sub-registrars appointed under this section shall perform such duties as shall be required of them by the Department and shall receive such compensation as may now or hereafter be fixed by law

Section 1805 Health Districts and Officers The Department of Health shall have the power in order to enable it more efficiently to manage the sanitary affairs of the Commonwealth to apportion the Commonwealth into such number of health districts as the Department with the approval of the Governor shall decide and in each district to appoint a health officer who shall under the direction of the Department have supervision and control of the sanitary affairs of the district

Section 1806 Quarantines The Department of Health shall have the power and its duty shall be

(a) With the approval and concurrence of the Advisory Health Board to declare certain diseases to be communicable in addition to those by law declared so to be and to establish such regulations for the prevention of the spread of such diseases as the Department and the Advisory Health Board shall deem necesary and appropriate

(b) To establish and enforce quarantines in such manner for such period and with such powers as may now or hereafter be provided by law to prevent the spread of diseases declared by law or by the Department to be communicable diseases

(c) To administer and enforce the laws of this Commonwealth with regard to vaccination and other means of preventing the spread of communicable diseases

Section 1807 Tuberculosis Sanatoria The Department of Health shall have the power and its duty shall be

(a) To maintain sanatoria or colonies for the reception and treatment of indigent persons affected with tuberculosis and for that purpose to acquire property erect buildings equip the same and do all other things necessary to accomplish such work as may now or hereafter be provided by law

(b) To approve or disapprove plans and specifications for county hospitals or sanatoria erected for the treatment therein of indigent persons suffering from tuberculosis as may now or hereafter be provided by law

Section 1808 Narcotic Drugs The Department of Health shall have the power and its duty shall be to supervise the enforcement of and administer the act approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and fifty-eight) entitled "An Act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties"

Section 1809 Water Pollution The Department of Health shall have the power and its duty shall be

(a) To act as the enforcement agent for the Sanitary Water Board created by this act The Department shall make such inspections conduct such investigations and do such other acts as the Sanitary Water Board shall from time to time direct but the Department shall in the exercise of its powers and the performance of its duties hereunder be subject at all times to the rules and regulations orders and directions of the Sanitary Water Board Provided however That between sessions of the Board the Department shall have the power to issue such orders and take such action within the powers of the Board as the circumstances may require but any order so issued and any action so taken may be rescinded or revoked by the Board at its next session

(b) To issue waterworks permits and stipulate therein the conditions under which water may be supplied to the public and to administer sections one two and three of the act approved the twenty-second day of April one thousand nine hundred and five (Pamphlet Laws two hundred sixty) entitled "An Act to preserve the purity of the waters of the State for the protection of the public health"

Section 1810 Sanitary Water Board Subject to any inconsistent provisions in this act contained the Sanitary Water Board shall have the power and its duty shall be

(a) To exercise all the powers and perform all the duties vested in and imposed upon the Commissioner of Health the Governor and the Attorney General or any of them by sections four and five and sections seven to eleven inclusive of the act approved the twenty-second day of April one thousand nine hundred and five Pamphlet Laws two hundred and sixty entitled "An Act to preserve the purity of the waters of the State for the protection of the public health" which read as follows

"Section 4 No person corporation or municipality shall place or permit to be placed or discharge or permit to flow into any of the waters of the State any sewage except as hereinafter provided But this act shall not apply to waters pumped or flowing from coal mines or tanneries nor prevent the discharge of sewage from any public sewer system owned and maintained by a municipality provided such sewer system was in operation and was discharging sewage into any waters of the state at the time of the passage of this act But this exception shall not permit the discharge of sewage from the sewer system which shall be extended subsequent to the passage of this act For the purpose of this act sewage shall be defined as any substance that contains any of the waste products or excrementitious or other discharges from the bodies of human beings or animals"

"Section 5 Upon application duly made to the commissioner of health by the public authorities having by law the charge of the sewer system of any municipality the governor of the state the attorney general and the commissioner of health shall consider the case of such sewer system otherwise prohibited by this act from discharging sewage into any of the waters of the state and whenever it is their unanimous opinion that the general interests of the public health would be subserved thereby the commissioner of health may issue a permit for the discharge of sewage from any such sewer system into any of the waters of the state and may stipulate in the permit the conditions on which such discharge may be permitted Such permit before being operative shall be recorded in the office of the recorder of deeds for the county wherein the outlet of the said sewer system is located Every such permit for the discharge of sewage from a sewer system shall be revocable or subject to modification and change by the commissioner of health on due notice after an investigation and hearing and an opportunity for all interested therein to be heard thereon being served on the public authorities of the municipality owning maintaining or using the sewage system The length of time after receipt of the notice within which the discharge of sewage shall be discontinued may be stated in the permit but in no case shall it be less than one year or exceed two years and if the length of time is not specified in the permit it shall be one year On the expiration of the period of time prescribed after the service of a notice of revocation modification or change from the commissioner of health the right to discharge sewage into any of the waters of the state shall cease and terminate and the prohibition of this act against such discharge shall be in full force as though no permit had been granted but a new permit may thereafter again be granted as hereinbefore provided"

"Section 7 The penalty for the discharge of sewage from any public sewer system into any of the waters of the state without a duly issued permit in any case in which a permit is required by this act shall be five hundred dollars and a further penalty of fifty dollars per day for each day the offense is maintained recoverable by the Commonwealth at the suit of the commissioner of health as debts of like amount are recoverable by law The penalty for the discharge of sewage from any public sewer system into any of the waters of the state without filing a report in any case in which a report is required to be filed shall be fifty dollars recoverable by a like suit"

"Section 8 All individuals private corporations and companies that at the time of the passage of this act are discharging sewage into any of the waters of the state may continue to discharge such sewage unless in the opinion of the commissioner of health the discharge of such sewage may become injurious to the public health If at any time the commissioner of health considers that the discharge of such sewage into any of the waters of the state may become injurious to the public health he may order the discharge of such sewage discontinued"

"Section 9 Every individual private corporation or company shall discontinue the discharge of sewage into any of the waters of the state within ten days after having been so ordered by the commissioner of health"

"Section 10 Any individual private corporation or company that shall discharge sewage or permit the same to flow into the waters of the state contrary to the provisions of this act shall be deemed guilty of a misdemeanor and shall upon conviction be punished by a fine of twenty-five dollars for each offense and a further fine of five dollars per day for each day the offense is maintained or by imprisonment not exceeding one month or both at the discretion of the court"

"Section 11 Any order or decision under this act of the commissioner of health or that of the governor attorney general and commissioner of health shall be subject to an appeal to any court of common pleas of the county wherein the outlet of such sewer or sewer system otherwise prohibited by this act is situated and said court shall have power to hear said appeal and may affirm or set aside said order or decision or modify the same or otherwise fix the terms upon which permission shall be granted But the order or decision appealed from shall not be superseded by the appeal but shall stand until the order of the court as above"

Provided That it shall require the affirmative votes of three of the members of the Board to authorize the granting of a permit for discharging sewage into any of the waters of the State under section five of the said act

(b) To exercise all other powers not contrary to law heretofore exercised by the Department of Health or the Commissioner of Health with regard to granting permits for the erection of sewage disposal works or plants and the construction of sewers or sewer systems

(c) To exercise all the powers not contrary to law heretofore exercised by the Department of Fisheries the Commissioner of Fisheries and the Water Supply Commission of Pennsylvania with regard to the prevention of pollution of the waters of this Commonwealth

(d) To investigate hold hearings upon and determine any question of fact regarding the purity of water supplied to the public by any public service company over which The Public Service Commission of the Commonwealth of Pennsylvania has jurisdiction whenever said Commission shall certify such question to the Board

The findings of the Board upon any such question shall be incorporated in and made a part of the determination or decision by said Commission of the controversy or other proceeding in connection with which the question arose and shall be binding upon the parties to such controversy or other proceeding unless either party shall take an appeal from the Commission's determination or decision as may now or hereafter be provided by law

(e) To make rules and regulations for the effective administration and enforcement of the laws of this Commonwealth prohibiting the pollution of the waters thereof

(f) To study investigate and from time to time report ways and means of eliminating from the streams and waters of the Commonwealth so far as practicable all substances and materials which pollute or tend to pollute the same and to determine and recommend methods of preventing pollution detrimental to the public health or to the health of animals fish or aquatic life or detrimental to the use of waters for recreation purposes The Board shall have power to investigate the character of all wastes discharged into or deposited on the banks of the streams or waters of the Commonwealth and shall make similar investigations and recommendations with regard to the matter of preventing pollution of the waters of interstate streams which touch the boundaries of the Commonwealth

(g) To call upon the Department of Health to make such inspections conduct such investigations and do such other acts as may be necessary and proper in the exercise of the powers and the performance of the duties of the Board

Section 1811 Advisory Health Board The Advisory Health Board shall have the power and its duty shall be

(a) To advise the Secretary of Health on such matters as he may bring before it

(b) To make such reasonable rules and regulations not contrary to law as may be deemed by the Board necessary for the prevention of disease and for the protection of the lives and health of the people of the Commonwealth and for the proper performance of the work of the Department of Health and such rules and regulations when made by the Board shall become the rules and regulations of the Department

Section 1812 Anatomical Board The Anatomical Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Board

ARTICLE XIX

POWERS AND DUTIES OF THE DEPARTMENT OF HIGHWAYS

Section 1901 Powers and Duties In General The Department of Highways shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the State Highway Department and the State Highway Commissioner and shall exercise such additional powers and perform such additional duties as are vested in and imposed upon it by this act

Section 1902 State and State-aid Highways The Department of Highways shall have the power and its duty shall be

(a) To mark build rebuild re-locate fix the width of construct repair and maintain such highways as may now or hereafter be designated by law as State Highways

(b) To have exclusive authority and jurisdiction over all State Highways

(c) To superintend supervise and control the work of rebuilding maintaining and repairing State-aid highways

(d) To enter into contracts for constructing repairing or maintaining State Highways or any parts thereof as may now or hereafter be provided by law

Section 1903 Machinery Equipment and Insurance The Department of Highways shall have the power and its duty shall be

(a) To purchase and maintain all machinery implements tools and materials and all other equipment of every and any kind incident to or necessary in the construction building rebuilding and maintaining of State Highways and to employ all labor necessary therefor

(b) If necessary in order to expedite and more efficiently to carry out the work of the Department to purchase and maintain at the expense of the Department wagons and other vehicles and horses mules and harness and provided for their keep and maintenance

(c) To purchase and acquire and lease lands in the name of the Commonwealth and situated anywhere therein containing stone suitable for use in the construction or maintenance of highways and to quarry and prepare the stone therein for use in the construction and maintenance of the State Highways or State-aid highways and to manufacture any other material used in the construction or maintenance thereof and to use such stone and materials so quarried prepared and manufactured for such construction and maintenance or to sell furnish and supply the same to contractors engaged in building or maintaining the State Highways or State-aid Highways or to the townships for the construction and maintenance of roads and bridges upon such terms and conditions and for such price as the Department shall deem best for the interest of the Commonwealth

(d) To erect such buildings and purchase such machinery as may be necessary or essential for the proper prosecution of the work of quarrying and preparing stone and manufacturing materials for use in the construction and maintenance of State Highways and State-aid highways and to employ all labor required for the operation thereof

(e) If and when deemed necessary to procure and pay for liability insurance covering the vehicles operated by the Department or such part of them as may be deemed advisable Such insurance shall in all cases protect both the Commonwealth and the employe of the Department operating the vehicle against claims for damages for injury to person or property within such amount as the Department shall deem appropriate

Section 1904 Highway Districts The Department of Highways shall have the power and its duty shall be to divide the State into suitable highways districts or divisions or both and place in charge of each such district or division or both such employe of the Department as the Secretary of Highways shall deem advisable Each such employe shall perform such duties in connection with his district or division or both as the Department shall prescribe

Section 1905 General Road Improvement The Department of Highways shall have the power and its duty shall be

(a) To make a survey of all the roads of the State and a general highway plan of the State and to compile statistics and collect information relative to the mileage character and condition of the roads in the townships and counties of the State

(b) To investigate and determine upon the various methods of road construction best adapted to the various sections of the State and to establish standards for the construction and maintenance of Highways in various sections taking into consideration the topography of the country and the natural conditions and the character and availability of the townships and counties to build and maintain roads as provided by law

(c) In all reasonable ways to advise and give information to county city borough incorporated town or township officers having authority over highways and bridges relative to the construction repairing alteration and maintenance of such highways and bridges

(d) To aid in promoting road improvement through out the State and for that purpose to prepare and compile useful information relative to road building and maintenance which may be disseminated by means of printed bulletins

(e) To cause to be published maps showing complete road surveys of each county which shall be kept on sale in the Department at the cost of publication

(f) To call such State County or Township road meetings or conventions at such times and at such places as the Department shall deem wise and to assist in the formation of County Associations of Township Officers and be represented at their conventions

Section 1906 Township Roads The Department of Highways shall have the power and its duty shall be

(a) Tt have general supervision over all township highways and bridges constructed improved or maintained in whole or in part by the aid of State moneys and to approve all agreements made by Township Supervisors for the expenditure of moneys appropriated by the State for road purposes

(b) To approve plans and specifications and estimates for the erection and repair of township bridges and culverts and for the construction and maintenance of township highways but such plans and specifications shall not be approved unless they conform to the standards of the Department and no contract for the repair or construction of any township bridge or culvert or for the reconstruction of a township road shall be valid unless such contract is in accordance with plans prescribed or unless plans specifications and estimates have been prepared or approved by the Department

(c) To furnish from time to time bulletins of instruction to the boards of township supervisors throughout the State for the building repairing maintenance and improvement of township roads and bridges and to furnish any additional information when called upon to do so The Department may also furnish from time to time free of charge standard plans and specifications for permanent improvements in the building of bridges and culverts establish all grades proper drainage and such other matters as may be deemed essential

(d) To prescribe the method of keeping township accounts and records of moneys received and expended for highways machinery bridges tools and implements and for miscellaneous purposes from time to time to cause examination of all such accounts and records to be made and to furnish and supply to the several township officers all necessary books blanks forms and supplies which shall be necessary for the proper conduct of the road work of the townships

Section 1907 State Reward Fund The Department of Highways shall administer the State Reward Fund as may now or hereafter be provided by law

Section 1908 Toll Roads and Bridges The Department of Highways shall have the power to acquire for and on behalf of the Commonwealth by purchase or otherwise turnpikes or toll roads or any parts thereof or toll bridges in such manner and under and subject to such terms and conditions as may now or hereafter be provided by law

Section 1909 Rebuilding County Bridges Destroyed by Flood Fire and Other Casualty The Department of Highways shall have power and its duty shall be to prepare plans for and rebuild county bridges over navigable rivers and other streams where such bridges have been destroyed by flood fire or other casualty as may now or hereafter be provided by law Provided however That such bridges shall be rebuilt only if and when the General Assembly shall have specifically appropriated funds for such purpose

Section 1910 Motor Vehicles The Department of Highways shall perform such duties as may now or hereafter be imposed upon it by the laws of this Commonwealth regulating the operation of motor vehicles and the registration and licensing of motor vehicles and the drivers thereof

Section 1911 Highway Patrol The Department of Highways shall have the power to appoint employ and provide the necessary equipment and quarters for a force of not more than one hundred men who shall be known as the Highway Patrol and to designate one or more of the said force as officers. No applicant shall be appointed to the Highway Patrol until he shall have satisfactorily passed a physical and mental examination based upon the standards provided by the rules and regulations of the police force of cities of the first class in addition to which each applicant must be a citizen of the United States and of sound constitution able to ride of good moral character and between the ages of twenty-one and forty years

The officers and men of the Highway Patrol shall receive such compensation as the Governor shall approve but all such compensation and the cost of all equipment and quarters for members of the force shall be paid out of the fees received by the Department for registering and licensing motor vehicles and the drivers thereof

Members of the Highway Patrol shall have the power

(a) To arrest upon view and without warrant any person violating any of the provisions of the laws of this Commonwealth regulating the operation of motor vehicles

(b) To serve and execute warrants issued by the proper local authorities for violations of the provisions of the said laws

(c) To serve subpoenas issued for any examination investigation or trial had pursuant to any of the said laws

(d) To make arrest without wararnt for violation of any other laws which they may witness and to serve and execute warrants issued by the proper local authorities They shall have all the powers and prerogatives conferred by law upon members of the Police Force of Cities of the first class and upon constables of the Commonwealth

ARTICLE XX

POWERS AND DUTIES OF THE DEPARTMENT OF WELFARE AND ITS DEPARTMENTAL ADMINISTRATIVE AND ADVISORY BOARDS AND COMMISSIONS

Section 2001 Powers and Duties in General The Department of Welfare shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the Department of Public Welfare and the Commissioner of Public Welfare It shall also exercise such additional powers and perform such additional duties as are imposed upon it by this act

Section 2002 Definitions As used in this article

(a) "State Institutions" shall mean and include all penal reformatory or correctional institutions hospitals for the insane or any other institutions for feeble-minded or epileptic persons for inebriates or for juvenile delinquents and dependents and all charitable institutions whatsoever within this Commonwealth maintained in whole or in part by the Commonwealth and whose Boards of Inspectors Managers Trustees or Directors are respectively appointed by the Governor

(b) "Semi-State Institutions" shall mean and include all penal reformatory or correctional institutions hospitals for the insane or any other institutions for feeble-minded or epileptic persons for inebriates or for juvenile delinquents and dependents and all charitable institutions whatsoever within this Commonwealth maintained in whole or in part by the Commonwealth and whose Boards of Inspectors Managers Trustees or Directors are respectively appointed in part by the Governor

(c) "Children's Institutions" shall mean any incorporated or unincorporated organization society corporation or agency public or private which may receive or care for children or place them in foster family homes either at board wages or free or any individual who for hire gain or reward receives for care a child unless he is related to such child by blood or marriage within the second degree or any individual not in the regular employ of the Court or of an organization society association or agency duly certified by the Department who in any manner becomes a party to the placing of children in foster homes unless he is related to such children by blood or marriage within the second degree or is the duly appointed guardian thereof

(d) "Maternity Home and Hospital" shall mean any house home or place in which within a period of six months any person receives for care or treatment during pregnancy or during or immediately after parturition more than one woman except women related to such person by blood or marriage within the second degree

(e) "Supervised Institution" shall mean any charitable institution within the Commonwealth which receives financial assistance from the Commonwealth either directly or indirectly and to which the Governor does not appoint any member of the Board of Inspectors Managers Trustees or Directors all houses or places within the Commonwealth in which any person of unsound mind is detained whenever the occupant or owner of the house or person having charge of such person of unsound mind receives any compensation for custody control attendance other than as an attendant or nurse and also all institutions houses or places in which more than one such person is retained with or without compensation paid for custody or attendance all children's institutions and maternity homes and hospitals within the Commonwealth all homes or hospitals for crippled children within the Commonwealth all prisons jails hospitals almshouses or poorhouses maintained by any county city borough township or poor district of this Commonwealth and all institutions associations and societies within this Commonwealth into whose care the custody of delinquent dependent or neglected children may be committed and all houses and places maintained by such institutions associations or societies in which such children may be kept or detained

Section 2003 Supervisory Powers The Department of Welfare shall have supervision over

(a) All State and semi-state institutions

(b) All supervised institutions as defined in this article

(c) All children's institutions within this Commonwealth

(d) All maternity homes and hospitals within this Commonwealth

(e) The administration of any system provided by the Commonwealth for assistance to mothers

(f) Any labor or system of labor carried on in the penal correctional or reformatory institutions of the State

(g) Any system of reparation provided by the Commonwealth for relief from conditions caused by mine-caves fire flood or other casualty and constituting a menace to public safety and welfare

Section 2004 Visitations and Inspections The Department of Welfare shall have the power and its duty shall be

(a) To make and enforce rules and regulations for the visitation examination and inspection of all supervised Institutions

(b) To visit and inspect at least once in each year all State semi-state and supervised institutions to inquire and examine into their methods of instruction discipline detention imprisonment care of treatment the care treatment government or management of their inmates or those committed thereto or being imprisoned detained treated or residing therein the official conduct of their inspectors trustees managers directors or other officer or officers charged with their management by law or otherwise or having the management care custody or control thereof the buildings grounds premises and equipment thereof or connected therewith and all and every matter and thing relating to their usefulness administration and management and to the welfare of the inmates thereof or those committed thereto or being imprisoned detained treated or residing therein

For these purposes the Secretary of Welfare or other officer inspector or agent of the Department shall have free and full access to the grounds premises and buildings of and to all the records books or papers of or relating to any such State Semi-State or Supervised institution and full opportunity to interrogate or interview any inmate thereof or any person or persons committed to or being imprisoned detained treated or residing therein and all persons connected with any such State Semi-State or Supervised institution as officers or charged with the management thereof by law or otherwise or in any way having the care custody control or management thereof or connected therewith as employes are hereby directed and required to give to the Secretary of Welfare or to such officer inspector or agent of the Department such means facilities and opportunity for such visitation examination inquiry and interrogation as is hereby provided and required or as the Department by its duly ordained rules or regulations may require

(c) Whenever upon the visitation examination and inspection of any State Semi-State of supervised institution any condition is found to exist therein which in the opinion of the Department is unlawful unhygienic or detrimental to the proper maintenance and discipline of such State Semi-State or supervised institution or to the proper maintenance custody and welfare of the inmates thereof or of the persons committed thereto or being treated detained or residing therein to direct the officer or officers charged by law with or in any way having or exercising the control government or management of such State Semi-State or supervised Institution to correct the said objectionable condition in the manner and within the time specified by the Department

(d) To cause to be visited and examined any person found by an inquisition to be insane and to authorize such visiting and examining by an officer or agent of the Department or any board of visitors or by a physician and to apply to the court having jurisdiction over the committee or guardian of such insane person or to a judge of a court of common pleas of the county in which the insane person is a resident or detained to make such orders for the maintenance custody or care of the insane person and for the care and disposition of the property of the insane person as the case may require

Section 2005 Appointment of Visitorial Bodies The Department of Welfare shall have the power to appoint a board of three or more members in any county of the Commonwealth to act without compensation as a board ofvisitors to visit any supervised institution in such county in aid of and as the representative of the Department such board to make a report of such visitation as the Department may require It shall be the duty of the officers or other persons having charge of such supervised institution to afford full facilities for such board to make an examination and inspection thereof

Section 2006 Promotion of County Welfare Organizations The Department of Welfare shall have the power to promote the organization of county councils of social agencies and county welfare boards the purpose of which shall be to coordinate the social welfare activities of the counties

Section 2007 Recommendations The Department of Welfare shall have the power and its duty shall be from time to time to recommend and bring to the attention of the officers or other persons having the management of the State Semi-State and supervised institutions such standards and methods as may be helpful in the government and administration of such institutions and for the betterment of the inmates therein

Section 2008 Rules and Regulations The Department of Welfare shall have the power to make and enforce rules and regulations as follows

(a) Providing for the licensing of all houses or places in which any person can be lawfully detained as an insane person or a person of unsound mind upon compensation paid to or received by the owner or occupant of such house or place directly or indirectly for the care of such insane person or person of unsound mind and also of all houses places or institutions in which more than one insane person or person of unsound mind is detained or resides other than a jail or prison with the right to exempt any State institution institution under municipal authority or any other institution

(b) To insure the proper care and treatment of persons of unsound mind detained in any house place or institution whether licensed or not to guard against the improper or unnecessary detention of such persons to regulate the manner of their detention and the restraints imposed and all matters relative to their welfare to regulate their means of communication with relatives friends and other persons outside the house place or institution of detention and to insure to them the admission of all proper visitors being members of their families or personal agents or attorneys

(c) Regulating the forms to be observed warranting the commitment transfer of custody and discharge of all insane persons other than those committed by order of a court of record and as to these with the consent of the presiding judge of the court under whose order the person is detained

(d) For the approval of psychopathic wards maintained by hospitals for the reception and care of persons suffering with mental disorders

Section 2009 Transfer Parole or Discharge of Patients The Department of Welfare shall have the power

(a) To apply to the proper court for the transfer or removal of insane persons from county or district poor-houses almshouses hospitals or in the custody of the directors or overseers of the poor to the State hospitals for the insane Such application shall be made and the proceedings thereunder had in accordance with the provisions of the act of Assembly approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three (Pamphlet Laws ninety-two) entitled "An Act to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane" or the act approved the seventh day of May Anno Domini one thousand eight hundred and seventy-four (Pamphlet Laws one hundred and nineteen) entitled "A supplement to the act to create a board of public charities approved the twenty-fourth day of April Anno Domini one thousand eight hundred and sixty-nine authorizing and empowering said board to appoint visitors and to transfer certain insane persons from county institutions to State hospitals" or any other law relative to such transfer

(b) To transfer the indigent insane from State hospitals for the insane to the almshouses poorhouses or prisons of the several counties charged with their maintenance

(c) To transfer patients or inmates from one State hospital for the insane to another such hospital

(d) To transfer a committed insane person from a licensed private hospital or institution to a State or licensed county hospital and vice versa

(e) To apply to the proper court for the removal to a hospital for the insane of any person imprisoned in a penitentiary or prison and believed to be insane under the provisions of the act approved the fourteenth day of May Anno Domini one thousand eight hundred and seventy-four (Pamphlet Laws one hundred and sixty) entitled "An act to provide for the custody of insane persons charged with and acquitted or convicted of crime" or under any other act relative to such a removal or transfer

(f) To authorize the transfer of a committed inmate from one type of institution under the supervision of the Department to another type of institution under its supervision

(g) To investigate and be heard before an order is made in any case to remove to any place of custody other than a hospital any criminal confined in a hospital by order of any court or any lunatic committed to a hospital after an acquittal of crime

The cost of the transfer or removal and of the maintenance of any insane transferred by or under the direction or upon the application of the Secretary of Welfare or other officer of the Department pursuant hereto shall be borne and paid in the manner provided by law in the case of any such transfer or removal

All traveling expenses of indigent insane persons discharged by order of the Department from any State hospital for the insane from the hospital to their respective homes shall be paid by the hospital the amount thereof to be refunded to such hospital from the appropriation for the care and relief of such indigent insane then current

(h) To order and compel the parole or discharge of any person detained in any place as insane or of unsound mind other than a person committed after trial and conviction for crime or by order of court but the Department shall not make any such order unless notice be given to the person having charge of the building in which and to the person or persons at whose instance the patient is detained and reasonable opportunity given them to justify a further detention and the Department has caused the case of the patient to be personally attended and examined by its officer or agent

Section 2010 Child Welfare The Department of Welfare shall have the power and its duty shall be

(a) To request the prothonotary of any court in which an application for a charter for the amendment of the charter of a maternity home and hospital or children's institution is filed to transmit a certified copy thereof to the Department to examine every such application and to certify to the court if such be the case that in its judgment the incorporators are reputable citizens that the proposed work is needed and that the incorporation of such maternity home or hospital or children's institution is required by the needs of the community where its work is to be carried on Unless the Department shall so certify the Court shall not approve such application for a charter or for the amendment of a charter

(b) To pass annually upon the fitness of maternity homes and hospitals and all children's institutions and if the Department is satisfied with the work done by any such maternity home and hospital or any such children's institution to issue to such maternity home and hospital or children's institution a certificate to that effect which shall continue in force for one year unless sooner revoked by the Department

(c) From time to time to furnish to the several courts of the Common Pleas of the Commonwealth of Pennsylvania a list of the children's institution holding certificates from the Department

(d) To investigate the residence of a child placed in Pennsylvania from unlicensed sources in another State to return such child to the State of its legal residence and to enter into appropriate contracts with such State relative thereto

(e) To exercise any other powers and perform any other duties with regard to the bringing into this Commonwealth dependent delinquent or defective children which may now or hereafter be authorized or imposed by law upon the Department

(f) To make and enforce such rules and regulations for the effective enforcement of this section as shall be deemed advisable and appropriate

Section 2011 Restoration The Department of Welfare shall have the power and its duty shall be

(a) To require and supervise the transfer of inmates of one penitentiary to another under any law providing therefor

(b) To require from any or all magistrates chiefs of police sheriffs district attorneys courts judges probation officers and all others concerned in the control apprehension trial and punishment of criminals and delinquents in this Commonwealth periodical reports as to the number and kind of crimes reported the numbers age sex color nativity and offenses of criminals and delinquents arrested tried and otherwise disposed of the sentences imposed and whether executed or suspended the number placed on probation and the reasons therefor the number of probation officers and the nature of the oversight exercised over those placed on probation and for the purpose of verifying the reports so made the department shall have the power to make such further inquiry or investigation as may seem to it necessary and it shall be the duty of all such magistrates and other officers to make such reports at such time or times and to furnish such facilities for investigation and such cooperation as the department may require

Section 2012 Prison Labor The Department of Welfare shall have the power and its duty shall be

(a) To establish maintain and carry on industries in the Eastern Penitentiary the Western Penitentiary the Pennsylvania Industrial Reformatory at Huntingdon and such other correctional institutions of this Commonwealth as it may deem proper in which industries all persons sentenced to the Eastern or Western Penitentiary or to the Pennsylvania Industrial Reformatory at Huntingdon or to such other correctional institution of the Commonwealth who are physically capable of such labor may be employed at labor for not to exceed eight hours each day other than Sundays and public holidays Such labor shall be for the purpose of the manufacture and production of supplies for said institution or for the Commonwealth or for any county city borough or township thereof or any State institution or any educational or charitable institution receiving aid from the Commonwealth or for the preparation and manufacture of building material for the construction or repair of any State institution or in the work of such construction or repair or for the planting of seed trees or the performance of other work in State Forests or for the purpose of industrial training or instruction or partly for one and partly for the other of such purposes or in the manufacture and production of crushed stone brick tile and culvert pipe or other material suitable for draining roads of the State or in preparation of road building and ballasting material

(b) To determine the amount kind and character of the machinery to be erected in each of the said penitentiaries reformatory or other correctional institution of the Commonwealth and the industries to be carried on therein having due regard to the location and convenience thereof with respect to other institutions to be supplied to the machinery therein and the number and character of inmates

(c) To arrange for and make sale of the products produced in the said industries carried on in the said penitentiaries reformatory or other correctional institutions to the Commonwealth or to any county city borough or township thereof or to any State institution or to any educational or charitable institution receiving aid from the Commonwealth

(d) To maintain a fund known as the manufacturing fund out of which the machinery equipment and material required or used in the carrying on of the industries in the said penitentiaries reformatory or other institutions under the provisions hereof shall be purchased and into which all the receipts from the sale as aforesaid of the products of such industries shall be paid and from which fund shall be paid all salaries of superintendents managers salesmen clerks and others employed in the management of such industries and the wages as hereinafter provided for the labor of the inmates of said penitentiaries reformatory or other institution in such industries The department shall have the custody of the said fund and make or direct all disbursements therefrom

(e) To require that an account shall be kept by the proper officers of the said Eastern Penitentiary the Western Penitentiary the Pennsylvania Industrial Reformatory at Huntingdon or other correctional institutions of the labor performed by the inmates of such penitentiary reformatory or other institution in the industries carried on therein under the provisions hereof In such account each inmate shall be credited with wages for the time he is actually engaged in work the rate of such wage and the amount credited to each to be regulated at the discretion of the Department or such persons as it may designate In no case shall the amount be less than ten cents for each day of labor actually performed The rate of compensation shall be based both upon the pecuniary value of the work performed and also on the willingness industry and good conduct of the inmate

(f) To allow three-fourths of the amount so credited as aforesaid to an inmate of such penitentiary reformatory or other institution or the entire amount if the inmate so wishes to constitute a fund for the relief of any person or persons dependent upon such inmate and to be paid upon the order of the Board of Trustees of the penitentiary reformatory or other institution in which the inmate is a prisoner to the person or persons establishing such dependency to the satisfaction of such Board at such time and times as said Board may order

All sums credited to any inmate and not paid to a dependent or dependents shall be paid to the inmate on his discharge from the penitentiary reformatory or other institution in which he was a prisoner Provided however That subject to the rules and regulations of the Board of Trustees of the penitentiary reformatory or other institution in which such inmate is a prisoner the whole or any part of said sum may be paid to him during his imprisonment for his present needs such rules and regulations to be subject to the approval of the Department

(g) To have and exercise supervision over the labor employed in the aforesaid industries and to make rules and regulations for carrying on such industries

(h) To make a full quarterly report to the Auditor General of the products sales receipts and disbursements of the industries established under the provisions hereof

Section 2013 Mental Health The Department of Welfare shall have the power and its duty shall be

To administer and enforce the laws of this Commonwealth relative to the prevention of mental diseases mental defect epilepsy and inebriety the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epilepsy and the transfer discharge escape interstate rendition and deportation of mental patients

Section 2014 Approval of Plans and Mortgages The Department of Welfare shall have the power and its duty shall be

(a) To approve or disapprove all plans for the erection or substantial alteration of any State semi-State or supervised

(b) To investigate and report to the Auditor General upon every application to the Auditor General made by any institution corporation or unincorporated association desiring to give a mortgage under the provisions of the act approved the twenty-ninth day of April Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws two hundred and one) entitled "An Act making mortgages given by benevolent charitable philanthropic educational and eleemosynary institutions corporations or unincorporated associations for permanent improvement and refunding purposes prior liens to the liens of the Commonwealth for the appropriation of moneys providing a method for the giving of such mortgages and fixing the duties of the Auditor General and Board of Public Charities in connection therewith"

Section 2015 State Institutions With regard to State Institutions under the supervision of the Department of Welfare the Department shall have the power and its duty shall be

(a) To determine the capacity of such institution

(b) To determine and designate the type of persons to be received by such institutions the proportion of each type to be received therein and the districts from which persons shall be received by such institutions

(c) To issue requisitions upon the Auditor General for warrants to be drawn by the Auditor General upon the State Treasurer in favor of such Institutions for the payment out of moneys specifically appropriated to the Department for the purpose of the expenses of administering operating maintaining and developing such State Institutions

(d) To make and enforce rules and regulations not inconsistent with this act for the making of contracts the purchase of supplies and the employment of persons by State Institutions under the supervision of the Department including contracts for repairs alterations equipment and construction of buildings belonging to or used by such state institutions

(e) To require the submission to the Department of any contract for repairs alterations equipment and construction of buildings which any State Institution under its supervision desires to make and to approve or disapprove such proposed contract No such contract shall be valid without the approval of the Department as evidenced by the signature of the Secretary of Welfare

Section 2016 Requisitions for Semi-State Institutions The Department of Welfare shall have the power and its duty shall be from time to time to issue requisitions upon the Auditor General for warrants to be drawn by the Auditor General upon the State Treasurer in favor of Semi-State Institutions for the payment out of moneys specifically appropriated to the Department for the purpose of the per diem per week or per capita rate of payment to such institutions for the care treatment and removal of indigent insane or the education and maintenance of children or the care and maintenance of feeble minded children or for any other character of education or care and treatment in such institution

Section 2017 Care of the Indigent The Department of Welfare shall have power and its duty shall be

(a) Whenever the General Assembly shall have specifically appropriated money to the Department for the purpose to issue requisitions upon the Auditor General for warrants to be drawn by the Auditor General upon the State Treasurer in favor of such hospitals homes and institutions as shall conform to at least the minimum standards of plant equipment service administration and care and treatment established by law in amounts computed upon the per diem rates of payment established by law for free service to indigent persons as follows

1. The care and treatment of sick or injured persons in hospitals
2. The care of dependent delinquent and defective children in homes or institutions
3. The care of dependent adults in homes or institutions
4. The care and treatment of crippled children in homes or hospitals
5. The care treatment and removal of insane persons in county hospitals for the insane or private institutions licensed by the Department
6. The removal of non-resident dependent children
7. The placement of dependent children through child-caring agencies

(b) To approve requisitions issued by hospitals homes or institutions to which the General Assembly shall have appropriated money for the care and treatment of indigent persons if such hospitals homes or institutions shall conform to at least the minimum standards of plant equipment service administration and care and treatment established by law and if such requisitions are in the amounts to which such hospitals homes or institutions are entitled according to law

(c) To establish rules and regulations not inconsistent with law for determining the number of free days of care and treatment rendered to indigent persons by hospitals homes or institutions

Section 2018 State Welfare Commission The State Welfare Commission shall have the power and its duty shall be

(a) To advise the Secretary of Welfare on such matters as the Secretary may bring before it or as the Commission may require the Secretary to bring before it

(b) To have general supervision over the policies of the Department and

(c) From time to time to approve or disapprove the rules and regulations of the Department

Section 2019 Boards of Trustees of State Institutions The Board of Trustees of each State Institution within the Department of Welfare shall have general direction and control of the property and management of such institution It shall have the power and its duty shall be

(a) To elect a superintendent or warden of the institution who shall subject to the authority of the Board administer the institution in all its departments

(b) On nomination by the Superintendent or Warden from time to time to appoint such officers and employes as may be necessary

(c) To fix the salaries of its employes in conformity with the standards established by the Executive Board

(d) Subject to the approval of the Secretary of Welfare to make such by-laws rules and regulations for the management of the institution as it may deem wise

The Boards of Trustees of the several State Institutions created by this act shall exercise the foregoing powers in the management of such Institution as follows

Board of Trustees of Eastern State Penitentiary of "Eastern State Penitentiary" at Philadelphia

Board of Trustees of Western State Penitentiary of "Western State Penitentiary" at Rockview

Board of Trustees of Pennsylvania Industrial Reformatory of "Pennsylvania Industrial Reformatory" at Huntington

Board of Trustees of State Industrial Home for Women of "State Industrial Home for Women" at Muncy

Board of Trustees of Pennsylvania Training School of "Pennsylvania Training School" at Morganza

Board of Trustees of Pennsylvania Soldiers' and Sailors' Home of "Soldiers' and Sailors' Home" at Erie

Board of Trustees of Allentown State Hospital of "Homeopathic State Hospital for the Insane" at Allentown

Board of Trustees of Danville State Hospital of "State Hospital for the Insane" at Danville Pennsylvania

Board of Trustees of Farview State Hospital of "State Hospital for the Criminal Insane" at Farview

Board of Trustees of Harrisburg State Hospital of "Harrisburg State Hospital" at Harrisburg

Board of Trustees of Norristown State Hospital of "State Hospital for the Insane of the Southeastern District of Pennsylvania" at Norristown

Board of Trustees of Warren State Hospital of "State Hospital for the Insane" at Warren Pennsylvania

Board of Trustees of Wernersville State Hospital of "State Asylum for the Chronic Insane of Pennsylvania" at South Mountain

Board of Trustees of Torrance State Hospital of "Western State Hospital for the Insane" Torrance

Board of Trustees of Ashland State Hospital of "State Hospital for Injured Persons of the Anthracite Coal Regions of Pennsylvania" at Ashland

Board of Trustees of Blossburg State Hospital of "Cottage State Hospital for Injured Persons of the Bituminous and semi-Bituminous Coal Regions of Pennsylvania" at Blossburg.

Board of Trustees of Coaldale State Hospital of "State Hospital of Coaldale" Schuylkill County

Board of Trustees of Connellsville State Hospital of "Cottage State Hospital for Injured Persons of the Bituminous and sem-Bituminous Coal Regions of Pennsylvania at Connellsville"

Board of Trustees of Hazelton State Hospital of "State Hospital of the Middle Coal Field of Pennsylvania" at Hazelton

Board of Trustees of Mercer State Hospital of "Cottage State Hospital for Injured Persons of the Bituminous and semi-Bituminous Coal Regions of Pennsylvania" at Mercer

Board of Trustees of Nanticoke State Hospital of "State Hospital of Luzerne County" at Nenticoke

Board of Trustees of Philipsburg State Hospital of "Cottage State Hospital for Injured Persons of the Bituminous and semi-Bituminous Coal Regions of Pennsylvania at Philipsburg

Board of Trustees of Scranton State Hospital of "State Hospital of the Northern Anthracite Coal Region of Pennsylvania" at Scranton

Board of Trustees of Shamokin State Hospital of "State Hospital of the Trevorton Shamokin and Mount Carmel Coal Fields of Pennsylvania" at Shamokin

Board of Trustees of Laurelton State Village of "Pennsylvania Village for Feeble-minded Women" at Laurelton

Board of Trustees of Pennhurst State School of "State Institution for the Feeble-minded and Epileptic of Eastern Pennsylvania" at Pennhurst

Board of Trustees of Polk State School of "State Institution for the Feeble-minded of Western Pennsylvania" at Polk

Section 2020 Board of Trustees of New Cumberland Industrial Farm The Board of Trustees of New Cumberland Industrial Farm shall have the management and control of the property at New Cumberland Cumberland County Pennsylvania acquired by the Commission for the Selection of a Site and the Erection of a State Institution for Inebriates and shall establish thereon an industrial farm for the detention punishment and employment of persons convicted of crime in such manner as may be provided by law

Upon the completion of such farm the Board of Trustees shall manage and control the same as provided in the preceding section of this act

Section 2021 Eastern State Hospital for the Insane at Selinsgrove Until the General Assembly shall provide for the appointment of the Board of Trustees therefor the Department of Welfare shall manage and control the property at Selinsgrove acquired by the Building Commission of the Eastern State Hospital for the Insane

ARTICLE XXI

POWERS AND DUTIES OF THE DEPARTMENT OF PROPERTY AND SUPPLIES AND ITS DEPARTMENTAL ADMINISTRATIVE AND ADISORY BOARDS AND COMMISSIONS

Section 2101 Powers and Duties Transferred Subject to any inconsistent provisions in this act contained the Department of Property and Supplies shall exercise the powers and perform the duties heretofore exercised and performed by the Board of Commissioners of Public Grounds and Buildings the Superintendent of Public Grounds and Buildings the Bureau of Information the Department of Public Printing and Binding the Division of Documents the Superintendent of Public Printing and Binding the Gettysburg Battlefield Memorial Commission the General George Gordon Meade Statue Commission the Robert Morris Monument Commission the General Galusha Pennypacker Monument Commission and the Camp Curtin Park Commission

Section 2102 Grounds Buildings and Monuments The Department of Property and Supplies shall have the power and its duty shall be

(a) Subject to the powers by this act vested in the Board of Commissioners of Public Grounds and Buildings to control and supervise the State Capitol building and the public grounds and buildings connected with the State Capitol including the State Arsenal and the Executive Mansion and all the repairs alterations and improvements made and all work done or expenses incurred in and about such grounds and buildings including the furnishing and refurnishing of the same and also to have general supervision over repairs alterations and improvements to all other buildings all work done or expenses incurred in and about such the same and also to have general supervision over repairs alterations and improvements to all other buildings lands and property of the State except as in this act otherwise provided

(b) To employ such sergeants of police and police officers as may be necessary to preserve good order in the Capitol grounds and buildings and fix their compensation Provided however That the number and compensation of such sergeants and officers shall be subject to the approval of the Executive Board Such sergeants and officers shall be known as the Capitol Police

(c) To employ such help as may be reasonably necessary for the cleaning care and preservation of the Capitol grounds and buildings and the furnishings therein for operating the mechanical plants in the Capitol buildings and the Executive Mansion and for service at the Executive Mansion

(d) To contract in writing for and rent proper and adequate offices rooms or accomodations outside of the Capitol buildings for any department board or commission which cannot be properly and adequately accommodated with offices and rooms in the Capitol buildings and in all cases in which the head of a department or an independent administrative board or commission with the approval of the Executive Board has established or is about to establish a branch office in any city or place outside of the capitol city with the approvel of the Board of Commissioners of Public Grounds and Buildings to contract in writing for and rent such offices rooms and accomodation as shall be proper and adequate for such department board or commission It shall be unlawful for any other department board commission or agency of the State government to enter into any such contract

(e) To employ and with the approval of the Governor fix the compensation of such capable superintendent or superintendents of construction as may be necessary properly to supervise the expenditure of all funds appropriated by the General Assembly for building repairing altering adding to or improving State buildings Such superintendent or superintendents shall see that the plans and specifications of the architect prepared and adopted for such new buildings or for repairs alterations additions or improvements to existing buildings shall be faithfully carried out by the contractors for the work and shall subject to appeal to and final decision by the head of the department determine and decide all questions of the proper interpretation of the plans and specifications which may be raised by the contractors or architects during the progress of the work

(f) To purchase or condemn lands for the purpose of adding the same to any of the public lands parks arsenals hospitals or other institutions of the Commonwealth whenever in the judgment of the Secretary of Property and Supplies and of the Governor the purchase of such additional land is necessary or whenever such purchases shall have been authorized by law for new institutions and an appropriation has been made therefor The condemnation of lands hereunder shall be in the manner provided by the act approved the fifteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred seventy-six) entitled "An act to authorize the Board of Commissioners of Public Grounds and Buildings to acquire property for the Commonwealth by proceedings in eminent domain where the purchase of such property has either been authorized by law or determined by the Board of Commissioners of Public Grounds and Buildings under existing laws and an appropriation made therefor"

(g) To erect or supervise the erection of the General George Gordon Meade Statue at Washington D. C. the Robert Morris Monument on the steps of the Custom House at Philadelphia Pennsylvania and the monument of General Gulusha Pennypacker in Logan Square Philadelphia Pennsylvania and all other monuments which may now or hereafter be authorized by law and to maintain and care for the monument of Governor Andrew G. Curtin in Camp Curtin Park Harrisburg the Pennsylvania Memorial Monument on the Battlefield of Gettysburg and all other monuments belonging to the Commonwealth which may now or hereinafter be erected Provided That with regard to any monument which comes within the jurisdiction of an advisory board in the Department of Property and Supplies the exercise of the powers hereby vested in the Department shall be subject to approval or disapproval by such advisory board

(h) Whenever loss or damage by fire or other casualty shall occur to any structure building equipment or other property owned by the Commonwealth except armory buildings under the supervision of the Armory Board of the State of Pennsylvania and be reported to the Department to make an examination thereof and in its discretion subject only to the approval of the Governor authorize the rebuilding restoration or replacement of the property damaged or destroyed and for that purpose to have plans and specifications prepared and contracts executed and to supervise the erection construction or replacement thereof such rebuilding restoration or replacement to be in substantial accord with the original character use and purpose of the property damaged or destroyed The cost of the materials furnished and work and labor performed under such contracts shall be certified by the Department to the Auditor General who shall issue his warrant against the Insurance Fund of this Commonwealth which warrant shall be paid by the State Treasurer in the manner provided by law Provided That whenever the Department shall have taken such action as will involve expenditures from said fund it shall forthwith certify the probable amount of expenditure to the State Treasurer and Board of Finance and Revenue who shall forthwith take such action as is necessary to provide funds sufficient to meet the obligations so entered into

Section 2103 Standards and Purchases The Department of Property and Supplies shall have the power and its duty shall be

(a) To formulate and establish standard specifications for all articles materials and supplies used by the Administrative Departments Boards and Commissions and by State Institutions Provided however That no specification shall be fixed as a standard until it shall be approved by the head of the Administrative Department Board or Commission or of the State Institution using the article material or supply described in the specification

(b) To enter into contracts for supplying all stationery paper and fuel used in the legislative and other departments of the Government and the repairing and furnishing the halls and rooms used for the meetings of the General Assembly and its Committees All such contracts shall be awarded to the lowest responsible bidder below such maximum price and under such regulations not inconsistent with this act as may now or hereafter be prescribed by law and shall be subject to the approval of the Governor Auditor General and State Treasurer

(c) To purchase in like manner all other furniture materials or supplies required by the several departments boards and commissions of the State government except as otherwise provided in this act

(d) To furnish stationery paper and fuel to the Legislative and other departments of the Government and the repairing and furnishing the halls and rooms used for the meetings of the General Assembly and its committees upon requisition of the Governor the head of the appropriate administrative department or independent administrative board or commission or the proper officer of the General Assembly or of the judicial department as the case may be Provided That all requisitions for furniture materials or supplies required by any departmental administrative body board commission or officer or any advisory board or commission shall be made by the administrative department containing such departmental administrative body board commission or officer or such advisory board or commission And provided further That the Department shall not without the consent of the Executive Board honor any requisition from any administrative Department Board or Commission after the amount of any biennial appropriation for furniture stationery materials and supplies allocated to such Department Board or Commission by the Executive Board shall have been expended for such Department Board or Commission

(e) To act as the purchasing agency for any department board or commission which by law is authorized to purchase materials or supplies and pay for the same out of fees or other moneys collected by it or out of moneys specifically appropriated to it by the General Assembly specifically appropriated to it by the General Assembly

(f) Upon request of any State Institution to act as the purchasing agency for such institution

(g) To collect and furnish on request market prices and such other information as will be servicable in purchasing to any Department Board or Commission or any Institution receiving State funds directly or indirectly

(h) To procure from a corporation or corporations authorized by law to act as sureties in the Commonwealth or Pennsylvania good and sufficient bonds which shall be approved by the Attorney General and paid for by the Commonwealth to meet the requirements of law in the case of all State Officers and employes required by statute to give bonds to the Commonwealth for the faithful performance of their official duties

(i) To receive from the several departments boards commissions and State Institutions personal property of this Commonwealth which is no longer of service to the Commonwealth to issue a receipt therefor make a complete record thereof and as soon as convenient sell the same either at public auction or private sale in the City of Harrisburg or elsewhere as may be deemed advisable Provided That except in the case of perishable property such sales shall be advertised in not exceeding five newspapers of the Commonwealth once a week for three weeks such advertisements to state the time place and conditions of any such sale

Section 2104 Publications The Department of Property and Supplies shall have the power and its duty shall be

(a) To edit for publication all reports bulletins and other publications of the various Departments Boards and Commissions of the State Government

(b) With the approval of the President pro tempore of the Senate and the Speaker of the House to determine the size character of distribution of the various publications to be printed for the use of the General Assembly

Provided That the quantity of any new publication for the members and officers of the General Assembly shall be fixed by act or resolution and provided that the members and officers of the General Assembly shall receive not less than the same number of advance sheets of the Laws Bills Calendars Journals Pamphlet Laws Department Reports and other publications as is now authorized by law which shall be distributed to the members and officers of the General Assembly only on the requisition of the Librarian of the Senate and the Resident Clerk of the House of Representatives

(c) With the approval of the Governor to determine the need size character quantity and method of distribution of the various publications to be printed for the use of the several departments boards commissions and other agencies engaged in the administrative work of the government Provided That in the case of reports made by the several departments boards or commissions the department board or commission making the report shall be consulted with regard to the need size character quantity and method of distribution of such reports

With the approval of the Governor and of the Chief Justice of the Supreme Court of Pennsylvania to determine the size character quantity and method of distribution of the various publications to be printed for the use of the judicial department

(d) To enter into contracts for furnishing all printing used in the legislative and other Departments of government and the printing binding and distributing of the laws journals department reports and all other printing and binding lithographing cuts plates dies and supples and materials incident thereto which contracts shall be given to the lowest responsible bidder below such maximum price and under such regulations not inconsistent with this act as may now or hereafter be fixed by law and shall be subject to the approval of the Governor Auditor General and State Treasurer

(e) To distribute all documents upon requisition of the persons entitled to make requisition therefor by causing the same to be packed in packages or boxes addressed as required in the requisition and delivered personally at the office of the Department or free at the post office express or freight office indicated in the requisition Provided That the Department shall not without the consent of the Executive Board honor any requisition from any Administrative Department Board or Commission after the amount of any biennial appropriation for documents allocated to such Department Board or Commission shall have been expended for such Department Board or Commission

(f) To furnish blank requisition forms to all persons entitled to make requisitions upon the Department for documents stationery furniture or supplies of any character

(g) From time to time to solicit by advertising proposals for the purchase of all the waste paper documents and other materials that have been accumulated and are no longer needed and the Department is hereby authorized to make sale thereof by contract or contracts to the highest bidder upon such terms and conditions as it shall determine Provided That the Department shall have the right to reject any and all proposals for the sale

Section 2105 Method of Awarding Contracts for Stationery Paper Fuel Repairs Furnishings and Supplies The Department of Property and Supplies shall on or before the first day of February in each year notify the several administrative departments boards and commissions of the Commonwealth and the chief clerks of the Senate and House of Representatives respectively to furnish lists of all furniture and furnishings stationery supplies repairs alterations improvements fuel and all other matters or things that may be needed by their respective departments boards or commissions or the Senate or House of Representatives for the fiscal year beginning on the first day of June next following

Upon receipt of such lists the Department shall consolidate and classify the articles named therein taking care that there shall be full descriptions given with make and number of goods when possible and proper maximum price fixed and shall prepare a schedule thereof Whenever deemed necessary it shall have designs and specifications prepared of any furniture or furnishings repairs alterations and improvements paying for the preparation of the same out of the general funds of the Department

The Department shall state in the schedule that the work or articles for which the designs and specifications are prepared are to be done or furnished in accordance therewith and that the designs or specifications will be found in its office for inspection and copies of the same shall be furnished to the successful bidders The schedule shall state that bids will be received on one or more of the items of any classification of the schedule In such schedule the form of proposal shall be given and all other information which the Department shall consider necessary for the bidder In preparing the list or schedule the Department shall in all cases give preference to goods of American production or manufacture The quantities given in the schedule shall be the estimated maximum quantities that are likely to be required during the year but the schedule shall in all cases provide that the goods shall be furnished in greater or less quantity and at such time as the needs of the departments boards commissions and the House and Senate shall require

The schedule shall also provide whenever practicable a per diem penalty or forfeiture after a stated time for the failure of a contractor to finish or furnish the work or material contracted for which penalty or forfeiture shall be deducted by the Auditor General from the amount of the contractor's bill before settlement is made when so directed to do by the Department

The Department after conferring with the heads of the various departments boards commissions and the chief clerks of the House and Senate shall have the power to make such changes in the schedule as may be deemed proper and may standardize any or all articles therein

When the schedule has been finally prepared it shall be printed in pamphlet form as the schedule of stationery paper supplies fuel furniture furnishings repairs alterations improvements and other matters and things needed for the public grounds and buildings the Senate and House of Representatives the several departments boards and commissions of the State Government and the Executive Mansion

The Department shall on the third Tuesday of April of each year by advertisement inserted daily until the day of opening bids in twelve newspapers not more than three of which shall be printed in any one county published at such places as the Department may deem proper invite sealed proposals for contracts to furnish all stationery supplies paper and fuel used by the Senate and House of Representatives the several departments boards and commissions of the State Government and the Executive Mansion and for repairing altering improving furnishing or refurnishing and all other matters or things required for the public grounds and buildings legislative halls and rooms connected therewith the rooms of the several departments boards and commissions and the buildings connected with the State Capitol and the Executive Mansion The advertisement shall contain a reference to the schedule so printed and as briefly as practicable invite bids for the furnishing of articles named in the schedule and give notice of the time and place where such bids will be received and when they will be opened

All proposals shall be delivered to the Department on or before twelve o'clock meridian on the second Tuesday of May following the date of the advertisement and each bid shall be in duplicate one of which shall be marked "duplicate bid" Each bid together with the proper bond or certified check as provided for in this act shall be enclosed in an envelope securely sealed and shall be mailed or delivered to the Department which shall retain all envelopes unopened until the time fixed by law for the opening thereof

The Department shall on the second Tuesday of May at twelve o'clock meridian open and publish said proposals and as soon thereafter as practicable award the contracts to the lowest responsible bidder on each of the items of the several classifications of the schedule The Department shall have the right to reject any or all bids The bids when opened shall be tabulated and shall be subject to examination by all bidders A record of all bids shall be made by the Department in a book kept for that purpose

When no proposal has been received or those received are from irresponsible persons or if for any reason the Department shall reject all proposals the Department shall advertise again for proposals giving at least fifteen days' notice of the time receiving the same which proposals shall be opened awarded and approved in like manner as heretofore provided

No proposal for any contract shall be considered unless such proposal is accompanied by a certified check to the order of the State Treasurer in one-fourth the amount of the estimated contract or by a bond in such form and amount as may be prescribed by the Department Any such bond shall be conditioned for the faithful performance of the terms of the contract if awarded and shall have as surety one surety company authorized to act as surety in this Commonwealth or two individual sureties approved by a judge of the court of common pleas of the county in which the person or persons making such proposals may reside or of the county wherein shall be located the principal place of business of the person copartnership association or corporation making such proposal

A bidder who shall have accompanied his proposal with a certified check as aforesaid and to whom a contract shall have been awarded may within ten days after such award substitute for said check a bond as herein prescribed otherwise said check shall be retained in lieu of a bond

In the event that any contractor shall fail to fulfill or comply with the terms of any contract such contract shall be awarded to the next lowest responsible bidder and the Department shall direct the Attorney General to bring suit against the failing contractor or his or their bondsmen to recover the loss sustained by the Commonwealth by the reletting

All contracts awarded shall be severally void unless first approved by the Governor the Auditor General and the State Treasurer and when so approved together with all bonds given for their faithful performance be filed with the Department which shall keep a record of the same and shall within twenty days after the award certify copies of all said contracts to the Auditor General The bonds and certified checks of all unsuccessful bidders shall be returned to such bidders as soon as practicable after contracts have been awarded and approved but not later than sixty days after the date of opening the proposals

The enforcement of all contracts provided for by this act and of all similar contracts heretofore entered into and now in force shall be under the control and supervision of the Department

The Department shall receive from the contractor or contractors the articles mentioned in the schedule Articles contracted for must be furnished promptly It shall be the duty of the Department to reject all articles not up to the standard required and if a contractor shall fail to exchange them for articles that meet the requirements prescribed or shall fail to deliver any article within a reasonable time the Department may go into the open market and purchase articles to take the place of those adjudged to be of inferior quality or which have not been delivered and deduct the expense including any excess in price over that called for in the contract from the amount due the contractor from the Commonwealth If amount due said contractor is not sufficient to meet such expenses and excess price paid for the articles purchased the Department may proceed against the contractor or his sureties under the bond aforesaid by proper action through the Department of Justice

In all cases where a lump sum contract containing a provision for partial payments on accounts of materials delivered and work done is entered into by the Department a percentage to be fixed by the Department of the amount due as set forth in the contract shall be withheld from the contractor by the Auditor General until the Department shall certify that the contract has been fully complied with

The Department shall examine all bills on account of contracts entered under the provisions of this act and if they are correct the Department shall certify that the materials have been furnished or that the work or labor has been performed in accordance with the contract and approve the bills When so approved the bills shall be audited settled and paid by the Auditor General and State Treasurer in the manner provided by law

It shall be the duty of the Department when the articles named in the schedule are received from the contractors to care for them properly in storage rooms and the Department shall be held responsible for their safekeeping

The Board of Public Grounds and Buildings shall provide suitable storage rooms for the furniture stationery supplies and fuel that may be procured

Whenever the heads of departments the executive officers of independent administrative boards and commissions and the chief clerks of the Senate and House of Representatives shall require any portion of the stationery supplies fuel furniture furnishings repairs alterations improvements and other matters or things appearing in the annual schedule for which contracts have been awarded by the board a requisition giving number and description of the item needed shall be made on the Department which shall cause the article to be delivered taking a proper receipt therefor

In the event that requisitions are made upon the Department for any article of furniture furnishings stationery supplies fuel or any other matter or thing the want of which was not anticipated at the time of the making of the annual schedule the Department may in its descretion invite proposals from at least two responsible bidders which proposals together with such requisition or requisitions shall be submitted to the Board of Public Grounds and Buildings for approval or disapproval at its next meeting

Section 2106 Method of Awarding Contracts for Public Printing and Binding All contracts for public printing and binding shall be for terms of not less than one or more than four years

The Department shall have the right to divide such printing and binding into as many classes and enter into as many contracts therefor as it shall deem proper and advisable in carrying out the provisions of this act and to make classifications and prepare specifications schedules and contracts

Not less than two months prior to the termination of an contract now existing or the termination or expiration of any contract hereafter entered into the Department shall advertise for proposals for public printing and binding which advertisements shall be published for at least three days the first and last publications to be at least ten days apart in one or more newspapers of general circulation published in Philadelphia Pittsburgh Harrisburg and five other places within the Commonwealth

All proposals shall be submitted upon blanks furnished by the Department on or before the time fixed for opening proposals and each proposal shall be in duplicate one of which shall be marked "Duplicate Proposal" Each proposal shall be accompanied by a certified check to the order of the State Treasurer in such an amount as shall be determined by the Department and designated in the advertisement

The Secretary of Property and Supplies shall open all proposals received in the presence of those bidding and shall proceed publicly to award the contract or contracts for which bids were asked to the lowest responsible bidder or bidders below the maximum price or prices fixed in the schedule or schedules prepared by the Department and if any bidder refuses or neglects to accept a contract awarded to him within ten days then such contract may be awarded to the next lowest bidder and so on until such contract shall be awarded and accepted Provided however That the Department shall have the right to reject any or all bids and when all bids shall be so refused the Department shall advertise again for proposals giving at east ten (10) days' notice thereof by advertisement and said proposals shall be opened awarded and approved in like manner as hereinbefore provided

The certified checks of all unsuccessful bidders to whom no contracts were awarded shall be returned to the makers thereof but any bidder to whom a contract has been awarded and who has neglected or failed to enter into the contract or contracts awarded to him in the manner and upon the terms herein provided shall be liable to the Commonwealth for the difference between the amount of his bid and the bid of the person or persons to whom said contract shall afterwards be awarded and in addition thereto all costs and expenses necessarily incurred by reason of his neglect or failure and as liquidated damages therefor there shall be retained by the Commonwealth out of the amount of said certified check the amount required to reimburse the Commonwealth for such loss

No contract shall be entered into with any contractor until after such contractor has furnished a sufficient bond to the Commonwealth in such form and amount as may be prescribed by the Department conditioned for the faithful performance of the terms of the contract and shall have as surety a surety company authorized to act as surety in this Commonwealth said bond and the terms thereof to be approved by the Attorney General

No public printing and binding shall be performed for any department board commission or other agency of the State government or any officer thereof unless authorized in writing by the Department and no printing or binding whatsoever shall be done by the contractor at the expense of the Commonwealth except upon such written order or authorization and the contractor shall not proceed with any work until he shall have received from the Department a written order and full instructions therefor

The rates of compensation for the public printing and binding for all objects of charge against the Commonwealth by the contractor shall be according to the schedules set out in the specifications furnished by the Department and inorporated in the ocntract and no printing and binding or other work or material whatsoever shall be done or furnished by the contractor that is not set forth in the schedules or specifications incorporated in the contract unless authorized in writing by the Department and the price therefor designated by it and if the contractor shall proceed with any such printing and binding without such authorization in writing the Department shall have the right to condemn such unauthorized work whereupon the contractor shall not be entitled to receive any compensation whatsoever therefor or the Department if it shall accept such unauthorized printing and binding shall fix a reasonable price therefor which said price shall in no case exceed the lowest rate or rates at which the same can be obtained elsewhere by said Department and said contractor shall be bound by the rate or rates so fixed by said Department and shall in no case recover any additional sum or amount

There shall be provided by the Department and incorporated in every contract made hereunder provision for delivery of all printing binding and other work done by the contractor the time when delivery must be made and reasonable penalties for delay in such delivery

Section 2107 Board of Commissioners of Public Grounds and Buildings The Board of Commissioners of Public Grounds and Buildings shall have the power and its duty shall be

(a) To assign rooms in the State Capitol to the Governor the General Assembly and the officers and Committees thereof the Supreme and Superior Courts and the judges and officers thereof and as far as possible to the several administrative departments Board and Commissions of the State government

(b) Whenever the Department of Property and Supplies shall have leased offices rooms or accommodations outside of the Capitol Buildings for the use of the administrative departments boards or commissions to assign such rooms to such administrative departments boards or commissions as cannot be adequately accommodated in the Capitol buildings

(c) To approve or disapprove proposed leases for branch offices rooms and accommodations outside the Capitol city and to assign such offices rooms and accomodations if and when leased

(d) To approve or disapprove all contracts for furnishing stationery printing paper fuel furniture materials or supplies and for printing binding and distributing the laws journals department reports and all other printing and binding and for repairing and furnishing the halls and rooms used for the General Assembly and its committees Provided That all such contracts shall require the unanimous approval of the Board and that it shall be the duty of the Secretary of Property and Supplies in requesting the Board to approve any contract to bring to the attention of the Board all bids submitted

Section 2108 State Art Commissions Subject to any inconsistent provisions in this act contained the State Art Commissions created by this act shall have the power and its duty shall be

(a) To continue to exercise its powers and perform its duties as heretofore provided by law

(b) To examine and approve or disapprove the design and proposed location of all public monuments memorials buildings or other structures except in cities of the first or second class in accordance with the act approved the first day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred three) entitled "An act creating a State Art Commission in the Board of Commissioners of Public Grounds and Buildings requiring the approval of the commission of the design and location of all public monuments memorials buildings or other structures and certain private structures proposed to be erected anywhere in this Commonwealth other than in cities of the first and second classes"

Section 2109 Monument Commissions The several Monument Commissions by this act created in the Department of Property and Supplies shall have the right from time to time to meet for the purpose of considering and studying the work of the Department with regard to the particular monuments over which they respectively have jurisdiction and to make recommendation and render advice to and approve or disapprove the plans of the Department with regard to the erection maintenance and care of such monuments

For such purposes the several Monument Commissions shall have jurisdiction as follows

(a) Gettysburg Battlefield Memorial Commission over the Pennsylvania Memorial Monument on the Battlefield of Gettysburg

(b) General George Gordon Meade Statute Commission over the General George Gordon Meade statute now in course of construction in Washington District of Columbia

(c) Robert Morris Monument Commission over the Robert Morris Monument now being constructed on the steps of the Custom House at Philadelphia

(d) General Galusha Pennypacker Monument Commission over the monument of General Galusha Pennypacker to be constructed in Logan Square Philadelphia

(e) Camp Curtin Monument Commission over the Monument of Governor Andrew G Curtin in Camp Curtin Park Harrisburg

Section 2110 Capitol Police The Capitol Police shall have the power and their duty shall be

(a) To enforce good order both in the Capitol buildings and on the grounds

(b) To protect the property of the Commonwealth in the Capitol grounds and buildings

(c) To exclude all disorderly persons from the premises of the State Capitol

(d) In the performance of their duties to adopt whatever means may be necessary

(e) To exercise the same powers as are now or may hereafter be exercised under authority of law or ordinance by the police of the City of Harrisburg

(f) To shoot any dogs or cats wandering at large in the buildings or upon the grounds connected with the State Capitol unless the same are in leash or under the complete control of the owner

(g) To order off said grounds and out of said buildings all vagrants loafers trespassers and persons under the influence of liquor and if necessary remove them by force and in case of resistance carry such offenders before an alderman and

(h) To arrest any person who shall damage mutilate or destroy the trees plants shrubbery turf grass-plots benches buildings or structures or commit any other offence within the Capitol grounds and buildings and the Executive Mansion and carry the offender before the proper alderman and prefer charges against him under the laws of the Commonwealth

ARTICLE XXII

POWERS AND DUTIES OF THE DEPARTMENT OF BANKING

Section 2201 Powers and Duties in General The Department of Banking shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the Banking Department and the Commissioner of Banking and such additional powers and duties as are vested in and imposed upon it by this act

Section 2202 Banking Supervisory Powers The Department of Banking shall have supervision over

(a) All corporations now or hereafter incorporated under the laws of this or any other State and authorized to transact business in this State which have power to receive and are receiving money on deposit or for safe keeping otherwise than as bailees including all banks banking companies cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions saving banks and provident institutions

(b) Mutual savings funds building and loan associations and corporations doing a safe deposit business only

(c) All national banking associations located within this State now or hereafter incorporated under the laws of the United States which shall in pursuance of Federal Law or regulation be granted a permit to act or shall act as trustee executor administrator registrar of stocks and bonds guardian of estates assignee receiver committee of estates of insane persons or in any other fiduciary capacity

(d) All unincorporated banks except such as are or shall be exempt by law from and all such individuals partnerships and unincorporated associations as now are or shall be by law made subject to the supervision of the Department and any individuals or associations of individuals doing the business of cooperative banks or of building and loan associations or a business in the nature of either whether under the guise of a deed of trust or otherwise

Section 2203 Banking Laws The Department of Banking shall enforce and administer the laws of this Commonwealth in relation to all corporations and persons under its jurisdiction and shall see that the greatest possible safety is afforded to depositors therein or therewith and to other interested persons

Section 2204 Private Banks The Department of Banking acting through the Secretary of Banking shall administer and enforce the laws of this Commonwealth requiring the licensing of individuals partnerships or unincorporated associations and engaged directly or indirectly in the business of receiving deposits of money for safe-keeping or for the purpose of transmission or for any other purpose

ARTICLE XXIII

POWERS AND DUTIES OF THE DEPARTMENT OF INSURANCE

Section 2301 Powers and Duties in General The Department of Insurance shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the Insurance Department and the Insurance Commissioner and such additional powers and duties as are vested in and imposed upon it by this act

Section 2302 Insurance The Department of Insurance is charged with the execution of the laws of this Commonwealth in relation to insurance

ARTICLE XXIV

POWERS AND DUTIES OF THE BOARD OF GAME COMMISSIONERS AND ITS ENFORCEMENT OFFICERS

Section 2401 Powers and Duties in General The Board of Game Commissioners shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said Board and shall exercise such additional powers and perform such additional duties as are vested in and imposed upon it by this act

Section 2402 Enforcement of Game Laws The Board of Game Commissioners shall have the power and its duty shall be

(a) To protect propagate and preserve the game furbearing animals and protect birds of the Commonwealth and to enforce by proper action and proceeding the law relating to the same

(b) To appoint such number of Game Protectors as the Governor shall approve at such compensation as the Governor shall approve to assist the Board in the proper discharge of its duties and such number of Deputy Game Protectors as the Governor shall approve Deputy Game Protectors shall not receive any compensation for services rendered or expenses incurred in the performance of their duties unless specifically employed for special duties by written order of the Secretary of the Board

The Secretary of the Board shall be the Chief Game Protector and shall have the direction supervision and control of the other Game Protectors

Section 2403 Hunters' Licenses The Board of Game Commissioners shall have the power to issue hunters' licenses non-resident hunters' licenses propagating certificates and such other licenses or certificates upon such terms and conditions and upon payment of such fees as may now or hereafter be provided by law

Section 2404 State Game Refuges The Board of Game Commissioners shall have the power to establish and maintain state game refuges for the protection and propagation of game as may now or hereafter be authorized by law

Section 2405 Powers of Game Protectors Each member of the Board of Game Commissioners the Executive Secretary of the Board each Game Protector and each Deputy Game Protector shall have the power

(a) To enforce all the laws relating to game or other wild birds or wild animals and to go upon any property outside of buildings posted or otherwise in the performance of his duty

(b) To execute all warrants and search warrants for the violation of the laws relating to game or other wild birds or animals

(c) To serve subpoenas issued for the examination investigation and trial of all offenses against the laws relating to game or other wild birds or wild animals

(d) To carry fire arms or other weapons concealed or otherwise in the performance of their duties and to stop or hold by pointing or discharging fire arms any person violating or believed to be violating any of the laws of the Commonwealth the enforcement of which is charged to such officer and any such officer shall at all times be privileged to protect himself in the performance of his duties

(e) To arrest without warrant any person found in the act of violating any provisions of the laws relating to game or other wild birds or wild animals or in pursuit immediately following such violation or any person whom they have reason to suspect as being an unnaturalized foreign born resident when such person has in possession a firearm or a dog of any kind

(f) To call upon any citizen of this Commonwealth for assistance in making arrests

(g) To search without warrant and examine any person or any boat conveyance vehicle game bag game coat or other receptacle for game or any camp tent or cabin in the presence of any person stopping at or belonging to such camp tent or cabin or any roster when he has reason to believe that any of the laws relating to game or other wild birds or animals has been violated

(h) To secure and execute search warrants and in pursuance thereof to enter any building enclosure or car and to break open any apartment chest locker box trunk crate basket bag package or container and to examine the contents thereof

(i) At any time in any manner or for any purpose to seize and take possession of all birds or animals which have been caught taken or killed or had in possession or under control or which have been shipped or are about to be shipped contrary to the laws of this Commonwealth

(j) To purchase or sell game which is otherwise forbidden for the purpose of securing evidence to be used in the prosecution of violators of the laws relating to game or other wild birds or wild animals and to dispose of the same in the manner provided by law for seized game after it is no longer required as evidence

(k) To seize all guns shooting or hunting paraphernalia traps dogs boats decoys or other appliances used in violation of any of the laws relating to game or other wild birds or wild animals when making an arrest or found in the execution of a search warrant

(l) To administer any oath required by the provisions or relative to any violation of any law relating to game found in a camp or in possession or under control or other wild birds or wild animals and where game is found in a camp or in possession or under control of any individual or hunting party to question such person or persons under oath relative to the taking ownership or possession of the same

ARTICLE XXV

POWERS AND DUTIES OF THE BOARD OF FISH COMMISSIONERS AND ITS ENFORCEMENT OFFICERS

Section 2501 Powers and Duties in General The Board of Fish Commissioners shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the Department of Fisheries the Commissioner of Fisheries and the Fisheries Commission and shall exercise such additional powers and perform such additional duties as are vested in and imposed upon it by this act

Section 2502 Enforcement of Fish Laws The Board of Fish Commissioners shall have the power and its duty shall be

(a) To administer and enforce the laws of this Commonwealth relating to the encouragement promotion and development of the fishery interests and the protection propagation and distribution of fish

(b) To make rules and regulations not inconsistent with law for the enforcement of the laws relating to the protection propagation and distribution of fish and for the angling catching or removal of fish in or from any waters artificial or otherwise wholly within this Commonwealth or in waters lying between this Commonwealth and any other State or in the waters of such part of any lake of more than five thousand acres lying between this Commonwealth and any other State or foreign country as is within the jurisdiction of this Commonwealth

(c) To appoint as many citizens of this Commonwealth as fish wardens as the Governor may approve and to designate one of such wardens as Chief Warden who shall act in that capacity at the pleasure of the Board and shall perform such duties as the Board may prescribe The Chief Warden shall have the direction and control of the other wardens under the supervision of the Board All fish wardens shall hold office during the pleasure of the Board and shall receive such compensation for their services and be allowed such expenses as the Board with the approval of the Governor shall determine

(d) Upon the written application of a properly organized Fish Protective Associattion or upon the written application of any Association or individual owning or leasing waters to appoint one or more special fish wardens for the county in which the application is made The Board may also appoint special fish wardens to act anywhere within the Commonwealth All special fish wardens appointed under the authority of this section may exercise the powers of their appointment until the thirty-first day of May next succeeding the date of their appointment and no longer They shall not be entitled to any salary compensation or expenses for their services from the Commonwealth unless detailed by writing for duty by the Commissioner of Fisheries in which case they shall receive such compensation and reasonable expenses as the Board with the approval of the Governor may determine

(e) To obtain and publish information respecting the laws relating to the protection of fish and the extent and condition of the fisheries of the Commonwealth

Section 2503 Hatching Stations and Distribution of Fish The Board of Fish Commissioners shall have the power and its duty shall be

(a) To control and manage all hatching stations and fish cultural establishments belonging to the Commonwealth or which may be hereafter established

(b) To make free distribution or planting of the fish produced at the State fish hatcheries or otherwise acquired in the following order or preference First To the public waters of the Commonwealth within the State Forests Second To the public school authorities and to persons connected with institutions of learning who may apply for the same for educational purposes or for scientific research and to persons applying for fishing culture for aquarium purposes and show ponds Third To the waters within this Commonwealth the bed and banks of which are the subject of private ownership upon a written application of one or more of the owners or lawful occupants thereof Fourth To the waters within this Commonwealth the bed and banks of which are the subject of private ownership but whose owners are nonresident and unknown or whose owners by habit and custom permit the public to fish therein The Commissioner of Fisheries may distribute and plant fish without an application therefor

(c) To set aside such small streams and lakes as the Department may judge best as nursery streams or lakes in which fishing shall be prohibited at all times in the year but before setting aside such streams or lakes the Department shall give public notice of closing such streams or stations by publishing the prohibition and the duration thereof in two newspapers of general circulation published in the county or counties where such stream or lake is located once a week for three consecutive weeks Notice of such closing shall also be posted at the outlet of the stream or lake so closed and at intervals of three hundred yards along the bank thereof

Section 2504 Fishways The Board of Fish Commissioners shall have the power and its duty shall be

(a) To require any person association or corporation now or hereafter erecting or maintaining a dam in the waters of this Commonwealth to erect therein such chutes slopes fishways gates or other devices as the Board may deem necessary to enable the fish to ascend or decend the waters to any such chutes slopes fishways gates or other devices at all seasons of the year and to make necessary repairs to and to prosecute any person association or corporation refusing or neglecting to erect devices or make repairs as requested by the written order of the Board If after the lapse of three calendar months from the date of such notice the person owning or maintaining said dam neglects fails or refuses to erect or place or maintain unchanged open and in good order and repair any appliance as directed by the Board the Board is authorized to enter upon such dam and erect such chute slope fishway or gate or make such repairs as may have been directed as aforesaid The cost thereof shall be charged against the person owning or maintaining such dam by the Board and may be recovered by civil suit in the name of the Commonwealth

(b) To require by notice in writing any person association or corporation owning or maintaining a raceway flume or inlet pipe leading to a water wheel turbine pump or canal to place and maintain a bar rack of not less than one-half inch or more than one and one-half inch space between the bars in or near such raceway flume or inlet pipe sufficient to prevent fish from entering therein and to prosecute any person refusing or neglecting to comply with such order for a period of one month If one month after such notice shall have been given the person association or corporation owning or operating such raceway flume or inlet pipe shall not have placed such bar rack as may have been directed the Board is authorized to enter upon such raceway flume or inlet pipe and place such bar rack as shall have been required the cost of which shall be charged against such owner or operator and may be recovered by the Board by civil suit in the name of the Commonwealth

Section 2505 Licenses The Board of Fish Commissioners shall have the power to issue seine licenses resident fisherman's licenses artificial propagation licenses special device permits and any other licenses or permits under such conditions and upon payment of such fees as may now or hereafter be authorized by law

Section 2506 Powers of Fish Wardens Every member of the Board of Fish Commissioners every fish warden and every special fish warden shall have power

(a) To enforce all the laws of the Commonwealth relating to fish

(b) To execute all warrants and search warrants for the violation of the fish laws

(c) To serve subpoenas issued for the examinations investigation and trial of all offenses against the laws relating to fish

(d) To carry firearms or other weapons in the performance of his duties and to stop or halt by pointing or discharging firearms any person violating or believed to be violating any of the laws of the Commonwealth the enforcement of which is charged to such officers and any such officer shall at all times be privileged to protect himself in the performance of his duty

(e) To search without warrant any boat conveyance vehicle fish-box bag coat basket or other receptacle for fish when he has reason to believe that any provision of any law of this Commonwealth relating to fish has been violated

(f) To seize and take possession of any and all fish which may have been caught taken or killed at any time in any manner or for any purpose or had in possession or under control or which have been shipped or are about to be shipped contrary to the laws of this Commonwealth Fish so seized shall be disposed of in any manner as the Commissioner of Fisheries may direct

(g) To enter upon any land or water in the performance of his duty

(h) To demand and secure proper assistance in case of emergency

(i) To purchase fish for the purpose of securing evidence

ARTICLE XXVI

POWERS AND DUTIES OF THE PUBLIC SERVICE COMMISSION OF THE COMMONWEALTH OF PENNSYLVANIA

Section 2601 Powers and Duties in General The Public Service Commission of the Commonwealth of Pennsylvania shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said Commission and shall exercise such additional powers and perform such additional duties as are vested in and imposed upon it by this act

Section 2602 Public Service Company Law The Public Service Commission of the Commonwealth of Pennsylvania shall have the power and its duty shall be

(a) To administer and enforce the act approved the twenty-sixth day of July one thousand nine hundred and thirteen entitled "An act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limitng their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service cmpanies and of public highways by the tracks or other facilities of said commission providing for the ascertainment by the Commission of the expenses and damage resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determination by the courts of common pleas and giving the court of common pleas of Dauphin county exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court Prescribing penalties fines and imprisonment for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloading within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved the twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" as amended and supplemented

(b) To certify to the Sanitary Water Board any question of fact regarding the purity of water supplied to the public by any public service company over which it has jurisdiction when any such question arises in any controversy or other proceeding before it and upon the determination of such question by the Sanitary Water Board to incorporate the findings of the Board thereon in its decision upon the controversy or other proceeding out of which the question arose

Section 2603 Elevated and Underground Railways The Public Service Commission of the Commonwealth of Pennsylvania shall have the power and its duty shall be to exercise the powers and perform the duties heretofore by law vested in and imposed upon the board consisting of the Governor the Secretary of the Commonwealth and the Attorney General by the act approved the twentieth day of June one thousand nine hundred and one (Pamphlet Laws five hundred and seventy-seven) entitled "An act providing that no company hereafter formed for the purpose of construction and operation of a passenger railway either elevated or underground or partly elevated or partly underground with incidental surface rights shall be incorporated except where the same shall be located upon streets in thickly populated regions and until the necessity for such railways have been passed upon by a board consisting of the Governor the Secretary of the Commonwealth and the Attorney General after notice" which reads as follows

"Section 1 Be it enacted et cetera That hereafter no letters patent shall be issued to any compeny nor shall any corporation be otherwise created for the construction of an elevated or underground or partly elevated and partly underground passenger railway except the same shall be located upon over under across through or along a street road or highway in a thickly populated locality where the surface travel is congested nor unless and until the necessity for the construction and operation of said railway shall have been passed on and approved by a board consisting of the Governor the Secretary of the Commonwealth and the Attorney General after thirty days' public notice published as shall be prescribed by said board"

ARTICLE XXVII

INTERPRETATION AND EFFECTIVE DATE

Section 2701 Constitutionality It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein It is the intention of the General Assembly that if any court of competent jurisdiction shall hold unconstitutional any provisions of this act transferring to a Department Board Commission or Officer the powers and duties heretofore exercised and performed by a Department Board or Commission abolished by this act the provisions abolishing such Department Board or Commission shall thereby become inoperative and that in such event such Department Board or Commission shall not be abolished but shall continue as prior to the passage of this act and shall exercise its powers and perform its duties as heretofore The remaining provisions of this act shall in any such case be given full force and effect

Section 2702 Continuation of Existing Laws The provisions of this act so far as they are the same as those of existing laws shall be construed as a continuation of such laws and not as new enactments

Section 2703 Enumeration of Powers of Departments Boards and Commissions Whenever in this act the powers and duties of a Department Board Commission or Officer are enumerated and defined such enumeration and defination shall not be construed to be in derogation or limitation of the powers and duties heretofore exrcised and performed by such Department Board Commission or Officer unless

(a) Any power or duty as enumerated and defined is clearly inconsistent with the exercise of a power or the performance of a duty heretofore exercised or performed or

(b) There is a specific statement that a power or a duty heretofore exercised or performed shall not be exercised or performed by such Department Board Commission or Officer or that such power or duty shall be exercised in a different manner

Section 2704 Statutory Salaries It is the intention of the General Assembly that this act shall be construed to be inconsistent with and therefore to repeal any and all laws of this Commonwealth heretofore enacted fixing the salaries of officers of and persons connected with or employed in or by every administrative Department Board Commission Bureau Division or other agency of the State government except the Department of the Auditor General the Treasury Department the Department of Internal Affairs and such bureaus and divisions thereof as are not abolished by this act

Section 2705 Repealed Laws not Revived The repeal by this act of any provision of law shall not revive any law heretofore repealed or superseded

Section 2706 Effective Date This Act shall take effect at twelve o'clock noon on the first day of June one thousand nine hundred and twenty-three Provided however That any provision of this act increasing or diminishing the salary or emoluments of any public officer now holding office shall not become effective until the term of such officer shall expire or he shall die resign or be removed from office

ARTICLE XXVIII

REPEALER

Section 2801 Acts and Parts of Acts Specifically Repealed The following acts and parts of acts are hereby repealed

Except the first two paragraphs of section one thereof the act approved the twenty-sixth day of February one thousand nine hundred nineteen (Pamphlet Laws six) entitled "An Act reorganizing the Department of the Secretary of the Commonwealth designating the officers and employes thereof and fixing their salaries and making an appropriation therefor to the end of the fiscal year"

The act approved the fourth day of May one thousand nine hundred and five (Pamphlet Laws three hundred and eighty-four) entitled "An Act to provide for the appointment of a Statute Clerk in the office of the Secretary of the Commonwealth defining his duties and fixing his salary"

The act approved the twenty-eighth day of May one thousand nine hundred and thirteen (Pamphlet Laws three hundred and fifty-six) entitled "An Act to fix the salaries of the clerks of the State Department in the office of the county treasurer of any county of this Commonwealth having a population of one million or over"

Section twenty-five of the act approved the thirtieth day of March one thousand eight hundred and eleven five Smith's Laws two hundred and twenty-eight entitled "An Act to amend and consolidate the several acts relating to the settlement of the public accounts and the payment of the public monies and for other purposes"

The act approved the fourteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred and thirty-seven) entitled "An Act making an appropriation of twenty-one thousand dollars for the erection of a monument to Robert Morris in the city of Philadelphia and empowering the appointment of a commission to select a site and to build such monument and providing for the expenses of the said commission and dedication of monument"

Sections two three four six seven of the act approved the first day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred and three) entitled "An Act creating a State Art Commission in the Board of Commissioners of Public Grounds and Buildings requiring the approval of the commission of the design and location of all pubilic monuments memorials buildings or other structures and certain private structures proposed to be erected anywhere in this Commonwealth other than in cities of the first and second classes"

The act approved the sixth day of May one thousand nine hundred and fifteen (Pamphlet Laws two hundred and seventy-nine) entitled "An Act reorganizing the Attorney General's Department designating the officers and employes thereof and fixing their salaries and making an appropriation therefor to the end of the fiscal year"

The act approved the seventh day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and seventy-six) entitled "An Act regulating the legal business of the State government and the employment of attorneys therefor and defining the duties of the various departments bureaus boards agents and commissions in relation thereto"

The act approved the twelfth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and twenty-seven) entitled "An Act to amend section one of an act approved the sixth day of May one thousand nine hundred and fifteen (Pamphlet Laws two hundred and seventy-nine) entitled "An Act re-organizing the Attorney General's Department designating the officers and employes thereof and fixing their salaries and making an appropriation therefor to the end of the fiscal year"

Section one of the act approved the thirtieth day of May one thousand eight hundred and ninety-three (Pamphlet Laws one hundred and eighty-one) entitled "A Supplement to an act entitled 'An Act to fix the salaries of the several state officers of the Commonwealth the number of clerks to be employed in the several departments and their compensation and providing for the incidental expenses of said department' approved May fourteenth one thousand eight hundred and seventy-four providing for an increase in the salary of the Superintendent of Public Instruction Deputy Attorney General Auditor General and Secretary of Internal Affairs"

Section five of the act approved the twenty-seventh day of February one thousand eight hundred and forty-seven (Pamphlet Laws one hundred and seventy-two) entitled "An Act requiring the inspectors of prisons sheriffs prothonotaries and clerk of criminal courts and others to make annual returns to the Secretary of the Commonwealth and for other purposes"

The act approved the fourteenth day of May one thousand eight hundred and seventy-four (Pamphlet Laws one hundred and thirty-nine) entitled "An Act to authorize the Secretary of the Commonwealth and Deputy Secretary of the Commonwealth to administer oaths or affirmations"

The act approved the twenty-first day of February one thousand eight hundred and sixty-eight (Pamphlet Laws forty-one) entitled "An Act to authorize the Secretary of the Commonwealth to record official bonds"

The act approved the second day of May one thousand eight hundred and nine five Smith's Laws page thirteen entitled "An Act to perpetuate the great seal of this Commonwealth

The act approved the eighteenth day of April one thousand nine hundred and nineteen (Pamphlet Laws seventy-seven) entitled "An Act to amend the first section of an act approved the ninth day of April Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws one hundred and eleven) entitled 'An Act to provide for the immediate printing and distribution of advance sheets of the laws of this Commonwealth as they are enacted from time to time to persons making application therefor and to certain officials so as to include members of the General Assembly' "

The act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred and ten) entitled "An Act to amend sections one ten fourteen sixteen eighteen twenty-one twenty-three twenty-five twenty-eight thirty-one thirty-four thirty-five thirty-seven thirty-eight and forty-two of an act entitled 'An Act to create the Department of Public Printing and Binding to carry out the provisions of section twelve article three of the Constitution in relation to the public printing and binding and the supply of paper and other materials therefor' approved the seventh day of February Anno Domini one thousand nine hundred and five by further regulating said department and by further regulating the public printing and binding and the supply of paper and other material therefor"

The act approved the twenty-third day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand one hundred and twenty-eight) entitled "An Act to amend an act approved the seventh day of February one thousand nine hundred five (Pamphlet Laws three) entitled 'An Act to create the Department of Public Printing and Binding to carry out the provisions of section twelve article three of the Constitution in relation to the public printing and binding and the supply of paper and other materials therefor' as amended"

Sections two three four eight thirteen fourteen fifteen and insofar as inconsistent with the provisions of this act section eighteen of the act approved the twenty-second day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand and ninety-seven) entitled "An act creating a Division of Documents defining its powers and duties regulating the number of documents to be printed bound and the requisition distribution and sale of the public documents of this Commonwealth providing penalties for the violation of this act and repealing certain acts"

Insofar as it is inconsistent with the provisions of this act the act approved the twelfth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and forty-one) entitled "An act providing for the preparation contents style printing and binding of the Legislative Journal and its delivery and distribution providing for the preparation printing and binding of the Journals of the Senate and House of Representatives authorizing the appointment of official reporters expert typewriters clerks and other employes and providing for their compensation and mileage providing for the making of an appendix and index the printing of wrappers or envelopes for mailing the Legislative Journal and repealing all acts and parts of acts inconsistent herewith"

The act approved the thirteenth day of June one thousand nine hundred and seven (Pamphlet Laws six hundred and thirty-five) entitled "An act making an appropriation for the erection of a monument or memorial structure on the Battlefield of Gettysburg in memory of the volunteer soldiers sailors and marines from Pennsylvania who participated in the late Civil War one thousand eight hundred and sixty-one to one one thousand eight hundred and sixty-five"

The act approved the fourteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred and thirty-five) entitled "An act providing for the erection by the Commonwealth of Pennsylvania of a statue in memory of General George Gordon Meade in the city of Washington and making an appropriation therefor"

The act approved the sixteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred and eighty-two) entitled "An Act creating a Board of Commissioners of Public Grounds and Buildings providing for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers and employes and fixing their salaries defining the powers and duties of the board and the superintendent with regard to contracts for and the furnishing of furniture furnishings stationery supplies paper and fuel for the executive and legislative branches of the State Government and the Executive Mansion the supervision of the Capitol grounds and buildings the State Arsenal and Executive Mansion and repairs alterations and improvements thereto and to other buildings land and property of the State the disposal of unserviceable personal property of the Commonwealth the renting of office rooms outside of the Capitol the bonding of officers and employes of the Commonwealth and the supervision of the erection of and repairs and additions to State institutions and the expenditures of funds therefor and repealing supplied and inconsistent laws"

The act approved the seventh day of February one thousand nine hundred and five (Pamphlet Laws three) entitled "An Act to create the Department of Public Printing and Binding to carry out the provisions of section twelve article three of the Constitution in relation to the public printing and binding and the supply of paper and other materials therefor"

Section two of the act approved the second day of May one thousand nine hundred and five (Pamphlet Laws three hundred and sixty-one) entitled "An act creating the Department of State Police providing for the appointment of a Sueprintendent thereof together with the officers and men who shall constitute the force defining their powers and duties and making an appropriation for the expenses connected therewith"

Section two three four five nine ten eleven twelve thirteen fourteen sixteen seventeen and eighteen of the act approved the third day of June one thousand nine hundred and nineteen (Pamphlet Laws three hundred and sixty-six) entitled "An act reorganizing the Department of State Police creating a Bureau of Fire Protection providing for the State Police Force and defining the powers and duties of the same including the enforcement of laws relating to game fish forestry and water supply and certain other laws and including the collection of information useful for the detection of crime and the apprehension of criminals providing for the equipment maintenance and transportation of such police providing for barracks and substations therefor and prescribing penalties"

The act approved the first day of May one thousand nine hundred and eleven (Pamphlet Laws one hundred and seven) entitled "An Act providing for the sale of any personal property belonging to the Commonwealth which is or shall hereafter become unserviceable repealing section ten of the act of March twenty-sixth one thousand eight hundred and ninety-five entitled 'An act relative to Public Grounds and Buildings defining the powers of the Commissioners authorizing the Board of Commissioners to carry into effect the provisions of section twelve article three of the Constitution relative to contracts for stationery supplies fuel furniture furnishings distribution of documents repairs alterations or improvements and other matters needed by the Legislature the several departments boards and commissions of the State Government and Executive Mansion authorizing the appointment of a superintendent and defining his powers authority and duties and providing for the appointment of subordinate officers required by this act and fixing the compensation of the same' relating to the sale of furnishings of the several departments the Senate Chambers the House of Representatives boards and commissions of the State Government"

Sections two to six inclusive of the act approved the twentieth day of April one thousand nine hundred and seventeen (Pamphlet Laws ninety) entitled "An act constituting a Board of Commissioners on Uniform State Laws authorizing the appointment of the Commissioners defining their duties and providing for their expenses"

The act approved the sixth day of February one thousand eight hundred and four (four Smith's Laws one hundred and twelve) entitled "An Act to continue in force for a limited time the act entitled 'An Act for instituting a Board of Property and for other purposes therein mentioned' "

The Act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-five) entitled "An Act reorganizing the Adjutant General's Department designating the officers and employes thereof and fixing the salaries of each"

Section thirty-five of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth"

The act approved the ninth day of June one thuosand nine hundred and eleven (Pamphlet Laws eight hundred and sixty-four) entitled "An act to amend section three of an act entitled 'An act for the appointment and maintenance of a board to be known as the Armory Board of the State of Pennsylvania and for the payment of its expenses and providing managing and caring for armories for the use of the National Guard of Pennsylvania and making an appropriation for the same authorizing the State Board to receive from counties cities municipalities and other sources donations or contributions for the purpose of this act' approved the eleventh day of May Anno Domini one thousand nine hundred and five fixing the salaries and providing for the payment of expenses of the members of the Armory Board"

Sections one three six and ten of the act approved the eleventh day of May one thousand nine hundred and five (Pamphlet Laws four forty-two) entitled "An act for the appointment and maintenance of a board to be known as the Armory Board of the State of Pennsylvania and for the payment of its expenses and for providing managing and caring for armories for the use of the National Guard of Pennsylvania throughout the Commonwealth of Pennsylvania and making an appropriation for the same authorizing the State Armory Board to receive from counties cities municipalities and other sources donations or contributions for the purpose of this act"

Sections five six and seven of the act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and seventy-eight) entitled "An act providing for a bonus for the residents of this Commonwealth who served in the mlitary or naval forces of the United States during the World War creating a Soldiers' Bonus Commission and prescribing its powers and duties and making an appropriation"

The act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and twenty-two) entitled "An Act creating a commission to select an historic spot as a cemetery for the burial of bodies of soldiers sailors marines war nurses and members of the National Guard defining the powers and duties of the commission and making an appropriation"

The act approved the twenty-fifth day of April one thousand nine hundred and three (Pamphlet Laws three hundred and fifteen) entitled "An Act authorizing the Superintendent of Punblic Instruction to employ or aid in the employment of lecturers and instructors to attend the summer assemblies or associations incorporated for the promotion of education and popular culture and of the Pennsylvania Educational Association and providing for the payment of such lecturers or instructors"

The act approved the sixteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws two hundred and sixty-eight) entitled "An Act creating the Bureau of Vocational Education of the Department of Public Instruction creating the divisions of the same providing for the appointment of its officers and other employes by the Superintendent of Public Instruction defining the duties of the same and fixing the compensation of its employes"

The act approved the twenty-seventh day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and ninety-six) entitled "An Act to amend section one of an act approved the fifteenth day of April one thousand nine hundred and seven (Pamphlet Laws eighty-six) entitled 'An Act fixing the salary of the superintendent of Public Instruction and of the Deputy Superintendent of Public Instruction' fixing the salary of the Superintendent of Public Instruction for all services required to be performed by law"

Insofar as inconsistent with the provisions of this act the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand and fourteen) entitled "An Act to amend article nine of an act approved the eighteenth day of May one thousand nine hundred and eleven (Nineteen hundred and eleven Pamphlet Laws three hundred and nine) entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' as amended creating a State Council of Education defining its powers and duties and transferring thereto the powers and duties now vested in the State Board of Education"

Insofar as supplied by or inconsistent with the provisions of this act Articles IX and X of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violations thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Insofar as inconsistent with the provisions of this act the act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand and forty-five) entitled "An Act to create a Bureau of Professional Educational as a sub-department of the Department of Public Instruction to define the powers and duties of the said Bureau and to make an appropriation therefor"

Sections two three and six of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand two hundred and sixty-five entitled "An act providing for the establishment of the Pennsylvania Historical Commission defining its powers and duties and making an appropriation for its work"

Sections three four five nine ten eleven twelve thirteen fourteen fifteen sixteen and nineteen of the act approved the fifteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred and thirty-four) entitled "An Act relating to motion-picture films reels or stereopticon views or slides providing a system of examination approval and regulation thereof and of the banners posters and other like advertiseing matter used in connection therewith creating the Board of Censors and providing penalties for the violation of this act"

The act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and twenty) entitled "An Act to amend section eleven and section thirteen of an act approved the fifteenth day of May one thousand nine hundred fifteen (Pamphlet Laws five hundred thirty-four) entitled 'An Act relating to motion picture films reels or stereopticon views or slides providing a system of examination approval and regulation thereof and of the banners posters and other like advertising matters used in connection therewith creating the Board of Censors and providing penalties for the violation of this act"

Section twelve and insofar as supplied by the provisions of this act section two of the act approved the seventeenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred eight) entitled "An Act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity"

Insofar as inconsistent with the provisions of this act Sections one three and four of the act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred ninety-nine) entitled "An act regulating and defining the powers and duties of the Dental Council and the State Board of Dental Examiners providing for appointment of examiners defining qualifications of applicants for examination conditions of granting and revoking licenses regulating and limiting and defining the practice of dentistry limiting and defining operator in dental surgery prohibiting practice by or employment of unlicensed and unregistered persons and providing punishment therefor requiring the recording of licenses and registration of practitioners and disposition of fees and fines providing for an annual registration fee for licensed practitioners and the disposition of such fees defining evidence of violations and providing punishment fixing the appropriations to the Dental Council"

Insofar as inocnsistent with the provisions of this act sections three and four of the act approved the thirtieth day of March one thousand nine hundred and seventeen (Pamphlet Laws twenty-one) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealng all acts or parts of acts inconsistent therewith"

Section two and insofar as inconsistent with the provisions of this act section one and three of the act approved the nineteenth day of March one thousand nine hundred and nine (Pamphlet Laws forty-six) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act"

Insofar as inconsistent with the provisions of this act sections one two three four five and six of the act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred forty-five) entitled "An act to amend sections one two three nine ten and eleven and to amend also sections four five and seven as amended of an act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred and twenty-one) entitled 'An act to provide for State registration of nurses to establish a State Board of Examiners in connection therewith and to provide for the violation of certain provisions regarding such registration' by providing for a change in membership of said board for an increase in salary of the secretary and educational director and for the registration of persons properly qualified as licensed attendants for the care of the sick"

Insofar as inconsistent with the provisions of this act sections one two three and four of the act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred and twenty-one) entitled "An Act to provide for State registration of nurses to establish a State Board of Examiners in connection therewith and to provide penalties for the violation of certain provisions regarding such registration"

Insofar as inconsistent with the provisions of this act the act approved the fourth day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and nine) entitled "An Act to amend an act entitled 'An Act to provide for State registration of nurses to establish a State Board of Examiners in connection therewith and to provide penalties for the violation of certain provisions regarding such registration' approved the first day of May one thousand nine hundred and nine providing further regulation as to applications for examination for registration of nurses and the fee chargeable therefor and providing for the making of reports of training schools for nurses whose competency for instruction is approved by the said board"

Insofar as inconsistent with the provisions of this act sections two and three of the act approved the seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred sixty-seven) entitled "An Act to provide for the better protection of life and health by diminishing the danger from infections and contagious diseases through the creation of a State Board of Undertakers in the cities of the first second and third classes with systematic examinations registration and licenses for all entering the business of burying the dead and penalties for violations of the provisions thereof"

Sections three four five six and insofar as inconsistent with the provisions of this act sections one and seven of the act approved the fifth day of May one thousand nine hundred and fifteen (Pamphlet Laws two hundred and forty-eight) entitled "An Act regulating the practice of veterinary medicine including veterinary surgery and veterinary dentistry or any branch thereof and establishing as incidental thereto a State Board of Veterinary Medical Examiners and defining its powers and duties"

Insofar as inconsistent with the provisions of this act the act approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand and seventy-three) entitled "An Act to amend section two of an act approved the twenty-ninth day of March eighteen hundred and ninety-nine (Pamphlet Laws twenty-one) entitled 'An Act to establish a board for the examination of accountants to provide for the granting of certificates to accountants and to provide a punishment for the violation of this act' as amended"

Sections four five six seven nine and ten and insofar as inconsistent with the provisions of this act sections three and eleven of the act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and thirty-one) entitled "An Act to regulate the practice of the profession of engineering and of land surveying creating a State Board for the Registration of Professional Engineers and Land Surveyors defining its powers and duties imposing certain duties upon the Commonwealth and political sub-divisions thereof in connection with public work and providing penalties"

Insofar as inconsistent with the provisions of this act section one four and five of the act approved the twelfth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and thirty-three) entitled "An Act to regulate the practice of architecture in the Commonwealth of Pennsylvania by providing for the examination and registration of architects by a State Board of Examiners defining the power and duties of said board of examiners providing penalties for the violation of this act"

Article nineteen section one of the act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred fifty-six) entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith"

Insofar as inconsistent with the provisions of this act Section one of the act approved the seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and thirty-one) entitled "An Act providing for the appointment of a Board of Examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners providing for the appointment and removal of inspectors of anthracite mines prescribing their qualifications and regulating their salaries and term of office and abolishing the terms of office of the present mine inspectors of the anthracite mines"

Sections two three four five six eight ten eleven twelve thirteen fourteen fifteen seventeen and insofar as it is inconsistent with the provisions of this act section nine of the act approved the eighth day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred and forty-one) entitled "An Act reorganizing the Department of Agriculture creating bureaus therein and providing for the proper administration thereof"

The act approved the twenty-second day of April one thousand nine hundred and three (Pamphlet Laws two hundred and fifty-two) entitled "An Act to amend sections two and six of an act entitled 'An Act to establish a Department of Agriculture and to define its duties and to provide for its further administration' approved the thirteenth day of March Anno Domini one thousand eight hundred and ninety-five increasing the number of bulletins which it shall be lawful to publish and to provide for the reapportionment of the annual reports published by the Department of Agriculture"

The act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws six hundred and forty-one) entitled "An Act to further amend an act entitled 'An Act to establish a Department of Agriculture and to define its duties and provide for its proper administration' approved March thirteen one thousand eight hundred and ninety-five as amended by the acts of April fourteen one thousand nine hundred and three and June seven one thousand nine hundred and seven and to amend an act approved the fourth day of May one thousand nine hundred and five entitled 'An Act entitled a supplement to an act entitled "An Act to establish a Department of Agriculture and to define its duties and to provide for its proper administration" approved the thirteenth day of May Anno Domini one thousand eight hundred and ninety-five providing for the appointment of an Assistant Economic Zoologist and a stenographer and messenger for the Economic Zoologist' by adjusting the salaries of the officers and other persons appointed to service in said department"

Insofar as supplied by or inconsistent with the provisions of this act the act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and ninety-one) entitled "An Act creating a State Fair Commission for the Commonwealth of Pennsylvania defining its duties and making an appropriation therefor"

The act approved the twenty-third day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and forty-two) entitled "An Act to amend revise and consolidate the law relating to the State Library and Museum including the law relating to the Free Library Commission and the Division of Public Records abolishing the Board of Trustees of the State Library the Advisory Commission of Public Records and the Free Library Commission and repealing existing laws in relation thereto"

The act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and fifty-four) entitled "An Act to amend an act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws page seven hundred and ninety-seven) entitled 'An Act to establsh a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act' by providing for a chief of the Bureau of Forest Protection empowering district foresters to act as district fire-wardens providing for the compensation of the chief and other fire wardens and persons assisting in extinguishing forest fires"

The act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and forty-eight) entitled "An Act to amend an act approved the twenty-fifth day of February one thousand nine hundred and one (Pamphlet Laws page eleven) entitled 'An Act to establish a Department of Forestry to provide for its proper administration to regulate the acquisition of land for the Commonwealth and to provide for the control protection and maintenance of forestry reservations by the Department of Forestry' as amended by establishing additional bureaus and offices in said department establishing forest districts providing for forest officers assistants and labor providing for the salaries of the officers and employes of the department fixing the amount of expenditures for the acquisition of land and repealing certain acts"

Insofar as supplied by or inconsistent with this act the act approved the twenty-fifth day of February one thousand nine hundred and one (Pamphlet Laws eleven) entitled "An act to estbalish a Department of Forestry to provide for its proper administration to regulate the acquisition of land for the Commonwealth and to provide for the control protection and maintenance of Forestry Reservations by the Department of Forestry"

The act approved the fifteenth day of April one thousand nine hundred and three (Pamphlet Laws two hundred) entitled "An act to empower the Commissioner of Forestry and the Forestry Reservation Commission to give street railway companies the privilege to construct maintain and operate their lines of railway over along and upon public highways within or bordering on forest reservations owned by the Commonwealth"

The act approved the thirteenth day of May one thousand nine hundred and three (Pamphlet Laws three hundred and seventy-three) entitled "An act directing the Commissioner of Forestry to erect buildings on the Mont Alto Reservation or to purchase land and buildings adjacent to the said reservation wherein to provide instruction in forestry to prepare forest wardens for the proper care of the State Forestry Reservation lands and making an appropriation therefor"

The act approved the fourteenth day of April one thousand nine hundred and five (Pamphlet Laws one hundred and fifty-six) entitled "An act to empower the Commissioner of Forestry and the Forestry Reservation Commission to give to boroughs and other municipalities the privilege of impounding water on Forest Reservations owned by the Commonwealth and of constructing maintaining and operating lines of pipes over and through the same for the purpose of conveying water therefrom"

The act approved the twenty-seventh day of March one thousand nine hundred and thirteen (Pamphlet Laws twelve) entitled "An act authorizing the Department of Forestry to lease portions of the State forest for church school health and recreation purposes"

The act approved the fourth day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and sixteen) entitled "An act empowering the Department of Forestry to grant rights of way through the State forests"

The act approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and eighty-one) entitled "An act permitting the Department of Forestry to lease for agricultural purposes small areas of land which from time to time it may acquire in the purchase of lands for State forests and which areas shall be determined to be more useful for the growing of agricultural crops than for forest trees"

Articles II III and IV and Article I except clauses (h) and (j) thereof section one hundred and two thereof of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act"

Sections one two three four six seven and eight of the act approved the fourth day of May one thousand nine hundred and five (Pamphlet Laws three hundred and eighty-five) entitled "An act creating the Water Supply Commission of Pennsylvania defining its duties fixing the scope of its authority and powers and making an appropriation for the payment of the salaries and expenses connected therewith"

Sections two three four of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand two hundred and thirty-three) entitled "An act defining the water resources of the Commonwealth providing for the taking of an inventory thereof by the Water Supply Commission of Pennsylvania vesting in said Commission certain powers and duties providing penalties for violation of this act and making an appropriation to carry the same into effect

The act approved the twenty-third day of May one thousand nine hundred and thirteen (Pamphlet Laws three hundred and forty-seven) entitled "An act authorizing the Water Supply Commission of Pennsylvania to establish and maintain gauging stations on certain streams within the Commonwealth of Pennsylvania authorizing said commission to issue flood warnings and making an appropriation therefor"

Sections one two and three of the act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred and seventy) entitled "An act creating a Division of Township Highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter sessions and providing penalties"

Insofar as the same is supplied by or inconsistent with this act the act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and forty-four) entitled "An act creating a Department of Public Welfare defining its powers and duties abolishing the Board of Public Charities the Committee on Lunacy and the Prison Labor Commission and all offices thereunder and vesting all the powers of said board committee and commission in the Department of Public Welfare requiring all reports notices statements or matters heretofore required to be made given or submitted to the Board of Public Charities or the Committee on Lunacy to be made given or submitted to the Department of Public Welfare and providing penalties"

Section seven of the act aproved the twenty-third day of April one thousand eight hundred and twenty-nine entitled "A further supplement to an act entitled 'An act to reform the penal laws of this Commonwealth

Section three of the act approved the twenty-third day of May one thousand nine hundred and thirteen (Pamphlet Laws three hundred and twenty-eight) entitled "An act to amend an act approved the twenty-third day of April one thousand eight hundred and twenty-nine entitled 'A further supplement to an act entitled "An act to reform the penal laws of this Commonwealth' as amended"

Section seven of the act approved the twelfth day of June one thousand eight hundred and seventy-eight (Pamphlet Laws one hundred and seventy-nine) entitled "To create a middle penitentiary district in this state and to provide for the erection of a state penitentiary for the same

Section one of the act approved the twenty-eighth day of April one thousand eight hundred and eighty-seven (Pamphlet Laws sixty-three) entitled "An act in relation to the imprisonment government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon"

Sections one to six inclusive of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and eleven) entitled "An act providing for the establishment of a State Industrial Home for Women authorizing the purchase of a site and the erection thereon and equipment of necessary buildings providing for the commitment to said State Industrial Home for Women of females between the ages of sixteen and thirty years convicted of or pleading guilty to the commission of any criminal offense and providing for the government and management of said institution and making an appropriation to carry out the purposes of this act"

Section twelve of the act approved the twenty-second day of April one thousand eight hundred and fifty (Pamphlet Laws five hundred thirty-eight) entitled "An act to secure the cities of Pittsburgh and Allegheny and the neighborhood thereof from damage by gun-powder to incorporate an association for the establishment of a house of refuge for western Pennsylvania and relative to the Pennsylvania State Lunatic Hospital"

Section two of the act approved the eighth day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred sixty-three) entitled "An act providing for and examination of the Pennsylvania Oral School for the Deaf at Scranton Lackawanna County Pennsylvania providing for the transfer under certain conditions of the said Oral School for the Deaf to the Commonwealth regulating said school in the event of such transfer and making an appropriation to carry out the purposes of this act"

Insofar as inconsistent with the provisions of this act section five of the act approved the twentieth day of June one thousand eight hundred ninety-one (Pamphlet Laws three hundred seventy-one) entitled "An act making an appropriation for the erection of a home for the training in speech of deaf children before they are of school age

The act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws nine hundred and nine) entitled "An act to amend section three of an act approved the twenty-seventh day of May one thousand eight hundred and ninety-three (Pamphlet Laws one hundred seventy-one) entitled 'An act providing for the erection of the Pennsylvania Soldiers Orphans' Industrial School the purchase of land and the erection and equipment of the building and buildings necessary therefor making appropriations for such purposes erection and equipment and the maintenance of children admitted therein placing the care of the same in the commission now known as the Commission of Soldiers' Orphan Schools of the State of Pennsylvania and regulating the admission to the said Pennsylvania Soldiers Orphans' Industrial School and the said Soldiers' Orphan Schools"

Section three of the act approved the twenty-seventh day of May one thousand eight hundred ninety-three (Pamphlet Laws one hundred seventy-one) "An act providing for the erection of the Pennsylvania Soldiers Orphans' Industrial School the purchase of land and the erection and equipment of the building and buildings necessary therefor making appropriations for such purposes erection and equipment and the maintenance of children admitted therein placing the care of the same in the Commission now known as the Commission of Soldiers' Orphan Schools of the State of Pennsylvania and regulating the admissions to the said Pennsylvania Soldiers Orphans' Industrial School and the said Soldiers' Orphans School"

Section one of the act approved the third day of July one thousand eight hundred eighty-five (Pamphlet Laws sixty-two) entitled "An act to provide for the establishment and maintenance of a home for disabled and indigent soldiers and sailors of Pennsylvania"

The act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and five) entitled "An act to amend section one as amended and section seven of an act approved the third day of June Anno Domini one thousand eight hundred and eighty-five (Pamphlet Laws sixty-two) entitled "An act to provide for the establishment and maintenance of a home for disabled and indigent soldiers and sailors of Pennsylvania"

Insofar as inconsistent with the provisions of this act section seven of the act approved the eighteenth day of July one thousand nine hundred and one (Pamphlet Laws seven hundred thirty-seven) entitled "An act to provide for the selection of a site and the erection of a State Hospital for the treatment of the insane under homeopathic management to be called the Homeopathic State Hospital for the Insane and making an appropriation therefor"

Insofar as inconsistent with the provisions of this act section eight of the act approved the eleventh day of May one thousand nine hundred and five entitled "An act to provide for the selection of a site and the erection of a State Hospital for the treatment and care of the criminal insane to be called the State Hospital for the criminal insane and making an appropriation therefor"

Section two of the act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws eight hundred fifty-seven) entitled "A supplement to an act entitled 'An act to provide for the selection of a site and the erection of a State hospital for the treatment and care of the criminal insane to be called the State Hospital for the Criminal Insane and making an appropriation therefor' approved the eleventh day of May Anno Domini one thousand nine hundred and five directing the commissioners for the erection of said State Hospital for the Criminal Insane to surrender their trust to a board of trustees to be appointed by the Governor authorizing the said board of trustees to continue the erection and completion of the buildings of said State Hospital for the Criminal Insane and authorizing said board of trustees to receive at any time such numbers of criminal insane patients as can be accommodated in the buildings before the completion of the entire institution and further defining the powers and duties of said board of trustees"

Insofar as inconsistent with the provisions of this act section five approved the fourteenth day of April one thousand eight hundred and forty-five (Pamphlet Laws four hundred and forty) entitled "An act to establish an asylum for the insane poor of this Commonwealth to be called 'The Pennsylvania State Lunatic Hospital and Union Asylum for the insane' "

Insofar as inconsistent with the provisions of this act section eight approved the fifth day of May one thousand eight hundred and seventy-six (Pamphlet Laws one hundred twenty-one) entitled "An act to provide for selection of a site and the erection of a state hospital for the insane for the city and county of Philadelphia and the counties of Bucks Montgomery Delaware Chester Northampton and Lehigh to be called the State Hospital for the Insane for the South-eastern District of Pennsylvania and for the management of the same"

Insofar as inconsistent with the provisions of this act sections one and two of the act approved the eighth day of June one thousand eight hundred and eighty-one (Pamphlet Laws eighty-three) entitled "An act to organize the state hospital for the insane at Warren Pennsylvania"

Insofar as inconsistent with the provisions of this act section nine of the act approved the twenty-second day of June one thousand eight hundred ninety-one (Pamphlet Laws three hundred seventy-nine) entitled "An act to provide for the selection of a site and the erection of a State ayslum for the chronic insane to be called the State asylum for the chronic insane of Pennsylvania and making an appropriation therefor"

Section eight and insofar as inconsistent with the provisions of this act section nine of the act approved the eighteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws one thousand and fifty-five) entitled 'An act to provide for the selection of a site and the erection of building for a State Hospital for the Insane to be erected west of the Allegheny Mountains and to be known as the Western State Hospital for the Insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of building for the said hospital"

Insofar as inconsistent with the provisions of this act the act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred and seventy-four) entitled "An act to amend section eight of an act entitled 'An act to provide for the selection of a site and the erection of buildings for a State Hospital for the Insane to be erected west of the Allegheny Mountains and to be known as the Western State Hospital for the Insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital' approved the eighteenth day of June Anno Domini one thousand nine hundred fifteen (Pamphlet Laws one thousand and fifty-five)"

Insofar as inconsistent with the provisions of this act section eight of the act approved the eleventh day of June one thousand eight hundred and seventy-nine (Pamphlet Laws one hundred and fifty-seven) entitled "An act to provide for the selection of a site and erection of a state hospital for injured persons to be located in counties of the Schuylkill Carbon Dauphin Northumberland and Columbia to be called the state hospital for injured persons of the anthracite coal region and for the management of the same and making an appropriation therefor"

Insofar as inconsistent with the provisions of this act section eight of the act approved the fourteenth day of June one thousand eight hundred and eighty-seven (Pamphlet Laws four hundred and one) entitled "An act to provide for the selection of sites and the erection of State Hospitals thereon for injured persons to be located within the bituminous and semi-bituminous coal regions of this Commonwealth to be called the State Hospitals for Injured Persons within the Bituminous and semi-Bituminous Coal Regions of Pennsylvania and for the management of the same and making appropriations therefor"

Insofar as inconsistent with the provisions of this act the act approved the fourteenth day of June one thousand eight hundred and eighty-seven (Pamphlet Laws three hundred and ninety-nine) entitled "An act to provide for the selection of a site and erection of a State Hospital for injured persons to be located at or near Hazleton in the county of Luzerne to be called the State Hospital for Injured Persons of the Middle Coal Field and for the management of the same and making an appropriation therefor"

Section one of the act approved the fourteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred and twenty-one) entitled "A Act providing for the examination of the Panther Creek Valley Hospital providing for the transfer under certain conditions of the said hospital to the Commonwealth regulating said hospital in the event of such transfer and making an appropriation to carry out the purposes of this act"

Section two of the act approved the fourteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred and thirty-three) entitled "An Act providing for an examination of the Nanticoke Hospital of Nanticoke Luzerne County Pennsylvania providing for the transfer under certain conditions of the said hospital to the Commonwealth regulating said hospital in the event of such transfer and making an appropriation to carry out the purpose of this act"

Section one of the act approved the eighteenth day of July one thousand nine hundred and one (Pamphlet Laws seven hundred and seventy-five) entitled "An Act to provide for the acceptance by the Commonwealth of Pennsylvania of a conveyance of the real estate buildings and personal property of the Lackawanna Hospital of Scranton Pennsylvania to be used as a State Hospital for the Northern Anthracite Coal Region of Pennsylvania providing for the incorporation of 'The trustees of the State Hospital of the Northern Anthracite Coal Region of Pennsylvania' and for the management of the same and making an appropriation for the repair and improvement thereof"

Section two of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and nineteen) entitled "An act to establish a State village for feeble-minded women providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve and to erect and furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purposes aforesaid also for the expenses of maintenance until June one one thousand nine hundred and fifteen"

Insofar as inconsistent with the provisions of this act section nine of the act approved the fifteenth day of May one thousand nine hundred and three (Pamphlet Laws four hundred and forty-six) entitled "An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called The Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor"

Insofar as inconsistent with this act section nine of the act approved the third day of June one thousand eight hundred and ninety-three (Pamphlet Laws two hundred and eighty-nine) entitled "An Act to provide for the selection of a site and the erection of a State institution for the feeble minded to be called the Western Pennsylvania State Institution for the Feeble Minded and making an appropriation therefor"

Insofar as inconsistent with this act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and six) entitled "An Act to provide for the selection of a site and the erection of buildings for a State Hospital for the Insane to be erected east of the Allegheny Mountains and to be known as the Eastern State Hospital for the Insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital"

Insofar as inconsistent with the provisions of this act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and six) entitled "An Act to provide for the selection of a site and the erection of a State institution for the detention care and treatment of inebriates or persons habitually addicted to the use of alcoholic drink or intoxicating drugs to be called the State Institution for Inebriates and making an appropriation therefor"

Insofar as inconsistent with the provisions of this act the act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and twelve) entitled "A Supplement to an act approved the twenty-fifth day of July one thousand nine hundred and thirteen entitled 'An Act to provide for the selection of a site and the erection of a State institution for the detention care and treatment of inebriates or persons habitually addicted to the use of alcoholic drink or intoxicating drugs to be called the State Institution for Inebriates and making an appropriation therefor' making an appropriation and providing for the admission of patients to said institution and providing for the payment of the costs and fees of hearings and of maintenance of patients by the respective counties"

Article IV Sections two three nine ten eleven twelve sixteen seventeen nineteen and twenty and insofar as inconsistent with this act sections five six seven and eight of the act approved the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and seventy-four) entitled "An Act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the Commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determinations by the courts of common pleas and giving the court of common pleas of Dauphin county exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An Act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars' and fixing the free time that shall be allowed for unloading cars approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act"

The Act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand two hundred) entitled "An Act to authorize the acquisition by purchase or condemnation of lands with or without buildings thereon and the erection of buildings for a State Truancy School and for the appointment of a commision to acquire the same and making an appropriation for the purpose of this act and providing for its operation by the State Board of Education"

The act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and ninety-three) entitled "An act to provide for the extension of the public works of the Commonwealth during periods of extraordinary unemployment caused by temporary industrial depression and regulating employment therein providing a fund for the purpose aforesaid to be known as the Emergency Public Works Fund constituting the Governor the Auditor General the State Treasurer and the Commissioner of Labor and Industry as the Emergency Public Works Commission as trustees and custodians of the said fund and defining the power and duties of the said commission appropriating the sum of fifty thousand ($50,000) dollars to the said commission to constitute a part of the said fund imposing upon the Industrial Board of the Department of Labor and Industry the duties of ascertaining the existence of periods of extraordinary unemployment within this Commonwealth and of notifying the same to the commission aforesaid providing for the distribution and administration of the said fund by the said commission to promote the extension of public works and the relief of such unemployment and repealing all acts inconsistent with the provisions hereof"

The act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand) entitled "An act to commemorate the memory of Thaddeus Stevens by designating one of the educational buildings to be erected in Capitol Park as 'The Thaddeus Stevens Educational Memorial' and constituting a commission to prepare a pamphlet dealing with the life and speeches of Thaddeus Stevens to be distributed to the public schools"

The act approved the fourteenth day of May one thousand nine hundred and nine (Pamphlet Laws eight hundred and thirty-seven) entitled "An act authorizing the Board of Pardons to appoint a secretary and fixing his compensation"

The act approved the fourteenth day of May one thousand eight hundred and seventy four (Pamphlet Laws one hundred and fifty) entitled "An act to fix the salaries of the several officers of the Commonwealth the number of clerks to be employed in the several departments and their compensation and providing for the incidental expenses of said department approved May fourteenth one thousand eight hundred and seventy-four providing for an increase in the salary of the Superintendent of Public Instruction Deputy Attorney General Auditor General and Secretary of Internal Affairs"

Insofar as inconsistent with the provisions of this act sections one and two of the act approved the twenty-seventh day of March one thousand eight hundred and seventy-three (Pamphlet Laws fifty-four) entitled "An act to organize the State Hospital for the Insane at Danville and provide for the government and management of the same" as amended by the act approved the seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws four hundred and sixty) entitled "An act to organize the State Hospital for the Insane at Danville and provide for the government and management of the same" approved the twenty-seventh day of March Anno Domini one thousand eight hundred and seventy-three so as to change the term of the superintendent of said hospital and extend the powers of the trustees of said institution"

The act approved the ninth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and eleven) entitled "An act to provide for the immediate printing and distribtuion of advance sheets of the laws of this Commonwealth as they are enacted from time to time to persons making application therefor and to certain officials"

Insofar as inconsistent with the provisions of this act the act approved the twelfth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and thirty-two) entitled "An act to amend section three of an act entitled 'An act to provide for the appointment of Game Commissioners for the Commonwealth of Pennsylvania defining their duties the empowering them to appoint game protectors' approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five as amended by the act of the fifteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred sixty) as further amended by the act of the twenty-second day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred sixty-eight) authorizing the Board of Game Commissioners to increase its force of game protectors to eighty if so many be needed"

Section two and insofar as inconsistent with the provisions of this act section one of the act approved the second day of April one thousand nine hundred and three (Pamphlet Laws one hundred and twenty-eight) entitled "An act to establish a Department of Fisheries to provide for its proper administration and to provide for the protection and propagation of fish by the Department of Fisheries"

Sections twenty twenty-one and twenty-two of the act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and ninety-two) entitled "An act affecting anthracite coal mines and operations establishing the Pennsylvania State Anthracite Cave Commission defining its jurisdiction and powers imposing duties upon owners and operators of anthracite coal mines and imposing penalties"

Insofar as inconsistent with the provisions of this act the act approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred and seventy-three) entitled "An Act to provide for the appointment of game commissioners for the Commonwealth of Pennsylvania defining their duties and empowering them to appoint game protectors"

In so far as inconsistent with the provisions of this act the act approved the fifteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred and sixty) entitled "An Act to amend section three of an act entitled 'An act to provide for the appointment of Game Commissioners for the Commonwealth of Pennsylvania defining their duties and empowering them to appoint game protectors' approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five providing for an increase in the number of game protectors as authorized by said section and authorizing the publication of reports and bulletins at public expense"

The eighteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws one thousand and fifty-three) entitled "An Act to provide for a survey of Militia Hill Fort Hill as a site for a public park with an approach thereto from Philadelphia and to make an appropriation therefor"

Section two three of the act approved the twelfth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and twenty-three) entitled "An act providing for the establishment and the regulation of a State park to be known as the Snyder-Middleswarth State Park"

The act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty) entitled "An act providing for the taking over of the Wyoming Valley Memorial Park as a State Park and providing for the regulation thereof"

Sections two three four six seven eight nine and ten of the act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws six hundred and fifty-two) entitled "An act providing for the location construction operation and maintenance by the Commonwealth of Pennsylvania of a canal or waterway from the junction of the Ohio and Beaver rivers in Pennsylvania to Lake Erie at or near the mouth of Indian Creek in the State of Ohio with all appurtenances necessary or convenient for the purpose and for the utilization of the water power developed or created in the construction and operation thereof providing for the payment of the cost of construction of said canal or waterway and appurtenances out of funds to be contributed by certain counties in the States of Pennsylvania Ohio and West Virginia or any of them and by the Commonwealth of Pennsylvania and other public authorities providing for the creation of a canal board to have charge of said work prescribing and defining the powers and duties of the said board and the conditions under which the said work shall be carried on providing for the payment of damages sustained by reason of the appropriation of property and rights in the exercise of the right of eminent domain herein conferred providing for the reimbursement in the manner provided in this act of said counties contributing to the payment of the cost of constructing said canal or waterway and appurtenances imposing certain duties upon the Auditor General and State Treasurer authorizing the said canal board to make certain rules and regulations for the use of said canal and making violations thereof misdemeanors and providing penalties therefor and making appropriation for carrying out certain provisions of this act"

Section two of the act approved the seventeenth day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred and ninety) "An Act amending sections one two twelve thirteen fourteen fifteen sixteen twenty twenty-one twenty-two twenty-four twenty-six and twenty-seven an act entitled 'An Act providing for the location construction operation and maintenance by the Commonwealth of Pennsylvania of a canal or waterway from the junction of the Ohio and Beaver rivers in Pennsylvania to Lake Erie at or near the mouth of Indian Creek in the State of Ohio with all appurtenances necessary or convenient for the purpose and or the untiliization of the water-power developed or created in the construction and operation thereof providing for the payment of the cost of construction of said canal or waterway and appurtenance out of funds to be contributed by certain counties in the States of Pennsylvania Ohio and West Virginia or any of them and by the Commonwealth of Pennsylvania and other public authorities providing for the creation of a canal board to have charge of said work prescribing and defining the powers and duties of said board and the conditions under which the said work shall be carried on providing for the payment of damages sustained by reason of the appropriation of property and rights in the exercise of the right of eminent domain herein conferred providing for the reimbursement in the manner provided in this act of said counties contributing to the payment of the cost of constructing said canal or waterway and appurtenances imposing certain duties upon the Auditor General and State Treasurer authorizing the said canal board to make certain rules and regulations for the use of said canal and making violations thereof misdemeanors and providing penalties therefor and making an appropriation for carrying out certain provisions of this act' approved the twenty-seventh day of June Anno Domini one thousand nine hundred and thirteen by making provisions among other things for the following providing for the change of depth of the canal or waterway an alternative route and branch canals regulating the utilization of surplus water authorizing the canal board to make deviations in certain cases from the route of said canal or waterway as located by it regulating the number of members of which the canal board may consist and defining their duties and powers in certain respect regulating and limiting the tolls and changes to be collected for the use of the canal or waterway and defining the rights of the public in the use of said canal or waterway providing for the utilization of surplus water directing that certain of the public authorities contributing to the cost of construction said canal or waterway and appurtenances be reimbursed out of the surplus revenues of said canal or waterway in the manner herein set forth providing a method for receiving the appropriations in money or bonds made by the contributing authorities and regulating the sale of bonds so contributed and imposing certain duties upon the Treasurer of the Commonwealth in connection therewith and in other respects enlarging the powers of eminent domain in certain cases and regulating the method of its exercise providing for the manner of paying the expense incident to changing the location of or altering or otherwise modifying certain works and the crossing of highways and railroads by the canal its branches of channels and reguating the manner of letting certain contracts

Sections two three four seven and eight and insofar as inconsistent with the provisions of this act section one of the act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and eighty) entitled "An Act dedicating certain lands of the Commonwealth of Pennsylvania situated in the city and county of Erie to public use as an historical memorial and public State park aiding in the development of the harbor of Erie and creating a commission to manage and control said lands and said harbor improvements empowering said commission to purchase or receive by gift other lands for the purpose of this act providing for the appointment of members of said commission and that the Secretary of Internal Affairs and the Commissioner of Fisheries shall be ex-offico members thereof defining the duties and powers of said commission excepting rights and privileges in said lands heretofore granted and making an appropriation"

Insofar as inconsistent with the provisions of this act section two of the act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and nine) entitled "An Act to authorize the acquisition by purchase or condemnation of lands for a park and the erection of a monument commerative of Washington crossing the river Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act"

Insofar as inconsistent with the provisions of this act section two of an act approved the thirtieth day of May one thousand eight hundred and ninety-three (Pamphlet Laws one hundred and eighty-three) entitled "An Act providing for the acquisition by the State of certain ground at Valley Forge for a public park and making an appropriation therefor"

The act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and twenty-three) entitled "An Act to amend section two of an act approved the thirtieth day of May one thousand eight hundred and ninety-three Pamphlet Laws one hundred and eighty-three) entitled 'An Act providing for the acquisition by the State of certain ground at Valley Forge for a public park and making an appropriation therefor'"

The act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and six) entitled "An Act to amend section fourteen of an act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand seventy-seven) entitled 'An Act to provide for the administration of the Workmen's Compensation act of one thousand nine hundred fifteen by creating the Bureau of Workmen's Compensation of the Department of Labor and Industry providing for the establishment of the Workmen's Compensation Board to have charge of such bureau authorizing the division of the Commonwealth into workmen's compensation districts and the appointment of workmen's compensation referees defining the powers and duties of the Commissioner of Labor and Industry the Bureau of Workmen's Compensation the Workmen's Compensation Board the workmen's compensation referees and the factory inspectors of the Department of Labor and Industry in enforcing the said act and fixing the salaries of the members of the Workmen's Compensation Board the workmen's compensation referees and certain of their employes and assistants and repealing certain acts'"

Sections two three four five six seven eight nine ten eleven twelve seventeen nineteen twenty twenty-one twenty-two of the act approved the second day of June one thousand nine hundred and thirteen (Pamphlet Laws three hundred and ninety-six) entitled "An Act creating a Department of Labor and Industry defining its powers and duties establishing an industrial board providing for the appointment of a Commissioner of Labor inspectors statisticians clerks and others to enforce the provisions of this act and providing salaries for the same prescribing a standard of reasonable and adequate protection to be observed in the rooms buildings and places where labor is employed empowering the said industrial board to make alter amend and repeal rules and regulations relating thereto transferring the powers and duties of the Department of Factory Inspection to the Department of Labor and Industry and abolishing the Department of Factory Inspection and providing a penalty for the violation of the provisions of this act or the rules and regulations of the said board"

The act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand and sixty-four) entitled "An Act fixing the salary of the Commissioner of Labor and Industry"

The Act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand and sixty-one) entitled "An Act to fix the salaries of the supervising inspectors of the second grade and of the chief of the Bureau of Meditation and Arbitration in the Department of Labor and Industry"

The act approved the twenty-sixth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and sixty-seven) entitled "An Act authorizing the Commissioner of Labor and Industry to appoint additional officers and employes in the Department of Labor and Industry fixing their duties and salaries and increasing the salaries of the chief medical inspector chief of the bureau of statistics and information and the chief clerk"

Sections two three four five six seven eight nine and ten of the act approved the fourth day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and thirty-three) entitled "An act establishing under the Department of Labor and Industry a system of regulation of employers seeking employes and of persons seeking employment and prescribing as incidental thereto certain duties of employers and of county municipal township and school authorities and of agencies procuring employes for others and prescribing penalties"

The act approved the eighteenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and fifty-nine) entitled "An act to provide for the classification of inspectors of the Department of Labor and Industry according to qualifications determined by a committee of the Department of Labor and Industry and fixing the salaries of inspectors within the several classifications"

Sections two three four five six and thirteen of the act approved the twenty-seventh day of April one thousand nine hundred and five (Pamphlet Laws three hundred and twelve) entitled "An act creating a Department of Health and defining its powers and duties"

The act approved the fourth day of June one thousand nine hundred and nineteen (Pamphlet Laws three hundred and eighty-seven) entitled "An act authorizing the appointment of a Deputy Commissioner of Health in the Department of Health of the Commonwealth of Pennsylvania defining the qualifications powers and duties of said officer and providing compensation therefor"

Sections one and seven of the act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand and fifteen) entitled "An act to establish a Bureau of housing for the sanitary inspection and control of tenement boarding and lodging houses defining its powers and duties and providing certain penalties"

The act approved the sixteenth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and fifty) entitled "A supplement to an act entitled 'An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of birth and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capitol of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of "An act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth" approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties' approved May first nineteen hundred and five (Pamphlet Laws three hundred and thirty) authorizing the statistics required to be obtained and preserved by the tenth section of an act entitled 'An act creating a Department of Health and defining its powers and duties' approved April twenty-seventh one thousand nine hundred and five (Pamphlet Laws three hundred and twelve) or by any subsequent law or laws to be obtained collected compiled and preserved by and in said Central Bureau of Vital Statistics and fixing the salary of the State Registrar of Vital Statistics"

Insofar as inconsistent with the provisions of this act section sixteen of the act approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and fifty-eight) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" as amended by Section four of the act approved the twentieth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and fifty-two) entitled "An act to amend an act approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and fifty-eight) entitled 'An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties' regulating the age of users of drugs providing for an annual report by public institutions and giving certain powers to inspectors in the Bureau of Drug Control"

Insofar as supplied by or inconsistent with the provisions of this act section one of the act approved the thirteenth day of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred and nineteen) entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies" as amended by section one of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet

Laws five hundred and six) entitled "An act amending and supplementing sections one and two of an act entitled 'An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies' approved June thirteenth one thouasnd eight hundred and eighty-three by providing that the name of said board of distribution shall be Anatomical Board of the State of Pennsylvania by extending its provisions to all persons having charge or control over bodies required to be buried at the public expense by requiring immediate notice of the death of any person required to be buried at the public expense by requiring notice in all cases but providing that there shall not be delivered to the board created under the act the bodies of deceased indigent persons where claimed by relatives within twenty-four hours after death for interment at the expense of the claimant or the bodies of honorably discharged soldiers sailors or marines who have served the United States in any war or who were in active service in the militia of the State of Pennsylvania under and in pursuance of any of the proclamations issued by the Governor during the Civil War and not duly mustered into the service of the United States by repealing the provisions as to deceased indigent travelers by providing for the burial at the expense of the county of indigent persons unfit for anatomical purposes upon the certificate of the board or its duly authorized officer or agent that such bodies are unfit for anatomical purposes or are the bodies of soldiers sailors or marines required to be buried at the public expense and that the provisions of this act have been complied with that no warrants for payment of expenses of burial shall be drawn or paid except upon such certificate by providing for the burial of bodies rendered unfit anatomical purposes by the failure to comply with the provisions of this act at the expenses of the person failing to comply with its provisions"

Sections two and four and insofar as inconsistent with the provisions of this act sections one and three of the act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioners two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county- seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highway solely at the expense of the Commonwealth and relieving several townships or counties from any further obligation and expense to improve or maintain the same and releiving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turn-pike or toll roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commission decides the work to be done by the State providing aid by the State to counties and townships desiring the same highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

The act approved the eleventh day of March one thousand nine hundred and nineteen (Pamphlet Laws twelve) entitled "An act to amend section one and section two as amended of an act approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled 'An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioners and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvment of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

Insofar as inconsistent with the provisions of this act section five of the act of the twenty-first day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and nine) entitled "An act relating to the organization maintenance and operation of the Banking Department and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing certain acts"

Insofar as inconsistent with the provisions of this act section one of the act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand and sixty) entitled "An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violations thereof"

Sections two hundred and three and two hundred and four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws seven hundred and eighty-nine) entitled "An act realting to insurance establishing an insurance department and amending and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders and the examinations and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers providing penalties and repealing existing laws"

The act of the twenty-fifth day of March one thousand nine hundred and three (Pamphlet Laws sixty) entitled "An act authorizing the Governor to appoint a Deputy Commissioner of Forestry and an additional clerk in the office of the Commissioner of Forestry"

The act of the eleventh day of March one thousand nine hundred and three (Pamphlet Laws twenty-four) entitled "An act conferring upon persons employed under existing laws by the Commissioner of Forestry for the protection of State Forestry Reservations after taking the proper oath of office the same powers as are by law conferred upon constables and other peace officers to arrest without first procuring a warrant persons reasonably suspected by them of offending against the laws protecting timber lands also conferring upon them similar powers for the enforcement of the laws and rules and regulations for the pretection of the State Forestry Reservations and for the protection of the game and fish contained therein and further conferred upon them power to convey said offenders into the proper legal custody for punishment this act to apply only to offenses committed upon said reservations and lands adjacent thereto"

The act of the fourteenth day of March one thousand nine hundred and fifteen (Pamphlet Laws four hundred and eighty-one) entitled "An act to enlarge the limit of purchase price to be paid by the Department of Forestry for lands to be purchased and used for State forest purposes"

Sections four five six seven nine ten eleven twelve thirteen fourteen fifteen seventeen and twenty-five of the act of the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand and seventy-seven) entitled "An act to provide for the administration of the Workmen's Compensation Act of one thousand nine hundred fifteen by creating the Bureau of Workmen's Compensation of the Department of Labor and Industry providing for the establishment of the Workmen's Compensation Board to have charge of such bureau authorizing the division of the Commonwealth into workmen's compensation districts and the appointment of workmen's compensation referees defining the powers and duties of the Commissioner of Labor and Industry the Bureau of Workmen"s Compensation the Workmen's Compensation Board the Workmen's compensation referees and the factory inspectors of the Department of Labor and Industry in enforcing the said act and fixing the salaries of the members of the Workmen's Compensation Board the workmen's compensation referees and certain of their employes and assistants and repealing certain acts"

Section 2802 Other Acts Repealed All other acts or parts of acts inconsistent herewith are hereby repealed including all acts or parts of acts inconsistent herewith enacted at this session of the General Assembly and approved by the Governor or passed notwithstanding the Governor's veto prior to the passage of this act

BILL RECOMMITTED.

Mr. EYRE. Mr. President, I move that Senate Bill No. 586 the bill just read, be recommitted to the Committee on Finance.

Mr. STINEMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 614, as follows:

An Act to amend section one thousand two hundred and four and to repeal section one thousand two hundred and eight of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania eogether with the provisions by which it shal be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand two hundred and four of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

All teachers supervisors directors and other employees of a school district of the first second or third class except a superintendent of schools or an assistant superintendent of schools or a person performing the functions of a superintendent of schools who are employed to teach in the schools of such a district or to supervise or direct the work of teachers employed in such a district shall be employed in the first instance for a probationary period which shall not be less than one year nor more than three years The board of school directors shall determine the period of such probation

The superintendent of schools or in a district having no superintendent of schools the person performing the functions of a superintendent of schools of each of such districts in the month of July one thousand nine hundred and twenty-three shall make a written report to the board of school directors in which he shall name all teachers supervisors directors or such other employees who have been employed in such districts for three years or more whose work has been competent efficient and satisfactory

The superintendent of schools or in a district having no superintendent the person performing the functions of the superintendent of schools shall hereafter make a written report to the board of school directors at the expiration of the probationary term for which a teacher supervisor director or such other employee has served in which he shall name those persons who have been found competent efficient and satisfactory

All such teachers supervisors directors and other employees so named in the reports of the superintendent of schools or person performing the functions of superintendent of schools who holds a teachers permanent certificate qualifying them to teach in the schools of the State shall thereafter hold their respective positions during good behavior and competent and efficient service and shall not be removable except for improper conduct incompetency or inefficiency by the affirmative vote of the majority of the board of school directors

Section 2 That section one thousand two hundred and eight of said act be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITED.

Mr. CRAIG. Mr. President, I move that Senate Bill No. 614, the bill just read, be recommitted to the Committee on Education.

Mr. LONG. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 750, as follows:

An Act providing for the refunding of moneys erroneously paid into the State Treasury as taxes on inheritances or transfers of inheritances

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any moneys have been erroneously paid to any register of wills and by him covered into the State treasury as tax upon inheritances or the transfer of inheritances the person who has made such erroneous payment may present a claim to the Auditor General State Treasurer and Attorney General for a refund of such moneys to which it is alleged the Commonwealth has no rightful claim The said claim and all evidence thereon shall be heard before said officers to whom the same is presented and if in their opinion the Commonwealth has no valid claim to such moneys and that the same properly belong to the claimant and ought in equity and good faith be refunded they shall so certify under their hands and seals specifying the amount to be refunded The said certificates shall be filed in the office of the Auditor General who shall draw his warrant upon the State Treasurer payable to the claimant for the amount due

The sum of dollars is hereby specifically appropriated for the purpose of carrying out the provisions of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. HOMSHER. Mr. President, I ask that Senate Bill No. 800, on second reading, entitled:

An act to repeal section two hundred and thirty-nine of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 815, (House Bill No. 486), as follows:

An Act to amend section two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and eight) entitled "An Act regulating the closing of public highways and providing for the locating marking and maintenance of detours necessitated by such closing" and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and eight) "An Act regulating the closing of public highways and providing for the locating marking and maintenance of detours necessitated by such closing" is hereby amended to read as follows

Section 2 When any public road or highway shall be so closed it shall be the duty of the authorities authorizing the closing to immediately designate or lay out a detour on which they shall erect or cause to be erected and maintained while such detour is in use legible signs at each public road intersection throughout its entire length indicating the direction to the main highway and during the period when such detour is in use it shall be the duty of the authorities closing the main highway to maintain such detour in safe and passable condition and they are hereby authorized to pay for the cost of such maintenance out of such funds as are available for the maintenance of the highways in their charge It shall also be the duty of such authorities to immediately remove all detour signs when the highway originally closed is again opened for traffic

Any person who shall willfully remove or deface or destroy any barricade danger sign detour sign or sign of any other character whatsoever erected or placed under the authority of this act shall upon conviction thereof in a summary proceeding be sentenced to pay a fine not exceeding twenty-five dollars and costs of prosecution and in default of the payment thereof shall be imprisoned one day for each dollar of fine and costs unpaid

All fines collected under the provisions of this act shall be paid by the officer receiving the same to the treasurers of the respective cities boroughs towns or townships in which the offense was committed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 854, (House Bill No. 1128), entitled:

An Act authorizing the State Highway Commissioner to empower certain other employees of his department to perform such official acts as he may designate.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 890, (House Bill No. 45), entitled:

An act providing a system whereby persons absent from their regular polling places may cast their votes imposing certain powers and duties upon the county commissioners prothonotaries return boards of the various counties and the board of registration commissions in cities of the first and second class in relation thereto and providing penalties

And said bill having ben read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

MOTION TO RECOMMIT BILL.

Mr. HOMSHER. Mr. President, I move that Senate Bill 890 (House Bill No. 45), entitled:

An act providing a system whereby persons absent from their regular polling places may cast their votes imposing certain powers and duties upon the county commissioners prothonotaries return boards of the various counties and the board of registration commissions of the first and second classes in relation thereto and providing penalties

be recommitted to the Committee on Elections.

Mr. LESLIE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, I hoped that there was going to be no objection in the Senate to this bill. There are traveling men and railroad men from my district and in other districts in the state that have spoken to me about this bill over a period of three or four years. It was defeated in the legislature of 1921 and these men that are on the road have no chance to get home, and they are entitled to a square deal and a chance to cast their ballot and have it counted. Every other state in the Union around us has the absent voters bill. I understand they have it in Ohio, New York; they have it all around us, New Jersey and why Pennsylvania should not have it and give these men who at great sacrifice of time and money can vote, or else if they do not have the money to make the secrifice cannot get home and cast their ballot with the protection thrown around them by this bill. I cannot understand why it should go back to Committee on Elections and there, perhaps, be kept in a place where it will not have a chance to get out and be passed. There are men in this state, and a lot of them, and there are women in this state, and a lot of them, who are away on election day and know three days prior to election day that they cannot be home. It seems to me, gentlemen, before this vote is taken, that you should give consideration to those facts and not send this bill back to the Committee on Elections. If this bill is going to be defeated, let it go on final reading, and then let the men who are traveling and making their living on the road know that this Senate does not intend to give them a square deal. That is the way to do it in manly fashion, but do not send it back to the Committee on Elections, or any other committee, and smother it. I ask the members of the Senate in fairness to the men that are on the road, that you cast your vote "no"

Mr. BUCKMAN. Mr. President, I do not intend to argue the merits of this bill, I do not think that is in order at this time. I understand from the Chairman of the Committee on Elections that a hearing has been asked for on this bill and I for one do not see any reason why it should not be recommitted to the committee for the purpose of a hearing.

Mr. CRAIG: Mr. President, a very large number of my constitutents, and I have in my district probably one of the largest railroad yards in the world, are very much interested in having this bill passed. I hope the Senate will vote down this motion to send it back to the Committee.

Mr. VARE. Mr. President, I do not want to argue the merits of the bill, but it does seem to me that when the Chairman of a Committee makes a request of this Senate that he would like to have a bill referred back to his committee for a hearing, that the Senate certainly ought to extend that courtesy to him, A casual glance at the bill, to my mind, shows that it opens up a great possibility for fraud. In addition to that it would entail a considerable expense on the several counties of the state in connection with the election. So I hope that the request of the Chairman of the Committee will be acceded to by the Senate.

Mr. EYRE. Mr. President, I would like to ask for information, whether the records show the Chair has not already decided the motion as carried?

The PRESIDENT. The question on the motion has not yet been put.

My EYRE. Mr. President, I am not going to argue the merits or demerits of the bill, but with my knowledge of the fairness and integrity and the honesty of the Chairman of the election Committee, the Dean of this Senate, has asked for a recommittal of the bill to the Committee on Elections for the purpose of a hearing, being a House Bill, it will only take one day to finally pass it, no harm can certainly come to the bill by giving to the Chairman the request that he makes. I sincerely hope that this Senate will stand by the Chairman in giving him the opportunity of having the bill recommitted for the purpose of a hearing of those who desire to be heard.

Mr. BARR. Mr. President, there is no doubt that the Chairman of this Election Committee, the same as the Chairman of any other committee, has been approached by some Senator, and out of courtesy has been asked to have this bill sent back to his committee. I do not know that to be a fact, but there is no reason to argue this matter out from the standpoint of sentiment. I had a very bitter experience here last Tuesday when the Senator from Chester, Mr. Eyre, if you please, deliberately took one of my bills from the desk of this Senate and sent it back, instead of to the committee from which it was reported, to the Committee on Judiciary Special.

Mr. EYRE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Chester, Mr. Eyre, will state his question of personal privilege.

Mr. EYRE. Mr. President, I keenly resent the accusation made by the Senator from Allegheny, Mr. Barr, when he says that I took a bill of his from the desk and attempted, by any underhand method, to handle it.

Mr. BARR. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Allegheny. Mr. Barr, will state his point of order.

Mr. BARR. Mr. President, my remarks were based entirely on the motion.

The PRESIDENT. The question is on the motion to recommit the bill.

Mr. BARR. Mr. President, I was recognized by the Chair and I would like to have the Chair declare that I was recognized.

The PRESIDENT. Remarks must be confined to the motion before the Senate.

Mr. BARR. Mr. President, I was doing that and arguing on the basis of the talk made by the Senator from Chester, Mr. Eyre, from the standpoint of so-called Senatorial courtesy. That is what I was arguing. I have no objection to the Senator from Lancaster having this bill. There is no senator on the floor of the Senate from whom I hold a higher regard than he. That is not the question at issue, the question at issue is that this bill is being sent back to the Committee on Elections with the idea that they will put it to death. That is the idea and you might as well meet the issue. The Senator from Chester, Mr. Eyre, has times without number here said "lay the cards on the table". They are on the table so far as I am concerned on this bill and I give notice to the Senator from Chester, Mr. Eyre, that they are going to be on the table from now on to the end of the session.

Mr. SCHANTZ. Mr. President, I want to say that I have read this bill and if it is what I think it is I am going to vote for it on final passage. In view of the fact that a recommittment is asked for the sake of a hearing, I will vote for this motion.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Barr and Mr. Lanius, and were as follows, viz:

YEAS—18.

Aron,
Baldwin,
Brown,
Buckman,
Clark,
Daix,
Eyre,
Heaton,
Homsher,
Krause,
Leslie,
Patton,
Phipps,
Salus,
Schantz,
Sisson,
Sones,
Vare,

NAYS—27.

Barr,
Betts,
Craig,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Huffman,
Jones,
Joyce,
Kutz,
Lanius,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Quigley,
Smith,
Snyder,
Sprowls,
Steele,
Stineman,
Stites,
Weaver,

So the question was determined in the negative.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 912, (House Bill No. 139), entitled:

An act to amend section ten of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line prescribing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said state highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the state to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kinds of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" which was amended by an act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred and two) is hereby further amended to read as follows

Section 10 Anything herein contained or any apportionment of the State into highway districts shall not be construed as including or in any manner interfering with the roads streets and highways in any of the cities boroughs or incorporated towns of the Commonwealth Provided That where any road street or highway within the limits of any borough or in any incorporated town shall form a part of section of any State Highway as herein described and the same or any part thereof is not already improved or reconstructed according to the standards of the State Highway Department or in a manner equal to said standards by the borough or incorporated town the State Highway Commissioner may improve or reconstruct such unimproved section or sections such width as he may deem advisable of such road street or highway at the expense of the Commonwealth and such improvement or reconstruction of such roads streets or highways in said boroughs or incorporated towns shall be made and performed by the State Highway Department at the discretion of the State Highway Commissioner

The maintenance of any road street or highway or of any part or parts thereof improved or reconstructed as a State highway in any borough or incorporated town heretofore improved or reconstructed or which shall be improved or reconstructed under this act and which road forms a part of a State highway in any borough or incorporated town shall be done by the State Highway Department at the discretion of the State Highway Commissioner and ten per centum of the cost and expense of said maintenance shall be paid by the respective borough or incorporated town in which said work is done where any road street or highway or any part or parts thereof in any borough or incorporated town has been heretofore reconstructed as a State-aid road with bricks or materials other than a telford water-bound macadam road or bituminous macadam on other than a concrete base or which have been heretofore or may hereafter be reconstructed as a State Highway with bricks or other permanent paving material the said brick or paved road street or highway shall be maintained according to the standards of the State Highway Department by the borough or incorporated town wholly at the cost and expense of the borough or incorporated town in which said road street or highway may lie Provided That if any borough or incorporated town shall neglect or refuse to maintain any such brickpaved road street or highway forming a part of a State Highway according to the standards aforesaid the State Highway Commissioner is hereby authorized and empowered to maintain and repair said road street or highway at the cost and expense of said borough or incorporated town after giving five day's prior notice to the councils of any such borough or incorporated town of the intention to do said work of maintenance and repair Providing further That upon the neglect or refusal of any borough or incorporated town to pay such cost and expenses within sixty days after the completion of such maintenance or repairs the State Highway Commissioner shall take such action as is necessary to collect the same from the said borough or incorporated town refusing to make the required payment And provided further That all improvement reconstruction and maintenance of any road street or highway in boroughs or incorporated towns shall be of the same character as that done in townships

All acts or parts of acts inconsistent with this act are hereby repealed

On the question,

Will the Senate agree to the section?

Mr. STITES. Mr. President, I move to amend page 10, line 22 by inserting before the word "All" the following: "Section 2."

Mr. LONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An act to amend section ten of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendent of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line prescribing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said state highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. WEAVER. Mr. President, at the request of the Senator from Philadelphia, Mr. Patton, and in the absence of the other Senator from Philadelphia, Mr. Woodward, the sponsor, I ask that Senate Bill No. 987, on second reading, entitled:

An Act imposing a tax upon certain classes of personal property for city purposes in cities of the first class providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1012, (House Bill No. 1258), entitled:

An Act to amend section one hundred and six of an act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1027, (House Bill No. 980), entitled:

An Act to amend section eleven of an act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred seventy) entitled "An Act creating a Division of Township Highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter session and providing penalties" requiring clerks of the court to certify lists of township auditors to the State Highway Commissioner

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1052, (House Bill No. 639), entitled:

An Act authorizing the purchase and consolidation of water or water power companies organized prior to the first day of April one thousand nine hundred and five and providing the manner in which such merger shall be effected

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. LONG. Mr. President, I ask that Senate Bill No. 1058, on second reading, entitled:

An Act for the encouragement of unincorporated cooperative association of agricultural and industrial workers providing that membership therein and interest in the funds and property thereof may be made nontransferable and imposing penalties upon persons making or accepting unlawful assignment transfer or pledge of such membership or interest

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1074, as follows:

An Act to amend section three of an act approved the fifteenth day of April one thousand eight hundred and forty-five (Pamphlet Laws four hundred and fifty-nine) entitled "A Supplement to an act entitled 'An Act relating to executions' passed the sixteenth day of June Anno Domini one thousand eight hundred and thirty-six" allowing counsel fees to garnishees filing written answers in attachments in executions issued by aldermen or justices of the peace and providing for the payment thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of an act approved the fifteenth day of April one thousand eight hundred and forty-five (Pamphlet Laws four hundred and fifty-nine) entitled "A supplement to an act entitled 'An Act relating to executions' passed the sixteenth day of June Anno Domini one thousand eight hundred and thirty-six" is hereby amended to read as follows

Section 3 That the said writ of attachment may be issued returnable not less than four nor more than eight days and shall be served in the manner pointed out for the service of a summons upon the debtor depository bailee pawnee or other person having property of the defendant in his hands made liable to attachment by the act to which this is a supplement and on or before the return day of said writ the plaintiff may file with the magistrate interrogatories in writing addressed to the person summoned as garnishee in regard to the property and effects of the defendant alleged to be in his hands at the time of the service of said writ a copy of the same with a rule to answer shall be served upon said garnishee personally to answer under oath or affirmation all such interrogatories as the magistrate shall deem proper and pertinent within eight days after the same shall be served Each garnishee who shall file answers to said interrogatories in writing and under oath or affirmation shall be entitled to recover from the plaintiff in addition to the costs already allowed by law a counsel fee of five dollars ($5.00) to be paid out of the property admitted to be in said garnishee's hands if such there be otherwise to be taxed as part of the costs in such proceeding

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1077, as follows:

An Act to amend section ten of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) entitled "An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) entitled "An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" which was amended by an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and forty-three) entitled "An Act amending section ten of an act entitled 'An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof' approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) by changing the jurisdiction in civil actions" is hereby further amended to read as follows

Section 10 The said court hereby created shall have jurisdiction in all civil actions at law and in equity where the value of the matter or thing in controversy exclusive of interest and costs does not exceed the sum of one thousand five hundred dollars ($1,500) The amount claimed by the plaintiff where the said claim is for a sum certain shall be conclusive as to the jurisdiction of the court in all actions brought for the recovery of money and in actions at law or in equity not involving any sum certain the plaintiff shall file with his statement a certificate as to the amount of the thing or matter in controversy The said court shall also have jurisdiction in any civil case transferred to it by order of a majority of the judges of any court of common pleas of Philadelphia county

The said court shall also have authority with the consent of the Court of Common Pleas upon the application of the plaintiff to transfer to that court all suits wrongfully brought in the municipal court in excess of its jurisdiction and also to transfer to the court of common pleas upon the application of the defendant all suits which may be brought properly in the municipal court within its jurisdiction where the defendant sets up as a defence a counter-claim for an amount in excess of the jurisdiction of the municipal court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE MESSAGES.

HOUSE BILL FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 871, (Senate Bill No. 1156), entitled:

An Act relating to pillows belaters feather beds comfortables cushions and upholstered furniture regulating the making remaking renovating sterlizing disinfecting sale leasing delivering and consigning thereof and the possession thereof with intent to sell lease deliver or consign

Which was committed to the Committee on Judiciary Special.

SENATE BILL No. 686 RETURNED WITH AMENDMENT.

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 686, entitled:

An Act relating to the registration and re-registration of nurses by the State Board of Examiners for Registration of Nurses and the issuance of a license to practice nursing.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution were twice read, as follows:

Amend section 2, page 9, line 4, by inserting after the word "nurse" the words "or licensed attendent" also line 14 by striking of the word "practical" and inserting in lieu thereof the words "licensed attendant".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL No. 234.

He also informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 234, entitled:

An Act concerning game and other wild birds and wild animals and amending revising and consolidating and changing the law relating thereto.

APPOINTMENT OF COMMITTEE OF CONFERENCE.

Mr. CLARK. Mr. President, I move that a Committee of Conference be appointed to confer with a Committee of the House of Representatives (if the House shall appoint such a committee) to consider the differences existing between the two Houses in relation to said bill.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. Clark, Baldwin and Quigley, be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

AMENDMENT TO HOUSE BILL NO. 532 RECALLED FROM THE GOVERNOR.

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives as follows:

House Bill No. 532, entitled:

An Act to provide for the registration and protection of artificial assumed trade or association names titles or designations

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the Concurrence of the Senate is requested:

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend the title line 1, by striking out the following "artificial asumed trade or association names titles or designations" and inserting in lieu thereof the following: "names titles or designations of associations societies orders foundations federations organizations and corporations of the first class"; also section 1, page 1, line 4 by striking out the words "person firm"; also section 2, page 2, line 6 by inserting after the word "corporation" the following "of the first class nor shall any registration under the provisions of this Act be made for any association society order foundation federation or organization"; also by inserting after the word "name" the words "title or designation"; also line 11 by striking out the words "person or persons" and inserting in lieu thereof the following: "associations society order foundation federation organization or corporation of the first class"; also line 16 by inserting after the word "cancelled" the following "by the Secretary of the Commonwealth"; also line 17 by striking out the following "person or persons or corporation" and inserting in lieu thereof the following "association society order foundation federation organization or corporation of the first class"; also line 18 by striking out after the word "designation" the following" or may be cancelled by the Court of Common Pleas of Dauphin County in proper proceeding had"; also section 3, line 23 by inserting after the word "registered" the following "the length of time if any during which the said name title or designation has been used by such applicant or applicants"; also section 5, page 3, line 5, by inserting after the word "that" the following "a search of his records fails to disclose any conflict between"; also line 6 by striking out "does not conflict" and inserting in lieu thereof the words "and any other"; also line 7 by inserting after the word "name" the words "title or designation"; also line 14 by striking out the word "registered"; also by inserting after the word "name" the following "title or designation registered under the provisions of this act"; also section 6, line 23, by striking out the word "now" also by adding to the section the following:

"The fees collected under this act shall be paid by the Secretary of the Commonwealth into the State Treasury and until June first one thousand nine hundred and twenty-five shall be set apart in a special fund for the use of the Department of the Secretary of the Commonwealth in defraying clerical services and other expenses necessarily incurred in the carrying out of the provisions of this Act The Auditor General shall upon requisition of the Secretary of the Commonwealth from time to time draw his warrant upon the State Treasurer for the amount specified in such requisition and the State Treasurer shall make payment of the said amounts accordingly"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Derrick,
DeWitt,
Lanius,
Leslie,
Schantz,
Sisson,

Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOULTION RECALLING FROM THE GOVERNOR HOUSE BILL NO. 162.

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 7, 1923.

Resolved, (if the Senate concur), that House Bill No. 162, Printer's No. 55, File Folio 197, entitled "An act to amend section one thousand seven hundred and eight of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (Pamphlet Laws three hundred and nine), entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue, and repealing all laws general, special or local, or any parts thereof that are or may be inconsistent therewith,'" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

MOTION TO RECONSIDER VOTE RECOMMITTING SENATE BILL No. 1078.

Mr. BARR. Mr. President, I move to reconsider the vote by which Senate Bill No. 1078, entitled:

> An Act regulating the sale, offering for sale, barter, exchange and giving of tickets, cards, or other tokens evidencing the right to a reserved seat in and of admission to any theatre, concert hall, or fields, or other place of amusement; and providing penalties.

was recommitted to the Committee on Judiciary Special on Tuesday of last week. This bill did not reach the calendar; it came from the Committee on Judiciary General to the desk, was read the first time and recommitted to the Committee on Judiciary Special.

Mr. MANSFIELD. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. EYRE. Mr. President, This is the bill that it is alleged I snatched from the desk by some mysterious method and have treated unfairly. Mr. President, and gentlemen of the Senate, I want to say that I am perfectly willing that my reputation should stand against that of my accuser in matters of this kind. There is a bill of similar purport in the Committee on Judiciary Special. I moved in the regular way from my seat on the floor, without any effort of concealment, that this bill be recommitted to the Committee on Judiciary Special, and the motion passed without any dissenting vote. Mr. President, I say that from my viewpoint the bill is now in possession of the Committee on Judiciary Special, where a hearing will be accorded to anybody who desires to be heard on it and the companion bill that is in that Committee. I think this Senate has no power to take the bill from the Committee on Judiciary Special, excepting by a motion to discharge the Committee for further consideration of the bill. I raise the point of order that the bill is in the possession of the Committee on Judiciary Special and the only manner in which it can be taken from the Committee on Judiciary Special is by a motion to discharge the Committee from further consideration of the bill.

Mr. BARR. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Allegheny, Mr. Barr, will state his point of order.

Mr. BARR. Mr. President, The question before the Senate is nothing concerning the Judiciary Special Committee. The only question before the Senate is to reconsider the vote by which this bill was sent to the Committee on Judiciary Special, and I am perfectly within my rights, so far as parlimentary law of this Senate is concerned.

The PRESIDENT. The Chair rules that the motion is in order.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Barr and Mr. Snyder.

and were as follows, viz:

YEAS—16.

Barr,
Betts,
Brown,
Derrick,
Harris,
Huffman,
Lanius,
Long,
Mansfield,
McClintock,
Miller,
Norton,
Snyder,
Sprowls,
Steele,
Stites,

NAYS—27.

Aron,
Baldwin,
Buckman,
Christley,
Clark,
Daix,
Davis,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Jones,
Joyce,
Krause,
Kutz,
Leslie,
MacDade,
Patton,
Phipps,
Quigley,
Salus,
Sisson,
Smith,
Sones,
Stineman,
Vare,

So the question was determined in the negative

QUESTION OF PERSONAL PRIVILEGE.

Mr. BARR. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Allegheny, Mr. Barr, will state his question of personal privilege.

Mr. BARR. Mr. President, this bill, which with practically the same reading as the bill I introduced in the Senate, was introduced by the Representative from Chester, Mr. Long. The bill passed the House by a vote of 172 to 0. In a speech delivered by Mr. Long in favor of his bill, he showed in Philadelphia the most vicious practices that could be known to the theater-going public, in that they could not under any circumstances or conditions get tickets even on the day of the sale. This same bill was introduced by Senator Clark of Indiana in 1921 and through some method or other the bill was sidetracked and it never got a hearing. The Keith Theater, in which the Senator from Allegheny, Mr. Harris, is one of the owners in Pittsburgh has its circuit, or any of the other Keith Theaters or any other circuits, you can go in anytime and get a seat, due to the fact that there are no brokers or scalpers. The practice down in Philadelphia and in some of the other smaller cities of the State, is a vicious practice and the theater-going public are the ones that pay the bill. There is a reason behind having this bill held in Committee from February to the present time. Nothing was ever said before about a hearing. I tried two or three times to have the bill reported out but without success, except that the Committee had not agreed, and I am convinced that my bill was not in good faith sent back to the Committee for a hearing. It was sent back to the Committee that it might be pickled and killed and it is due to the fact that there is some sinister influence that is behind this thing that is protecting somebody somewhere, and under some conditions that I do not understand. I have some letters from Philadelphia that I received today in which the charge was loosely made, and I use the word loosely in its proper term, the last time this bill was in the legislature an amount of money equal to $12,000.00 was paid to somebody, either in the House or Senate. I resent that matter. I do not think that anybody could be influenced by money, either in this Senate or in the House, from what I know, but I do think there is some influence that is behind this thing, that is not a money influence, it is a political influence. that continues to pickle this bill and to put these bills to death, and I tell you, gentlemen of the Senate, that is not a square deal to the member from Chester, Mr. Long, who passed his bill in good faith, nor is it a square deal to the Senator from Allegheny speaking, to have this bill taken from the desk, as my bill was taken, without one iota of notice to me that that bill was going back to a Committee. Senatorial courtesy indeed! It does seem to me that it is a theory and not a practice, when it comes down to the other fellow's ox being gored.

Mr. President and gentlemen of the Senate, I am going to put the Senate on notice that I am going to the Committee on Judiciary Special and am going to ask for a hearing and if there is any reason under God's stars why these two bills ought to be kept in Committee, well and good, if there is not I would like to have the Chairman of the Committee on Judiciary Special or some member of the Committee tell the Senate, after the hearing, why the bills are being held.

MOTION TO READ BILL FIRST TIME.

Mr. BUCKMAN. Mr. President, I move that all bills reported from Committees at today's session be read the first time.

Mr. SALUS. Mr. President I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 109, entitled:

An Act making an appropriation to the commission constituted for the purpose of acquiring and maintaining toll bridges over the Delaware River between Pennsylvania and New Jersey.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 278, entitled:

An Act authorizing the Governor to appoint a commission which, with a similar commission of the State of New Jersey, is authorized to acquire, purchase, maintain, and operate ice boats on the Delaware River to keep said river open to navigation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 320, entitled:

An Act authorizing the Secretary of Agriculture separately or jointly with the county commissioners to provide for the installation of rural index maps and signs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 394, entitled:

An Act to amend section fifteen as amended, and section seventeen of chapter six of article seven of the act approved May 14, 1915 (P. L. 312), entitled "An Act providing a system of government for boroughs, and revising, amending and consolidating the law relating thereto".

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 419, (House Bill No. 406), entitled:

An Act authorizing corporations incorporated under the laws of any other state of the United States to acquire use encumber and dispose of such real estate and rights and interests in the nature of or in respect to real estate in Pennsylvania as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful for them to exercise in this State defining certain of their powers, rights and liabilities in connection therewith, regulating the exercise of said rights by foreign public service corporations repealing certain acts and validating certain titles, rights and interests heretofore acquired.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 490, entitled:

An Act for the protection of live stock by prohibiting the use of metal and wire tag fasteners on bags containing feeding stuffs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 498, entitled:

An Act to amend Sections one, two and seven of an Act approved the seventeenth day of May, one thousand nine hundred twenty-one (Pamphlet Laws 912), entitled "An Act to regulate the drilling operating and abandoning of oil and gas wells, and providing a penalty for violation of the provisions of this act by providing regulations for the drilling and abandoning of oil or gas wells drilled through a marketable vein of coal or any mine therein.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 526, (House Bill No. 383), entitled:

An Act to repeal the act approved July 25, 1913 (P. L. 1273), entitled "An act to authorize the compilation and publication of not less than two or more than four volumes of Statutes at Large of Pennsylvania in addition to the sixteen volumes heretofore authorized additional volumes being necessary to connect the Statutes at Large and the Pamphlet Laws of Pennsylvania in a serial and complete publication of the laws of the Province and Commonwealth and to provide for the appointment of a Commission to control and snupervise the preparation of said volumes and of a competent person to compile and edit them and making an appropriation therefor."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 538, (House Bill No. 571), entitled:

An act to amend section three hundred and twenty-five of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships revising amending and consolidating the law relating thereto changing the compensation of township auditors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 559, entitled:

An act making an appropriation to the commission constituted for the purpose of acquiring and maintaining toll-bridges over the Delaware River between Pennsylvania and New York.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 671, (House Bill No. 719), entitled:

An act to amend sections two three and thirteen and to repeal section eleven of the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and nine) entitled "An act prescribing the powers and duties of the Bureau of Markets in the Department of Agriculture providing for co-operation with the Bureau of Standards of the Department of Internal Affairs to establish standard receptacles for farm products and to promulgate regulations for the enforcement thereof and prescribing penalties for violations of the provisions of this act" by clarifying certain provisions extending said act to cover the manufacture of standard receptacles for farm products and providing that violations be prosecuted by summary proceeding.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 715, (House Bill No. 693), entitled:

An act providing for the quarantine and control of the Japanese Beetle imposing certain powers and duties on the Department of Agriculture providing penalties and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 765, entitled:

A Joint Resolution providing for the continuation of the commission appointed in accordance with the provisions of a joint resolution, approved the twenty-fifth day of July, 1917, (P. L. 1188), entitled "A joint resolution providing for a commission to submit a revised penal code of Pennsylvania, and making an appropriation for the expenses of the commission;" providing for additional members; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 777, entitled:

An Act authorizing the commissioners of Valley Forge Park to convey certain lands to an Historical Society incorporated to secure, preserve and publish documents relating to the history of Valley Forge and the heroes of the United States in creating and perpetuating the republic; and making an appropriation of the moneys received therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 808, (House Bill No. 136), entitled:

An Act requiring telephone companies operating in the same territory to make connections and to provide for the interchange of messages regulating the rates to be charged for such interchange and conferring certain powers and duties in connection therewith upon the Public Service Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 811, (House Bill No. 333), entitled:

An Act authorizing the State Highway Department, the Public Service Commission, counties, cities, boroughs, townships and railroad and railway corporations to purchase or condemn by the right of eminent domain free and unobstructed view over and across lands at certain highway, railroad and railway intersections and curves so as to prevent and permit removal of interference with and obstruction of the vision of users of said highways, railroads and railways; and providing for the use of such lands in such manner as not to interfere with a free and unobstructed view.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 812, (House Bill No. 388), entitled:

An Act providing that the negligence of a servant or employe of any municipality shall under the rule of respondent superior be attributable to the municipality responsible for his compensation or wages.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 814, (House Bill No. 440), entitled:

An Act to provide for the licensing of transient retail merchants in cities boroughs and townships and providing a penalty for the failure to obtain such license.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 832, (House Bill No. 813), entitled:

An Act to amend section one of an act approved the eighth day of May, 1889 (P. L. 127) entitled "A supplement to the act to April 26th, 1869 entitled 'An Act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge therefrom fixing the amount of compensation to be paid to the commissioners appointed under section six of said act and declaring who shall be liable therefor and for the costs of proceedings under said section" by imposing certain duties on the lawyer member of the commission and fixing his compensation therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 843, (House Bill No. 920), entitled:

An Act to aemnd section one of the act apporved the fourteenth day of April, one thousand nine hundred five (P. L. 169) entitled "An Act making it unlawful to trespass upon land posted as private property and providing the penalty therefor."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 889, (House Bill No. 1), entitled:

An Act fixing the pay of election officers and clerks in cities of the first class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 895, (House Bill No. 1086), entitled:

An Act providing for the public health, safety and welfare requiring owners and operators of coal mines and operations to furnish and sell fuel coal at current or market prices to and for the use of Hospitals, poor houses or other charitable institutions, school, churches and buildings of municipal or quasi municipal character and providing penalties for the violation of this act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 941, (House Bill No. 939), entitled:

An Act providing for the payment of certain claims for damages done to livestock, poultry or bees by bear providing a method for the ascertainment of such damage and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 951, (House Bill No. 1080), entitled:

An Act to make reinstatements in the civil service of persons honorably released from the active military or naval service of the United States after service in any of the wars in which the United States has been engaged.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 952, (House Bill No. 1035), entitled:

An Act relating to debts of municipalities.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1023, (House Bill No. 686), entitled:

An Act authorizing probation officers of the various counties to attend the annual State Association or Conference of Probation and Parole and providing for the payment of their expenses and membership dues by counties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1030, (House Bill No. 1058), entitled:

An Act authorizing cities and boroughs to appropriate moneys to organizations of veterans to assist in paying rent.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1036, (House Bill No. 353), entitled:

An Act to amend section eight of the act approved May 16, 1921 (P. L. 559) entitled "An act for the better protection of fish requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth or in the waters bounding or adjacent thereto and regulating the issuance of such license providing penalties for the violation of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties recovered and license fees received" by making county treasurers, agents of the Commonwealth in collecting license fees and issuing licenses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1037, (House Bill No. 428), entitled:

An Act to amend section one of the act approved the twenty-first day of April, 1921 (P. L. 268) entitled "An act relating to police pension funds in cities of the third class and directing such cities to appropirate certain moneys thereto"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1042, (House Bill No. 1023), entitled:

An Act providing a system of employment and compensation for the inmates of county jails and prisons.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading,

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1082, entitled:

An Act making an appropriation to pay for the care, treatment, removal, and maintenance of the indigent insane for two years ending the thirty-first day of May 1925.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1083, entitled:

An Act making an appropriation to pay for the deficiency in the care, treatment, removal, and maintenance of the indigent insane, for the two years ending May thirty-first, 1923.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1084, entitled:

An Act requiring all State institutions to use bread stuffs made from Pennsylvania milled flour and corn meal and milled from Pennsylvania grown wheat, rye, and corn.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1092, (House Bill No. 1234), entitled:

An Act authorizing the creation of a commission to negotiate with the duly constituted agents of the states of New York and New Jersey for the regularization of the flow of the Delaware River, the conservation, apportionment, and utilization of the water resources thereof; providing the method for ratification of such compact by this Commonwealth; and prescribing the conditions of its being in full force and effect.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1093, (House Bill No. 1235), entitled:

An Act authorizing Department of Forestry to grant on terms, conditions and stipulations, rights to occupy and use any portions of the State Forests for dams, reserviors, canals pipe lines and other water conduits for water supply purposes and providing for forfeiture and other remedies for breach of such terms conditions and stipulations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1094, (House Bill No. 1236), entitled:

An Act providing for a giant power survey creating a Giant Power Survey Board defining the power and duties thereof, requiring officers, Departments, Commissions and other agencies of the Commonwealth to give information thereto and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1095, (House Bill No. 1238), entitled:

An Act authorizing the Department of Forestry to lease for periods of not more than fifty years on terms, conditions and stipulations expressed in each lease any portions of the State Forests for dams reservoirs canals pipe lines and other water conduits power houses and transmission lines for the development of water power for steam raising and condensation and for the generation and transmission of electric energy.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1111, (House Bill No. 352), entitled:

An Act to amend section three of the act approved the eleventh day of May 1921 (P. L. 522) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture, providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases, providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State, county, city, borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" making the county treasurer the agent of the Commonwealth in the issuing of licenses and the collection of fees and providing his compensation for such services.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1113, (House Bill No. 444), entitled:

An Act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1118, (House Bill No. 1084), entitled:

A Supplement to an act approved June 23 1911 (P. L. 1123) entitled "An act establishing in each county a Board of Viewers, prescribing their duties, providing for their appointment as Viewers, road juries, juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" as the same was amended and supplemented by subsequent acts by providing for the compensation to be paid to the members of the Board of Viewers in counties of the second class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1120, (House Bill No. 142), entitled:

An Act making an appropriation to the County of Philadelphia for the payment of a judgment obtained by the said county against the Commonwealth of Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1134, entitled:

An Act to authorize the Department of Forestry to offer and to pay rewards for evidence sufficient to convict anyone maliciously setting forest fire to authorize payment of such rewards to Local Forest Fire Wardens under certain conditions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

QUESTION OF PERSONAL PRIVILEGE.

Mr. MANSFIELD. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Allegheny, Mr. Mansfield will state his question of personal privilege.

Mr. MANSFIELD. Mr. President, I ask that the Legislative Journal be corrected in the vote on Senate Bill No. 495, entitled:

An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes and judges serve exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties

which was up for consideration last Wednesday, April 30th. I voted in the affirmative and not in the negative on this bill.

The PRESIDENT. The correction will be made accordingly.

ADJOURNMENT.

Mr. BUCKMAN. Mr. President, I move that the Senate do now adjourn until eleven o'clock to-morrow morning.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:35 P. M. until Tuesday morning, May 8, 1923, at 11 o'clock.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 7, 1923.

The House met at 9:00 o'clock P. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

Rev. T. T. Mutchler, Secretary of the Lord's Day Alliance of Pennsylvania, offered the following prayer:

Our Heavenly Father, we thank Thee for Thy goodness and Thy love and Thy care over us. Help us, each one, to faithfully discharge our duties as they are resting upon us, and may we be guided by Thy word and directed by Thy spirit, that we should do Thy will. May Thy blessing rest upon the Chief Executive of this great Commonwealth and upon all who are engaged in legislative work. May each one discharge faithfully the duties resting upon our hands and may we serve Thee as we ought to, faithfully, and discharging the duties that are within our reach. And when life's journey is over, may we so live and serve Thee, having done our duty to Thee and our fellowmen, that Thou will say to us, "Well done." This, with all else, we ask for the Master's sake. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of the proceedings of Thursday, May 3, 1923.

The Clerk proceeded to read the Journal of the proceedings of Thursday, May 3, 1923, when on motion of Mr. Post, the further reading was dispensed with and the Journal approved.

PETITION.

PROTESTING AGAINST THE PASSAGE OF HOUSE BILL No. 521.

The SPEAKER presented a petition from the Kensington Association of Retail Druggists protesting against the passage of House Bill No. 521.

Referred to the Committee on Law and Order.

FAVORING PASSAGE OF HOUSE BILL No. 846.

The SPEAKER presented a resolution from the American Association for Labor Legislation praying for the passage of House Bill No. 846.

Referred to the Committee on Insurance.

FAVORING STATE INDUSTRIAL FARMS.

The SPEAKER presented a petition from the Prison Committee of Friends' Quarterly Meetings Philanthropic Committee of Philadelphia favoring legislation to establish State industrial farms for prisoners.

Referred to the Committee on Appropriations.

PROTESTING AGAINST THE PASSAGE OF HOUSE BILL No. 466.

Mr. McCURDY presented a petition from the Pennsylvania Confectioners' Association protesting against the passage of House Bill No. 466.

Referred to the Committee on Ways and Means.

REPORT OF THE COMMISSIONER OF PUBLIC WELFARE.

The Chair lays before the House the first biennial report of the Commissioner of Public Welfare for the biennium ending December 31, 1922.

The SPEAKER. This report which is very voluminous is referred to the Committee on Appropriations for the benefit of the members of the House, where it can be seen by anyone interested.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 121, 476, 494, 600 AND 1165.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 121, entitled, "An Act making a deficiency appropriation to the State Hospital of Coaldale".

House Bill No. 476, entitled, "An Act creating regulating and defining the powers of a County Planning Commission and authorizing the creation of a county plan in counties of the second class requiring the county commissioners to furnish to the commission before passage resolutions relating to county improvements to roads lands buildings or means of communications authorizing the commission to report suggestions to the county commissioners concerning improvements and to appear in court with reference thereto authorizing the making of a county map and plan including territory extending three miles beyond the county limits showing proposed improvements in roads lands buildings and means of communication."

House Bill No. 494, entitled, "An Act validating certain proceedings of counties cities boroughs townships school districts and other incorporated districts or municipalities had pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four entitled 'An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof' and the amendments and supplements thereto and validating bonds certificates of indebtedness and securities issued in pursuance of such proceedings".

House Bill No. 600, entitled, "An Act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United-Spanish War Veterans a part of the public records of the State and providing for their publication and distribution".

House Bill No. 1165, entitled, "An Act authorizing cities boroughs towns and townships to purchase burial plots for certain deceased service men."

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary of the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 722, 724, 726, 933 AND 1357.

Commonwealth of Pennsylvania.
Governors' Office, Harrisburg, May 7, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 722, entitled, "An Act to amend clause (h) of section one hundred and two Article one of an act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred ninety-seven) entitled 'An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act' by providing for the purchase lease building and maintenance of telephone lines for attachments thereto by private parties and appropriating the revenue derived therefrom."

House Bill No. 724, entitled, "An Act to amend section one thousand and five article ten of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled 'An Act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act' by providing further penal provisions for setting fire maliciously or otherwise to any woodlot forest or wild land".

House Bill No. 726, entitled, "An Act to amend an act entitled 'An Act to amend sections two thousand seven hundred and one and two thousand seven hundred and two of an act entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) by providing that all receipts and proceeds derived in any way from or on account of the State forests now or hereafter acquired by this Commonwealth shall belong to and form a part of 'The State School Fund of Pennsylvania' approved the fourth day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and twenty-five)" by providing that net receipts from State forests shall become part of the State School Fund of Pennsylvania."

House Bill No. 933, entitled, "An Act authorizing county commissioners to appropriate money from the funds of the county to aid in the planting of trees and the establishment of tree nurseries in aid of the reforestration of wood lots of farms or any other lands denuded of timber trees which it is desired to reforest."

House Bill No. 1357, entitled, "An Act providing for the redemption and cancellation of the bond issued under the act approved April third one thousand eight hundred and seventy-two (Pamphlet Laws thirty-nine) entitled 'An Act directing the sale of the bonds composing the Agricultural College land script fund and authorizing the issue of a new bond in lieu thereof and abolishing the board commissioners created by act of April first one thousand eight hundred and sixty-three' and for the investment of the moneys in the fund resulting from such redemption and the payment of the interest thereform by the Sinking Fund Commission to Pennsylvania State College".

GIFFORD PINCHOT.

REPORTS FROM COMMITTEE.

Mr. GOSS, from the Committee on Ways and Means, re-reported as amended, House Bill No. 1041, entitled:

An Act to amend sections one and two of an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand twenty-one) entitled "An Act imposing a State tax on gasoline and all other liquids containing any derivative of petroleum or natural gas produced prepared or compounded or usable for the purposes of generating power by means of internal combusion and sold in this Commonwealth except for the purpose of resale providing for the collection of such tax and for the distribution and use of the revenues derived therefrom making an appropriation and fixing the penalties" by increasing the amount of said tax and providing for the use of the revenues thereof for State Highway purposes.

LEAVES OF ABSENCE.

Mr. BREWSTER asked and obtained leave of absence for himself for to-morrow.

Mr. LITTLE asked and obtained leave of absence for Mr. Stoner on account of illness.

RESOLUTION

Mr. DUNN offered a resolution, which was read by the Clerk as follows:

"Whereas" A lone wolf from the wilds of the western part of our Country has invaded in this Commonwealth, and for sometime has been ravaging, plundering, destroying by violence, and causing great fear and unrest to the people of the County of Philadelphia, entering into private homes as well as many places of business, seizing and carrying away valuable and precious belongings of the people, and,

"Whereas" After many attempts on the part of the outraged and excited people of the County of Philadelphia, to trap or capture this vicious lone wolf, and to show that it was a very undesirable animal in our Commonwealth, by producing facts that it had committed various other vicious offences in other parts of our country, and,

"Whereas" This lone wolf was finally discovered located on one of the Government reservations located at ninth and market sts., in the County of Philadelphia, by one of our formost citizens, a veteran of the worlds war, and a member of this House, the HONORABLE BENJAMIN M. GOLDER. and,

"Whereas" This honored member of this House, displaying the fearless courage of an American, in the times of danger, did single handed without any weapon to protect himself, when a savage attack was about to be made upon his person by the lone wolf, and as it is recorded, our Honorable member, did with a flash drawed off his spectacles, tearing off his coat, and rolling up his sleeves, advanced to where the lone wolf was crouched ready to make the attack, and made a swipe at the lone wolf, which as the lone wolf ducked passed over his head, astonished at the boldness of our fellow member in making this fierce attack on him, without any protection except that which nature gave him, the lone wolf made a feeble attempt to come back, so as to save the reputation of the wolf's family as vicious fighters, but our fellow Representative stood before him like the gladiator of old, fearless, brave, and courageous, when two Government game protectors seized the lone wolf and lead him from the arena to safety, much to the satisfaction, and enjoyment of the outraged people of the County of Philadelphia, who had gathered on the reservation to witness the combat, Be it therefore,

"Resolved" That we the members of the House of Representatives do extend to our fellow member the Hon. Benjamin M. Golder our congratulation on his courage, bravery, and the fearlessness in his attack on such vicious animal as the lone wolf which brought him to humble submission.

"Resolved" That if any other part of this Commonwealth animals like the lone wolf are raving about, whose savage desire is to destroy the peace, happiness, and enjoyment of the people, we recommend to the people our fellow member Honorable Benjamin M. Golder as the champion eradicater of this pest.

QUESTION OF PERSONAL PRIVILEGE.

The SPEAKER. The Resolution is referred to the Committee on Game.

Mr. DUNN. Mr. Speaker and members of the House, the friends of our honorable representative from Philadelphia have taken into consideration that perhaps sometime in the future, a group of these lone wolves might meet him in some lonely highway of this great Commonwealth, and since he might be unable to protect himself from the vicious attack that might be made on him, the people of Philadelphia have sent to him this implement of war, to be used any and every time an attack is made.

QUESTION OF PERSONAL PRIVILEGE.

Mr. GOLDER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. GOLDER. Mr. Speaker and members of the House, for the first time in my legislative career, I rise with an embarrassment which is real and not feigned. I hardly knew when I awoke last Friday morning, that before sun would set, I should find myself truly famous, but remembering the old adage that a barking dog never bites, I believed also that a howling wolf is without teeth. I appreciate, more than I can say, the good wishes of my friends from Philadelphia, and my only thought is that if there is to be an appropriation of $250,000 for the protection of the public, that at least some ammunition will be supplied to me with the little Irish cannon which has been presented.

I thank you.

The SPEAKER. The remark of the gentleman upon his question of personal privilege will be spread upon the Journal.

RESOLUTION.

RECALLING HOUSE BILL NO. 162 FROM THE GOVERNOR.

Mr. JOHN G. MARSHALL offered the following resolution, which was twice read, considered and adopted:

In the House of Representatives, May 7, 1923.

Resolved, (if the Senate concur), that House Bill No. 162, Printer's No. 55, File Folio 197, entitled "An act to amend section one thousand seven hundred and eight of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (Pamphlet Laws three hundred and nine), entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue, and repealing all laws general, special or local, or any parts thereof that are or may be inconsistent therewith,'" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL RECOMMITTED.

Mr. GOLDER. Mr. Speaker, I move that House Bill No. 1436 (Senate Bill No. 59), entitled

An Act to repeal an act, entitled "An act to regulate the practice of the profession of engineering and of land surveying; creating a State Board for the Registration of Professional Engineers and Land Surveyors; defining its powers and duties; imposing certain duties upon the Commonwealth and political subdivisions thereof in connection with public work; and providing penalties.

on page 9 of today's calendar, bills on third reading, be recommitted to the Committee on Judiciary General for the purpose of amendment.

Mr. BALDI. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. BLUETT. Mr. Speaker, I move that House Bill No. 1438, (Senate Bill No. 494), entitled

An Act to exempt from county city borough township bounty road school and poor taxes real and personal property owned by one or more corporations of purely public charity and used by such owner or owners and other similar associations or corporations exclusively for the purposes of such occupants

on page 14 of today's calendar, bills on second reading, be recommitted to the Committee on Corporations for the purpose of amendment.

Mr. BROMLEY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Mr. McCAIG asked and obtained consent to call up out of order, House Bill No. 1244, Bills on Third Reading Postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCAIG,

The House resumed the consideration on third reading of House Bill No. 1244, entitled:

An Act relating to the regulation of brick and tile work and inspection of same in cities of the second and third class, and other municipalities within the Commonwealth wherein such work is performed and inspectors are employed; providing for the appointment of inspectors and penalties for the violation of this act.

On the question,

Will the House agree to the bill on third reading?

Mr. McCAIG. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend the title, line 2, by striking out the words "and third"

Amend the title, line 3, by striking out the words "and other municipalities"

Amend section 1, page 1, lines 4 and 5, by striking out the following: "and third class and in municipalities" and insert in lieu thereof the word "class"

Amend section 5, page 2, line 24, by inserting before the word "class" the word "second"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. BREWSTER asked and obtained unanimous consent to call up out of order House Bill No. 235, Bills on Third Reading Postponed for the purpose of amendments.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. BREWSTER.

The House resumed the consideration on third reading of House Bill No. 235, entitled:

An Act to validate certain municipal assessments municipal claims and municipal liens in the several boroughs of the Commonwealth providing for the filing of claims therefor and the proceedings for the collection of such assessments and claims

On the question,

Will the House agree to the bill on third reading?

Mr. BREWSTER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend the bill, page 3, lines 4, 5 and 6, by striking out the following: "completion of the improvement for which the assessment is made" and insert in lieu thereof "date of the filing of the same"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objections? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill lie over for printing.

BILL ON FINAL PASSAGE.

Mr. ALEXANDER asked and obtained unanimous consent to call up out of order House Bill No. 581, on page 4 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. ALEXANDER.

The House resumed the consideration on final passage of House Bill No. 581, entitled:

An Act imposing a poll tax for county purposes on male and female residents over the age of twenty-one years and abolishing the occupation tax

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. ALEXANDER. Mr. Speaker, I move that the vote by which House Bill 581, passed third reading be reconsidered.

Mr. HEYBURN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend bill by adding after line 14, page 1, the following section: "Section 2. This act shall take effect on the first day of September, one thousand nine hundred and twenty-three."

Amend bill page 1, line 15 by striking out the figure "2" and inserting in lieu thereof the figure "3"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

QUESTION OF PERSONAL PRIVILEGE.

Mr. WONER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. WONER. Mr. Speaker and members of the House, owing to the very vital public interest in the question of raising revenue, the Ways and Means Committee at the session this evening instructed the Chairman of that committee to present to you the following resolution, which was adopted by that Committee:

RESOLUTION.

Whereas, it is the duty of this Committee to find revenues for meeting the just and proper expenditures of this state, and WHEREAS, thereis known to exist at this time a deficiency in the finances of the state of approximately fifteen million dollars, and,

Whereas, it is therefore necessary to enact emergency tax measures to meet this deficiency, and,

Whereas, it is the sense of this Committee that such emergency tax measures should not impose their burden solely on one class of subjects.

Now therefore be it resolved, that this Committee in evecutive session assembled this seventh day of May does hereby constitute as its program of emergency taxation in whole or part House Bills No. 1041, as amended, and No. 972, as amended.

House Bill No. 1041 is a bill to impose an additional one cent tax upon gasoline, all to be paid into the general fund of the state.

House Bill No. 972 is in process of amendment providing for addition to the levies on present subjects of taxation. A committee was named to prepare amendments, and any statement as to what these would be, would be premature to night

The SPEAKER. The remarks of the gentleman upon question of personal privilege will be spread upon the Journal.

Mr. GOLDER. Mr. Speaker, I desire to interrogate the chairman of the Committee on Ways and Means, Mr. Woner.

The SPEAKER. Will the gentleman from Butler, Mr. Woner, permit himself to be interrogated?

Mr. WONER. I will, Mr. Speaker.

Mr. GOLDER. The chairman of the committee on Ways and Means mentioned as a probable deficit, $15,000,000. I should like to inquire of the gentleman whether this amount includes an additional appropriation, other than that set forth in the so-called budget for hospitals and other institutions requiring public aid.

Mr. WONER . Mr. Speaker, the manner in which the gentleman who proposed this resolution arrived at the figure of $15,000,000 is not known to me. I would not say whether it considered any additional for hospitals or not.

Mr. GOLDER. It might be an opportune moment at this time to express a view which I have and which I am sure is held by many of colleagues here, and that is that in estimating for additional revenue, it is absolutely essential and important that if we are to perform our duties as they should be performed, that the committee in framing these bills have in mind, as has been said before, inasmuch as we desire to take care of school teachers and school programs, that they must first of all consider the raising of additional revenue for hospitals, institutions for the deaf and the dumb and the blind, the feeble-minded and the insane, and all others who are helpless, physically helpless, and depend upon the Commonwealth. I desire to again place myself on record as absolutely opposed to any revenue raisings program that does not consider in full detail and full measure the raising of revenues for hospitals and other institutions such as I have enumerated.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 234.

An Act concerning game and othe wild birds and wild animals and amending revising consolidating and changing the law relating thereto

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend contents in article XI by striking out the numerals "1114" and inserting the numerals "1116".

Amend article 1, section 101, line 27, after the word "owl" by inserting the word "and", and by striking out after the word "crow" the following "(v) the blue heron (w) the green heron and (x) the night heron".

Amend Article 2, section 206, page seven, line 11, by striking out after the word "EMPLOYES" the words, "SECRETARY OF BOARD."

Amend section 213 by striking out line 7, page 11, the following "and any such officer shall at all times be privileged to protect himself in the performance of his duties"; also in line 24, after the word "believe" by inserting "and stated to the suspected person or person in charge his reason for believing"; also in same section by striking out paragraph "j"; amend paragraph "k" by striking out the inital "k" and inserting in lieu thereof the initial "j"; amend paragraph "1" by striking out the initial "l" and inserting the initial "k".

Amend section 302, line 20, page 13, by striking out the word "ten" and inserting in lieu thereof the words "twenty-five"; also after the word "thereon" in line 23, by inserting "It is unlawful for any County treasurer or any of his representatives to knowingly issue a Resident Hunter's License to any person physicially or mentally unfitted to carry or use firearms".

Amend section 303, by striking out in line 29, after the word "Commonwealth" the following: "such person being a citizen of the United States"; also by inserting after the word "thereon" in line 9, page 14, the following: "It is unlawful for any County Treasurer or any of his representatives to knowingly issue any Non-Resident Hunter's License to any person physical or mentally unfitted to carry or use firearms".

Amend section 304, by inserting after the word "licensee" in line 1, page 15, the following: "before being valid must be countersigned by the licensee

The license certificate issued with either a Resident or Non-Resident Hunter's License shall be carried on the person of the licensee at all times while hunting or trapping and shall be shown immediately upon demand by any officer whose duty it is to protect wild animals and birds or upon demand by any owner or lessee or by any employee or representative of such owner or lessee upon whose lands such person may be found"

Amend section 310 by striking out all of the section and inserting in lieu thereof the following:

SECTION 310 REVOCATION OF LICENSE RIGHT TO HUNT DENIED The Board may revoke any hunter's license and deny any person the right to secure a license or to hunt anywhere in this Commonwealth with or without a license for a period of from one to two years if said licensee or person has either been convicted or signed an acknowledgment of violating any game law or if such licensee or person has been convicted in any court of record of having destroyed or carried away notices posted by the Commonwealth or personal property or crops of any kind on lands on which such licensee or person may have been hunting or has been convicted of being careless in the use of firearms while hunting and thereby caused injury to human life or live stock or has been convicted of causing forest fires or of being intoxicated while using firearms for the purpose of hunting The license of any person convicted of a second or subsequent offense of violating any of the game laws shall be revoked by the Board as herein provided and such person is hereby denied the right to secure a license or to hunt anywhere in this Commonwealth with or without a hunter's license for a period of not less than two or more than three years from the date of such conviction To revoke license then in force or to deny by action of the Board any person the right to secure a license or to hunt anywhere in this Commonwealth for any period the Board shall send a written notice to that effect to such person at his address either by registered mail or have it delivered in person by a representative of the Board The Board shall furnish in writing to the County Treasurer of each county the name address and the term for which such person has been denied the right to secure a license or to hunt in this Commonwealth together with any other data said Board may deem necessary"

Amend section 311, line 1, page 19, by striking out the word "fourteen" and inserting in lieu thereof the word "sixteen"; also in line 9, paragraph (c) by striking out the word "seventeen" and inserting the word "sixteen".

Amend section 312 line 9, by striking out the words "other than" and inserting "or regularly"; also in line 11, by inserting after the word "upon" the words "and clutivating"; also in line 18, after the word "anywhere" by striking out the words "The burden of proof shall be upon any person so hunting to show that he was hunting lawfully".

Amend 316, line 21, page 23, after the word "Shall" by inserting the words "in the discretion of the court".

Amend section 401, by inserting after the word "State" in line 3, page 24, the words "in any manner".

Amend article 5, section 501, page 35, by inserting before the words "ruffed gouse" the words "wild turkeys"; also by striking out "wild turkey from Nov. 1, to Nov. 15"; also by striking out the word "eight" and inserting the word "six".

Amend section 501 line 26, page 36, strike out "eight" and insert the word "six".

Amend section 504, line 23, page 37, by inserting after the word "close" the words "througout the year or any part of the general open season".

Amend section 505, line 3, page 38, by inserting after the word "season" the words "or a reduction in the period of the general open season; also in line 7, page 40, insert after the word "period" the words "or a portion of the general open season".

Amend section 506, line 24, page 38, insert after the word, "season" the words "or reduction in the length of the general open season"; also in line 3, page 39, by inserting after the word season, the words "throughout the year or such part of the general open season as may be deemed advisible for a period.

Amend section 507, line 7, page 39, after the word "season" insert the words "or reduction in the length of the general open season"; also in line 12, after the word "trapping" insert the words "or reducing the length of the general open season".

Amend section 512, line 19, page 43, after the word "and" clause (a) insert "in the discretion of the court"; also on page 44 line 5, after the word "shall" insert the words "in the discretion of the court".

Amend section 605, page 46, line 21, by inserting after the word "disturb" the word "or".

Amend section 607, line 23, page 47, insert after the word "shall" the words "in the discretion of the court".

Amend section 702, line 2, page 49, after the w insert the words "Eastern standard time".

Amend section 704, clause (a) line 23, page 50, after the word "racoons" strike out the words "and woodchucks"; also in line 10, page 51, strike out the word "proceeding" and insert the word "preceding".

Amend section 704, clause (d) line 26, page 51 after the word "turkey" strike out "or squirrel"; also line 4, page 52, after the word "turkey" strike out the words "or squirrel".

Amend section 707, page 55, line 21, by inserting after the word "refusal" the word "liable."

Amend section 708, by inserting after the word "employ" in line 19, page 57, the following:

Nothing in this act shall be construed to prevent any person from using a dog or dogs belonging to him or under his control to locate or chase legal game while acting as a guide for others during the open season or from acting as a guide when not carrying a rifle or shot gun loaded with a ball shell after such person has killed his limit of large game or participated in killing the lawful limit of large game as prescribed for camps or parties hunting in unison

Amend article 7, section 715, page 62, line 6, by inserting after the word "excepting" the words "deer or"; also page 62, line 21, by striking out, after the word "Commonwealth" the following: "The burden of proof as to the origin of such specimens shall be upon the person offering same for sale."

Amend section 716, page 63, line 7, by striking out after the word "years" the word "form" and inserting in lieu thereof the word "before."

Amend section 718, page 65, line 7, by striking out the word "ten" and inserting in lieu thereof the word"nine"; also line 7, by inserting after the word "meridian" the words "Eastern Standard Time."

Also page 65, line 10, by striking out the word "fifteenth" any inserting in lieu thereof the word "twentieth"; also line 11, by striking out the word "thirty-first" and inserting in lieu thereof the word "last"; also line 12, by striking out the word "March" and inserting in lieu thereof the word "February."

Amend section 720, page 67, line 3, by striking out after the word "or" before the word "the" the word "of."

Amend section 720, page 67, line 8, by inserting after the word "of" the words"red squirrels or"; also page 67, line 9, by striking out the word "other" and inserting in lieu thereof the words "protected or game"; also line 14, by inserting after the word "of" the words "red squirrels and ." also line 17, by striking out the word "dress" and inserting in lieu thereof the words "removed the entrails hang up."

Amend section 722, page 69, line 5, by striking out the word "licensed" and inserting in lieu thereof the word "private."

Amend section 725, page 71, line 2, by striking out, after the word "and", the words "one half hour before."

Also page 73, line 1, by inserting after the word "and" the following: "in the discretion of the court."

Also page 73, line 23, by inserting after the word "shall", the words "in the discretion of the court."

Amend article 8, section 801, page 75, line11, by striking out the word "expected" and inserting in lieu thereof the word "accepted."

Amend section 804, page 76, by inserting after the word "situate" in line 19 the following paragraph:

"Such lands may also be sold to the State Forest Commission of the Commonwealth or the United States of America for National Forest Reserves in the same manner as above except no advertisement shall be required."

Amend section 806, page 78, line 2, by striking out the word "purchases" and inserting in lieu thereof the word "purposes."

Amend section 815, page 78, line 16, by striking out the word "traverse" and inserting in lieu thereof the word "transverse."

Amend section 825, page 79, line 11, by striking out after the word "than" the word "five", and inserting in lieu thereof the word "two."

Amend section 841, page 82, line 11, by striking out after the word "Game' the word "Refuge", and inserting in lieu thereof the word "Refuges."

Amend section 842, page 84, line 3, by inserting after the word "and" the words "in the discretion of the court."

Also page 84, line 21, by inserting after the word "shall" the words "in the discretion of the court."

Amend article 9, section 903, page 85, line 17, by striking out the words "conclusive proof" and inserting in lieu thereof the words "prima facie evidence."

Amend section 903, page 85, line 12, by striking out after the numeral "903" the words "CONCLUSIVE AND."

Amend section 904, page 86, line 5, by inserting after the word "and" the words, "in the discretion of the court."

Amend section 904, page 86, line 13, by striking out after the word "firearm" the words "or dog."

Also page 86, by inserting after line 15, the following paragraph:

"For owning or possessing a dog contrary to the provisions of this article fifteen dollars and costs of prosecution."

Also page 86, line 22, by inserting after the word "shall" the following: "in the discretion of the court."

Amend section 905, page 87, line 4, by inserting after the word "Board" the following: "or the magistrate alderman or justice of the peace hearing the case."

Amend article 10, section 1001, page 87, line 11, by striking out after the word "wildcat" the word "eight" and inserting in lieu thereof the word "fifteen"; also line 11, by inserting after the word "each" the words "gray fox four dollars for each red."

Also page 87, line 12, inserting after the word "dollar" the words "and fifty cents."

Amend article 11, section 1102, page 91, line 13, by inserting after the word "dollar" the word "of"; also line 14, by striking out after the word "costs" the words "of prosecution."

Amend section 1105, page 92, line 21, by inserting after the word "day" the following: "unless such person pays to the officer making the arrest in trust a sum of money equivalent to the amount of fine imposed for the violation committed."

Amend section 1106, page 92, by striking out all of section 1106, as follows:

"Section 1106 SEARCH WARRANTS Any magistrate alderman or justice of the peace upon receiving proof of the probable cause for believing in (a) the concealment of any bird or animal caught taken had in possession under control shipped or about to be shipped contrary to the provisions of this act or (b) the concealment by an unnaturalized foreign-born resident of any firearm or dog shall issue a starch warrant and cause a search to be made in any place" and inserting in lieu thereof the following:

Section 1106 SEARCH WARRANTS Whenever any individual makes complaint in writing before any magistrate alderman or justice of the peace supported by his oath or affirmation and subscribed to by him alleging that there is probable cause to believe and that he has just and reasonable grounds for believing and does believe that certain birds or animals have been caught taken killed possessed shipped or are about to be shipped or that a firearm or dog is concealed by an unnaturalized foreign-born resident contrary to the provisions of this Act and describing as nearly as may be the things to be searched for and the place or places to be searched shall issue a search warrant and cause search to be made

Amend section 1108, page 93, line 20, by striking out after the word "party" the following: "such possession shall be considered prima facie evidence that the same was taken illegally unless."

Amend article 11, page 95, by inserting after line 7, the following:

Section 1111 RETURN OF FINES ERRONEOUSLY PAID INTO TREASURY Whenever the Board is satisfied that any fine paid into the State Treasury under the foregoing provisions was erroneously collected and deposited the Board within six months after such deposit may by resolution direct the Secretary to draw a requisition upon the fund which such fine was deposited for the amount involved Upon receipt of such requisition and an extract of the minutes of the Board the Auditor General shall draw his warrant upon the State Treasurer in favor of the person from whom such fine was erroneously collected

Amend section 1111, page 95, line 8, by striking out the numeral "1111" and inserting in lieu thereof the numeral "1112."

Amend section 1112, page 95, line 19, by striking out the numeral "1112" and inserting in lieu thereof the numeral "1113."

Amend section 1113, page 96, line 1, by striking out the numeral "1114" and inserting in lieu thereof the numeral "1115."

Amend section 1114, page 96, line 27, bystriking out the numeral "1114" and inserting in lieu thereof the numeral "1115."

Amend article 11, page 97, by inserting after section 1114 the following:

Section 1116 LIABILITY FOR COSTS NOT PAID BY DEFENDENT Whenever any officer whose duty it is to enforce the laws of this State protecting game fur-bearing —animals and protected birds in good faith bring suit for any legal cause shall fail to recover the costs of record Such costs shall be a charge upon the proper county and shall be audited and paid as are costs of like character in said county

Amend article 12, section 1201, page 98, line 1, by inserting after the word "propagation" ther words "and stocking., Also line 8, by striking out after the word "therewith" the word "and." Also page 98, by striking out lines 12 to 17 inclusive, as follows;

"The sum of not less than one-third of the amount received from Hunters' Licenses shall be set aside for the purchase and distribution of game and for the propagation on lands owned or leased by the State where such propagation is for the distribution of game in other counties than where propagated."

Amend article 13, page 104, by inserting after line 19, the following:

"XXV An act entitled "An act fixing the liability for record costs in cases where officers whose duty it is to enforce the game laws of this Commonwealth fail for any legal cause to receive the same from the defendent" approved the sixteenth day of April one thousand nine hundred and three (Pamphlet Laws two hundred and thirteen) absolutely."

Amend section 1301, paragraph XXV, page 104, line 20, by striking out the numeral "XXV" and inserting in lieu thereof the numeral "XXVI."

Amend section 1301, page 104, paragraph XXVI, line 26, by striking out the numeral "XXVI" and inserting in lieu thereof "XXVII."

Amend section 1301, paragraph XXVII, page 105, line 4, by striking out the numeral "XXVII" and inserting in lieu thereof "XXVIII."

Amend section 1301, paragraph XXVIII, page 105, line 10, by striking out the numeral "XXVIII" and inserting in lieu thereof "XXIX."

Amend section 1301, paragraph XXIX, page 105, line 16, by striking out the numeral "XXIX" and inserting in lieu thereof "XXX."

Amend section 1301, paragraph XXX, page 105, line 22, by striking out the numeral "XXX" and inserting in lieu thereof "XXXI."

Amend page 106, line 9, by striking out the numeral "XXXI" and inserting in lieu thereof the numeral "XXXII."

Amend page 106, line 16, by striking out the numeral "XXXII" and inserting in lieu thereof the numeral "XXXIII."

Amend page 106, line 22, by striking out the numeral "XXXIII" and inserting in lieu thereof the numeral "XXXIV."

Amend page 107, line 4, by striking out the numeral "XXXIV" and inserting in lieu thereof the numeral "XXXV."

Amend page 107, line 16, by striking out the numeral "XXXV" and inserting in lieu thereof the numeral "XXVI."

Amend page 107, line 25, by striking out the numeral "XXXVI" and inserting in lieu thereof the numeral "XXVII."

Amend page 108, line 5, by striking out the numeral "XXVII" and inserting in lieu thereof the numeral "XXVIII."

Amend page 108, line 12, by striking out the numeral "XXXVIII" and inserting in lieu thereof the numeral "XXXIX."

Amend page 108, line 23, by striking out the numeral "XXXIX" and inserting in lieu thereof the numeral "XL."

Amend page 109, line 3, by striking out the numeral "XL" and inserting in lieu thereof the numeral "XLI."

Amend page 109, line 10, by striking out the numeral "XLI" and inserting in lieu thereof the numeral "XLII."

Amend page 109, line 25, by striking out the numeral "XLII" and inserting in lieu thereof the numeral "XLIII."

Amend page 110, line 13, by striking out the numeral "XLIII" and inserting in lieu thereof the numeral "XLIV".

Amend page 110, line 22, by striking out the numeral "XLIV" and inserting in lieu thereof the numeral "XLV."

Amend page 110, line 28, by striking out the numeral "XLV" and inserting in lieu thereof the numeral "XLVI."

Amend page 111, line 4, by striking out the numeral "XLVI" and inserting in lieu thereof the numeral "XLVII."

Amend page 111, line 16, by striking out the numeral "XLVII" and inserting in lieu thereof the numeral "XLIII."

Amend page 111, line 22, by striking out the numeral "XLVIII" and inserting in lieu thereof the numeral "XLIX."

Amend page 112, line 9, by striking out the numeral "XLIX" and inserting in lieu thereof the numeral "L."

Amend page 112, line 14, by striking out the numeral "L" and inserting in lieu thereof the numeral "LI"

Amend page 112, line 25, by striking out the numeral "LI" and inserting in lieu thereof the numeral "LII."

Amend page 113, line 12, by striking out the numeral "LII" and inserting in lieu thereof the numeral "LIII."

Amend page 113, line 25; by striking out the numeral "LIII" and inserting in lieu thereof the numeral "LIV."

Amend page 114, line 7, by striking out the numeral "LIV" and inserting in lieu thereof the numeral "LV."

Amend page 114, line 22, by striking out the numeral "LV" and inserting in lieu thereof the numeral "LVI."

Amend page 114, line 26, by striking out the numeral "LVI" and inserting in lieu thereof the numeral "LVII."

Amend section 1302, page 115, line 20, by striking out the

Amend section 1302, page 115 ,line 20, by striking out after the word "CLAUSE" the following: "All other acts and parts of acts inconsistent with this act are repealed."

The SPEAKER. The Chair desires to say that the amendments to this bill are of considerable importance and he especially requests order in the House while they are being read by the Clerk, because there are many members vitally interested in these amendments.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. KELLY. Mr. Speaker, and members of this House, this is the game code presented to the House early in the session. The members of the Game Committee worked on it in the neighborhood of six or seven weeks, and it passed the House with but one or two dissentinig votes. It went to the Senate and you will see from the amendments read, that it has fifty or more. I have been particularly interested in some of the provisions of this code, and I find the Senate has removed most of the amendments made in the Committee. These amendments, after they were made, I went to the Committee on Game, the chairman in the Senate, and asked him for a public hearing. This he absolutely refused. Previous to that time I had asked the chairman of the Committee on Game, to appear before the Senate committee and explain some of the amendments, and it was refused. These amendments that you have just heard read are positively not fair to the sportsmen of this state, they are ridiculous. They have aimed to eliminate every workman, every ordinary man in the state of Pennsylvania out of the field and have stated that in two years they will eliminate the dog. When the bill was originally presented, it had a section in which it did not permit a man to go out after sundown with his dog on the hill and have a little run. We fought this matter in the Game Committee until I got the permission to train dogs in the evening until ten o'clock. The Senate Committee took it out and made it 8.30, and you can see how much training or pleasure a workman or any other man could have after coming home from his work and taking his dog out on the hill and training him for hunting. It is just as necessary that a dog be trained for hunting as it is for a prize fighter to be in shape in a battle of that kind. I cannot understand the attitude of the Senate Committee, nor can

I understand the attitude of the Game Commission. This bill is not a bill that gives the workmen or the people who supply the money in the State of Pennsylvania to propagate this game a chance in the world. Neither is it a bill for the Game Commission or a sportsman. I think it is very unfair It looks to me as though it has been created entirely for the moneyed people, and I would ask you to vote to non concur in the amendments. I would like to have a conference with the Committee on Game in the Senate.

If it is in order, Mr. Speaker, I would move that the House do non concur in the Senate amendments.

The SPEAKER. The gentleman is informed that the question before the House is: Will the House concur in the amendments made by the Senate.

Mr. SARIG. Mr. Speaker and members of the House, I feel that this House should not stultify itself by concurring in these amendments. If there is anything on this hill, here, that has been scandulous in recent years, it has been our game legislation. When this resident hunter's license law was first enacted, we were told that this money was to be used largely for the propagation of game in the various counties of the State. Now, down in my county they have taken about fifteen or sixteen thousand dollars out of the county every year and we have scarcely received a drop in the bucket by way of game. The bulk of this money has been eaten up by high salaries or by overhead expenses of this kind. When this bill was before the House there was an amendment in it that provided, as I understand it, that one-third of this money was to be used for the propagation of game, and this game was to be returned to the counties from which the revenue originated. That provision, I understand, has now been stricken out. ;

The complaint in my county is this that we have been legislating year after year, and session after session here to practically drive the working man, the farmer and the common people out of the sportsman's field. We have been collecting this money all over the state, from the poor fellow, and we have been using it, to put it in a nut shell, simply for the benefit of a few organized sportsmen in the state. Now, we all know that many of the counties have practically received nothing out of it, yet year after year, we call upon the common people to produce that dollar and now we increase it, we put it up to $1.25. How long are we going to keep up this thing? Are we going back to the working people, to the farmer, to the common people, and say that we are going to put up this game license fee to $1.25, and then provide no game? How many of these working people have time to go to the counties where these game preserves are?

If we want a hunter's license law, we should at least have a provision that the bulk of this money should go back to the county from which it was collected. I see nothing fair in this law. I think it borders on the scandalous for us to go out year after year collecting this money and then spending it on overhead expenses, in salaries. We all know that many of the appointments made by this Department have not been made as a matter of efficiency. They have been made for political or for some other personal reason, and I do not think it is fair for us to go to work and increase this tax. I think we ought to repeal it, instead of year after year adding to it, and then simply provide sport for a few fellows who can afford it. I agree that we have been doing is all right for a few big fellows who can afford to take off a week or two or three weeks to go to these game preserves and do their hunting, but is it fair to the working man, is it fair to the farmer, is it fair to the small fellow to ask him to provide for this sport. If these fellows want sport, let them pay for it. I say it is not fair to the common people of this Commonwealth to pass bills eyery year raising revenue to provide sport for a very small class of our citizenship.

Mr. RHODES. Mr. Speaker and members of the House, there is one phase of this matter to which I think every member should give consideration. That is the fact that the Game Committee gave this matter serious consideration. This bill was before the Game Committee, as was stated by the gentleman from Allegheny for several weeks. I, as a member of that committee, know something about the deliberations that we gave to it, and as I recall, the Secretary of the Game Commission and the President of the Game Commission, attended practically every one of the sessions, and as that bill left the Committee, it was my understanding that it met with the approval of the Game Commission, and likewise of the secretary of that Commission. Now it seems to me that it comes with ill grace for the commission to go over before the Senate, and before that Committee and have these amendments thus made. I think this House should sustain the action of the Game Committee, which was appointed by the Speaker. It seems to me that we are entitled to some consideration. We gave our time and our deliberations to it, and there were lots of things ironed out. Now, we have this great mass of amendments coming before us. Nobody can give them adequate consideration on the moment and therefore, I think a vote concurring in these amendments is not sustaining the Game Committee of this House. Therefore, it is my feeling that the amendments should be non-concurred in.

Mr. LONG. Mr. Speaker and members of the House, without going into the merits or demerits of this bill, as it comes from the Senate, all that the members of the Game Committee of the House are interested in is simply an opportunity to thrash this thing out. I am absolutely sure this House does not want to pass legislation blindly. It has been said that upwards of 50 amendments have been introduced in the Senate bill. There are three or four amendments on almost every page. Some of these are all right; they are amendments that the House would be glad to accept. There are other amendments which we feel are radically wrong, and all we ask you to do, is to vote to non-concur in the amendments, not that we want to kill the bill, but simply because we want this House to have an opportunity to confer with the Senate and to have a fair and equal chance with the Senate in framing a game bill. Therefore, I ask you gentlemen, simply in a spirit of fairness not to kill the bill, but to vote "no" on the concurrence in these amendments.

Mr. WHITEMAN. Mr. Speaker and members of the House, I would simply like to say that, as the gentleman from Monroe should know, the amendments which were made by the House Game Committee in a great many respects did not meet with the approval of the Game Commission. The bill as originally handed in was the bill of the Game Commission, but the amendments which the House made in it were contrary in many respects to the wishes of the Game Commission. Doubtless many of the amendments made by the Senate are in conformity with the original plans and purpose of the Game Commission rather than the majority of the House Committee.

I think that the proposed amendments which have been made have been set before the members of the House in a manner which they can understand. They have been put in brief form by the Commission, so that every member of the House can get an intelligent idea of what the amendments really mean. My only purpose, Mr. Speaker, is to try to give the members very briefly what these amendments really entail, and if they meet with your pleasure I think we should concur in them; if they do not meet with your favor, then don't vote for concurrence. The first principal amendment which they made in the Senate was to change the provision which required imprisonment in cases of violation of the law. The Senate amended that to make the imprisonment a matter of discretion of the court, and I think that that will meet with the approval of the members of the House, giving the court discretion to impose a fine or imprisonment, or both rather than making imprisonment mandatory. Then, the power of the Game Commission to revoke a license for a period of five years in cases of violation has been changed so that the Game Commission will have power to revoke licenses for not more than two years for the first offense and not more than three years for subsequent offenses. As you all know, the Game Commission originally wanted a license fee of $1.50. The House fixed it at $1.10. The Senate fixed it at $1.25, which is a fifty-fifty compromise, which the Game Commission and many of the sportsmen desire; and in addition to that they have increased the bounties of numerous animals, thereby giving sportsmen a larger return for their work in killing noxious animals. Then the requirement that a person both reside upon and cultivate lands before being entitled to hunt thereon without a license has been put in and is now exactly as it was in the old law, and certainly a great many of the members favor the old law in that respect. The wild turkey season has been changed to give it the full month of November instead of one-half the month, as the House had decided, and I think that that will appeal to the sportsmen in the House, and it is better for the turkeys to have the full month rather than to concentrate the hunting in fifteen days. The Board of Game Commissioners are empowered to close certain counties so that they can close it for a term of years or any part of a general open season. I think that that is a provision which will appeal to the sportsmen. In regard to hunting one half hour before sunrise, this has been changed so that hunting may begin at sunrise, as is the case in the old law, and I think that the sportsmen who hunt and the members of the House found the old law satisfactory in that respect. In regard to the training of dogs, which was the bone of contention in the committee in the House, and which met with objections from the agricultural interests, the Senate Committee has changed the time until nine o'clock at night during the training season to begin August 20th, and end with the month of February. Those changes, Mr. Speaker, were made in conformity with suggestions that were handed in by sportsmen and by the farmers throughout the State, and under the provisions of an amendment added by the Senate, the State Game Commission may sell lands they have purchased to the State Forestry Department and the Federal Government for forest reserves.

Another section added permits the Game Commission to return fines erroneously payed or deposited, and under another section, the present law relative to the liability for costs when not paid by the defendant has been included. And then the Senate took out the amendments which the House inserted which would have required the Game Commission to set aside at least one-third of all the revenue from hunters' licenses for the purchase and distribution of game. Now, there are twelve amendments, they are all plain, and they comprise practically the entire changes made by the Senate committee. If they meet with the approval of the House, then it seems to me that we ought to concur in these amendments.

On the question recurring,

Will the House concur in the amendments made by the Senate?

The yeas and nays were required by Mr. Kelly and Mr. Sarig and were as follows:

YEAS—23.

Anderson,
Beaver,
Brewster,
Burchinal,
Chaplin,
Coyne,
Flynn,
Grimes,
Harer,
Heffran,
Henderson,
Holcombe,
Irvin,
Lynch,
McCaig,
McClure,
Millar,
Posey,
Sample,
Steedle,
Sterling,
Weamer,
Wettach,

NAYS—153.

Albert,
Alexander,
Allman,
Armstrong,
Arthur,
Aston,
Baker,
Baldi,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Clutton,
Coldsmith,
Craig,
de Young,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Goss,
Greeby,
Guerin,
Gundy,
Haas,
Hall,
Harter,
Haslett,
Haws,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Johnson,
Jones, C. B.,
Jones, D. J.
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Mack,
MacKinney,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCurdy,
McDermott,
McKim,
McVicar,
Metcalf,
Miller,
Minehart,
Moffat,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Rhodes,
Richards,
Rinn,
Rippman,
Sarig,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Wells,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the amendments were not concurred in.

Ordered, that the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR.

The Secretary of the Governor being introduced presented a communication in writing from His Excellency the Goveronr, which was read as follows:

APPROVAL OF HOUSE BILL NOS. 283, 395 AND 1254,

Commonwealth of Pennsylvania,
Governors' Office, Harrisburg, May 7, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 283, entitled, "An Act to further amend section four of the act approved the twentieth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred and sixty-six) entitled 'An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions' as amended providing a pension for employes who have not reached the age of sixty years but who have become permanently disabled after twenty years of service and in certain cases of disability fifteen years".

House Bill No. 395, entitled, "An Act to regulate the sales of caustic acids caustic alkalies and preparations thereof and mineral or chemical salts intended for household and agricultural uses and providing penalties for the violating thereof".

House Bill No. 1254, entitled, "An Act making an appropriation to carry out the provisions of the act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws eleven hundred ninety) entitled 'An act providing for the refunding of moneys paid to the State Highway Department for registration of motor vehicles and drivers' licenses which motor vehicles and licenses have not been used and to which moneys it appears the Commonwealth has no claim and making an appropriation for such refunds".

GIFFORD PINCHOT

BILLS ON FINAL PASSAGE RECALLED FROM THE GOVERNOR.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 532, as follows:

An Act to provide for the registration and protection of names titles or designations of associations societies orders foundations federations organizations and corporations of the first class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any association society order foundation federation or organization or any corporation of the first class heretofore chartered under the laws of this Commonwealth may register with the Secretary of the Commonwealth the name title or designation under which he they or it are doing business or operating and every such corporation organized after the passage of this act shall register with the Secretary of the Commonwealth its proposed name and address at the time of filing its application for charter and notify him of the granting thereof within thirty days after the same shall have been granted

If such corporation shall fail to notify the Secretary of the Commonwealth within one year from the date of its application for charter of the granting thereof its registration shall be cancelled by the Secretary of the Commonwealth

Section 2 Hereafter no charter shall be granted to any corporation of the first class nor shall any registration under the provisions of this Act be made for any association society order foundation federation or organization having a name title or designation similar to or imitating or so nearly resembling as to be calculated to deceive or using any name title or designation so registered without the consent of the registrant nor shall the name of any corporation be changed to such a name Provided however That if the association society order foundation federation organization or corporation of the first class entitled to use the name so registered shall have ceased to use it for the space of one year or in the case of a corporation of the first class if such corporation shall be dissolved or merge with another corporation or shall have ceased to do business such prior registration may be cancelled by the Secretary of the Commonwealth with the consent of the association society order foundation federation organization or corporation of the first class entitled to use such name title or designation

Section 3 Each applicant for registration shall state under oath the name and address of the registrant and the name title or designation to be registered the length of time if any during which said name title or designation has been used by such applicant or applicants

Section 4 The Secretary of the Commonwealth shall keep a properly indexed record of the registrations and cancellations of registration provided for in this act

Section 5 No charter shall be granted to any proposed corporation of the first class unless at the time the petition therefor is filed and before the advertisement thereof shall be attached to the petition a certificate from the Secretary of the Commonwealth showing that the name adopted by the petitioners for the proposed corporation has been filed and recorded in his office and a further certificate from that officer that a search of his records fails to disclose any conflict between the name of the proposed corporation and any other name title or designation registered pursuant hereto or that the name of the proposed corporation does appear to conflict with any such name as the case may be in which latter case the certificate shall state the name or names with which the name of the proposed corporation does conflict in order that the court may determine in its consideration of the petition for charter whether or not the proposed name does conflict with any name title or designation under the provisions of this act Upon application of any party interested either for or against the granting of the proposed charter any information desired as to the names recorded in the office of the Secretary of the Commonwealth shall be comprehended in any certificate issued by that officer pursuant to this act

Section 6 The fees of the Secretary of the Commonwealth for registration searches made by him and certificates issued by him pursuant to this act shall be the same as provided by law for similar services The fees collected under this act shall be paid by the Secretary of the Commonwealth into the State Treasury and until June first one thousand nine hundred and twenty-five shall be set apart in a special fund for the use of the Department of the Secretary of the Commonwealth in defraying clerical services and other expenses necessarily incurred in the carrying out of the provisions of this Act The Auditor General shall upon requisition of the Secretary of the Commonwealth from time to time draw his warrant upon the State Treasurer for the amount specified in such requisition and the State Treasurer shall make payment of the said amounts accordingly

Section 7 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

Mr. EDMONDS. Mr. Speaker and members of the House, it was recalled from the Governor because by the original terms it was so broad as to include in this registration individuals who did business under a fictitious name, and who were already covered by the act of 1917. If, therefore, the bill had stood as it was originally it would have required several thousand re-registrations which would have been an expense to the Commonwealth and an expense to the individuals doing business. The act has now been narrowed somewhat, but it meets precisely the original purpose. It was presented to prevent any association from taking the name of an old association and thereby trading upon its goodwill. I might say in its present form it is quite as satisfactory to those who originally suggested this legislation as was the original bill and I hope the members of the House can see there way clear to vote or it in this form.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—189.

Albert,
Alexander,
Allman,
Anderson,
Arthur,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brewster,
Bromley,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Long,
Lucas,
Ludlow,
Lynch,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
Metcalf,
Millar,
Miller,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,

Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Heffernan.
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Stevens, A. F.,
Stoffiet,
Storb,
Storer,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 277, as follows:

An Act to validate tax liens filed in the office of the Prothonotary of the various counties by any of the cities of this Commonwealth since the twenty-fourth day of May one thousand nine hundred and twenty-one under the provisions of an act approved the fourth day of June one thousand nine hundred and one entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefore the methods of preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales and its supplements and amendments thereto and providing for their collection

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all liens heretofore filed in the office of the Prothonotary of the various counties by any city of this Commonwealth after the passage of the act of assembly approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws ten hundred and eighty-nine) entitled "An Act providing when how and to what extent liens upon seated real property shall be allowed for county bridge road borough incorporated town township school district and poor taxes the procedure upon tax claims filed therefor the methods for preserving such tax liens and enforcing payment of such liens the effect of judicial sales of the property liened and the manner of distributing the proceeds of such sale" be and the same are hereby validated and made effectual as if the above said act had not been passed

All such tax liens so filed in the office of the Prothonotary by any of the cities of this Commonwealth shall be collected in the manner provided in the act of assembly approved the fourth day of June one thousand nine hundred and one (Pamphlet Laws page three hundred sixty-four) entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the property liened and the manner of distributing the proceeds of such sales" and its several supplements and amendments thereto and with like force and effect as if the said act of May twenty-fourth one thousand nine hundred and twenty-one (Pamphlet Laws page one thousand eighty-nine) had not been passed Provided the tax liens shall in all other respects be legal and valid and provided further that this act shall not apply to any cases already adjudicated or to any suits now pending and undetermined

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. BLUETT. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. DILSHEIMER. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. BLUETT. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, page 2, line 6, by striking out the word "this" and inserting in lieu thereof "the"

Amend section 1, page 2, line 23 by striking out the word "page"

Amend section 1, page 3, line 6, by striking out the word "page"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 88, entitled:

A Further Supplement to an act approved the eighteenth day of July one thousand nine hundred and nineteen entitled "An Act authorizing the appointment of a commission to supervise the revising amending consolidating and simplifying of the laws relating to the assessment levy and collection of taxes for all purposes prescribing the power and duty of such commission imposing certain duties on the legislative Reference Bureau and making an appropriation continuing the commission appointed under the provisions of said act for a further period of two years and making an appropriation

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 897, entitled:

An Act to amend sections nine and ten of an act approved the twenty-second day of June, one thousand eight hundred and ninety-one, (P. L. 379), entitled "An Act to provide for the selection of a site and the erection of a State asylum for the chronic insane, to be called the State asylum for the chronic insane of Pennsylvania, and making an appropriation therefor:" changing the name and purpose of said hospital; and repealing sections eleven and fifteen of said act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 106, entitled:

An Act making an appropriation to the trustees of the University of Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1441, (Senate Bill No. 583), entitled:

An Act authorizing the annexation to cities of portions of townships not exceeding one hundred acres in area and totally surrounded by said cities and providing for the division of the assets and liabilities of said townships

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON FINAL PASSAGE

Agreeably to order,
The House proceeded to the consideration on final passage of House Bill No. 204, as follows:

An Act directing the Governor with the assistance of a budget director and assistants to prepare and transmit to each General Assembly a budget for each of the two fiscal years next succeeding and to submit therewith a general and other appropriation and revenue bills providing for the consideration thereof by the General Assembly requiring spending agencies of the Commonwealth and the fiscal officers thereof to furnish certain information and providing for uniform systems of accounting and financial reports for control and supervision over the expenditures of the Commonwealth and for the lapsing of appropriations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That DEFINITIONS the words "fiscal year" as used in this act shall mean the period beginning on the first day of June of each year and ending on the thirty-first day of May of the year succeeding and shall be the year for which appropriations are made by the General Assembly

The words "spending agencies" as used in this act shall include the several departments and independent boards bureaus divisions and commissions comprising the executive branch of the State government the judicial branch of the State government and the several State semi-State and private institutions within the Commonwealth supported in whole or in part by or seeking assistance from the Commonwealth

Whenever any duty is imposed by this act upon any "spending agency" the same shall be performed by or under the direction of the head of the respective department board bureau division and commission and in the case of the judicial branch by the prothonotaries of the Supreme and Superior Courts and the president judges of the several courts of common pleas orphans' courts municipal courts and county courts and in the case of State semi-State and private institutions by the board of trustees board of managers or other proper authority thereof

Section 2 GOVERNOR TO PREPARE AND SUBMIT BUDGET The Governor shall in accordance with this act bienially prepare and transmit to each General Assembly a budget for each of the next two succeding fiscal years The Governor shall have power to employ clerical assistants to aid in the preparation of the budget and may expend biennially for such purposes a sum not exceeding five thousand dollars ($5,000) provisions of which shall be made by an item in the general appropriation bill

Section 3 DISTRIBUTION OF ESTIMATE BLANKS CONTENTS Not later than November first of each even-numbered year the Governor shall distribute suitable blanks for the preparation of budget estimates to each of the several spending agencies of the Commonwealth Upon request made in writing the Governor shall also furnish estimate blanks to any private institution not theretofore receiving State-aid The budget estimate blanks shall be in such form and call for such information as the Governor may require

Section 4 RETURN OF INFORMATION ON ESTIMATE BLANKS Each spending agency shall not later than December fifteenth of each even-numbered year return to the Governor the estimate blanks with the complete information required including complete information as to receipts and expenditures from special funds Such estimates shall be accompanied by a statement in writing giving facts and explanation of reasons for each item of appropriation requested

Section 5 INFORMATION FROM AUDITOR GENERAL The Auditor General shall by December fifteenth of each even-numbered year furnish to the Governor (a) a classified statement of revenues and expenditures during the two fiscal years last ended and the first six months of the current year (b) a classified statement of appropriations applicable to or available in the current fiscal year together with the amounts of such appropriations unexpended and unencumbered on December first of the current fiscal year (c) a balance sheet of the State's finances on December first of the current fiscal year (d) an itemized statement of balances in the general and special funds as of December first of the current fiscal year and (e) a classified statement of estimated revenues in the current and two next succeeding fiscal years

Section 6 INFORMATION FROM STATE TREASURER The State Treasurer shall prior to the meeting of each General Assembly and at times as may be requested by the Governor furnish to him a statement showing the amount of money required to be appropriated by the General Assembly for the two succeeding fiscal years for payment into the sinking fund of the Commonwealth to pay the interest upon the funded debt and to provide for the retirement of the same at maturity

Section 7 HEARINGS REVIEW OF APPROPRIATION REQUESTS The Governor in his discretion may take further inquiries and investigations as to any item of appropriation desired by any spending agency Before submitting his budget to the General Assembly the Governor shall hold such official hearings on the appropriation requests as he deems necessary and at least one joint public hearing thereon with the chairman of the respective appropriations and finance and ways and means committees of the Senate and House of Representatives and the Auditor General and State Treasurer The Governor's tentative budget including the tentative drafts of bills to carry into effect his recommendations shall be presented and distributed to agencies requesting appropriations and upon request to citizens and taxpayers in ample time for use at such joint public hearings Any agency requesting a State appropriation and any citizen and taxpayer shall have a right to be heard at such public hearing on any matter relating to the Governor's budget When such hearings are completed the Governor shall review all information in his possession with regard ot the probable revenues and expenditures of the Commonwealth and shall revise an appropriation requests in such manner as to keep the expenditures of the Commonwealth for the two next succeeding fiscal years within the probable revenues under laws in force or recommended by the Governor

Section 8 SUBMISSION OF BUDGET CONTENTS The Governor shall not later than the first day of March of each odd-numbered year transmit to the General Assembly a budget in printed form for each of the two next succeeding fiscal years The budget shall cover all expenditures to be made from the general fund and from all special funds and it shall contain a statement balancing appropriations recommended with revenues available or proposed and a summary statement comparing by spending agencies the appropriations recommended with the expenditures incurred in the two completed fiscal years just preceding or with the expenditures authorized in the current biennium It shall also show in itemized form (a) the amounts expended during the last two completed fiscal years and an estimate of the expenditures for the current fiscal year (b) the appropriations requested for each of the next two fiscal years (c) the Governor's recommendations thereon (d) explanation of increases and decreases and (e) an estimate of revenues available from the general and special funds in the current and two next succeeding fiscal years The itemized statement of appropriations recommended or expenditures proposed shall be classified by organization units and shall show in detail for each spending agency by objects of expenditure the purpose of each appropriation Such statement shall further indicate whether the appropriation recommended or expenditure proposed is for capital maintenance or operation purposes

Section 9 SUBMISSION OF APPROPRIATION BILLS With the budget for each of the two next succeeding fiscal years the Governor shall transmit to the Speaker of the House of Representatives and the President pro-tempore of the Senate a general appropriation bill covering the needs of the executive legislative and judicial departments of the State government interest on the public debt and for the public schools The bill shall include appropriations to departments from special funds which are devoted to particular purposes but said appropriations shall only be for purposes for which said funds were created The Governor shall also submit individual bills for all special appropriations which he deems necessary and proper

Section 10 FORM OF APPROPRIATION BILLS AND LAWS All appropriation bills submitted to the Governor or enacted by the General Assembly shall include separate appropriations for each of the two succeeding fiscal years and so far as practicable such appropriation bills shall follow the classification adopted in the Governor's budgets

All appropriation bills submitted by the Governor or enacted by the General Assembly shall state specifically the fund from which the appropriation is to be made and the purpose for which the appropriation is to be expended

In the appropriation to the spending agency or agencies having charge of the purchase of supplies and printing and binding the Governor shall in each case set forth in schedule form the amount of the total appropriation for such purpose which is set aside for each spending agency and the General Assembly shall in all appropriation bills specifically limit each such spending agency in the amount of supplies and printing and binding which it may requisition The items in the general appropriation bill and all separate appropriation bills making appropriations to spending agencies shall however also show the amounts set aside for such spending agencies in the appropriations to the spending agency or agencies having charge of the purchase of supplies and printing and binding

Salaries recommended in the Governor's appropriation bills or fixed in the appropriation bills shall be based upon a uniform schedule for employees engaged in the same character of work

Section 11 REVENUE BILLS Whenever the Governor deems it necessary to revise existing revenue laws or to provide new sources of revenue he shall submit appropriate revenue bills with his budget statements and appropriation bills All such revenue bills shall be introduced only in the House of Representatives

Section 12 CONSIDERATION OF APPROPRIATION AND REVENUE BILLS BY GENERAL ASSEMBLY ADJOURNMENT The appropriations finance and ways and means committees of the Senate and House of Representatives respectively shall not later than March fifteenth hold joint meetings and joint public hearings on the appropriation and revenue bills submitted by the Governor and other revenue bills introduced At such hearings all citizens and taxpayers shall have a reasonable opportunity to present their views on any matter relating to appropriations and revenues In the exercise of the power granted by the Constitution the General Assembly may strike out or otherwise alter any item in any appropriation bill and may add new items thereto or in any other manner amend the same or any other bill submitted by the Governor and may permit the introduction consideration and passage of any substitute or other appropriation and revenue bills

The General Assembly shall in no case adjourn until the general appropriation bills enacted by the General Assembly has been finally acted upon by the Governor or been repassed over his veto

Section 13 UNIFORM ACCOUNTS QUARTERLY REPORTS LAPSING OF APPROPRIATIONS In order that the Governor may collect reliable information to assist in the preparation of biennial budgets and correctly ascertain the financial condition of the Commonwealth it is hereby provided

(a) That the Governor shall after due investigation prescribe a uniform system for the accounts financial reports and statements of all spending agencies

(b) That no appropriations shall become available for expenditure by any spending agency until such agency shall submit to the Governor quarterly estimates of the amount required for each activity to be carried on and such estimates have been approved by the Governor and each spending agency shall keep accounts and render monthly reports of expenditures for each activity to the Governor in such form as he may prescribe

(c) That all unexpended appropriations made by the General Assembly except for constructions under way or where any contract is let shall lapse into the fund from which appropriated at the end of the fiscal year for which such appropriation was made

Section 14 PRESERVATION OF BUDGET INFORMATION The information material and data collected by the Governor shall be preserved permanently in the Governor's office and be placed at the disposal of each incoming executive

Section 15 CONSTRUCTION The provisions of this act are severable and if any of its provisions are declared unconstitutional such decision shall not affect any of the remaining provisions of this act It is hereby declared as a legislative intent that such provisions would have been enacted had such unconstitutional provisions not been included therein

Section 16 All acts and parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. EDMONDS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. FRATT. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. EDMONDS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 2, page 2, line 26, by striking out the word "bienially" and inserting in lieu thereof "biennially"

Amend section 2, page 3, line 1, by striking out the word "bienially" and inserting in lieu thereof "biennially"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 871, as follows:

An Act relating to mattresses pillows bolsters feather beds comfortables cushions and upholstered furniture regulating the making remaking renovating sterilizing disinfecting sale leasing delivering and consigning thereof and the possession thereof with intent to sell lease deliver or consign

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the au-

thority of the same That the word "mattress" shall mean any quilted pad mattress mattress pad mattresss protector bunk quilt or box spring stuffed or filled with excelsior straw hay grass corn husks moss fibre cotton wool hair jute kapok or other soft material to be used on a couch or other bed for sleeping or reclining purposes

The words "pillow" "bolster" or "feather bed" shall mean any bag case or covering made of cotton or other textile material and stuffed or filled with excelsior straw hay grass corn husks moss fibre cotton wool hair jute feathers down kapok or other soft material to be used on a bed couch divan sofa lounge or other article of upholstered furniture for sleeping or reclining purposes

The word "comfortable" shall mean any cover quilt or quilted article made of cotton or other textile material and stuffed or filled with fibre cotton wool hair jute feathers down kapok or other soft material to be used as a cover or covering for reclining or sleeping persons

The word "cushion" shall mean any bag or case made of leather cotton or other textile materials and stuffed or filled with excelsior hay grass corn husks tow moss fibre cotton wool hair feathers feather down kapok or other soft material to be used on a hammock chair couch divan sofa lounge or other article of furniture for reclining resting or sleeping purposes

The word "upholstered furniture" shall mean any article lounge or other article of furniture for reclining resting or of furniture stuffed or filled with excelsior straw hay grass corn husks tow moss fibre cotton wool hair jute feathers feather down kapok or other soft material to be used for sitting resting or reclining purposes"

The word "new" as used in this act shall mean any material or article which has not been previously manufactured or used for any purpose

The word "secondhand" shall mean any material or article of which prior use has been made

The word "shoddy" shall mean any material which has been spun into yarn knit or woven into fabric and subsequently cut up torn up broken up or ground up

The word "person" as used herein shall include persons corporations co-partnerships and associations

Words used in the singular number shall include the plural and the plural the singular

Section 2 No person shall employ or use in the making remaking or renovating of any mattress pillow bolster feather bed comfortable cushion or article of upholstered furniture (a) any material known as "shoddy" or any fabric or material from which "shoddy" is constructed (b) any secondhand material unless since last used such secondhand material has been thoroughly sterilized and disinfected by a reasonable process approved by the Commissioner of Labor and Industry (c) any new or secondhand feathers unless such new or secondhand feathers have been sterilized and disinfected by a reasonable process approved by the Commissioner of Labor and Industry

Section 3 Any person engaged in the making remaking or renovating of any mattress pillow bolster comfortable cushion or article of upholstered furniture in which secondhand material is used or in the making of any new or secondhand feather or down filled article or engaged in sterilizing and disinfecting any material feathers or article coming under the provisions of this act shall submit to the Commissioner of Labor and Industry for approval a reasonable and effective process together with duplicate plans of apparatus or auxiliary devices for the sterilization and disinfection of secondhand material feathers and secondhand articles herein enumerated

Upon the approval of such process for sterilization and disinfection a numbered permit for its use shall be issued to the applicant by the Commissioner Such permit shall expire one year from date of approval Every person to whom a permit has been issued shall keep such permit conspicuously posted in his office or place of business Refusal to display such permit in accordance with this act shall be sufficient reason to revoke and forfeit the permit

Nothing in this act shall prevent any person engaged in the making remaking renovating or sale of any article herein described which requires sterilizing and disinfecting under the provisions hereof from having such sterilizing and disinfesting performed by any person to whom a permit for such purposes has been issued providing the number of the permit shall appear in the statement on the tag attached to the article

Section 4 All places where any mattress pillow bolster bed comfortable cushion or article of upholstered furniture is made remade or renovated or where materials for the herein named articles are prepared or establishment where said articles are offered for sale or are in possession of any person with intent to sell deliver or consign them or establishment where sterilizing and disinfecting is performed shall be subject to inspection by the Department of Labor and Industry to ascertain whether the materials and the finished articles herein enumerated conform to the requirements of this act

Section 5 No person shall sell lease offer to sell or lease or deliver or consign in sale or lease or have in his possession with intent to sell lease deliver or consign in sale or lease (a) any mattress pillow bolster feather bed comfortable cushion or article of upholstered furniture made remade or renovated in violation of this act (b) any secondhand mattress pillow bolster feather bed comfortable or upholstered furniture unless since last used it has been thoroughly sterilized and disinfected by a reasonable process approved by the Commissioner of Labor and Industry

Section 6 Each and every mattress or article covered by this act other than a feather or down filled pillow bolster bed comfortable or cushion shall bear securely attached thereto and visible on the outside covering a tag to be procured from the Department of Labor and Industry upon which shall be plainly and indelibly stamped or printed in English (a) a statement showing whether the materials used in filling said mattress or article are wholly new or secondhand or partly secondhand (b) the name and address of maker and vendor (c) the word secondhand upon any article of which prior use has been made (d) the number of the permit issued for sterilizing and disinfecting

Each and every pillow or other article covered by this act in which feathers or down are used shall bear securely attached thereto and visible on the outside covering a tag to be procured from the Department of Labor and Industry upon which shall be plainly and indelibly stamped or printed in English (a) a statement that the feathers or down used in filling have been sterilized and disinfected in accordance with this act (b) the number of the permit issued for sterilizing and disinfecting the feathers or down (c) the name and address of maker and vendor (d) the word secondhand upon a feather or down filled article of which prior use has been made (c) the number of permits issued for sterilizing and disinfecting

No additional information shall be contained in said statements

Section 7 The statement on the tag required by this act to be attached to any article covered by this act shall be not less than three by four and a half inches in size

The tag with the replica of the seal of this Commonwealth printed thereon shall be in the following form

OFFICIAL STATEMENT

Materials used in filling ....
....
....
....
Made by ....
Address ....
Vendor ....
Address ....

This article is made in compliance with the Act of Assembly of Pennsylvania approved ....
Permit number ....

It shall be unlawful for any person to imitate counterfeit sell or have in his possession any imitated or counterfeited tag required under the provisions of this act

It shall be unlawful to use exclusively in the said statement concerning any mattress pillow bolster comfortable cushion or article of upholstered furniture and word "Felt" or words of like import if any other than garnetted materials are used in filling or the words "Curled Hair" or words of like import if any other than curled hair is used in filling

It shall be unlawful to stamp or print on a tag any misleading term or designation or to remove deface alter or in any manner attempt the same or cause to be removed defaced or altered any statement on a tag placed upon any article included in the provisions of this act

Section 8 The Commissioner of Labor and Industry is hereby authorized to contract for the printing of the tags required by the provisions of this act The Commissioner shall upon application to him by any person furnish tags with the name and address printed thereon of the maker remaker or renovator of any article covered by this act in quantities of not less than one thousand tags for which the applicant shall pay ten dollars for each one thousand tags

All fees collected under the provisions of this act shall be paid to the Commissioner of Labor and Industry and when so collected and paid shall thereafter be by the Commissioner of Labor and Industry paid into the State Treasury

The State Treasurer shall establish a separate fund to be known as the Bedding and Upholstry Fund into which all moneys collected under the provisions of this act shall be paid and from which all expenditures necessary in carrying into effect the provisions of this act shall be paid

All moneys in the Bedding and Upholstry Fund from time to time are hereby specifically appropriated to the Department of Labor and Industry for the purpose of carrying into effect the provisions of this act and for the payment of salaries and expenses of Inspectors employes and for research or any other necessary expenses of the Department of Labor and Industry connected with the enforcement of this act

The money in the Bedding and Upholstry Fund shall be paid to the use of the Department of Labor and Industry in advance from time to time as the same is required upon requisition by the Commissioner of Labor and Industry

The Auditor General shall upon requisition from time to time of the Commissioner of Labor and Industry and the proper accounting for moneys already advanced from the fund draw his warrant upon the State treasurer for the amount specified in such requisition not exceeding however the amount in such fund available for the purposes herein specified at the time such requisition is made

Section 9 The Department of Labor and Industry through its officers and employes is hereby charged with the administration and enforcement of this act

Section 10 Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof in a summary action before a magistrate alderman or justice of the peace shall be sentenced to pay a fine of not less than ten dollars and not more than fifty dollars for each offense and in default of the payment of such fine to undergo an imprisonment of not less than ten days for each seperate offense Provided That the total term of imprisonment at one time for additional offenses shall not exceed six months

Each mattress pillow bolster feather bed comfortable cushion or article of upholstered furniture made remade or renovated sold offered for sale delivered consigned or possessed with intent to sell deliver or consign contrary to the provisions hereof shall constitute a separate offense

Each imitated or counterfeited tag made used sold offered for sale delivered or consigned contrary to the provisions hereof shall constitute a separate offense

The Commissioner may revoke any permit issued under the provisions of this act if the person to whom the permit was issued has violated any provisions of this act or the rules of regulations established thereunder

Section 11 It is the intention of the General Assembly that if this act cannot take effect in its entirety because the judgment of any court of competent jurisdiction holding unconstitutional any part or parts hereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

Section 12 The following acts which this act is to replace Act Number 90 approved May first one thousand nine hundred and thirteen (Pamphlet Laws one hundred and thirty-four) entitled "An act defining mattresses regulating the making remaking and sale thereof prohibiting the use of unsanitary and healthy materials therein requiring that the materials used shall be accurately described and prescribing the manner in which mattresses shall be labeled providing for the enforcement of the provisions of this act making certain acts criminal and punishing the same imposing certain duties upon the Commissioner of Health and the Chief Factory Inspector and repealing Legislation inconsistent with this act" which was amended by Act two hundred and nineteen approved May fourteenth one thousand nine hundred and fifteen (Pamphlet Laws five hundred and ten) and all other acts or parts of acts inconsistent herewith or replaced hereby are repealed

Section 13 This act shall take effect January first one thousand nine hundred and twenty-four

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178.

Alexander,
Allman,
Anderson,
Armstrong,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fratt,
Frazier,
Gallaher,
Gibbon,
Gilchrist,
Glasgow,
Goehring
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Long,
Lucas,
Ludlow,
Lynch,
MacKinney,
Malie,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Speiser.
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1435, (Senate Bill No. 686), as follows:

An Act relating to the registration and re-registration of nurses by the State Board of Examiners for Registration of nurses and the issuance of a license to practice nursing

Section 1 Be it enacted et cetera that all persons registered as registered nurses with the State Board of Examiners for Registration of Nurses and all persons registered with said Board as Licensed Attendants shall in every year following the passage of this act during the month of January again cause his or her certificate to be recorded in the office of the State Board of Examiners for Registration of Nurses The registered nurse shall pay to the said board a fee of one dollar ($1.00) for such re-registration and the licensed attendant shall pay to the said Board a fee of fifty cents ($.50) for such registration

Section 2 On or before the first day of May of each year after the year one thousand nine hundred and twenty-three the Secretary of the Board shall mail to every registered nurse in the State of Pennsylvania a blank application for re-registration addressing the same in accordance with the post office address given at the last previous registration Upon the receipt of such application blank which shall contain space for the insertion of his or her name office or post office address date and number of his or her license and such other information as the Board may deem necessary he or she shall sign same with his or her name in his or her own handwriting and fill out the address and other blanks in his or her own handwriting after which he or she shall forward such statement and application for renewal of his or her registration certificate to the Secretary of the Board together with the fee of one dollar ($1.00) for registered nurses and fifty cents ($.50) for licensed attendants Upon receipt of such application and fee and having verified the accuracy of the same by comparison with the applicant's initial registration statements the secretary of the Board shall issue a certificate of registration which shall render the holder thereof a legally qualified registered nurse or licensed attendant as the case may be for the ensuing year Provided however That the said Board may revoke any certificate of registration for sufficient cause in accordance with the rules and by-laws of the Board and in the manner provided by law Every license shall be issued by the Board under seal and shall be signed by the President and Secretary of the Board of Examiners Before any license issued it shall be numbered and properly recorded in the office of the Board and its number shall be noted in the license The Board shall license to practice nursing all registered nurses practicing as such within the State of Pennsylvania on or before the first day of July one thousand nine hundred and twenty-three who make application therefor prior to the first day of December one thousand nine hundred and twenty-three and submit satisfactory evidence that he or she is at the time of the application therefor registered and legally authorized in the manner now provided by law to assume the title of registered nurse The Board shall license to care for the sick all practicing as such within the State of Pennsylvania on or before the first day of July one thousand nine hundred and twenty-three who make application therefor prior to to the first day of December one thousand nine hundred and twenty-three and submit satisfactory evidence that he or she is at the time of the application therefor registered and legally authorized in the manner now provided by law to assume the title of licensed attendant These certificates of registration shall all bear date of September first of the year of issue and shall expire on the thirty-first day of August in the year following All nurses already registered in this State at the time of the passage of this act shall make application to the Secretary of the Board for the registration blank upon receipt of which he or she shall in like manner already described make application for re-registration forwarding to the Secretary of the Board the re-registration blank properly filled in accompanied by the fee of one dollar ($1.00) All registered licensed attendants already registered in this State at the time of the passage of this act shall make applcation to the Secretary of the Board for the registration upon receipt of which he or she shall in like manner already described make application for re-registration forwarding to the Secretary of the Board the registration blank properly filled in and accompanied by the fee of fifty ($.50) cents Said application and fee must reach the Secretary on or before the first day of December following the adoption of this statute Should any registered nurse or licensed attendant continue to practice nursing and care of the sick beyond the thirty-first day of January without having registered as required by the provisions of this act he or she shall be counted as an illegal practitioner and his or her license may be suspended or revoked by the Board of Examiners Any nurse whose certificate is revoked because of failure to register as required by the provisions of this act shall be entitled to re-instatement as a registered nurse or licensed attendent as the case may be upon application made to the Board accompanied by the annual fee and by two affidavits as to good character made by a director of a traning school for nurses and by a superintendent of a hospital recognized as such by the Board No person whose certificate has been suspended or revoked for failure to register shall therefater practice as a trained certified graduate or registered nurse or licensed attendent nurse until he or she has been granted a license by the Board upon the application for re-instatement provided for above

Section 3 Any person who violates any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty ($50.00) dollars nor more than two hundred ($200.00) dollars for each offense

Section 4 Nothing contained in this act shall be construed as conferring any authority to practice medicine or to undertake the treatment or cure of disease in violation of the Laws of the Commonwealth

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,
Shall the bill pass finally?

Mr. DILSHEIMER. Mr. Speaker, is there any member in the House who can explain this bill?

Mr. STEEDLE. Mr. Speaker, this bill originated from the Nurses' Association of Pennsylvania. It is rather mild and innocent in its provision. It only requires that nurses who are now graduates and those who are licensed attendants so-called, will be required under the act, if this bill passes, to register each year with the registration commission of nurses. A fee of one dollar will be necessary for graduate nurses, and fifty cents for licensed attendants. I see no harm in this bill. The bill in itself was endorsed by the Nurses' Association at their state convention, and if they desire it, I can see no reason why this House should not comply with their wishes.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—134.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Brownmiller,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Craig,
de Young,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Eaches,
Earley,
Edmonds,
Evans, J.,
Flinchbaugh,
Fowler, A. I.,
Frazier,
Gallaher,
Gilchrist,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haslett,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hontz,
Hoover,
Horne,
Huber,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Ludlow,
Mack,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCaig,
McClure,
McCurdy,
McDermott,
McKim,
Metcalf,
Moore,
Nolte,
Orr,
Parkinson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Rinn,
Rippman,
Sample,
Sarig,
[illegible]
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Stark,
Staudenmeier,
Sterling,
Stevens, A. J.,
Thomas, M. G.,
Thompson,
Vickerman,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.
Wright,
Zook,
Goodnough,
Speaker.

NAYS—11.

Brown,
Diehm,
Evans, B. P.,
Fratt,
Irvin,
Lucas,
Marcus, J.,
Miller,
Minehart,
Sowers,
Stavitski,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1173, as follows:

An Act providing that the address of all mortgagees of second mortgages shall be noted on the margin of the record of the first mortgage and that notice of issuance of execution process on judgment obtained on said first mortgages or the accompanying obligation intending to sell the mortgaged property shall be given to said second mortgagees and providing for a fee for Recorder of Deeds services and method of serving such notice

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at the time of recording of any second mortgage the said second mortgage named therein may by himself or herself or by his her or its agents endorse on the said second mortgage a certification of the said second mortgage'e name and address and the place book and page of the record of the first mortgage on the property mortgaged and therein request the Recorder of Deeds to do as herein provided for The Recorder of Deeds in compliance with such request shall note on the margin of the record of the mortgage so mentioned in said certification the name and address of the said second mortgagee and the date of making the notation

Section 2 Before the issuance of any execution process on the judgment obtained upon said second mortgage or the accompanying bond warrant or other obligation secured by it seizing and intending to sell the real estate so mortgaged as aforesaid the said first mortgagee or his assignee shall give a written notice of intention of issuing such execution process to the said second mortgagee as herein provided for

Section 3 Notice required by this act may be made by personal service of said notice on the second mortgagee if an individual if a corporation then upon one of its officers or in either case by mailing a registered letter postage prepaid to the address of the said second mortgagee as noted on the margin aforesaid

Section 4 Before any execution process mentioned above shall be issued by the clerk or prothonotary of any court an affidavit of any person setting forth the manner of said service shall be filed with the clerk or prothonotary of the court in which the said proceedings are pending The affidavit shall set forth a copy of the notice so served as herein provided for and shall be made by the person making the service and shall set forth how the service was made and show a compliance with the provisions of this act and the prothonotary or clerk shall note on the docket the said proof of service and file the same in said proceedings

Section 5 Before the said execution process shall be issued an affidavit shall be filed with the clerk or prothonotary of said court setting forth the name and address of the second mortgagee noted on the margin of the record of said first mortgage and if there be none setting forth such fact and if likewise shall be filed with said proceedings

Section 6 For making such notation the Recorder of Deeds shall charge and collect a fee of one dollar and fifty cents

Section 7 This act shall not go into effect until the first day of August one thousand nine hundred and twenty-three and shall not apply to any mortgages given and executed prior to that date

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. SOWERS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. JOSEPH MARCUS. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. SOWERS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend sec. 1, page 2, line 11 by inserting before the word "Personal" the following bracket "["

Amend sec. 5, page 3, line 28 by striking out the word "if" and inserting in lieu thereof "it"

Amend sec. 2, page 2, line 27 by striking out the word "second" and inserting in lieu thereof "first"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1287, as follows:

An Act to amend section second of the act approved the ninth day of July one thousand nine hundred and one (Pamphlet Laws six hundred fourteen) entitled "An act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section second of the act approved the ninth day of July one thousand nine hundred and one (Pamphlet Laws six hundred fourteen) entitled "An act regulating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" which was amended by the act approved the third day of April one thousand nine hundred and three (Pamphlet Laws one hundred thirty-nine) entitled "A supplement to section second of an act entitled 'An act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs' approved the ninth day of July one thousand nine hundred and one" is hereby further amended to read as follows

Second The writ of summons the writ of attachment in execution and the writ of scire facias in personal actions may be served by the sheriff upon a corporation a partnership limited or a joint stock company in the county wherein it is issued in any of the following methods

(a) By handing a true and attested copy thereof to the president secretary treasurer cashier chief clerk or other executive officer personally or

(b) By handing a true and attested copy therof to an adult member of the family of any one of said officers at his dwelling house or

(c) By handing a true and attested copy thereof at his place of residence to an adult member of the family of the person with whom any of said officers resides or

(d) By handing a true and attested copy thereof at his place of residence to the manager or clerk of the hotel inn apartment-house boarding-house or other place or lodging where any of said officers reside or

(e) By handing (an) a true and attested copy thereof at any of its offices depots or places of business to its (agents) agent or person (persons) for the time being in charge thereof if upon inquiry thereat the residence of one of said officers within the county it not ascertained or if from any cause an attempt to serve at the residence given has failed or

(f) If the corporation partnership limited or joint stock company has no office or place of business in actual operation in the county (where the cause of action arose) in which the writ issues then service may be made in such county upon any members of its Board of Directors in any of the methods set forth in clauses (a) (b) (c) or (d) hereof or

(g) If the corporation partnership limited or joint stock company has no office or place of business in actual operation in the county in which the (cause of action arose) writ issues and no member of its board of directors or other officer is a resident of (the county in which the cause of action arose) that county then service may be made in any of the methods set forth in clauses (a) (b) (c) (d) (e) or (f) hereof in any other county in the State than that in which the writ issues by the sheriff of such other county who shall be deputized for that purpose by the sheriff of the county in which the writ issues or

(h) If the sheriff after diligent search and inquiry is unable to locate an officer or depot or place of business of any such corporation partnership limited or joint stock company in the county in which the writ issues or shall locate such office or depot or place of business and shall be unable to find any agent or person for the time being in charge thereof during the usual business hours of any business day and shall be satisfied that no member of its board of directors or other officer is a resident of the county in which the writ issues or of any other county of the State all of which the Sheriff shall certify as part of his return then service may be made (1) by posting a true and attested copy of the writ at such office or depot or plact of business if such there be and by posting at least five true and attested copies of the writ at conspicuous places in the county in which the writ issues one of which shall be posted in the usual posting place in front of the Court House of that county having due regard to the location in that county of any property therein owned by the corporation partnership limited or joint stock company (2) by mailing by registered letter a true and attested copy of the writ addressed to the corporation partnership limited or joint stock company at such place as the Sheriff may be informed is its proper domicile and address and also to any person who the Sheriff may be informed is an officer or director or member of the corporation partnership limited or joint stock company and (3) by publishing a true and attested copy of the writ once a week following the week in which the writ issues in one newspaper having a general circulation in the county in which the writ issues and by mailing a marked copy of each and all of the three issues of said newspaper to the corporation partnership limited or joint stock company at such address as the Sheriff may be informed is its address or

((h)) (i) In the case of a registered foreign corporation partnership limited or joint stock company by serving its duly registered attorney as in case of a summons issued against him personally or by leaving a true and attested copy thereof for him at the registered place of he be not found there during the usual business hours of any business day with the person for the time being in charge of the business carried on at such place

Provided That two returns of nihil habet shall be equivalent to personal service in writs of scire facias to revive judgments entered in personal actions

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. PARKINSON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. HEFFRAN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. PARKINSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend Sec. 1, page 2, line 9 by striking out the [ ] around the word and figure "Section 2" and removing them from the bill

Amend Sec. 1, page 2, line 9 by striking out the word "Second" and removing it from the bill

Amend Sec. 1, page 3, line 1 by striking out the ( ) around the word "an" and removing them from the bill

Amend Sec. 1, page 3, line 1 by striking out the words "a true and" and removing them from the bill

Amend Sec. 1, page 3, line 3 by striking out the ( ) around the word "agents" and removing them from the bill

Amend Sec. 1, page 3, line 3 by striking out the word "agent" and removing it from the bill

Amend Sec. 1, page 3, line 3 by striking out "person" and removing it from the bill

Amend Sec. 1, page 3, line 3 by striking out the ( ) around the word "persons" and removing them from the bill

Amend Sec. 1, page 3, line 10 by striking out the (before the word "where" and removing it from the bill

Amend Sec. 1, page 3, line 11 by striking out the) after the word "arose" and removing it from the bill

Amend Sec. 1, page 3, line 11 by striking out the words "in which the writ issues" and removing them from the bill

Amend Sec. 1, page 3, line 17 by striking out the (before the word "cause" and removing it from the bill

Amend Sec. 1, page 3, line 18 by striking out the) after the word "arose" and removing it from the bill

Amend Sec. 1, page 3, line 18 by striking out the words "writ issues" and removing it from the bill

Amend Sec. 1, page 3, line 19 by striking out the (before the word " the" and removing it from the bill

Amend Sec. 1, page 3, line 20 by striking out the) after the word "arose" and removing it from the bill

Amend Sec. 1, page 3, line 20 by striking out the words "that county" and removing them from the bill

Amend Sec. 1, page 3, line 23 by striking out the words "in the State" and removing them from the bill

Amend Sec. 1, page 3, by striking out the whole of lines 27 and 28 and removing them from the bill

Amend Sec. 1, by striking out the whole of page 4 and removing it from the bill

Amend Sec. 1, page 5, by striking out the whole of lines 1 to 6 both inclusive and removing them from the bill

Amend Sec. 1, page 5, line 7 by striking out the ( ) around the letter "(h)"

Amend Sec. 1, page 5, line 7 by striking out the letter "(i)" and removing it from the bill

Amend Sec. 1, page 5, by striking out the whole of lines 15 to 24, both inclusive, and removing them from the bill and inserting in lieu thereof the following:

(i) Whenever service cannot be had in any of the methods hereinabove provided the service may be made by leaving the process to be served in duplicate in the hands of the Secretary of the Commonwealth or his deputy at the Harrisburg office. For the purpose of such service the Secretary of the Commonwealth is hereby constituted the attorney-in-fact for all domestic corporations and for all domestic limited partnerships and joint-stock companies required by law to be registered in the office of the Secretary of the Commonwealth. One copy, certified by the Secretary of the Commonwealth or his deputy as having been served on him, shall be deemed sufficient evidence thereof, and service upon the Secretary of the Commonwealth or his deputy as attorney-in-fact, shall be deemed valid service upon the corporation, limited partnerships or joint-stock company. When legal process is served upon the Secretary of the Commonwealth as attorney for any corporation, limited partnership or joint-stock company, he shall forthwith forward one of the duplicate copies of the process served on him to its president, treasurer, or secretary by registered mail to its principal office. Where attachments are so served the Secretary of the Commonwealth shall give immediate notice thereof to the corporation, limited partnership or joint-stock company by telegraph. As a condition of valid and effective service, and of the duty of the Secretary of the Commonwealth in the premises, the plaintiff in every such process shall pay to the Secretary of the Commonwealth at the time of service thereof the sum of two dollars which the said plaintiff shall recover as taxable costs if he prevails in the suit. The Secretary of the Commonwealth shall keep a record of all such processes which shall show the date and hour of service and where and by whom served.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objections? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 36, as follows:

An Act to regulate the practice of Chiropractic and to provide for the appointment and maintenance of the Board of Chiropractic Examiners To define the powers and duties of said Board of Chiropractic Examiners To provide for the examining and licensing of Chiropractors in this State and provide for penalties for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there shall be established a Board of Chiropractic Examiners for the State of Pennsylvania The Board shall consist of five (5) members and each of said members shall serve for a term of five (5) years from the first day of July next after his appointment or until a successor is appointed with the exception of those first appointed who shall serve as follows namely

One for one year
One for two years
One for three years
One for four years
One for five years

each member of the said Board shall be a graduate of a reputable College of Chiropractic and shall have been licensed to practice Chiropractic under the laws of the State

Section (2) The Governor shall appoint the members of said Board of Examiners from a list of all eligible Chiropractors within the State of Pennsylvania who are qualified by graduation and practice under the terms of this bill for appointment which said lists shall on or before the first day of June one thousand nine hundred and twenty-three (1923) be transmitted to the Governor by the secretaries of the various Chiropractors Associations of Pennsylvania In case of failure of said Chiropractors Associations to submit said lists as aforesaid the Governor shall appoint members in good standing eligible under this act

Section (3) Within fifteen days after the approval of this act the secretaries of the various Chiropractic Associations of Pennsylvania shall submit to the Governor of this State a full list of members in good standing in said Associations who are eligible for appointment under the provisions of this act and shall not be in any manner financially interested in or connected with the faculty or management of any Chiropractic school or college and shall have been engaged in the practice of chiropractic in this State for a period of at least three (3) years and within thirty (30) days from the receipt of said list the Governor shall appoint from said list five (5) persons to serve upon the first Board

The Governor shall in this first appointments designate the number of years for which each appointee shall serve In case of vacancy by death or otherwise there shall be appointed in like manner a person to serve through such unexpired term Each person who shall be appointed to serve on said Board of Chiropractic Examiners shall receive a certificate of appointement from the Secretary of the Commonwealth Each and every member of said Board shall within ten (10) days after appointment on being appraised of the same take and subscribe an oath or affirmation before the Secretary of the Commonwealth to faithfully and impartially perform the duties of said office

The Board shall be authorized to take testimony concerning all matters within its jurisdiction and the presiding officer for the time being of the said Board or any of the committees thereof may issue subpoenas and administer oaths to witnesses The Board of Examiners shall make and adopt all necessary rules regulations and by-laws not inconsistent with the Constitution and laws of the State of Pennsylvania or of the United States of America whereby to perform the duties and transact the business required under the provisions of this act

Section (4) The first meeting of the said Board of Chiropractic Examiners shall convene on the third Monday of August one thousand nine hundred and twenty-three (1923) and subsequent meetings for organization in June annually thereafter suitable notice in the usual form being given by the Secretary of the Board to each of the members thereof specifying the time and place of meeting

At the first meeting of the Board and at each annual meeting in June an organization shall be affected by the election from its membership of a President Secretary and Treasurer

Section (5) For the purpose of examining applicants for license the said Board of Chiropractic Examiners shall hold two stated meetings in each year due notice of which shall be made public at such times and places as the Board may determine at said meetings a majority of the members of the Board shall constitute a quorum thereof but the examination may be conducted by a committee of two or more members of the Board of Examiners duly authorized by said Board and no license to practice Chiropractic shall be granted on an affirmative vote of less than three members said examinations shall be conducted in writing in accordance with the rules and regulations prescribed by the said Board of Chiropractic Examiners and may be supplemented by practical examinations and by practical tests upon the human body and shall embrace the subjects named in section 8 of this Act

After each such examination the Committee having charge thereof shall without unnecessary delay act upon the same An official report of such action signed by each acting member of said committee of Examiners stating the examination average of each candidate the general average and the result of the examination whether successful or unsuccessful shall be transmitted to the said Board of Chiropractic Examiners said report shall embrace all examinations papers questions and answers therein and such written reports as result from the practical tests as hereinbefore specified All such reports shall be kept for reference and inspection for a period not less than five years The Board shall keep a record of its proceedings and register of all applicants for license giving the name and location of the institution granting the applicant the degrees of Doctor of or diplomat in Chiropractic the date of his or her diploma and also whether the applicant was rejected or granted a license and the number of the license granted

The record and register shall be a prima facie evidence of all matters recorded therein

Section (6) All fees provided by this Act shall be paid in advance to the Treasurer of the Board and after proper audit thereof by the Auditor-General the Treasurer shall pay the same out on warrants drawn by the Auditor-General and signed by the President and Secretary of the Board The compensation and expenses of the members and officers of said Board and all expenses proper and necessary in the opinion of such Board to discharge its duties under and to enforce the law shall be paid out upon the warrant of the President and Secretary of the said Board and no expenses shall be created to exceed the income of fees and fines as herein provided Salaries shall be fixed by the Board bu shall not exceed fifteen dollars ($15.00) per day of actual service per member and railroad and hotel expenses

Section (7) Any person engaged in the practice of Chiropractic in this Commonwealth prior to the passage of this act and desiring to continue the practice thereof after January first one thousand nine hundred and twenty-four who shall file with the Secretary of the said State Board of Chiropractic Examiners upon appropriate blank to be furnished by said secretary an application verified by oath that the applicant is not less than twenty-one years of age is of good moral character and a graduate of a legally incorporated or chartered school or college of Chiropractic shall be entitled to take an examination as to his or her qualifications for the practice of Chiropractic which examination shall include the subjects of anatomy physiology chemistry diagnosis pathology sanitation hygiene neurology synptomatology and the principles of Chiropratic and shall further require the prospective licentiate to give a clinical demonstration of the vertebral palpation and adjusting

The said State of Chiropractic Examiners shall issue forthwith to each applicant who shall have successfully passed said examination and been adjudged by said Board of Examiners to be duly qualified for practice of Chiropractic a license to practice Chiropractic in the State of Pennsylvania

Every license to practise chiropractic issued under the provisions of this Act shall be signed by each member of the Board of Examiners and shall have affixed to it by the person authorized to affix the same the seal of the State Board of Chiropractic Examiners Before said license shall be issued it shall be recorded in a book to be kept by the Secretary of the Board Examiners and the number of the book and the page therein containing such recorded copy shall be noted upon the fact of said license said records shall under proper restrictions for their safekeeping be open to public inspection provided further that anyone who at the time of the passage of this Act has been in continuous practice of Chiropractic for ten (10) years in some other State and who graduated from a legally incorporated and reputable college of Chiropractic which provides a three years' residence course of instruction of not less than eight months in each calendar year and who can in addition present evidence of having received the necessary preliminary education as provided for in this act

Section (8) From and after the approval of this Act any person not theretofore or by the terms of this Act authorized to practice Chiropractic in this State and desiring to enter upon such practice may deliver to the Secretary of the State Board of Chiropratic Examiners upon the payment of a fee of twenty-five ($25) dollars a written application for license together with satisfactory proof that the applicant is more than twenty-one years of age is of good moral character and has received a diploma conferring the degree in Chiropractic from some legally incorporated reputable Chiropractic College of the United States wherein the course of instruction consists of at least three terms of actual resident attendance of not less than eight months in at least three different calendar years and that if such applicant shall have been matriculated and actually a bona fide student at such Chiropractic College prior to the passage of this Act that the preliminary educational requirements shall not apply to such students the work of each term having been successfully passed in some legally incorcorporated reputable college or colleges requiring a minimum class room attendance of 2,000 sixty minute hours or the equivalent of the same prior to the granting of said diploma shall be eligible for examination upon all other terms and conditions provided for applicants of examination under the provisions of this Act upon the making of said payment and provided the State Board of Chiropractic Eaminers if satisfied with the same shall admit said applicant to examination as to his or her qualifications for the practice of Chiropractic which examination shall include the subjects of anatomy physiology chemistry diagnosis pathology sanitation hygiene neurology symptomatology and the principles of Chiropractic and shall further require the prospective licentiate to give a clinical demonstaration of vertebral palpation and adjusting and such other subjects as the Board may require on receiving from the Committee of Examiners delegated to conduct the examinations as provided for in section (7) of this act official report of the examination of any applicant for license the said State Board of Chiropractic Examiners shall issue forthwith to each applicant who shall have obtained the general average of not less than 75% and an average of at least 70% on the questions propounded in every subject and therefore has been returned as having successfully passed said examination and who shall have been adjudged by the said Board of Examiners to be duly qualified for practice of Chiropractic a license to practice Chiropractic in the State of Pennsylvania as provided for in section 10 of this Act in case of failure at any such examination the candidate after the expiration of six (6) months and within two (2) years shall have the privilege of a second examination

Having failed upon a second examination as herein provided application de novo may be made upon confirming with the standard of qualifications both as to character preliminary and chiropracitic education in force at the time of said application and upon the payment of a fee of twenty-five ($25) dollars

Section (9) After January one thousand nine hundred and twenty-five a school or college of Chiropractic to be recognized as reputable under the provisions of this Act must be legally incorporated prosecute a course of study consisting of the time element as provided for under the provisions of this Act and instruct in all the branches of study in which examinations are required for licensure under the provisions of this act

Section (10) Applicants examined and licensed by State Boards of Chiropractic Examiners of other States as heretofore provided for in this act on the payment of a fee of Twenty-five Dollars ($25.00) to the State Board of Chiropractic Examiners and filing in the office of the State Board of Chiropractic Examiners a copy of said license certified by the Affidavit of the president or secretary of such Board showing that the standard of requirements adopted by said Board of Examiners is substantially the same as is provided by Section (8) of this Act may if the State Board of Chiropractic Examiners be satisfied of the applicants standing and qualifications without further examination receive a license conferring on the holder thereof all the rights and privileges provided by Section (11) of this Act

Candidates for license to practice chiropractic in this State who present their applications and undergo examinations after the passage of this Act shall be obliged to present to the State Board of Chiropractic Examiners one of the following credentials satisfactory to the said Board covering their preliminary education prior to their beginning the study of Chiropractic in some legally incorporated reputable Chiropractic College to wit a diploma of graduation from a reputable college or university granting the degree of bachelor of arts or science or equivalent degree or a diploma of graduation from an educational institution maintaining a four (4) year course of study that is a State Normal or a High School a Seminary an Academy or a College preparatory School or a certificate of having passed examination for admission to the freshman class of a reputable literary or scietific college or university or a certificate of having passed an equivalent examination conducted by a certified examiner for the State of Pennsylvania to be appointed by the State Superintendent of Public Instruction and for other States to be approved by the State Superintendent of Public Instruction of Pennsylvania

Section (11) The license provided for in this Act shall authorize the holder thereof to practice Chiropractic which is defined to be the adjustment by hand of any or all articulations of the spinal column and as taught and practiced in the legally incorporated reputable Colleges of Chiropractic as provided for in this Act

Section (12) Chiropractors shall observe and be subject to all State and Municipal regulations relating to the control of contagious disease and all matters relating to public health the same as Practitioners or other schools and such reports shall be accepted by the Officers or department to whom the same are made

Section (13) From and after the approval of this Act no person shall enter upon or continue the practice of Chiropractic in the State of Pennsylvania unless he or she has complied with the provisions of this Act and shall have exhibited to the Prothonotary of the Court of Common Pleas of County in which he or she desires to practice Chiropractic a license duly granted to him or her as hereinbefore provided whereupon he or she shall be entitled upon the payment of one dollar ($1.00) to be duly registered in the office of the Prothonotary of the Court of Common Pleas of the said County and any person who shall practice or attempt to practice Chiropractic as defined in Section (11) of this Act in treating any ailment whatsoever of the human body or who shall use any of the terms or letters Chiropractor Chiropractic Doctor of Chiropractic Diplomat in Chiropractic or D D or any other titles or letters under such circumstances as to induce the belief that the person who uses such terms is engaged in the practice of Chiropractic without having first obtained the license as herein provided for or contrary to the provisions of this Act or who shall under any other terms or name practice as defined in Section (11) of this Act or who for the purpose of obtaining such license shall falsely represent himself of herself to be the holder of a diploma as herein provided shall be deemed guilty of a misdemeanor and upon conviction thereof in the Court of Quarter Sessions of the County wherein the offense shall have been committed shall suffer punishment by the imposition of a fine of not less than One Hundred Dollars ($100) nor more than Five Hundred Dollars ($500) or by imprisonment in the County Jail for not less than thirty (30) days nor more than ninety (90) days for each offense either or both at the discretion of the court Provided however that nothing contained in this Act shall be construed as affecting the practice of medicine

Section (14) On and after the approval of this Act the State Board of Chiropractic Examiners shall refuse to grant a license to an applicant to practice Chiropractic in this State and is empowered to revoke a license conferring on a person the right to practice Chiropractic upon the presentation to said State Board of Chiropractic Examiners of a court record showing the conviction in due course of law of said person for procuring aiding or abetting in producing a criminal abortion or miscarriage by any means whatsoever The State Board of Chiropractic Examiners upon such evidence and proof shall cause the name of such convicted licentiate to be removed from the record in the office of any Prothonotary in the State The State Board of Chiropractic Examiners may refuse revoke or suspend the right to practice in this State upon any or all of the following reasons to wit

The conviction of a crime involving moral turpitude habitual intemperate in the use of ardent spirits or stimulants narcotics or any other substance which impairs intellection and judgment to such an extent as to incapacitate him or her in the performance of Professional duties Any person who is a licentiate under this Act or who is an applicant for examination for licensure to practice Chiropractic in this State against whom any of the foregoing charges are preferred for causing the revocation or suspension of license or for causing the refusal of the right to be examined for licensure shall be furnished by the State Board of Chiropractic Examiners with a copy of the complaint and shall have a hearing before said Board in person or by Attorney and witnesses may be examined by said Board respecting the guilt or innocence of said accused The suspension of license of any licentiate under this Act shall be removed when said narcotic or vicious habit hereinbefore specified shall have been adjudged by the proper authorities to be cured or overcome and said suspended licentiate deemed again capable of practicing the healing art

Section (15) All Acts or parts of Acts inconsistent herewith be and the same are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. LUCAS. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. ALEXANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 797, entitled:

An Act increasing the number of courts of common pleas in the county of Philadelphia establishing therein a distinct and separate court of common pleas designated court of common pleas number six and providing for the election and appointment of judges for said court

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. EDMONDS. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sowers, permit himself to be interrogated?

Mr. SOWERS. I will, Mr. Speaker.

Mr. EDMONDS. Mr. Speaker, I would like to ask the sponsor of this bill as to whether or not there is any demand for increasing the number of courts of common pleas in Philadelphia, either from the law association or from the courts themselves.

Mr. SOWERS. Mr. Speaker, there was a motion in the law association for consolidation, in order to get results, but the consolidation fell through. The necessity for consolidation is cured by this bill. No objection has been made by any of the courts, and the real necessity for this bill really comes from the country districts, because we have had, in Philadelphia, as many as five and six country judges at one time, and the usual complaint from the country districts is that their judges are never at home, but that they are down at Philadelphia. Now, Philadelphia certainly should have more judges, and it seems to me that the country districts ought to have the services of their own judges, and we should not be constantly calling in the country judges to come down and help us out.

Mr. LUDLOW. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Sowers.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sowers, permit himself to be interrogated?

Mr. SOWERS. I will, Mr. Speaker.

Mr. LUDLOW. Can you give us any notion as to the cost of this court, including the judges' salaries biennium, the court stenographers, the tipstaves and all of the things that go with the creation of a new court in Philadelphia?

Mr. SOWERS. I imagine that the cost would be considerably less than the cost of the Tramp Judges' Act, both in money and the loss of time of the country judges from their districts.

Mr. LUDLOW. Can you not give more exact figures than that generalization?

Mr. SOWERS. I had the exact figures, but unfortunately, I left them on my desk at the office this afternoon and did not bring them with me. It was purely an accident, as I wished to have them to give them to you, because I surmised that you would ask for them.

Mr. LUDLOW. Mr. Speaker, it is an ingenious reason for the creation of a number six court, consisting of three additional judges in Philadelphia, to say that we must have it because we cannot consolidate the five we have now. We have five common pleas courts of three judges each, as has been stated by the gentleman from Philadelphia, Mr. Edmonds, or rather can be inferred from his remarks. There has been no demand either from the five courts or from the law association, of which Mr. Sowers and I are both members, for the creation of such a court. There are two facts to be considered. There are three judges at $12,000 a year, or a total of $72,000 to the State of Pennsylvania, without considering the cost of the court stenographers, the tipstaves, the necessity of the extra jurors, and so forth. Now, for the biennium ending on the 31st of this month, the entire appropriation of this State for the judges from one county lending their services to the judges of another county, which is sometimes familiarly known as the Tramp Judges' Act, the appropriation under it, the entire appropriation is about $60,000, which one week ago had only amounted, for actual services and costs under the act to the sum of $54,000. Therefore, if every judge in the State of Pennsylvania had gone to Philadelphia and occupied our bench there, we only would have used out of the appropriation up to a week ago, the sum of $55,000. Now, as a matter of fact, the number of these judges have gone to other counties, a number of them have gone to Pittsburgh and to Delaware and to Montgomery and to other counties which needed a supply judge, and those of you who lived in the counties outside of Philadelphia and Allegheny know that when your judge leaves that jurisdiction to supply elsewhere, they do it only when the local court is not in session. There may be one or two isolated instances such as those mentioned by the gentleman from Philadelphia, Mr. Sowers, where a judge may have packed up and gone to another county to make the extra compensation and neglected his business at home. I have not heard of any instances I am simply taking that on the law of chance because I do not know of any such cases, but why we should be burdened as a State without any demand from the judges and without any demand from the law association, why we should be burdened with an additional cost in the neighborhood of $100,000, I do not know, and I should like to be further advised by the gentleman from Philadelphia. As the matter stands, I am very much opposed to the creation of such an extra court.

Mr. SOWERS. Mr. Speaker, it is very true that my friend the gentleman from Montgomery County, does belong to the law association of Philadelphia County. I likewise belong to that association. That association did call a meeting on consolidation. It has approximately twelve hundred members. About thirty-eight members attended the meeting. I was up here and I sent one of my assistants to the meeting, and I left word with the meeting that I was opposed to consolidation. It passed by a two-thirds vote out of thirty-eighty members present. Judge Jenkins came up here and stated that it was the opinion of the law association that we ought to have consolidation. Judge Jenkins was told it was the opinion of the law association. I do not know whether my friend from Montgomery County was present at that committee hearing or not. Judge Jenkins stated that to prove it was the opinion of the law association he would send out postal cards and take a vote. He took a vote and he got the return and he has been keeping them ever since, but I happened to have an idea that the return is about seven to one against consolidation. So, when my friend said that the law association went on record for consolidation, but thirty-eight members of that committee who have always been hollering consolidation and advocating consolidation and who have never missed a meeting for consolidation, and no one else ever attends,—these thirty-eight pretend to speak for the whole, approximately two thousand members of the bar of Philadelphia. Now, my friend raises another question. He says the judges are making no demands. You men know that judges keep out of politics, and all things up here are more or less political, and they do not have anything to say. They have not said they are for it, for a number six court, nor have they said they are against it. My friend says, "What necessity exists?" I have never seen my friend in the criminal court in Philadelphia defending anybody. If he would go there occasionally, he would find that men come up for trial three or four or five months after being put into jail, they have been languishing in jail awaiting trial. First, take court number one, criminal court number one, and six months out of the year, while we sit the twelve months continuously, he would find in six months of the year a country judge there. If he will go to the criminal court number two, he will find, in six months of the year a country judge there. And if he will go around to criminal court number three he will find the same thing there. Now, are those judges performing the duties for which they were elected, to hold court for their districts, or are they performing the duties for which they were not elected, to come down to Philadelphia and stay there and live there; and you know you men from the country know they never ignore an invitation. My friend talks about the expense. Suppose you are defending a man charged with a criminal offense in Philadelphia and the case was brought before a judge from the country, and after the trial it was found by after-discovered testimony that the man was innocent and erroneously convicted. Now, I like to travel but I hardly get a chance to travel as far as Montgomery County or Norristown or some other county seat. How much expense does it put the lawyers to to travel all over the State to try and find those judges, who might not even then be serving at their home district, but out in some neighboring district? Isn't that an expense that goes to the public? It certainly goes to the clients. My friend states that the Tramp Judge Act only costs $56,000. I take his word for that, but I have my ideas about that. They get twenty dollars a day and we find they have Bellevue Stratford Hotel bills and other incidental expenses. Maybe my friend only counted the twenty dollars a day, and forgot the extras. You all know what the extras amount to. Now, as to the next proposition, what need is there for a court in Philadelphia? In 1874 the people of Pennsylvania said that there was need for four courts in Philadelphia. In 1900 the people of Pennsylvania said there was need for one more court in Philadelphia. That is twenty-six years. Now, we have approximately twenty-two or twenty-three years more, and the population has increased wonderfully over what it increased from 1874 to 1900, and the business of the courts has increased wonderfully, and there is the need. Now, how would you gentlemen like to wait three years to have a case tried? How would like it if you engaged a lawyer in Philadelphia to sue some merchant to whom you sent a consignment of merchandise and the merchant did not pay you and you decided to sue, and after your case is started, you would have to wait three years to have it tried? The minute you tell a client that in Philadelphia, the client will say, "I will see an undertaker, just forget the case."

Mr. DILSHEIMER. Mr. Speaker, we have now heard from the legal fraternity with reference to this bill. I think it is not alone the lawyers who are interested in this bill, it goes deeper than that, and I think the public in general and especially in the city of Philadelphia is more interested than the legal fraternity, for this reason: I know that we have got in the city of Philadelphia, in the courts, cases that have been pending for six or seven years. They have been on the trial list four or five times and have not been reached. Now gentlemen suppose you as a litigant had a case in court and suppose you had to wait four or five or six years to get justice. Do you think that is fair? to the taxpayers and to the citizens of Philadelphia? I say no, it is not. The very same objections which the gentleman from Montgomery county raised here tonight were raised here four years ago in this House when a bill was proposed to establish an extra court in Allegheny county. What was the consequence? The bill was passed to establish a new court in Allegheny county, and I am satisfied that Allegheny county today is mighty glad it passed this act. I ask you in all fairness to the citizens of Philadelphia to pass the bill even if it does cost $50,000 because you are doing a justice to the citizens of Philadelphia. We are in need of it. I am not speaking as a lawyer or a politican, I am speaking for the public, and I think the public has some rights here.

We as legislators should respect the rights of the individual citizen, and I ask you in all fairness to vote to pass this bill.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas an dnays werer taken and werer as follows, viz:

YEAS—106.

Alexander,
Allman,
Arthur,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Blair,
Bluett,
Blumberg,
Boback,
Brewster,
Bromley,
Brown,
Burns,
Bush,
Chaplin,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dilsheimer,
Drinkhouse,
Eaches,
Earley,
Evans, J.,
Flynn,
Fowler, A. I.,
Fowler, D.,
Gelder,
Gibbon,
Glasgow,
Golder,
Gorham,
Greeby,
Grimes,
Guerin,
Harer,
Haws,
Heffernan,
Henderson,
Heyburn,
Holcombe,
Hollis,
Huber,
Keene,
Kelly,
Kennedy,
Kohler,
Lafferty,
Little,
Long,
Lucas,
Lynch,
Marcus, J.,
Marcus, J. C.,
Mathay,
McBride,
McCaig,
McClure,
McDaniel,
McGowan,
McKim,
Metcalf,
Millar,
Miller,
Moffatt,
Munley,
Myers, P. M.,
Nolte,
O'Boyle,
Orr,
Parkinson,
Patterson,
Perry,
Pitts,
Posey,
Sautter,
Schaeffer,
Schilling,
Schwartz,
Sheridan,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Storb,
Storer,
Wettach,
Wheeler,
Whitehouse,
Williams, J. M.,
Woner,
Goodnough,
Speaker.

NAYS—69.

Albert,
Armstrong,
Baker,
Bentley,
Betts,
Bidelspacher,
Brenneman,
Brownmiller,
Dietz,
Donahue,
Driggs,
Edmonds,
Evans, B. P.,
Flinchbaugh,
Frazier,
Gallaher,
Goss,
Griffith,
Gundy,
Harter,
Heffran,
Hetrick,
Himes,
Hontz,
Hoover,
Horne,
Howell,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kunkle,
Labar,
Lauver,
Ludlow,
MacKinney,
Marshall, J. G.,
Marshall, W. F.,
McCurdy,
McDermott,
McVicar,
Minehart,
Moore,
Morrison,
Myers, G. C.,
Ogle,
Peelor,
Post,
Price,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Shambach,
Smith, G. A.,
Stevens, A. J.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wells,
Wood, N.,
Wood, W. F.,
Wright,
Zook,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON SECOND READING.

The SPEAKER. If there are no objections the Chair will take up the second reading calendar at this time. Are there objections? The Chair hears none.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 937, entitled:

An Act to amend section five of an act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred and nineteen) entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections as amended providing that nomination papers for the office of representative in the general assembly shall be filed with the county commissioners of the respective counties

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of an act approved the tenth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred and nineteen) entitled "An act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" which was amended by the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and thirty-two) entitled "An act amending sections five six and seven of an act approved the tenth day of June one thousand eight hundred ninety-three entitled 'An act to regulate the nomination and election of public officers requiring certain expenses incident thereto be be paid by the several counties and punishing certain offenses in regard to such elections' as the same was amended by an act approved the ninth day of July one thousand eight hundred ninety-seven and an act approved the twenty-first day of April one thousand nine hundred and three" is hereby further amended to read as follows:

Section 5 Nomination papers for candidates for the offices of Presidential electors and Members of the House of Representatives of the United States and for State offices including those of Judges and Senators shall be filed with the Secretary of the Commonwealth at least sixty days before the day of election Nomination papers for candidates for all other offices including Representatives in the General Assembly shall be filed with the county commissioners of the respective counties at least twenty-eight days before the day of election In determining or reckoning any period of time mentioned in this act the day upon which the act is done paper filed or notice given shall be excluded from and the date of the election shall be included in the calculation or reckoning

On the question,
Will the House agree to the section?

BILL RECOMMITTED.

Mr. VICKERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purpose of amendment.

Mr. WEAMER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 938, entitled:

An Act to further amend section seven of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended to provide for filing petitions for nomination for Representative in the General Assembly with the county commissioners

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in

General Assembly met and it is hereby enacted by the authority of the same That section seven of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party convention and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" which was amended by the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and thirty-nine) entitled "An act to amend sections seven ten thirteen fourteen and fifteen of an act entitled 'An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) as amended so as to provide fully how many official and specimen ballots shall be provided for each party at the primaries and to whom the same shall be delivered what other election materials shall be furnished and what printed instructions shall be given voters and election officers how the official ballots shall be given to qualified electors how party membership shall be evidenced and how and when it may be challenged how the vote shall be counted recorded and returned by the election officers what shall be done with the ballots voted their stubs and the unused spoiled and void ballots tally papers oaths of election officers affidavits of voters et cetera lists of voters of each party triplicate and other return sheets and who shall have the custody of same to require the return and public inspection of all the spoiled and unused ballots from each election district before the computation of any returns therefrom to prescribe the method of computing and canvassing such returns publicly to provide who shall constitute the return board for any county wherein one or more of the commissioners are candidates at any primary to regulate the manner of correcting apparent errors in certain returns and the opening of ballot-boxes and the recounting of votes when any county commissioner prothonotary or judge of the court of common pleas deems it necessary in order to obtain a correct count or upon the petition of three electors averring fraud or error to assure the right of any authorized representative of any party or candidate to hear record and check up the returns as read as well as to inspect the same and any other public documents relating to any primary election to allow any person aggrieved by any decision of the county commissioners or prothonotary to appeal therefrom to the court of common pleas of the proper county to make certain violations of said act as amended hereby misdemeanors and to provide penalties for the punishment of such offenses to provide that nomination petitions of candidates for any municipal office to be filled by a vote of the electors of a senatorial district shall be signed by at least two hundred qualified electors of such district and to repeal inconsistent legislation" is hereby further amended to read as follows

Section 7 The nomination petitions in the case of candidates for the office of President of the United States Senator of the United States Member of the House of Representatives of the United States for all State offices except the office of Representative in the General Assembly for the office of delegate or alternate delegate to a national party convention and for the office of members of the State or National Committee shall be filed at least forty days prior to the primary with the Secretary of the Commonwealth Nomination petitions in all other cases including nomination petitions for the office of Representative in the General Assembly shall be filed at least four weeks prior to the primary with the county commissioners of the respective counties

Nomination petitions of candidates shall be signed—

(a) If for the office of President of the United States or of Senator of the United States by at least one hundred qualified electors in each of at least ten counties of the State

(b) If for a State office to be filled by a vote of the electors of the State at large for the office of Representative from the State at large in the Congress of the United States for the office of delegate or alternate delegate at large to a national party convention or for the office of member of the National Committee by at least one hundred qualified electors in each of at least five counties of the State

(c) If for the office of a Member of the House of Representatives of the United States to be filled by a vote of the electors of a congressional district or of delegate or alternate delegate to a national party convention other than delegate or alternate delegate at large or of judge of any court other than a court whose judges are to be elected by a vote of the electors of the State at large or of Senator or of any municipal office to be filled by a vote of the electors of a senatorial district by at least two hundred qualified electors

(d) If for the office of a Member of the State House of Representatives or for the office of member of the State committee or an office to be voted for by the electors of the entire county by at least one hundred qualified electors

(e) If for the office of inspector of election at least five qualified electors

(f) And for all other offices and all other party offices by at least ten qualified electors

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. VICKERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purpose of amendment.

Mr. WEAMER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1325, entitled:

An Act to amend section eight paragraph two of an act approved July eighteenth one thousand nine hundred seventeen (Pamphlet Laws ten forty-three) entitled "An Act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payment therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight paragraph two of an act approved July eighteen one thousand nine hundred seventeen (Pamphlet Laws ten forty-three) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" is hereby amended to read as follows

On the question,
Will the House agree to the Section?

Mr. JERRY M. WILLIAMS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 1, page 2, line 15, by striking out the word "Section"

Amend sec. 1, page 2, lines 19, 20 and 21, by underscoring all the words after the word "board" in line 19, to and including the word "determine" in line 21

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The second section and title were separately read and agreed to as follows:

Section 2 The expense fund shall consist of such amount not to exceed forty thousand dollars ($40,000) dollars per annum as shall be set aside by the Retirement Board from the Funds hereinafter named and in such proportions from each Fund as said Board shall determine to defray the expenses of the administration of this act

An Act to amend section eight, paragraph two of an Act approved July eighteenth, one thousand one hundred seventeen (Pamphlet Laws, ten forty-three), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties."

And said bill having been read at length the second time and agreed to as amended.

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1443 (Senate Bill No. 15), entitled:

An Act relating to the retirement of certain officers and employes of the State Government and their compensation including officers and employes heretofore retired

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1451 (Senate Bill No. 629), entitled:

An Act to amend part of section three of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" by authorizing certain corporations of the first class to be incorporated by the Governor

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1148 (Senate Bill No. 345), as follows:

An Act to amend Section two of the act approved the eleventh day of July one thousand nine hundred and one (Pamphlet Laws six hundred and sixty-three) entitled "An Act to regulate and establish the fees to be charged by Sheriffs in this Commonwealth and to provide for the taxation and collection of the same"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section two of the act approved the eleventh day of July One Thousand Nine Hundred and One (Pamphlet Laws six hundred and sixty-three) entitled "An Act to regulate and establish the fees to be charged by sheriffs in this Commonwealth and to provide for the taxation and collection of the same" is hereby amended to read as follows

Section 2 No sheriff shall be required to render any service in any civil proceeding until he receives indemnity satisfactory to him for the payment of his official fees mileage expenses and legal costs or prepayment of same from the party at whose instance or for whose benefit such service is to be performed but any money advanced for his charges and not earned or expended shall be refunded to the payor therof Any sheriff without obtaining any extension of time for the return of any writ notice decree order or process may refuse to make return thereof until he shall receive all unpaid fees mileage expenses and legal costs relating thereto from the party for whose benefit the same was granted or issued unless his charges are to be paid by the Commonwealth or any county thereof and in case he does not receive his charges in advance or upon demand he may file with his return an itemized list of unpaid fees mileage cost and expenses respecting the services to which such return relates and if no exceptions are filed to the same within thirty days from the time of making such return the items including in such list shall be considered taxed and confirmed as fees and costs due such sheriff and become a judgment in law against the party for whose benefit the services were rendered as well as against any other party who may be or become liable for such fees and costs by law and the said sheriff may issue an execution for the amount so taxed and collect the same from any party so chargeable therewith without further suit and shall not be disqualified to enforce such execution by reason of his interest therein Provided that such taxation may be reviewed and execution controlled by any court having jurisdiction if sufficient cause be shown by any person aggrieved

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1150, (Senate Bill No. 347), entitled:

An Act empowering any chief deputy appointed by deed of any sheriff in any county of this Commonwealth to perform any duty incumbent upon such sheriff until a written revocation of such appointment be recorded with like effect as if such official act had been done by the sheriff in person regardless of the ability or temporary disability of such sheriff to act while such sheriff continues in office

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1149, (Senate Bill No. 346), as follows:

An Act authorizing the sheriffs of the several counties of this Commonwealth to organize themselves into a State Association for the purpose of holding annual meetings to secure more uniformity and co-operation in the conduct of their offices and providing for the payment of certain expenses in connection with such meetings by the various counties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the sheriffs of the several counties of this Commonwealth are hereby authorized to organize themselves into a State Association with power to hold annual meetings at such time and place within the State as they may designate for the purpose of securing more uniformity and co-operation in the conduct of their offices and improving their services to the public

Section 2 Except in counties of the sixth seventh and eighth each sheriff or deputy sheriff or solocitor representing any sheriff shall be allowed all reasonable expenses including hotel bill and travelling expenses actually incurred going to attending and returning from any annual meeting of the Association which shall be paid by the county of which he is an officer by orders drawn on the Treasurer thereof The time spent in attending such meetings shall not be more than four days exclusive of the time employed in travelling thereto and therefrom The expenses of the annual meetings of the Association including any necessary amount for printing committee meetings and stenographic service shall except in counties of the sixth seventh and eighth classes be paid by the proper counties but shall not exceed Twenty-five dollars for each county the sheriff of which is a member of said Asociation In any county of the sixth seventh or eighth class the sheriff of which may be a member of said Association the county commisioner may allow like expenses to such sheriff or his representative for attending any such annual meeting and may join with the other counties aforesaid in sharing the expenses of such meetings to the extent aforesaid

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1467, (Senate Bill No. 764), entitled:

An Act fixing the salary of court criers in countiess of the sixth class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 90, as follows:

A Further Supplement to an act approved the first day of April one thousand eight hundred and sixty-three (Pamphlet Laws two hundred and thirteen) entitled "An Act to accept the grant of public lands by the United States to the several states for the endowment of agricultural colleges" and making an appropriation for carrying the same into effect

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to carry into effect the act of Congress approved July second one thousand eight hundred and sixty-two granting public lands to the several states for educational purposes and the act of the Legislature of Pennsylvania approved April first one thousand eight hundred and sixty-three acceting the provisions and conditions of said act of Congress and pledging the faith of the state to carry the same into effect the sum of two million nine hundred and ninety-three thousand nine hundred and fourteen dollars ($2,993,914) is hereby specifically appropriated for the two fiscal years beginning June first one thousand nine hundred and twenty-three to the Trustees of The Pennsylvania State College for the following purposes

For the general maintenance of the school of agriculture and the agricultural experiment station the institute of animal nutrition the school of engineering and the experiment station the school of liberal arts the school of mines the school of natural sciences the department of home economics the department ow physical education the department of military science the graduate school and the Carnegie Library including salaries and wages maerials and supplies and equipment fo radministration instruction investigation and research service light heat power water and sewage disposal maintenace and repair of grounds and buildings street paving insurance and interest and such other necessary expenditures as the trustees may deem necessary and practicable for organizing and maintaining apprentice trade and night schools and classes in cooperation with public school boards boards of trade chambers of commerce industries mining institutes and other institutions and organizations and also for public school debating lecture courses reading clubs and other forms of organized education effort and for maintaining at the college a summer session for teachers and for extension classes for teachers including salaries materials supplies and equipment for administration and instruction and maintenance of buildings and grounds the sum of two million three hundred and ninety-three thousand nine hundred fourteen dollars ($2,393,914)

For meeting the provisions of the Act of Congress approved May eighth one thousand nine hundred and fourteen providing for agricultural and home economics extension and for other forms of extension work in agriculture and home economies the sum of five hundred thousand dollars ($500,000)

For research and experimental investigations on problems related to the agricultural industry of the state the sum of one hundred thousand dollars ($100,000)

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 91, as follows:

An Act making an appropriation to the trustees of the University of Pittsburgh for the general maintenance of and purchase of equipment for the university and for the maintenance of teaching facilities in hospitals for students in the school of medicine

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one million two hundred thousand nine hundred sixty dollars ($1,200,960) or so much thereof as may be necessary is hereby specifically appropriated to the trustees of the University of Pittsburgh for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the general maintenance of the University of Pittsburgh and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the university and for the maintenance of teaching facilities in hospitals for students in the school of medicine of the University of Pittsburgh including the maintenance of the maternity dispensary and as the trustees of the University may deem necessary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1129, entitled:

An Act to amend section twenty-four of an act approved the thirteenth day of May Anno Domini one thousand nine hundred and fifteen entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" so far as to fix responsibility upon school authorities in school districts of the first second and third classes for enforcing in such districts the provisions of the child labor law relating to street trades and to prescribe the means of such enforcement

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-four of an act approved the thirteenth day of May Anno Domini one thousand nine hundred and fifteen entitled "An Act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this Act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" is hereby amended to read as follows

"Section 24 It shall be the duty of the Commissioner of Labor and Industry the attendance officers of the various school districts and the police of the various cities boroughs and townships of this Commonwealth to enforce the provisions of this act Prosecutions for violations of this act may be instituted by any factory inspector attendance officer or police officer upon oath or affirmation All prosecutions for violations of this act shall be in the form of summary criminal proceedings instituted before a magistrate alderman or justice of the peace within the school district wherein the offense was committed Upon conviction after a hearing the sentence provided in this act shall be imposed All fines collected under this act shall be paid into the State Treasury for the use of the Commonwealth"

In every school district of the first second or third class authority for the enforcement of section seven of this act shall be vested also in the board of school directors thereof In every such school district the board of school directors through its attendance officers may enforce thoroughly the provisions of said section In such event the said board of school directors shall make such regulations and adopt such plans as it may deem wise or necessary for properly carrying out the provisions of said section subject to the approval in writing of the State Superintendent of Public Instruction

On the question,

Will the House agree to the section?

Mrs. De YOUNG. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 1, page 2, line 6 by inserting after the word "fifteen" the following: "(Pamphlet Laws two hundred eighty-six)"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second and third sections were separately read and agreed to, as follows:

Section 2 This act shall take effect on the first day of July Anno Domini one thousand nine hundred and twenty-three

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

The title was read as follows:

An Act to amend section twenty-four of an act approved the thirteenth day of May Anno Domini one thousand nine hundred and fifteeen entitled "An Act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" so far as to fix responsibility upon school authorities in school districts of the first second and third classes for enforcing in such districts the provisions of the child labor law relating to street trades and to prescribe the means of such enforcement

On the question,

Will the House agree to the title?

Mrs. De YOUNG. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 3 by inserting after the word "fifteen" the following: "(Pamphlet Laws two hundred eighty-six)"

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1268, as follows:

An Act prohibiting the appointment of certain persons as police officers game protectors fish wardens and detectives

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person who has been convicted of crime and who has been sentenced by any court of record to serve imprisonment in any penal institution shall be eligible to be appointed a State policeman or a game protector deputy game protector fish warden or deputy fish warden or a police officer of any municipality or to be commissioned a police officer for any private corporation or to be appointed or licensed as a county city or private detective

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 189, as follows:

An Act making an appropriation to the trustees of Temple University at Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five hundred thousand dollars ($500,000) or so much thereof as may be necessary is hereby specifically appropriated to the trustees of Temple University at Philadelphia for the two fiscal years beginning June first one thousand nine hundred and twenty-three the said amount to be applied as follows

For the purpose of general maintenance of the University and the purchase of such apparatus and equipment as the trustees may deem best for the interests of Temple University the sum of three hundred fifty thousand dollars ($350,000) or so much thereof as may be necessary

For the general maintenance of the School of Medicine of Temple University and for the purchase of necessary supplies apparatus and equipment therefor the sum of one hundred fifty thousand dollars ($150,000) or so much thereof as may be necessary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1458, (Senate Bill No. 690), entitled:

An Act authorizing and empowering counties of the second class in this Commonwealth to acquire by lease purchase or condemnation proceedings any land within the county for the purpose of establishing and maintaining airdromes or aviation landing fields providing for the procedure in case of condemnation and the extent of title acquired authorizing the lease by the county of portions of said land to individuals or corporations upon such terms as may be fixed and the lease thereof to the Government of the United States upon nominal rental authorizing and empowering the county to use land now owned by it for such purposes and authorizing joint operation by said county and any city within the county of airdromes or aviation landing fields where such city is authorized to establish and maintain the same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1459, (Senate Bill No. 691), entitled:

An Act authorizing and empowering the cities of the second class in this Commonwealth to acquire by lease purchase or condemnation proceedings any lands within or without the limits of said cities but within the limits of the counties in which such cities are located for the purpose of establishing and maintaining municipal airdromes or aviation landing fields providing for the procedure in cases of condemnation and the extent of title acquired authorizing the lease by the cities of portions thereof to individuals or corporations upon such terms as may be fixed and the lease thereof to the Government of the United States upon nominal rental and empowering said cities to operate and maintain said fields jointly with any county within which said city is situate where the county is empowered to operate and maintain an airdrome or aviation landing field

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1393, (Senate Bill No. 294), entitled:

An Act to amend sections two and five of the act approved the tenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, four hundred and seventy-three), entitled "An Act providing for the burial of certain persons who are have been or shall be soldiers, sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones, markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1146, (Senate Bill No. 341), as follows:

An Act fixing the mileage chargeable by sheriffs requiring its pay in advance in certain cases and providing for its taxation and collection as sheriff's costs when unpaid

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter the sheriff of each county of this Commonwealth shall charge and receive for milage in serving or executing each separate writ warrant notice rule order claim sentence decree or other process pleading or judgment or performing any other duty authorized or directed by law ten cents a mile circular for each mile necessary to be travelled by him or any of his deputies or employees for rendering any service required therefor Provided that he shall not demand or receive more than one mileage where both the parties plaintiff and defendant in two or more contemporaneous writs are the same or when conducting two or more prisoners at one time to or from a place of detention or correction if he receives the actual expenses for transporting such prisoners and his deputies guarding them

Section 2 Any sheriff may demand prepayment of his mileage for performing any service in any civil proceedings from the party at whose instance or for whose benefit the same is to be performed and shall not be obliged to render such service without being first paid or indemnified for such mileage except when it is chargeable against a county or the Commonwealth or a governmental subdivision or agency of either

Section 3 Any sheriff may tax and collect his unpaid mileage in the same manner as his fees or legal costs are taxable against and collectable from any person or body liable for same or sue any person from whom it may be due and shall not be disqualified to enforce any execution for such mileage by reason of his interest therein

Section 4 All acts or parts of acts general special or local inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1450, (Senate Bill No. 497), entitled:

An Act relating to county bridges authorizing counties to issue and sell bonds for the erection thereof and providing for the division of the cost of construction and erection of joint county bridges and the collection of tolls thereon

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1147, (Senate Bill No. 343), as follows:

An Act to amend section two of an act approved the twenty-sixth day of May one thousand eight hundred and ninety-seven (Pamphlet Laws ninety-five) entitled "An Act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff and claimed to belong to others than the defendant in the execution or process" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section two of an act approved the twenty-sixth day of May one thousand eight hundred and ninety-seven (Pamphlet Laws ninety-five) entitled "An Act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff and claimed to belong to others than the defendant in the execution or process" as amended by the Act approved the eighth day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred and sixteen) entitled "An Act to amend Section two of an act approved the twenty-sixth day of May one thousand eight hundred and ninety-seven (Pamphlet Laws ninety-five) entitled 'An Act relating to proceedings where goods and chattels have been levied upon or seized by the sheriff and claimed to belong to others than the defendant in the execution or process' as amended" is hereby amended to read as follows

Section 2 Said rule for an interpleader shall become absolute at the return day thereof unless exceptions thereto sufficient in law are filed by any of the parties interested and the clerk of said court shall make docket entries accordingly where no hearing is required and if the claimant or someone in his behalf at or before such return day presents to said court or to any judge thereof in chambers a sworn statement of title in the form required for framing an issue under this act showing that the claimant has a prima facie title to the property claimed and does not derive the same directly or indirectly by from or through any defendant in such execution or process said rule for an interpleader shall be made absolute by said court or judge upon the filing of such statement of title without hearing any plaintiff who has not previously filed any exception to said rule If said rule shall be made absolute either with or without a hearing the claimant shall give bond to the Commonwealth of Pennsylvania with security to be approved by said court or a judge thereof in double the appraised value of the goods and chattels claimed or in double all claims with interest and probable costs thereon for which said property is in legal custody whichever shall be the smaller amount conditioned that he shall at all times maintain his title to said goods and chattels claimed or pay the value thereof to the party or parties thereunto entitled in accordance with their respective interests therein by reason of such executions or process or otherwise and thereupon the sheriff shall withdraw all levies and attachments on the property claimed and deliver any goods and chattels actually in his custody to the claimant upon payment by the latter of the charges incurred by the sheriff in taking and keeping and transporting the same Provided that the claimant shall first have filed the statement of the title required by this act in each suit or proceeding in which any execution or attachment issued and any of said goods and chattels were levied upon or seized by said sheriff

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 396, as follows:

An Act to amend route number two hundred and thirty of section six of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenace and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That route number two hundred and thirty of section six of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads conecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" is hereby amended to read as follows

Route Two Hundred and Thirty From York to the Maryland state line Commencing at a point on the boundary line of the city of York and running over route one hundred and twenty-six to a point each of Farmers thence by way of Nashville Spring Grove and Hanover to a point on the dividing line between York and Adams counties thence to Littlestown thence over route forty-two to the Maryland State line and also from Littlestown over the present State aid route to the Maryland State line connecting with the road to Taneytown in Maryland

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1471 (Senate Bill No. 734), entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania by adding thereto an additional section

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1143 (Senate Bill No. 292), entitled:

An Act to amend section ten of the act approved the twenty-seventh day of June, one thousand eight hundred and ninety-five, (P. L. 403), entitled "An Act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over, prescribing his duties, and abolishing the office of county auditor in said counties."

On the question,

Will the House agree to the bill on third reading?

Mr. HORNE. Mr. Speaker, as I understand it, the bill now under consideration is Senate Bill No. 292. Mr. Speaker, I will yield to the gentleman from Luzerne, Mr. Gibbon.

BILL POSTPONED.

Mr. GIBBON. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. SCHAEFFER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 187, as follows:

An Act relating to pistols and revolvers regulating the sale possession and use thereof defining "pistol or revolver" imposing additional penalties for crimes committed while unlawfully armed prohibiting the ownership or possession of a pistol or revolver by any unnaturalized foreign-born person and by persons convicted of certain felonies providing for licenses to carry and licenses to sell pistols and revolvers prohibiting the disposing thereof to minors or to persons not entitled to own or possess the same and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That DEFINITION "pistol or revolver" as used in this act shall mean any firearm with barrel less than twelve inches in length except antique firearms incapable of use as such

Section 2 COMMITTING CRIME WHEN ARMED Any person committing or attempting to commit a crime when armed with a pistol or revolver and having no permit to carry the same shall upon conviction thereof in addition to the punishment provided for the crime be sentenced to undergo imprisonment for not less than five years nor more than ten years and for a second or third offense to double and triple such penalty and for a fourth offense the person so convicted may be sentenced to imprisonment for life

Section 3 ALIENS AND CRIMINALS MUSTNOT POSSESS ARMS No unnaturalized foreign born person and no person who has been convicted of a felony against the person or property of another shall own or have a pistol or revolver in his possession or under his control for a period of five years Any person violating the provisions of this section shall be guilty of a misdemeanor and on conviction be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment for a period not exceeding ten years or both

Section 4 CARRYING PISTOL CONCEALED No person shall carry a pistol or revolver concealed in any vehicle or upon his person except in his dwelling house or place of business without a license therefor as hereinafter provided Any person violating the provisions of this section shall be guilty of a misdemeanor and on conviction be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment for a period not exceedin five years or both

The provisions of this section shall not apply to marshals sheriffs policemen or other duly appointed peace officers nor to the regular and ordinary transportation of pistols or revolvers as merchandise nor to members of the Army Navy or Marine Corps of the United States or the National Guard when on duty or organizations by law authorized to purchase or receive such weapons from the United States or the State of Pennsylvania nor to duly authorize military or civil organizations when parading nor to the members thereof when at or going to or from their customary places of assembly

Section 5 ISSUE OF LICENSES TO CARRY Any judge of the court of common pleas shall upon application of any person having a bona fide residence or place of business within the State of Pennsylvania or of any person having a bona fide residence or place of business within the United States and a permit to carry a firearm concealed upon his person issued by the authorities of any State or subdivision of the United States issue a license to such person to carry a pistol or revolver within the state of Pennsylvania for not more than one year from date of issue if it appears that the applicant has good reasons to fear an inquiry to his person or property or for any other proper purpose and that he is a suitable person to be licensed The license shall be in triplicate in form to be prescribed by the Superintendent of the Department of State Police and shall bear the name address description and signature of the licensee and the reason given for desiring a license The original thereof shall be delivered to the licensee the duplicate within seven days be sent by registered mail to the Superintendent of the Department of State Police and the triplicate shall be preserved for six years by the judge of the Common Pleas Court issuing the same

Section 6 DEALERS TO BE LICENSED Any person who sells advertises or exposes for sale or has in his possession with intent to sell pistols or revolvers without being licensed as hereinafter provided shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment for a period not exceeding five years or both

Section 7 DEALERS' LICENSES BY WHOM GRANTED AND CONDITIONS THEREOF The superintendent of the Department of State Police may grant licenses and may prescribe the form thereof effective for not more than one year from date of issue permitting the licensee to sell pistols and revolvers at retail subject to the following conditions

1 The business shall be carried on only in the building designated in the license

2 The license or a copy thereof certificate by the issuing authority shall be displayed on the premises where it can easily be read

3 No pistol or revolver or imitation thereof or placard advertising the sale thereof shall be displayed in any part of said premises where it can readily be seen from the outside

Section 8 SELLING TO MINORS Any person or persons who shall sell barter hire lend or give any pistol or revolver to any minor under the age of twenty-one years shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not more than one hundred dollars or to undergo imprisonment for a period not exceeding three months or both

Section 9 SALES REGULATED No person shall sell deliver or otherwise transfer a pistol or revolver to a person who he has reasonable cause to believe either is an unnaturalized foreign-born person or has been convicted of a felony against the person or property of another No person shall deliver a pistol or revolver on the day of the application for the purchase thereof nor unless when delivered said pistol or revolver is unloaded and securely wrapped Before a delivery is made the purchaser shall sign in duplicate and deliver to the seller a statement containing his full name address and nationality the date of sale the caliber make model and manufacturer's number of the weapon The seller shall within seven days sign and forward by registered mail to the Superintendent of the Department of State Police one copy thereof and shall retain the other copy for six years This section shall not apply to sales at wholesale Where neither party to the transaction holds a dealer's license no person shall sell or otherwise transfer a pistol or revolver to any person not personally known to him Any person violating any of the provisions of this section shall be guilty of a misdemeanor and on conviction be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment for a period not exceeding five years or both

Section 10 PENALTY FOR FALSE INFORMATION If any person in purchasing or otherwise securing delivery of a pistol or revolver shall give false information or offer false evidence of his identity he shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment for a period not exceeding ten years or both

Section 11 ALTERATION OF IDENTIFYING MARKS PROHIBITED No person shall change alter remove or obliterate the name of the maker model manufacturer's number or other mark of identification on any pistol or revolver Possession of any such firearms upon which the same have been changed altered removed or obliterated shall be presumptive evidence that such possessor has changed altered removed or obliterated the same Violations of this section shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment for a period not exceeding five years or both

Section 12 CONFISCATION REVOCATION OF LICENSES AND PERMITS In all cases of violations of any of the provisions of this act all pistols or revolvers involved shall be confiscated and destroyed If any such violation is by a person holding a license or permit under the provisions of this act such license or permit shall be revoked

Section 13 CONSTITUTIONALITY The provisions of this act shall be servable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect the validity of the remaining provisions of this act It is hereby declared as a legislative intent that this act would have been adopted by the General Assembly had such unconstitutional provision not been included therein

Section 14 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—130.

Alexander,
Anderson,
Armstrong,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Bidelspacher,
Bluett.
Blumberg,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Conner,
Craig,
Diehm,
Drinkhouse,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fratt,
Gelder,
Gibbon,
Goehring,
Gorham,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harter,
Haslett,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Huber,
Irvin,
Jones, C. B.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Labar,
Lafferty,
Little,
Long,
Lucas,
Lynch,
Malie,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McCurdy,
McKim,
Metcalf,
Millar,
Moore,
Morrison,
Munley,
Myers, P. M.,
Nolte,
Ogle,
Orr,
Parkinson,
Peelor,
Perry,
Posey,
Post,
Price,
Raymond,
Richards,
Rippman,
Sample,
Sautter,
Schaeffer,
Schwartz.
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. F.,
Storb,
Storer,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, J. M
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—4.

Jones, D. J.,
McCaig,
Miller,
Moffatt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 197, as follows:

An Act to amend section two of an act approved the twenty-third day of March one thousand nine hundred and twenty-one (Pamphlet Laws forty-two) entitled "An Act appropriating to the State Highway Department for the purpose of assisting in the construction maintenance improvement and repair of State highways and State-aid highways all moneys derived from registrations and from license fees for the year one thousand nine hundred and twenty-one and subsequent years under the provisions of the act of Assembly approved June thirtieth one thousand nine hundred and nineteen relating to and regulating motor vehicles and amendments thereto and providing for salaries and other expenses of the department"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pensylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the twenty-third day of March one thousand nine hundred and twenty-one (Pamphlet Laws forty-two) entitled "An Act appropriating to the State Highway Department for the purpose of assisting in the construction maintenance improvement and repair of State highways and State-aid highways all moneys derived from registrations and from license fees for the year one thousand nine hundred and twenty-one and subsequent years under the provisions of the act of Assembly approved June thirtieth one thousand nine hundred and nineteen relating to and regulating motor vehicles and amendments thereto and providing for salaries and other expenses of the department" is hereby amended to read as follows

Section 2 That the motor vehicle fees hereby dedicated to the State Highway Department shall include the payment of any and all expenses necessary to carry out the purpose of the several acts of Assembly pertaining to the operation of the State Highway Department and the construction and maintenance of State highways and State-aid highways and for the payment of salaries and traveling expenses of any employes necessary in the judgment of the State Highway Commissioner to effectually carry on the work of the State Highway Department and may include the payment of State rewards for the construction and improvement of township roads and the erection and construction of township bridges in townships of the second class

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156.

Albert,
Alexander,
Anderson,
Armstrong,
Arthur,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Blumberg,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Craig,
de Young,
Dietz,
Donahue
Driggs,
Drinkhouse,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gibbon,
Gilchrist,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harer,
Haslett,
Haws,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Mangan,
Marcus, J.,
Marshall, J. G.,
Marshall, W. F.
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. J.,
Storb,
Storer,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker

NAYS—2.

Brenneman,
Rhodes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 84, entitled:

An Act making an appropriation to the Washington Crossing Park Commission for the purpose of the acquisition of land and property and the making of improvements in accordance with the provisions of the act of July twenty-fifth, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand two hundred and nine), entitled "An act to authorize the acquisition by purchase or condemnation of land for a park and the erection of a monument commemorative of Washington Crossing the River Delaware and for the appointment of a commission to acquire said lands and erect such monument, and making an appropriation for the purposes of this act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168.

Alexander.
Anderson,
Armstrong.
Arthur,
Asbury,
Aston,
Baker,
Baldi.
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Blair,
Bluett,
Blumberg,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Chaplin,
Clutton,
Coldsmith,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Mack,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Posey,
Post,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter.
Schoener,
Schwartz.
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Storb,
Storer,
Thomas, M. G.
Thompson,
Van Alen,
Vickerman,
Weamer,
Wells,
Wettach,
Whitehouse,
Whiteman,
Williams, J. M
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Evans, B. P.,
Evans, J.,
Fields,
Kelly,
Kennedy,
Raymond,
Richards,
Goodnough, Speaker.

NAYS—1.

Bush,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

REPORTS FROM COMMITTEES.

Mr. HORNE, from the Committee on Education, reported as amended, House Bill No. 1126, entitled:

An Act to amend section one thousand four hundred and one of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Mr. HORNE, from the Committee on Education, reported as committed, House Bill No. 1407, (Senate Bill No. 509), entitled:

An Act to require the teaching of the Constitution of the United States in the public and private schools.

ADJOURNMENT.

Mr. EACHES. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 11:00 o'clock.

The motion was agreed to, and (at 11:51 o'clock P. M.) the House adjourned until tomorrow morning at 11:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

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SENATE

TUESDAY, MAY 8, 1923.

The Senate met at 11 o'clock A. M.

The PRESIDENT (Lieutenant-Governor David J. Davis) in the Chair,

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Almighty God: We come to Thee this morning, thanking Thee for past mercies and asking for a continuance of Thy loving favor. Bless our homes and all who are near and dear unto us. If any are sick, lay Thy healing hand upon them . If any are in trouble, grant them relief. Bless our Nation and the President of the United States. Watch over our Commonwealth and prosper us as a people. Be with our Governor and bless the Legislature; and in a very special way let Thy benediction rest upon the members of the Senate, and guide them in all their deliberations.

We ask it in the name of our Lord and Savior, Jesus Christ. Amen.

JOURNAL APPROVED.

The President—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN the further reading was dispensed with, and the Journal was approved.

PETITIONS.

PROTESTING AGAINST PASSAGE OF HOUSE BILL No. 160.

Mr. PATTON presented petition of Philadelphia Board of Trade, protesting against the passage of House Bill No. 160.

Which was referred to the Committee on Judiciary General.

FAVORING PASSAGE OF HOUSE BILLS NOS. 1278 AND 1279.

Mr. VARE presented petition of Philadelphia Board of Trade, favoring passage of House Bills Nos. 1278 and 1279.

Which was referred to the Committee on Insurance.

REPORTS FROM COMMITTEES.

Mr CRAIG, from the Committee on Judiciary General, reported as amended, Senate Bill No. 468, (House Bill No. 436), entitled:

An act regulating the mortgaging of real property, and the signing, executing and delivering of bonds to secure debts by married persons; and providing for the effect thereof.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 527, (House Bill No. 403), entitled:

An act to enable city county poor ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties if the surety or sureties have paid the taxes to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective bonds or by the expiration of the authority of their respective warrants by the expiration of their terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act.

Mr. BARR, from the Committee on Judiciary General, reported as committed, Senate Bill No. 903, (House Bill No. 1305), entitled:

An Act to confer upon the Courts of Quarter Sessions of the several Counties of the Commonwealth jurisdiction and power to authorize the removal of the remains of the dead from private burial grounds which have or shall become unsightly and unsuitable places for interment.

Also from the Committee on Appropriations, reported, as amended Senate Bill No. 1018, entitled:

A Joint Resolution proposing an amendment to section seven of article three of the Constitution of Pennsylvania.

Mr. SNYDER, from the Committee on Agriculture, reported as committed, Senate Bill No. 901, (House Bill No. 975), entitled:

An Act to amend section six as amended and section eight of the act approved the twenty-fourth day of July, 1913, (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violations hereof" changing the legal weight of certain commodities and providing for the disposition of certain fines.

Mr. NORTON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1130, (House Bill No. 1338), entitled:

An Act providing a means whereby the individual justice of the peace may better inform himself as to the law changes in the law and decisions of the Courts on the law of this Commonwealth.

Mr. JONES, from the Committee on Public Roads and Highways, reported as amended, Senate Bill No. 1014, (House Bill No. 1159), entitled:

An Act providing a system of registering titles to motor vehicles for the protection of owners of motor vehicles and to faciliate the recovery of motor vehicles stolen or unlawfully taken regulating the certification of such titles the purchase, sale and transfer of motor vehicles and their registration providing for the collection of fees for the certilcation of titles and for disposition thereof, forbidding the destruction removal alteration covering or defacement of any engine manufacturer's or other destinguishing number or identification mark on motor vehicles and providing for the assignment of special numbers in certain cases, imposing duties on the State Highway Commissioner, sheriffs, constables, police officers and other peace officers and providing penalties.

Mr. LONG, from the Committee on Judiciary General, reported as committed, Senate Bill No. 743, entitled:

An Act to further amend clause three of section one of an act approved the eighth day of May, one thousand eight hundred and fifty-four (P. L. 644) entitled, "An act concerning divorces," as amended, making the degree of cruelty as a ground for divorce the same for husband and wife.

Mr. MILLER, from the Committee on Education, reported as committed, Senate Bill No. 1148, entitled:

An Act to amend section three paragraph one, of an act, approved July 18, 1917 (P. L. 1043) entitled "An act establishing a public school employes' retirement syetem, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending the time for a "present employe", as defined in the act, to elect to be covered by the retirement system, and including among "present employes" those employed in certain educational institutions.

Mr. MacDADE, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1147, entitled:

An Act to authorize and provide for the transfer of person or persons confined in any penitentiary under sentence of law to some other prison or institution.

Also from the Committee on Judiciary General, reported, as amended, Senate Bill No. 742, entitled:

An act concerning the domicile of a married woman.

Mr. KRAUSE from the Committee in Judiciary General, reported as committed, Senate Bill No. 744, entitled:

An Act to amend section one of an act approved the fifteenth day of March, one thousand eight hundred and fifteen (P. L. 150), entitled "An act concerning divorces;" making the degree of cruelty as a ground for divorce the same for husband and wife, and to repeal section ten of the said act.

Mr. STINEMAN, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 725, (House Bill No. 852), entitled:

An Act to amend sections four, seven and section nine, as amended, of an act approved the twenty-second day of July, one thousand nine hundred and nineteen, (P. L. 1903), entitled "An Act creating, in counties having a population of from eight hundred thousand to one million five hundred thousand, a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; fixing their salaries, payable by the county; defining the powers and duties of such board; and regulating the assessment of property and occupations for State and county purposes; authorizing the appointment of subordinate assessors and clerks, defining their duties and providing for their compensation, payable by such counties; imposing a penalty on subordinate assessors for failure to comply with certain provision of this act, and abolishing the office of ward, borough, and township assessor, in so far as respects the assessment of property and occupations for State and county purposes," by exempting buildings and structures in the course of erection, and providing for the placing of borough and township assessments in public places.

Mr. ARON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 917, (House Bill No. 366), entitled:

An Act to amend section two of an act approved the eleventh day of May one thousand nine hundred and eleven (P. L. 279) entitled. "An act relating to the time and manner of taking exception in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purposes of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case"

Mr. CHRISTLEY, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1069, entitled:

An Act construing and confirming the powers of the Service Commission with respect to rates, service and facilities of Public Service Companies including the furnishing of street paving and street paving repairs.

Mr. DAIX, from the Committee on Judiciary General, reported as amended, Senate Bill No. 841, (House Bill No. 906), entitled:

An Act to amend section twenty-one of an act approved the fourteenth day of May 1915, (P. L. 483) entitled "An act relating to practice in the courts of common pleas in actions of assumpsit and trespass except actions for libel and slander, prescribing the pleadings and procedure to be observed therein and giving the courts power to enforce its provisions" by requiring objections to the form of any pleading to be filed and served upon the opposite party within 15 days after the service of such objectionable pleading.

Mr. SALUS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 908, (House Bill No. 1012), entitled:

An Act validating ordinances and proceedings by councils in boroughs for the paving and curbing of public highways and validating municipal liens therefor.

Mr. HOMSHER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1045, (House Bill No. 1264), entitled:

An Act providing for the depositing of moneys as a forfeit for the appearance of persons arrested for certain offenses for hearing before a mayor or chief burgess and providing for the forfeiture and payment of the same into the city or borough treasury in case of non-appearance of person arrested.

Mr. SCHANTZ, from the Committee on Appropriations, reported as committed, Senate Bill No. 838, (House Bill No. 900), entitled:

A supplement to the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations requiring notice to the Department of Public Welfare of applications for charters and amendments thereto of hospitals maternity homes and hospitals and certain charitable and ellemosynary institutions and societies and further regulating the incorporation thereof.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 1056, entitled:

An Act making an appropriation to the Home for the Training in Speech of Deaf Children before thev are of school age, at Belmont Avenue and Monument Road, Philadelphia.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 1079, entitled:

An Act making an appropriation to the Prison Labor Commission.

Mr. BUCKMAN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1140, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the purchase by the United States of about one hundred and forty-seven and five hundred and forty-three thousandths acres of land in O'Hara Township, Allegheny county, Pennsylvania, for use in the care and treatment of discharged sick and disabled soldiers and ceding jurisdiction over such land; and also providing for the retention of a concurrent jurisdiction by the Commonwealth of Pennsylvania with the United States on such land for the service of legal process thereupon.

Also from the Committee on Judiciary General, re-reported as committed, Senate Bill No. 522, (House Bill No. 289), entitled:

An Act to amend part of section forty-one of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries, the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents"

Mr. WEAVER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 758, entitled:

An Act to amend section eight clause (a) of an act, approved the seventh day of June, 1917, (P. L. 403) entitled, "An act relating to the form, execution, revocation, and interpretation of wills; to noncupative wills; to the appointment of testamentary guardians; to spendthrift trusts; to forfeiture of devise or legacy in case of murder of testator; to elections to take under or against wills, and to the recording and registering of such elections and of decrees relative thereto, and the fees therefor," by giving to the sole surviving parent the right to appoint a testamentary guardian for his or her minor child.

Mr. SONES, from the Committee on Game and Fisheries, reported as committed, Senate Bill No. 975, entitled:

An Act forbidding the use or shooting of live pigeons or other birds in any contest exhibition or practice of marksmanship; relating to the renting or use of buildings and premises for such purposes; and prescribing penalties for violations.

Mr. STITES, from the Committee on Judiciary General, reported as committed, Senate Bill No. 905, (House Bill No. 820), entitled:

An Act authorizing the sale of real estate held by entireties by husband and wife when an order of support has been secured against the husband who has neglected to comply with the same or whose whereabouts is unknown or who has absented himself from this Commonwealth prescribing the procedure to be followed permitting husband and wife to testify providing for the disposition of the proceeds of such sale and granting a divorced woman the same rights under this act as a wife.

Also from the Committee on Education, re-reported as amended, Senate Bill No. 823, (House Bill No. 712), entitled:

An Act to amend section six of an act approved the twenty-sixth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred and twenty-seven) entitled "An Act to provide for the incorporation of institutions of learning with power to confer degrees in art pure and applied science philosophy literature medicine law and theology and for the supervision and regulation of the same and providing a method by which institutions already incorporated may obtain the power to confer degrees and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources" as amended by prescribing additional requirements for institutions conferring degrees making certain exceptions therefrom and imposing certain duties on the State Council of Education.

Mr. DAIX, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 998, entitled:

An Act to repeal the act approved the fourteenth day of February, one thousand eight hundred and sixty-seven, (P. L. 205), entitled "A supplement to an act, passed the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine, relating to billiard saloons, et cetera, in the counties of Chester and Delaware, extending the same to the county of Bradford."

Mr. ARON, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1051, (House Bill No. 148), entitled:

An Act authorizing cities boroughs and incorporated towns to require and permit the laying and constructing of sanitary sewers and sewer pipes outside the cartway and the curblines thereof in all streets and highways and prescribing the uses thereof and providing for the assessment of the costs and expenses of any such sewer against the abutting property in the front of which the said sewer is laid.

Mr. BUCKMAN, from the Committee on Corporations, reported as amended, Senate Bill No. 958, (House Bill No. 1216), entitled:

An Act authorizing certain corporations to authorize, create and issue capital stock of any class or kind without nominal or par value, and to change or convert their authorized or outstanding capital stock of any class or kind into shares of any class or kind either with or without nominal or par value and validating the creations and issues of stock heretofore made by corporations in accordance with the provisions hereof.

Mr. STEELE, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 1099, (House Bill No. 1319), entitled:

An Act to amend section one article four chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" as amended.

Mr. SALUS, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 930, (House Bill No. 818), entitled:

An Act to amend an act approved the twentieth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and forty-three) entitled "An Act relating to free public non-sectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public nonsectarian libraries as may have been already established by the several counties cities boroughs towns and townships and providing that all library property and all gifts devises grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relation to the above subjects."

BILL INTRODUCED.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 1157, entitled:

An Act to amend article nineteen, section thirteen, paragraphs five and six, and section eighteen of an act approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "An Act for the better government of cities of the first class of this Commonwealth."

Which was committed to the Committee on Municipal Affairs.

RESOLUTION RELATIVE TO RECONSTRUCTION OF LEHIGH COAL AND NAVIGATION CANAL.

Mr. BUCKMAN offered the following resolution, which was twice read as follows:

In the Senate, April 30, 1923.

Whereas, Efforts have been made by prominent citizens of Bucks County to foster a movement to enlarge the present Lehigh Coal and Navigation Company's canal, running from tide water at Morrisville to Easton, and on to Mauch Chunk, and

Whereas, The United States War Department, through its engineering department, has been directed by an act of Congress to determine the value of such a canalization plan for the Upper Delaware Valley, and

Whereas, The engineers suggest a commission be created to function and cooperate with the said War Department, with a view of purchasing such rights of way for the use of the United States Government in the reconstruction of the old canal into a thousand ton barge canal, therefore be it

Resolved, (if the House of Representatives concur) That the General Assembly of the Commonwealth of Pennsylvania endorses the movement to provide for the canalization of the Upper Delaware Valley, and the purchase of rights of way and reconstruction of a one thousand ton barge canal running from the head of tide water of the Delaware River at Morrisville to Easton and Mauch Chunk.

Resolved, That a copy of this resolution be forwarded by the Secretary of the Commonwealth to the President pro tempore of the Senate and the Speaker of the House of Representatives of the United States, and to the Secretary of War.

On the question,

Will the Senate agree to the resolution?

Mr. LONG. Mr. President, I do not know what the resolution is about, and I do not want to vote for a resolution without knowing what it is.

Mr. President, I would like to interrogate the sponsor of the resolution.

The PRESIDENT. Will the Senator from Bucks, Mr. Buckman, permit himself to be interrogated?

Mr. BUCKMAN. Mr. President, I will.

Mr. LONG. Mr. President what is the purpose of the resolution?

Mr. BUCKMAN. Mr. President, the purpose of the resolution is to call the matter to the attention of the Congress of the United States. If the Senator from Franklin, Mr. Long, objects to its being considered now I have no objection to its going to committee, or I will answer any questions that he may ask.

Mr. LONG. Mr. President, I ask that the resolution be referred to committee.

The PRESIDENT. The resolution is referred to the Committee on Canals and Inland Navigation.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 43.

Mr. SCHANTZ offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 8, 1923.

Resolved (if the House of Representatives concur), That Senate Bill No. 47, File Folio, entitled:

An Act to amend section eleven of the act approved June 13, 1840 (P. L. 683), entitled "A supplement to an act entitled 'An Act relating to the elections of this Commonwealth,' passed the second day of July, A. D. 1839, and for other purposes;" allowing constables mileage for advertising elections, and compensation for advertising elections where there is more than one polling place in a district. Said mileage and compensation to be paid by counties.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION INVITING MEMBERS OF THE HOUSE TO ATTEND MEMORIAL SERVICES.

Mr. BROWN offered the following resolution, which was twice read, considered and agreed to,

In the Senate, May 8, 1923.

Whereas, Memorial services in honor of the late William E. Crow, Senator from Pennsylvania in Congress of the United States and a former member of the Senate of Pennsylvania, are to be held in the Hall of the Senate today at two o'clock P. M. and the presence of the members of the House of Representatives is desired at said services, therefore be it

Resolved, That an invitation be extended to the Members of the House of Representatives to attend said memorial services by the President Pro Tempore of the Senate.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 337, as follows:

An Act to amend section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriation to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended by providing for appeals from assessment of damages

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet laws four hundred sixty eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioners and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvements maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repair to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" which was amended by section two of the act approved the sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and seven) entitled "An Act to amend sections eight and sixteen of the act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled 'An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvements providing for payment of cost of improvement and repairs providing penalties for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act' authorizing the State Highway Commissioner to establish the location lines and width of State highways providing for the recording of the same and denying to owners and occupiers of land damages for improvements erected within the established lines and width of the State highways so laid out and providing for the payment of damages to property owners by counties and repealing existing laws" is hereby further amended to read as follows

Section 16 Before the State Highway Commissioner shall undertake the construction reconstruction or improvement of any State highway on the plan of the State highways wherein a change of width or of existing lines and location is necessary and damages is likely to result to abutting property he shall notify the county commissioners of the proper county in writing of the contemplated change in such existing width lines and location whereupon the county commissioners when possible shall enter into an agreement with the owner or owners of said property as to the amount of damage to be paid to the said owner or owners which damage if agreed upon shall be paid by the county or in case an agreement satisfactory to the county commissioners and said owner or owners cannot be made the State Highway Commissioner may proceed with the work of construction reconstruction or improvement and the owner or owners of said property damaged thereby may present their petition to the court of quarter sessions for the appointment of viewers to ascertain and assess such damages The proceedings upon said petition and by the viewers shall be governed by existing laws relating to the ascertainment and assessment of damages for opening public highways The county commissioners or any other party to such proceedings may appeal from the award of the viewers to the court of common pleas and shall be entitled to a trial by jury From the judgment of the court of common pleas an appeal may be had to the Supreme or Superior Court as in other cases Such damages when ascertained shall be paid by the county in which the State highway is located

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. MANSFIELD. Mr. President, I ask that Senate Bill No. 162, on final passage, entitled:

An Act to amend section one of the act approved June seventeenth one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An Act to provide revenue for State and County purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 763, as follows:

An Act relating to the preparation of a new Constitution of the Commonwealth by a convention and its adoption or rejection by the people

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at the general election for the year one thousand nine hundred and twenty-four the question "Shall a constitutional convention be held in the year one thousand nine hundred and twenty-six as provided in the act of Assembly approved the ....day of........ one thousand nine hundred and twenty-three" (intersecting the date of the approval of this act) followed by the words "yes" and "no" in appropriate voting blocks shall be printed upon the official ballots to be used at such election as provided by the election laws of the Commonwealth for the submission of questions to the vote of the people Below the said question shall appear the words "voters" favoring the holding of a constitutional convention in the year one thousand nine hundred and twenty-six will mark a cross (X) to the right of the word 'yes' those opposing the holding of a convention will mark a cross (X) to the right of the word 'no' "

Section 2 If a majority of the electors who shall vote upon the aforesaid question shall favor the holding of a constitutional convention the said convention shall convene in the Hall of the House of Representatives in the State Capitol in the city of Harrisburg on the second Tuesday of January one thousand nine hundred and twenty-six at twelve o'clock noon and shall conclude its sessions not later than August first one thousand nine hundred and twenty-six and delegates to said convention shall be nominated and elected as hereinafter provided

Section 3 The said constitutional convention if authorized by the electors as hereinbefore provided shall consist of three district delegates from each Senatorial district within the Commonwealth as said districts are constituted at the time of the election A district delegate shall be at least twenty-five years of age a citizen of the United States of America for at least five years a citizen and inhabitant of the Commonwealth for at least four years but may or may not be an inhabitant of the Senatorial District from which he or she shall be elected a delegate

Section 4 If the electors vote in favor of the convention nominations for district delegates to the said constitutional convention shall be made at the primary election for the year one thousand nine hundred and twenty-five The names of candidates for nomination shall be printed upon the official ballot of each political party upon the filing of nomination petitions in their behalf in the office of the Secretary of the Commonwealth at least forty days before the date of the said primary Such nomination petitions for district delegates shall be in the form required by law for the nomination of candidates for the office of Senator in the General Assembly except that a candidate may or may not be an inhabitant of the Senatorial District in which he or she is a candidate and shall be signed by at least two hundred qualified electors of the Senatorial districts within which the respective candidates are to be nominated

The Secretary of the Commonwealth in forwarding to the county commissioners of each county a list of the candidates for the various offices to be nominated at the said primary election shall include the names of the candidates of each party for delegates to be the constitutional convention

Each elector voting at such primary shall be entitled to vote for two candidates for district delegates to such constitutional convention

The county commissioners or the proper return judges shall make the proper certificates of return of votes cast for the candidates for nomination for the office of delegate to the constitutional convention to the Secretary of the Commonwealth

The two candidates of any political party receiving the largest number of votes at the said primary election shall be the nominees of such party for delegates from the Senatorial district within which such candidates are nominated

Section 5 Nominations for district delegates to said constitutional convention if authorized as hereinbefore provided may also be made by nomination papers in the manner provided by law for the nomination by nomination papers of candidates for Senator in the General Assembly

Section 6 If the electors at the said election for the year one thousand nine hundred and twenty-four shall authorize the holding of a constitutional convention as hereinbefore provided district delegates to such convention shall be elected at the municipal election for the year one thousand nine hundred and twenty-five

The ballots for use at such municipal election in the several Senatorial districts of the Commonwealth shall from such districts nominated as hereinbefore provided Each elector voting at such municipal election shall be entitled to vote for two district delegates to such constitutional convention and the three candidates for district delegates in each district receiving the highest vote shall be the district delegates from such district to the constitutional convention

Section 7 Returns of the said election shall be made by the proper prothonotary or return judges to the Secretary of the Commonwealth who shall certify the result to the Governor who shall thereupon declare by proclamation the names of the persons duly elected Any vacancies occurring in the office of delegate to said constitutional convention may be filled by vote of the remaining delegates

Section 8 If a constitutional convention be authorized as hereinbefore provided it shall be called to order by the Governor and it shall immediately organize by electing a president secretary and such other officers as shall be necessary for the transaction of its business It shall have the power to adopt rules of procedure finally to determine the election and qualification of delegates and generally to adjourn to such time or times and such place or places as it shall determine

Section 9 It shall be the duty of such constitutional convention to consider the constitution recommended by "The Commission on Constitutional Amendment and Revision" appointed under the act approved the fourth day of June Anno Domini one thousand nine hundred nineteen

The convention may submit a proposed constitution as a whole or may submit separately such parts thereof as it may determine Provided That one-third of all the members of the convention shall have the right to require the separate and distinct submission to a popular vote of any change and amendment proposed by the convention

The convention shall also frame the question necessary to elicit from the electors their approval or rejection of the said proposed costitution and of any parts to be separately submitted in brief form and so that they can be answered by either the word "yes" or the word "no"

Section 10 Such constitution as may be proposed by the constitutional convention shall be engrossed and signed by the president and secretary of the convention and shall be delivered to the Secretary of the Commonwealth not later than the first Monday of September of the year one thousand nine hundred and twenty-six The Secretary of the Commonwealth shall enter the proposed constitution upon the records of his office He shall publish the said proposed constitution in at least two newspapers in every county of the State wherein said number of newspapers may be published once during the week immediately preceding the election and shall publish the same in convenient form and send a copy thereof to every elector in the Commonwealth making application therefor He shall also cause to be sent through the county commissioners to each polling place in the Commonwealth in sufficient time to be there available to persons voting thereat at least ten copies of the proposed constitution so published for the use of voters desiring to consult the same while in the polling place

The question framed by the convention as aforesaid shall be by said convention certified to the Secretary of the Commonwealth who shall in turn at least thirty days before the general election of one thousand nine hundred and twenty-six certify the same to the county commissioners of the several counties The question so certified shall be printed on the official ballot to be used at such general election followed by the words "yes" and "no" and appropriate voting blocks as provided by the election laws of the Commonwealth for the submission of question to the vote of the people

Section 11 The constitution and any parts thereof to be submitted separately proposed by such constitutional convention shall be submitted to the qualified electors of the Commonwealth for their approval or rejection at the general election in the year one thousand nine hundred and twenty-six A majority of the electors voting upon the adoption or rejection of the proposed constitution shall be necessary for its adoption Such proposed constitution and any parts thereof submitted separately if approved by a majority of the electors voting thereon shall become effective unless the proposed constitution or the schedule thereto shall otherwise provide upon the first day of January one thousand nine hundred and twenty-seven Returns of the vote cast for and against the proposed constitution and for and against any parts thereof submitted separately as hereinbefore provided shall be canvassed as provided by law and shall be certified by the prothonotary of every county to the Secretary of the Commonwealth who shall compute the same and certify the result to the Governor If from said certificate it shall appear that the proposed constitution and any parts thereof submitted separately shall have been adopted by the people the Governor shall immediately make proclamation thereof

Section 12 The members of the constitutional convention if held as provided by this act shall receive a salary of one thousand dollars ($1,000) payable in five equal instalments an allowance for traveling expenses of twenty cents per mile circular for one session and an allowance for postage stationery and contingencies of one hundred dollars ($100)

The convention shall have the power to employ and to fix the compensation of a secretary and such officers assistants clerks and other employes as shall be deemed necessary to carry out the provisions of this act

Section 13 It is the intent of this act that the procedure provided for the nomination and election of district delegates shall be the same as that provided by law for the nomination and election of Senators in the General Assembly and matters relating to the nomination and election of delegates not expressly covered by this act shall be governed by the laws relating to the nomination and election of such Senators

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Christley,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schautz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—2.

Buckman,
Kutz.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER.

Mr. EINSTEIN. Mr. President, I ask that Senate Bill No. 782, on final passage, entitled:

An Act to amend section nineteen of an act approved the second day of May one thousand nine hundred and five (Pamphlet Laws three hundred and fifty-two) entitled "An Act to regulate the employment in all kinds of industrial establishments of women and children employed at wages or salary by regulating the age at which minors can be employed and the mode of certifying the same and by fixing the hours of labor for women and minors to provide for the safety of all employes in all industrial establishments and of men women and children in school-houses academies seminaries colleges hotels hospitals store-houses office buildings public halls and places of amusement in which proper fire-escapes exits and extinguishers are required to provide for the health of all employes and of men women and children in all such establishments storehouses and buildings by proper sanitary appliances and to provide for the appointment of inspectors office clerks and others who with the Chief Factory Inspector shall constitute the Department of Factory Inspection to enforce the same and providing penalties for violations of the provisions thereof fixing the term and salaries of the Chief Factory Inspector and his appointees" by providing for inspection of boilers by the Department of Labor and Industry for examination and certification of boiler inspectors and a fee therefor for issuance of certificates of operation and a fee therefor and for the use of the fees collected.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EINSTEIN. Mr. President, I ask that Senate Bill No. 783, on final passage, entitled:

An Act to amend section one of an act approved May thirtieth one thousand eight hundred and ninety-five entitled "An Act to provide for safety guards upon passenger elevators and providing a penalty for violation of thereof"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 796, as follows:

An Act providing for the alteration of the boundaries of counties in certain cases for the adjustment of the indebtedness thereof providing the effect thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where a part of the county or a borough which constitutes a part of a county is so located that the best interest of such part of a county or borough so located and of the inhabitants thereof that such part of a county or borough be annexed to an adjoining county the court of quarter sessions of the first named county may on petition decree such alterations of the boundaries of the county as shall be for the best interest of the inhabitants aforesaid The term "part of county" as used in this act shall not include an area greater than two hundred and fifty acres nor an area containing a population of over two thousand inhabitants

Section 2 The petition shall not be considered unless it shall

1 Be signed by not less than two-thirds of the qualified electors of the part of the county or borough so located and

Be signed by not less than two-thirds in number and interest of the owners of real estate in such part of a county or borough the valuation to be as shown by the triennial assessment for county purposes last preceding the presentation of the petition The owners of an undivided interest shall be regarded as one person

3 Be verified as to the genuineness of the signatures by a qualified elector of the county

Section 3 When the petition is presented the court shall fix a day for hearing it and direct that notice of the presentation of the petition and of the day of hearing shall be given to the commissioners of the counties affected by the proposed change of boundaries If one of the counties affected is coterminous with a city the notice shall also be given to the council of the city On the day fixed for hearing or as soon thereafter as the business of the court will permit the court shall hear all parties in interest and shall make such decree as to the court shall seem right and proper

Section 4 When the court decrees an alteration of the boundaries of any such county it shall appoint an auditor who shall conduct such hearings and make such investigations as the court may direct Notice of such hearings and investigations shall be given by the auditor as directed by the court When the auditor shall complete the hearings and investigations he shall report to the court

Section 5 The report of the auditor shall include

1 The total assessed valuation of the subjects of taxation in the county from which a part is to be taken

2 The total assessed valuation of the subjects of taxation in the part proposed to be taken from such county

3 The total amount of indebtedness of the county from which a part is to be taken

4 The value of all real property to be transferred from one county to another by reason of the alteration of boundaries

5 An adjustment of the indebtedness and of the property of the counties affected by the alteration of boundaries

6 A form of decree altering the boundaries as aforesaid and adjusting the indebtedness of the counties affected

Section 6 The decree shall be confirmed nisi by the court If exceptions are not filed thereto within ten days from the date of the decree or if an appeal therefrom is not taken within ten days the decree shall be absolute It shall thereupon be recorded in the office of the recorders of deeds of the counties affected by the change Upon such recording the boundaries of the respective counties shall be fixed according to the decree The decree absolute shall be enforced as decrees in equity are enforced

Section 7 Where county boundaries are changed as hereinbefore provided and a part of a county or a borough becomes part of another county if the county to which said part of a county or borough is transferred constitutes a city the part or borough so transferred shall become a part of the city and be subject to the Government of the city and the local government theretofore existing shall cease and the property and assets of such local government or of the school district thereof shall become the property and assets of the city and the city school district

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Stineman,
Vare,
Weaver,

NAYS—4.

MacDade,
Sprowls,
Steele,
Stites,

A majority of all the Senators having "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 969, (House Bill No. 1345), as follows:

An Act to enable an incorporated hospital association to acquire by lease or purchase any State owned hospital specially devoted to the reception care and treatment of injured persons or of any State owned general medical and surgical hospital and to provide for the regulation and management thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of trustees of any State owned hospital specifically devoted to the reception care and treatment of injured persons or of any State owned general medical and surgical hospital is hereby authorized to enter into negotiations with an incorporated hospital association representing the people of the community in which any such hospital is situate looking to the transfer by lease or sale of the property of any such hospital to such incorporated hospital association

Section 2 Whenever such negotiations have been concluded on conditions approved by the Department of Public Welfare and the Governor the board of trustees of any such State hospital shall enter into an agreement in writing embodying the terms and conditions upon which the transfer of the property of such State hospital to the incorporated hospital association is effected Said agreement shall be submitted to the Department of Public Welfare and if approved in writing by the Commissioner of Public Welfare and the Governor of the Commonwealth said agreement shall thereupon become binding and effective

Section 3 Immediately upon the transfer of the property of any State hospital as hereinbefore provided there shall be appointed to manage such hospital a board of nine trustees three to be appointed by the Governor and six by the incorporated hospital association Of the trustees first appointed by the Governor one shall serve for one year one for two years one for three years and upon the expiration of the respective periods and thereafter the vacancy shall be filled by the Governor for a term of three years Of the trustees appointed by the incorporated hospital association two shall serve for one year two for two years two for three years and upon the expiration of the respective periods vacancies shall be filled by the incorporated hospital association for a term of three years Should any vacancy occur by the death resignation or incapacity of any trustees such vacancy shall be filled by appointment for the unexpired term of such trustee The board of trustees shall manage and direct the affairs of such hospital and make all necessary by-laws and regulations not inconsistent with the Constitution and laws of the Commonwealth

Section 4 Whenever a State hospital is transferred to an incorporated hospital association as hereinbefore provided facilities of such hospital shall be extended to include all classes of medical and surgical work (except contagious disease) both for private and public charges provided that no patient in need of medical or surgical treatment shall be refused admission to such hospital solely by reason of such patient's inability to pay for it

Section 5 The Board of Trustees of any such hospital as may be transferred to an incorporated hospital association under the provisions of this act is hereby authorized to collect funds for and extend the facilities of such hospital either by alteration of an existing hospital building and equipment or by the erection and equipment of new buildings suitable to the needs of the community and subject to the apporval of the Department of Public Welfare as now provided by law

Section 6 The Board of Trustees of any such medical and surgical hospital transferred to an incorporated hospital association under the provisions of this act shall receive compensation from the State for services rendered to such and indigent patients upon the same terms as it now or shall hereafter compensate medical and surgical hospitals not under the exclusive control of the Commonwealth

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order

The Senate resumed the third reading and consideration of Senate Bill No. 1038, (House Bill No. 469), as follows:

An Act to amend section three of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended by the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred thirty-six) entitled "An Act to amend section three of an act approved the twelfth day of July one thousand nine hundred thirteen (Pamphlet Laws seven hundred nineteen) entitled 'An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' as amended" is hereby amended to read as follows

Section 3 One primary shall be held each year in every election district of this Commonwealth in which nominations are to be made or delegates and alternate delegates to national party conventions State committeemen or party officers including members of the national committee are to be elected as herein provided The said primaries shall be held on the third Tuesday of September in all odd-numbered years and on the third Tuesday of May in all even-numbered years except in the year of the nomination of a President of the United States in which year the primary shall be held on the fourth Tuesday of April The primaries held on the third Tuesday of September shall be known as the fall primary and the primary held on the third Tuesday of May and the fourth Tuesday of April shall be known as the spring primary

Candidates for all offices to be filled at the general election shall be nominated at the spring primary Delegates and alternate delegates to national party conventions State committeemen and such party officers including members of the national committee as required by the rules of the several political parties to be elected by a vote of the party electors shall be elected at the spring primary except as otherwise provided in this act

The vote for candidates for the office of President of the United States as herein provided for shall be cast at the spring primary

Candidates for all offices to be filled at the municipal election shall be nominated at the fall primary

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constiution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,

Craig,
Daix,
Davis,
Derrick,
Joyce,
Krause,
Kutz,
Lanius,
Phipps,
Quigley,
Salus,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 1080, as follows:

An Act amending section 2 of ARTICLE XVI of an act approved the twenty-ninth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and eighty-one entitled "An Act for the better gvoernment of cities of the first class of this Commonwealth .

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two or ARTICLE XVI of an act entitled "An act for the better government of cities of the first class of this Commonwealth" approved the twenty-fifth day of June Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws five hundred eighty-one) is hereby amended to read as follows

Section 2 At the municipal election held in such city in the year one thousand nine hundred and (nineteen) twenty-three and in every fourth year thereafter the city councilmen shall be elected in the various State Senatorial Districts in such city in proportion to the number of (assessed) registered voters residing in each such district as determined by the last (assessment) registration completed according to law at least three months prior to said election One councilman shall be elected for each unit of twenty thousand (assessed) registered voters residing in each such district and one for any fractional portion of such unit in excess of fifty percent (50%) thereof residing in such district over and above all entire units (Provided however That if any time hereafter the women of this Commonwealth shall be given the right to vote the unit of representation aforesaid shall be forty thousand assessed voters instead of twenty thousand as above provided And provided further That such assessment lists may be corrected prior to August first of one thousand nine hundred nineteen and of every fourth year thereafter by striking therefrom names of voters not residing in the district at the time of such revision and by adding the names of voters then residing therein but not included in said assessment) The number of councilmen to be elected from each (such) said District shall be determined by the County Commissioners on August first (of) one thousand nine hundred (nineteen) and twenty-three and of every fourth year thereafter (on the basis of the said lists as revised The registration commissioners in each city of the first class shall be empowered and it shall be their duty in case of petitions filed by one or more qualified voters objecting to names on the assessors' list or in case of personal application of voters to be added to said list to hear said petitions or applications and to strike from the lists the names of persons who are not voters then residing within the district and to add the names of voters then residing within the district but who were not included in said assessment Such petitions shall be filed and personal applications made not later than July fifteenth of such years and shall be acted upon not later than July twenty-fifth thereof) Councilmen shall be nominated and elected according to law and those receiving the highest votes shall be declared elected to the number to which each such district is entitled Councilmen shall serve for the period of four years from the first Monday in January following their election If any vacancy shall happen in the office of councilman the vacancy may be filled at the next general municipal or special election occurring not less than thirty days thereafter but the councilman thus elected shall serve only the unexpired term

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 309, (House Bill No. 203), entitled:

An act relating to and regulating the speed of motor vehicles driven through cemeteries and burial grounds and providing penalties for violation thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 539, (House Bill No. 588), entitled:

An Act to regulate the alloting or subdividing of land in cities of the second class by requiring the recording in the office of the Recorder of Deeds of a map or plat prior to the sale conveyance or mortgaging of any part thereof and providing penalties for the violation of the act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS RECOMMITTED.

Mr. NORTON. Mr. President, I move that Senate Bill No. 738, on third reading, entitled:

An Act to amend sections one four eight thirteen and fifteen and to repeal sections five and six of the act approved the seventh day of June one thousand eight hundred and eighty-seven (Pamphlet Laws three hundred sixty-five) entitled "An Act to encourage and authorize the formation of cooperative association productive and distributive by farmers mechanics laborers or other persons" providing for the formation of such associations by five or more natural or legal persons eliminating the provisions with regard to the giving of credit and the sale and leasing of real estate and the clause requiring the keeping posted of a balance sheet for three months

be recommitted to the Committee on Judiciary General.

Mr. SNYDER. Mr. President, I second the motion.

The motion was agreed to.

Mr. SONES. Mr. President, I move that Senate Bill No. 750, on third reading, entitled:

An Act providing for the refunding of moneys erroneously paid into the State treasury as taxes on inheritances or transfers of inheritances

be recommitted to the Committee on Appropriations.

Mr. CLARK. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. SISSON. Mr. President, I ask that Senate Bill No. 784, on third reading, entitled:

An Act to amend section twelve of an act approved May second one thousand nie hundred and five (Pamphlet Laws three hundred fifty-two) entitled "An Act to regulate the employment in all kinds of industrial establishments of women and children employed at wages or salary by regulating the age at which minors can be employed and the mode of certifying the same and by fixing the hours of labor for women and minors to provide for the safety of all employes in all industrial establishments and of men women and children in school-houses academies seminaries colleges hotels hospitals storehouses office buildings public halls and places of amusements in which proper fire-escapes exits and extinguishers are required to provide for the health of all employes and of men women and children in all such establishments storehouses and buildings by proper sanitary appliances and to provide for the appointment of inspectors office clerks and others who with the Chief Factory Inspector shall constitute the Department of Factory Inspection to enforce the same and providing penalties for violation of the provisions thereof fixing the term and salaries of the Chief Factory Inspector and his appointees" by providing for inspection of elevators by the Department of Labor and Industry for examination and certification of elevator inspectors for an examination fee for issuance of certificates of operation and a fee therefor and for the use of the fees collected

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 815, (House Bill No. 486), entitled:

An Act to amend section two of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and eight) entitled "An Act regulating the closing of public highways and providing for the locating marking and maintenance of detours necessitated by such closing" and providing penalties

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 833, (House Bill No. 830), entitled:

An Act amending section one of an act entitled "A further Supplement to an act entitled 'An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expense thereof' approved the fifth day of May one thousand nine hundred and eleven constituting the said court the juvenile court of said county and prescribing its organization jurisdiction and powers therein and otherwise" approved the nineteenth day of March one thousand nine hundred and fifteen by providing that the said county court sitting as a juvenile court shall have sole jurisdiction in all proceedings for the custody of dependent neglected incorrigible and delinquent children

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

BILL POSTPONED.

Mr. LESLIE. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. DAIX. Mr. President, I move that Senate Bill No. 834, (House Bill No. 848), on third reading, entitled:

An Act to provide for the care treatment and maintenance of dependent crippled children conferring powers in connection therewith upon the Department of Public Welfare and Juvenile Courts and imposing certain expenses upon counties

be recommitted to the Committee on Judiciary Special for the purpose of a hearing.

Mr. STINEMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 854, (House Bill No. 1128), entitled:

An Act authorizing the State Highway Commissioner to empower certain other employees of his department to perform such official acts as he may designate

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS 46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius.
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 890, (House Bill No. 45), entitled:

An Act providing a system whereby persons absent from their regular polling places may cast their votes imposing certain powers and duties upon county commissioners prothonotaries return boards of the various counties and the board of registration commissions in cities of the first and second class in relation thereto and providing penalties

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Christley,
Craig,
Davis,
Derrick,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Phipps,
Quigley,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,

NAYS—4.

DeWitt,
Patton,
Salus,
Vare,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

The PRESIDENT, Senate Bill No. 896, (House Bill No. 1229), on third reading, entitled:

An Act to further amend section one thousand two hundred ten as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

has not been received from the printer and will go over in its order.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 912, (House Bill No. 139), as follows:

An Act to amend section ten of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highways and a staff of assistants and employes defining their Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring borouhgs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the

State Highway Commisioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligations and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" which was amended by an act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred and two) is hereby further amended to read as follows

Section 10 Anything herein contained or any apportionment of the State into highway districts shall not be construed as including or in any manner interfering with the roads streets and highways in any of the cities boroughs or incorporated towns of the Commonwealth Provided where any road street or highway within the limits of any borough or in any incorporated town shall form a part of section of any State Highway as herein described and the same or any part thereof is not already improved or reconstructed according to the standards of the State Highway Department or in a manner equal to said standards by the borough or incorporated town the State Highway Commissioner may improve or reconstruct such unimproved section or sections such width as he may deem advisable of such road street or highway at the expense of the Commonwealth and such improvement or reconstruction of such roads streets or highways in said boroughs or incorporated towns shall be made and performed by the State Highway Department at the discretion of the State Highway Commissioner

The maintenance of any road street or highway or of any part or parts thereof improved or reconstructed as a State highway in any borough or incorporated town heretofore improved or reconstructed or which shall be improved or reconstructed under this act and which road forms a part of a State highway in any borough or incorporated town shall be done by the State Highway Department at the discretion of the State Highway Commissioner and ten per centum of the cost and expense of said maintenance shall be paid by the respective borough or incorporated town in which said work is done Where any road street or highway or any part or parts thereof in any borough or incorporated town has been heretofore reconstructed as a State-aid road with bricks or material other than a telford water-bound macadam road or bituminous macadam on other than a concrete base or which have been heretofore or may hereafter be reconstructed as a State Highway with bricks or other permanent paving material the said brick or paved road street or highway shall be maintained according to the standards of the State Highway Department by the borough or incorporated town wholly at the cost and expense of the borough or incorporated town in which said road street or highway may lie Provided That if any borough or incorporated town shall neglect or refuse to maintain any such brick-paved road street or highway forming a part of a State Highway according to the standards aforesaid the State Highway Commissioner is hereby authorized and empowered to maintain and repair said road street or highway at the cost and expense of said borough or incorporated town after giving five days' prior notice to the councils of any such borough or incorporated town of the intention to do said work of maintenance and repair Provided further That upon the neglect or refusal of any borough or incorporated town to pay such cost and expenses within sixty days after the completion of such maintenance or repairs that State Highway Commissioner shall take such action as is necessary to collect the same from the said borough or incorporated town refusing to make the required payment And provided further That all improvement reconstruction and maintenance of any road street or highway in boroughs or incorporated towns shall be of the same character as that done in townships

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron.
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,

Craig,
Daix,
Davis,
Derrick,
Joyce,
Krause,
Kutz,
Lanius,
Phipps,
Quigley,
Salus,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 914, (House Bill No. 246), entitled:

A Joint Resolution proposing an amendment to section eleven of article eight of the Constitution of Pennsylvania

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SCHANTZ. Mr. President, as I understand this bill the Courts of Quarter Sessions now have all the powers that they are granted in this bill. The Courts of Quarter Sessions at the present time have powers to change election districts, create them, alter them, change their boundaries, and that is all that this bill does.

Mr. VARE. Mr. President, my understanding of the law at the present time is this: That upon petition of the voters in any district where there has been an excess of 250 votes polled it is mandatory on the part of the court to split the district and create thereby an additional district. Under the proposed amendment it would leave that part of it open and the court itself would consider each petition on its merits. Or, in other words, some polling places have several thousand persons, others 500. Under the present law it is absolutely mandatory on the part of the court, upon petition, to create these divisions when there are in excess of 250 voters.

Mr. SCHANTZ. Mr. President, I do not understand that there is any provision like that in the Constitution at the present time. If it is a law certainly it does not take a constitutional amendment to change the law. There is no constitutional provision like that at the present time.

Mr. LONG. Mr. President, I think the Senator from Lehigh, Mr. Schantz, will find that there is a provision of the character mentioned by Senator Vare, and that since women vote, in many of the election districts, it is absolutely necessary that they be divided. They are now operating unconstitutionally and to provide that the districts have 250 votes would make an endless number of election officers and increase the expenses of the elections. This is a perfectly good bill.

Mr. LESLIE. If there be a question or doubt, I myself not having read the resolution, but after adjournment last evening, I was under the impression that it would apply generally. I am familiar somewhat with the redistricting and dividing of boundary lines. I know of no constitutional provision that has any bearing on this other than the general election provision in the Constitution which is created by Act of Assembly, and I think, since there is still a doubt in the minds of the different members, who are lawyers, it would not hurt that the bill go over. So far as I am personally concerned I will vote for this bill.

The PRESIDENT. The bill has been read and it cannot go over in order. The Chair will entertain a motion to postpone action on the bill.

BILL POSTPONED.

Mr. BARR. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. LESLIE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 920, (House Bill No. 448), entitled:

An Act requiring the display of the United States flag at all polling places providing for its purchase by the county commissioners and its care between elections

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 923, (House Bill No. 598), entitled:

An Act declaring the construction to be given deeds wills and other instruments in writing in which real and personal property is donated granted devised or bequeathed either directly or in trust for the benefit of one or more persons for years or for life or upon condition with remainder over to the heirs or next of kin or to the persons thereunto entitled under the intestate laws or other similar or equivalent phrase

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

BILL POSTPONED.

Mr. VARE. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 924, (House Bill No. 632), entitled:

An Act to amend an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and ninety-one) entitled "An act restricting the appointment of corporate fiduciaries by testators or by any court or register of wills to corporations fully subject to supervision and examination by the Banking Department" by exempting certain corporations from the provisions thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 933, (House Bill No. 882), entitled:

An Act to amend section thirteen of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating election in this Commonwealth" as amended by authorizing the members of the board of receiving computing and certifying election returns to act when a majority of the members thereof are not qualified

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 934, (House Bill No. 883), entitled:

An Act to amend the fourth paragraph of section fourteen of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this ct and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 961, (House Bill No. 1224), entitled:

An Act regulating service of process and authorizing the service of writs of summons and other process in actions for damages for breeches of covenants of warranty in any deed or conveyance of real estate in any county of the Commonwealth.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Derrick,
DeWitt,
Einstein,
Lanius,
Leslie,
Long,
Schantz,
Sisson,
Smith,

Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. LONG. Mr. President, I ask that Senate Bill No. 985, on third reading, entitled:

An Act to amend section three hundred and twenty-nine as amended and section five hundred and fifty-four of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a publilc school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1012, (House Bill No. 1258), entitled:

An Act to amend section one hundred and six of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue or any parts thereof that are or may be inconsistent therewith" as amended

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1027, (House Bill No. 980), entitled:

An Act to amend section eleven of an act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred seventy) entitled "An act creating a Division of Township Highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter session and providing penalties" requiring clerks of the court to certify lists of township auditors to the State Highway Commissioner.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1052, (House Bill 639), entitled:

An Act authorizing the sale assignment disposition transfer and conveyance of the franchises and of the property real and personal and mixed of any water or power water companies organized prior to the first day of April one thounine hundred and five to another water or water power company also organized prior to the first day of April one thousand nine hundred and five and providing the manner in which said sale and purchase shall be effected.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1074, entitled:

An Act to amend section three of an act approved April fifteenth one thousand eight hundred and forty five (Pamphlet Laws four hundred and fifty-nine) entitled "A supplement to an act entitled 'An act relating to execution' passed the sixteenth day of June Anno Domini one thousand eight hundred and thirty-six" allowing counsel fees to garnishees filing written answers in attachments in execution issued by alderman or justices of the peace and providing for the payment thereof.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—2.

Davis,
Smith,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1077, entitled:

An Act to amend section ten of an act approved July twelfth one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as amended

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, vis:

YEAS—47.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Clark,
Craig,
Daix,
Davis,
Jones,
Joyce,
Krause,
Kutz,
Patton,
Phipps,
Quigley,
Salus,
Stites,
Vare,
Weaver,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 109, as follows:

An Act making an appropriation to the commission constituted for the purpose of acquiring and maintaining toll-bridges over the Delaware River between Pennsylvania and New Jersey

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred thousand dollars ($100,000.00) is hereby specifically appropriated to the commission constituted for the purpose of acquiring and maintaining toll-bridges over the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey in accordance with the provisions of the law now existing or hereafter enacted

Section 2 The appropriation herein made shall be available for the purposes for which made until such toll-bridges shall have been acquired and shall not be held or construed to have lapsed for the reason that said money was not used within a specified time after the passage of this act

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 278, as follows:

An Act authorizing the Governor to appoint a commission which with a similar commission of the State of New Jersey is authorized to acquire purchase maintain and operate ice boats on the Delaware River to keep said river open to navigation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor is authorized to appoint three persons citizens of the Commonwealth who together with an equal number of persons appointed by the Governor of the State of New Jersey shall constitute a commission and shall have power to acquire purchase maintain and operate ice boats on the Delaware River between the Pennsylvania railroad bridge at Trenton New Jersey and the harbor of Philadelphia Pennsylvania

Section 2 Said ice boats shall be acquired and purchased by said commission and shall be maintained and operated for the purpose of keeping the Delaware River open to navigation between the points mentioned in section one during the entire year

Section 3 Upon the purchase and acquisition of said ice boats by said commission the same shall be placed in the charge and custody and be under the management direction control and operation of said commission or such other commission or board as the respective Governors of said States may designate

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 320, as follows:

An Act authorizing the Secretary of Agriculture separately or jointly with the county commissioners to provide for the installation of rural index maps and signs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Secretary of Agriculture separately or jointly with the county commissioners of any county is hereby authorized by contract or otherwise to cause to be prepared for the use of his department and such other departments and agencies of the State government as may have use for the same a rural index map of the several counties of the Commonwealth Such maps shall be prepared on such simple arrangement or system as will readily locate by direction distance and road or highway from the principal community centre each rural residence in the county The said Secretary may also place at each such rural residence an appropriate sign showing the location thereof by direction and distance from the community centre

Section 2 The county commissioners of any county are authorized to enter into agreements with the Secretary of Agriculture for the preparation of said maps and the location of said signs and for such purposes are authorized to expend such moneys from the County Treasury as may be agreed upon

Section 3 For the purpose of reducing the cost of the installation of the system hereinbefore provided for the Secretary of Agriculture is authorized to permit the use of advertising matter in connection with such maps and any directories attached thereto and may sell copies thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 394, as follows:

An Act to amend section fifteen as amended and section seventeen of chapter six of article seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section fifteen of chapter six of article seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating thereto" which was amended by the act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and four) entitled "An act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen entitled 'An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs' and repealing certain acts relating to boroughs" is hereby further amended to read as follows

Section 15 All assessments made pursuant to section nine of this article shall be estimated by the council or such person as it shall designuate and shall be filed with the secretary of the borough The council may provide for an equitable reduction from the frontage at street or other intersections and at other places where from the peculiar or pointed shape of the lots an assessment for the full frontage would be inequitable and unjust Provided That any assessment shall be estimated and fixed when the total cost of said improvement has been ascertained and approved by the borough council or after completion of the improvement or at any intervening time

Section 2 That section seventeen of article seven of chapter six of the said act is hereby amended to read as follows

Section 17 If any assessment shall remain unpaid at the expiration of the notice it shall be the duty of the borough solicitor to collect the same with interest at a rate not exceeding six per centum per annum from that date togetther with a collection fee of five per centum by action of assupmsit or by a lien to be filed and collected in the same manner as municipal claims Provided however That no assessment shall be collected and no interest shall be charged until thirty days after the actual construction of the work has begun When an owner has two or more lots against which there is an assessment for the same improvement all of such lots shall be embraced in one claim

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 419 (House Bill No. 406), entitled:

An Act authorizing corporations incorporated under the laws of any other state of the United States to acquire use encumber and dispose of such real estate and rights and interests in the nature of or in respect for the exercise of such of their corporate purposes as it may be lawful for them to exercise in this state defining certain of their powers rights and liabilities in connection therewith regulating the exercise of said rights by foreign public service corporations repealing certain acts and validating certain titles rights and interests heretofore acquired

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any corporation incorporated under the laws of any other state of the United States of America may take by conveyance devise lease or otherwise such real estate and rights and interest in in the nature of or in respect to real estate in Pennsylvania as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful under the Constitution and laws of Pennsylvania to exercise in this State and may hold use enjoy improve develop mortgage lease and convey the same or any portion thereof Provided however That no foreign corporation which is a public service company under the Pennsylvania law shall exercise any rights under this act until it shall first have obtained the approval of the Public Service Commission of the Commonwealth of Pennsylvania evidenced by its certificate of public convenience

On the question,

Will the Senate agree to the section?

Mr. McCLINTOCK. Mr. President, I move to amend section 1, page 2 line 1 by striking out the word "interest" and insert in lieu thereof the word "interests."

Mr. BARR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second, third, and fourth sections of the bill were read as follows and agreed to.

Section 2 Nothing herein contained shall be deemed to prevent or relieve real estate so taken by any such foreign corporation under the provisions of this act from being taxed in like manner as other real estate within this State is taxed

Section 3 The exercise by any such foreign corporation of the rights granted by this act shall constitute doing business in this State and shall render such corporation subject to the provisions of the Constitution and the laws of this State regulating the same

Section 4 The act of Assembly approved the eleventh day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred and forty-one) entitled "An Act authorizing corporations incorporated under the laws of any other state of the United States to acquire erect and maintain buildings and manufacturing establishments and to take hold mortgage lease and convey real estate necessary and proper for such corporate purposes" and all other acts or parts of acts inconsistent with this act are hereby repealed Provided however That the title to any real estate and to rights or interests in in the nature of or in respect to real estate in Pennsylvania heretofore taken held mortgaged leased or conveyed under and by virtue of the provisions of said act is hereby validated so far as the same depends for its validity upon said act

The title of the bill was read as follows:

An Act authorizing corporations incorporated under the laws of any other state of the United States to acquire use encumber and dispose of such real estate and rights and interests in in the nature of or in respect to real estate in Pennsylvania as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful for them to exercise in this state defining certain of their powers rights and liabilities in connection therewith regulating the exercise of said rights by foreign public service corporations repealing certain acts and validating certain titles rights and interests heretofore acquired

On the question,

Will the Senate agree to the title?

Mr. McCLINTOCK. Mr. President, I move to amend title line 4 by inserting after the word "in" the word "in."

Mr. BARR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 490, as follows:

An Act for the protection of live stock by prohibiting the use of metal and wire tag fasteners on bags containing feeding stuffs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person copartnership association or corporation engaged in the manufacture preparation or sale of any feeding stuffs for use for live stock to attach to any bag or package containing any such feeding stuffs any tag which shall be attached by a metal or wire fastener

Section 2 Any person copartnership association or corporation violating any of the provisions of this act shall upon conviction thereof in any summary proceeding before a magistrate alderman or justice of the peace be sentenced for each offense to pay a fine of twenty-five dollars and costs Each separate metal or wire fastener so attached to any bag or package shall constitute a separate offense

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITED.

Mr. JOYCE. Mr. President, I move that Senate Bill No. 490, the bill just read, be recommitted to the Committee on Agriculture.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

Mr. PHIPPS. Mr. President, I move that Senate Bill No. 498, on second reading, entitled:

An Act to amend sections one two and seven of an Act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws 912) entitled "An Act to regulate the drilling operating and abandoning of oil and gas wells and providing a penalty for violation of the provisions of this act" by providing regulations for the drilling and abandoning of oil or gas wells drilled through a marketable vein of coal or any mine therein

be recommitted to the Committee on Judiciary General, for the purpose of a hearing.

Mr. CHRISTLEY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 526, (House Bill No. 383), entitled:

An Act to repeal the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand two hundred and seventy-three) entitled "An Act to authorize the compilation and publication of not less than two nor more than four volumes of Statutes at Large of Pennsylvania in addition to the sixteen volumes heretofore authorized additional volumes being necessary to connect the Statutes at Large and the Pamphlet Laws of Pennsylvania in a serial complete publication of the Laws of the Province and Commonwealth and to provide for the appointment of a Commission to control and supervise the preparation of said volumes and of a competent person to compile and edit them and making an appropriation therefor"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 538, (House Bill No. 571), entitled:

An Act to amend section three hundred and twenty-five of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" changing the compensation of township auditors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 559, as follows:

An Act making an appropriation to the commission constituted for the purpose of acquiring and maintaining toll-bridges over the Delaware River between Pennsylvania and New York

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seventy-five thousand dollars ($75,000) or so much thereof as may be necessary is hereby specifically appropriated to the commission constituted for the purpose of acquiring and maintaining toll-bridges over the Delaware River between the Commonwealth of Pennsylvania and the State of New York in accordance with the provisions of the law now existing or hereafter enacted

Section 2 The appropriation herein made shall be available for the purposes for which made until such toll-bridges shall have been acquired and shall not be held or construed to have lapsed for the reason that said money was not used within a specified time after the pasage of this act

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. LESLIE. Mr. President, I ask that Senate Bill No. 671, (House Bill No. 719), on second reading, entitled:

An Act to amend sections two three and thirteen and to repeal section eleven of the act approved the ninth day of Juiy one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and nine) entitled "An Act prescribing the powers and duties of the Bureau of Markets in the Department of Agriculture providing for co-operation with the Bureau of Standards of the Department of Internal Affairs to establish standard receptacles for farm products and to promulgate regulations for the enforcement thereof and prescribing penalties for violations of the provisions of this act" by clarifying certain provisions extending said act to cover the manufacture of standard receptacles for farm products and providing that violations be prosecuted by summary proceeding

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 715, (House Bill No. 693), as follows:

An Act providing for the quarantine and control of the Japanese Beetle imposing certain powers and duties on the Department of Agriculture providing penalties and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives af the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to protect the agricultural and horticultural crops of the Commonwealth from the ravages of the Japanese Beetle (Polillia japonica) accidentally imported with horticultural products from Japan and now seriously and destructively infesting a limited area in the State

The Secretary of Agriculture may make investigations of the prevalence of this beetle and means whereby it may be controlled and its dissemination limited and for these purposes may adopt and carry out such control measures as are deemed advisable and may cooperate with the United States Department of Agriculture in the control of this pest

Section 2 The Secretary of Agriculture may also establish quarantines and quarantine restrictions in affected areas and areas adjacent thereto and adopt issue and enforce rules and regulations relative to such quarantine and for the control and limitation of this pest Under such quarantines the Secretary of Agriculture or his authorized agents may prohibit and prevent the movement without inspection or the shipment or transportation of any agricultural horticultural or any other material of any character whatsoever capable of carrying this pest in any state of its development and further he may under such quarantine intercept stop and detain for official inspection any person car vessel truck automobile wagon or other vehicle suspected or known to carry any material in violation of any quarantine or any official rules or regulations thereunder established by authority of this act

Section 3 Any person copartnership association or corporation violating any provisions of this act or any rule or regulation adopted by the Secretary of Agriculture under the authority of this act shall be subject to a fine or penalty of not more than one hundred dollars for each offense to be collected by summary conviction before any mayor burgess magistrate alderman or justice of the peace as like fines and penalties are now by law collected and in case of non-payment of said fine to undergo an imprisonment in the county jail for a period not exceeding five days Provided That any person so convicted shall have the right of appeal as in other cases of summary conviction The fines collected under this act shall be paid to the Secretary of Agriculture or his agent and by him shall be paid into the State Treasury

Section 4 The sum of fifty thousand dollars is hereby specifically appropriated to the Secretary of Agriculture for the purpose of control and quarantine work in carrying out the provisions of this act and for the payment of expenses incident thereto Said appropriation shall be available immediately upon the passage and approval of this act

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 765, as follows:

A Joint Resolution providing for the continuation of the commission appointed in accordance with the provisions of a joint resolution approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and eighty-eight) entitled "A Joint Resolution providing for a commission to submit a revised penal code of Pennsylvania and making an appropriation for the expenses of the commission" providing for additional members and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the commission appointed in accordance with a joint resolution the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and eighty-eight) entitled "A joint resolution providing for a commission to submit a revised penal code of Pennsylvania and making an appropriation for the expenses of the commission" is herebv continued for a further period of two years In addition to the present commission the Governor shall appoint two additional members to acts with said commission one of whom shall be a district attorney It shall be the duty of said commission to continue the revision of the proposed penal code and the porposed code of criminal procedure submitted to the General Assembly of one thousand nine hundred twenty-three and to make a report of its work to every member elect of the General Assembly at the session of one thousand nine hundred and twenty-five not later than the second Monday of December preceding the biennial session

Section 2 The sum of six thousand dollars ($6,000) or so much thereof as may be necessary is hereby specifically appropriated to the commission for the payment of the expenses of the commission and the compensation and expenses of the draftsman and secretary of the commission

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 777, as follows:

An Act authorizing the commissioners of Valley Forge Park to convey certain lands to an Historical Society incorporated to secure preserve and publish documents relating to the history of Valley Forge and the heroes of the United States in creating and perpetuating the republic and making appropriation of the moneys received therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Accembly met and it is hereby enacted by the authority of the same That the commissioners of Valley Forge Park are hereby authorized to sell and convey to any Historical Society which has been incorporated under the laws of the Commonwealth to secure preserve and publish documents relating to the history of Valley Forge and the heroes of the United States in creating and perpetuating the republic a portion of the lands and property not exceeding twenty-eight acres in area acquired by said commission for Valley Forge Park purposes

Section 2 No such lands or property shall be so conveyed until a resolution therefor has been adopted by at least four-fifths of the entire number of members of the Valley Forge Park commission and such conveyance has been approved by the Governor Such resolution shall also fix the price to be paid for said lands which shall not be less than that paid therefor by the Commonwealth

Section 3 The commissioners of Valley Forge Park upon the receipt of the purchase price agreed upon are authorized to make and execute a deed for any lands and property so to be conveyed to such incorporated Historical Society and therein shall covenant that said lands shall at all times be preserved by said Historical Commission for public purposes and shall not be devoted to private purposes nor be used in any manner except those for which the said lands were originally acquired or for any of the purposes expressed in the charter of said Historical Society to which said lands are conveyed

Section 4 All moneys received by the commissioners of Valley Forge Park from the sale of any such lands shall be paid into the State Treasury for the use of the said commission for the acquisition of other lands and buildings authorized to be acquired by the laws of the Commonwealth for Valley Forge Park purposes and for such purposes such moneys are hereby specifically appropriated to said commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 800, as follows:

An Act to repeal section two hundred and thirty-nine of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two hundred and thirty-nine of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto" which reads as follows

"Section 239 It is unlawful for any township supervisor superintendent or road master to be interested directly or indirectly in any purchase made or contract relating to roads and bridges except as provided for in this act or to furnish any materials therefor Any such person knowingly violating the provisions of this section shall be guilty of a misdemeanor Upon conviction thereof any such person shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to be imprisoned for a term not exceeding six months or both and shall forfeit his office" be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED.

Mr. HOMSHER. Mr. President, I move that Senate Bill No. 800, (House Bill No. 136) the bill just read, be recommitted to the Committee on Public Roads and Highways.

Mr. STINEMAN. Mr. President, I second the motion.

The motion was agreed to.

Mr. DIAX. Mr. President, I move that Senate Bill No. 808, (House Bill No. 136), on second reading, entitled:

An Act requiring telephone companies operating in the same territory to make connections and to provide for the interchange of messengers regulating the rates to be charged for such interchange and conferring certain powers and duties in connection therewith upon the Public Service Commission

be recommitted to the Committee on Judiciary Special.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

Mr. DIAX. Mr. President, I move that Senate Bill No. 811, (House Bill No. 333), on second reading, entitled:

An act authorizing the State Highway Department the Public Service Commission counties cities boroughs townships and railroad and railway corporations to purchase or condemn by the right of eminent domain free and unobstructed view over and across lands at certain highway railroad and railway intersections and curves so as to prevent and permit removal of interference with and obstruction of the vision of users of said highways railroads and railways and providing for the use of such lands in such manner as not to interfere with a free and unobstructed view

be recommitted to the Committee on Public Roads and Highways.

Mr. LESLIE. Mr. President, I second the motion.

The motion was agreed to.

Mr. CRAIG. Mr. President, I move that Senate Bill No. 812, (House Bill No. 388), on second reading, entitled:

An Act providing that the negligence of a servant or employe of any municipality shall under the rule of respondent superior be attributable to the municipality responsible for his compensation or wages.

be recommitted to the Committee on Judiciary General.

Mr. LESLIE. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. LONG. Mr. President, I ask that Senate Bill No. 814, (House Bill No. 440) on second reading, entitled:

An act to provide for the licensing of transit retail merchants in cities boroughs and townships and providing a penalty for the failure to obtain such license.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rules requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 832, (House Bill No. 813), as follows:

An Act to amend section one of an act approved the eighth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred and twenty-seven) entitled "A supplement to the act of April twentieth one thousand eight hundred and sixty-nine entitled 'An Act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge therefrom' fixing the amount of compensation to be paid to the commissioners appointed under section six of said act and declaring who shall be liable therefor and for the costs of proceedings under said section" by imposing certain duties on the lawyer member of the commission and fixing his compensation therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eighth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred and twenty-seven) entitled "A supplement to the act of April twentieth one thousand eight hundred and sixty-nine entitled 'An Act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge therefrom' fixing the amount of compensation to be paid to the commissioners appointed under section six of said act and declaring who shall be liable therefor and for the costs of proceedings under said section" is hereby amended to read as follows

Section 1 Be it enacted et cetera That each member of the commission provided for by section six of the act to which this is a supplement shall be entitled to receive the sum of five dollars for each day necessarily employed in the duty of his appointment

The lawyer member of the commission shall prepare and file all necessary notices reports and other papers and he shall be entitled to receive an additional sum of five dollars for such services

And said bill having been read at length the second time, and agreed to,

Oodered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 843, (House Bill No. 920), entitled:

An act to amend section one of the act approved the fourteenth day of April one thousand nine hundred five (Pamphlet Laws one hundred and sixty-nine) entitled "An act making it unlawful to trespass upon land posted as private property and providing the penalty therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 889 (House Bill No. 1), entitled:

An Act fixing the pay of election officers and clerks in cities of the first class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 895, (House Bill No. 1086), entitled:

An Act providing for the public safety and welfare requiring owners and operators of coal mines and operations to furnish and sell fuel coal at current or market prices to and for the use of hospitals poor houses or other charitable institutions schools churches and buildings of municipal or quasi municipal character and providing penalties for the violation of this act

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be the duty of the individual owner operator president director general manager superintendent or other person in charge of or having supervision over any coal mine or mining operation upon and after reasonable notice and demand to furnish and sell at reasonable and current or market rates and prices and at reasonable times such amount of fuel coal as shall be reasonably necessary for the proper heating of any hospital poor house or other charitable institution school building church or place of religious worship or public building municipal or quasi municipal in character located within the limits of the municipality in which said coal mining operation is conducted or carried on Provided however That said owner or operator of said coal mine or mining operation may demand that said coal so furnished be paid for at the mine or coalpocket where said coal is furnished or delivered

On the question,

Will the Senate agree to the section?

Mr. STINEMAN. Mr. President, I move to amend sec. 1, page 1, line 7, by inserting before the word "coal" the word "anthracite"; also page 2, line 2, by inserting before the word "fuel" the word "anthracite"; also line 10, by inserting before the word "coal" the word "anthracite."

Mr. SMITH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended.

It was agreed to.

The second section of the bill was read as follows:

Section 2 Any individual owner operator president director general manager superintendent or other person in charge of or having supervision over such coal mining operation wilfully violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than one thousand dollars or undergo imprisonment for not more than one year or both at the discretion of the Court

Mr. STINEMAN. Mr. President, I move to amend section 2, page 2, line 15, by inserting before the word "coal" the word "anthracite."

Mr. SMITH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An Act providing for the public health safety and welfare requiring owners and operators of coal mines and operations to furnish and sell fuel coal at current or market prices to and for the use of hospitals poor houses or other charitable institutions schools churches and buildings of municipal or quasi municipal character and providing penalties for the violation of this act

On the question,

Will the Senate agree to the title?

Mr. STINEMAN. Mr. President, I move to amend title, line 2, by inserting before the word "coal" the word "anthracite"; also line 3, by inserting before the word "fuel" the word "anthracite"

Mr. SMITH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 941, (House Bill No. 939), entitled:

An Act providing for the payment of certain claims for damages done to livestock poultry or bees by bear providing a method for the ascertainment of such damage and making an appropriation

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 951, (House Bill No. 1080), entitled:

An Act to make reinstatements in the civil service of persons honorably released from the active military or naval service of the United States after service in any of the wars in which the United States has been engaged

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. DAIX. Mr. President, I ask that Senate Bill No. 952, (House Bill No. 1095), on second reading, entitled:

An Act relating to debts of municipalities

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITED.

Mr. WOODWARD. Mr. President, I move that Senate Bill No. 987, on second reading, entitled:

An Act imposing a tax upon certain classes of personal property for city purposes in cities of the first class providing for the asessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and providing penalties

be recommitted to the Committee on Finance.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1023, (House Bill No. 686), entitled:

An Act authorizing probation officers of the various counties to attend the annual State Association or Conference of Probation and Parole and providing for the payment of their expenses and membership dues by counties

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1030, (House Bill No. 1058), entitled:

An Act authorizing cities and boroughs to appropriate moneys to organizations of veterans to assist in paying rent

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1036, (House Bill No. 353), entitled:

An Act to amend section eight of the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred fifty-nine) entitled "An Act for the better protection of fish requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth or in the waters bounding or adjacent thereto and regulating the issuance of such license providing penalties for the violation of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties recovered and license fees received" by making county treasurers agents of the Commonwealth in collecting license fees and issuing licenses

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1037, (House Bill No. 428), entitled:

An Act to amend section one of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred and sixty-eight) entitled "An Act relating to police pension funds in cities of the third class and directing such cities to appropriate certain moneys thereto"

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1042, (House Bill No. 1023), as follows:

An Act providing a system of employment and compensation for the inmates of county jails and prisons.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all persons sentenced to the several county jails and who are physically capable may be employed at labor for not to exceed eight hours each day other than Sundays and public holidays Such employment may be in such character of work and the production of such goods as may now be manufactured and produced in such jails and prisons and may also be for the purpose of the manufacture and production of supplies for said prisons and jails or for the preparation and manufacture of building material for the construction or repair of the said prisons and jails or in the manufacture and production of crushed stone brick tile and culvert pipe or other material suitable for draining roads or in the preparation of road building and ballasting material

Section 2 The county commissioners or board of inspectors or other person or persons in charge of any such jail or prison shall determine the amount kind and character of the machinery to be erected in such jail or prison the industries to be carried on therein and shall arrange for the purchase and installation of such machinery at the expense of the county They shall also provide for the sale of articles and material produced The county commissioners shall make available the necessary funds to carry out the provisions of this act

Section 3 The authorities in charge of any such county jail or prison shall have authority to fix the wages of each prisoner to be employed and they shall keep an account of all such wages and the amount due each prisoner Three-fourths of the amount credited to each prisoner or the entire amount if the prisoner so wishes shall constitute a fund for the relief of any person or persons dependent upon such prisoner and shall be paid to such persons establishing dependency to the satisfaction of the said authorities at such times as they may prescribe

In case a prisoner has no person dependent upon him his wages shall be deposited for his benefit and shall be paid to him as follows one-third at the time of his discharge one-third three months thereafter and one-third six months thereafter

Section 4 The authorities in charge of any such jail or prison may establish a fund for the purpose of carrying out this act and may provide for the purchase of machinery and materials and payment of wages from such fund All revenues received from the sale of articles produced shall be paid into said fund

Section 5 All acts and parts of acts general local or special inconsistent with this act are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1058, as follows:

An Act for the encouragement of unincorporated co-operative associations of agriculturial workers providing that membership therein and interest in the funds and property thereof may be made non-transferable and imposing penalties upon persons making or accepting unlawful assignment transfer or pledge of such membership or interest

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of of the same That for the purpose of encouraging lawful co-operative activity among agriculural and indusrialdusrial workers through the organization of unincorporated associations for mutual benefit insurance saving or other lawful obect wherein the person so organizing derive benefit from the preservation and continuance of the membership and interest among persons engaged in the common calling labor or enterprise it shall be lawful for any such incorporated association to provide by rule regulation or by-law duly adopted that membership in such association or interest in its funds or property shall be non-transferable without the consent of the association

Section 2 Whenever any unincorporated association of the classes specified in section one of this act shall by rule regulation or by-law duly adopted provide that membership in such association or interest in its funds or property shall be non-transferable such provision shall be valid and binding and no attempted assignment transfer or pledge of such membership or interest made in violation of such rule regulation or by-law shall pass any right or interest legal or equitable to the person or persons to whom it is attempted to be made provided such rule regulation or by-law is brought to the knowledge of such person or persons

Section 3 Any person who with knowledge that membership in such an unincorporated association or interest in its funds or property has been made non-transferable by rule regulation or by-law duly adopted in accordance with this act shall make or accept assignment transfer or pledge of such membership or interest in violation of such rule regulation or by-law shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not more than five hundred dollars ($500) and shall undergo an imprisonment of not more than thirty (30) days or either or both in the discretion of the court

Section 4 Whenever the interest of a member in the funds or property of any unincorporated association of the classes specified in section one of this act shall be evidenced by a certificate an endorsement thereon that such certificate is non-transferable shall be conclusive evidence that the person or persons to whom any attempted assignment transfer or pledge of such certificate is made has knowledge of the non-transferable character of the members' interest

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1082, as follows:

An Act making an appropriation to pay for the care treatment removal and maintenance of the indigent insane for two years ending the thirty-first day of May one thousand nine hundred and twenty-five

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five million dollars ($5,000,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to pay for the care treatment removal and maintenance of the indigent insane for and during the two years beginning June first one thousand nine hundred and twenty-three and ending May thirty-first one thousand nine hundred and twenty-five

The said appropriation shall be paid on the warrant of the Auditor General on the basis of settlement by that officer and the State Treasurer but no warrant shall be drawn or settlement made until the directors or managers of the several hospitals and asylums for the insane shall have made on oath or affirmation to the Auditor General a quarterly report setting forth the actual number of indigent persons received and maintained in said hospitals and asylums for the insane respectively during the quarter for which the report is made with the dates of their admission and discharge or death respectively and the actual time during which each of said indigent insane persons was treated maintained and cared for during said quarter Provided also That no payment shall be made on account of the care and treatment of the insane until the Commissioner of Public Welfare shall have certified to the Auditor General that the quarterly report of the cost of such care and treatment contains no charge except for "care treatment removal and maintenance" which words as used in this act shall be construed to mean medical and surgical treatment and nursing food and clothing and absolutely necessary repairs to existing buildings of such hospitals and asylums

Section 2 It shall be the duty of the commissioners of the several counties of the Commonwealth or the directors or overseers of the poor of the different counties or poor districts of the State to report under oath to the Auditor General on the first day of September December March and June of each year the number of indigent insane persons transferred from said counties or poor districts respectively to the State hospitals or asylums for the insane in their respective districts Said report shall contain the name of every indigent insane person so transferred or maintained at said hospitals or asylums and shall set forth when he or she was admitted the length of time cared for in said hospital or asylum and the date of discharge or death

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1083, as follows:

An Act making an appropriation to pay for the deficiency in the care treatment removal and maintenance of the indigent insane for the two years ending May thirty-first one thousand nine hundred and twenty-three

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two hundred and twenty-eight thousand four hundred seventy-six dollars and thirty cents ($228,476.30) be and the same is hereby specifically appropriated to pay for the deficiency in the care treatment removal and maintenance of the indigent insane for the two years ending May thirty-first one thousand nine hundred and twenty-three

The said appropriation shall be paid on the warrant of the Auditor General on the basis of settlement by that officer and the State Treasurer but no warrant shall be drawn or settlement made until the directors or managers of the several hospitals and asylums for the insane shall have made on oath or affirmation to the Auditor General a quarterly report setting forth the actual number of indigent persons received and maintained in said hospitals and asylums for the insane respectively during the quarter for which the report is made with the dates of their admission and discharge or death respectively and the actual time during which each of said indigent insane person was treated maintained and cared for during said quarter Provided also That no payment shall be made on account of the care and treatment of the insane until the Commissioner of Public Welfare shall have certified to the Auditor General that the quarterly report of the cost of such care and treatment contains no charge except for "care treatment removal and maintenance" as the said words are construed in this act Provided further That the words "care treatment removal and maintenance" used in this act shall be construed to mean medical and surgical treatment and nursing food and clothing and absolutely necessary repairs to existing buildings of such hospitals and asylums

Section 2 It shall be the duty of the commissioners of the several counties of the Commonwealth or the directors or overseers of the poor of the different counties or poor districts of the State to report under oath to the Auditor General on the first day of September December March and June of each year the number of indigent insane persons transferred from said counties or poor districts respectively to the State hospitals or asylums for the insane in their respective districts Said report shall contain the name of every indigent insane person so transferred or maintained at said hospitals or asylums and shall set forth when he or she was admitted the length of time cared for in said hospitals or asylums and the date of discharge or death

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1084, as follows:

An Act requiring all State institutions to use bread stuffs made from Pensylvania milled flour and corn meal and milled from Pensylvania grown wheat rye and corn

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the board of trustees of each hospital asylum educational institution charitable institution and penal or correctional institution maintained wholly by the Commonwealth or any duly authorized agent of such board of trustees to use in such institutions or to purchase for such institutions only bread stuffs made wholly from flour milled in the Commonwealth of Pennsylvania and milled from wheat rye or corn grown in the Commonwealth of Pennsylvania and to use in or purchase for use in any such institution for the making of bread stuffs only flour or cornmeal milled in Pennsylvania and milled wholly from wheat rye or cron grown in the Commonwealth of Pennsylvania

Section 2 The board of trustees of any such State institution shall certify quarterly to the Department of Public Welfare a statement that the provisions of this act have been complied with In case any such board of trustees or any agent of such board shall fail or refuse to comply with the provisions of this act the Commonwealth shall not be liable to pay for any materials purchased contrary to this act

Section 3 This act shall not apply in emergency cases when Pennsylvania bread stuffs or flour or cornmeal shall not be obtainable but in all such cases a statement of such fact shall be certified to the Department of Public Welfare and be approved by the said department before payment for any such materials shall be made or the approval of said department shall be secured before any purchase is made

Section 4 This act shall take effect on the first day of June one thousand nine hundred and twenty-four

Section 5 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1092, (House Bill No. 1234), entitled:

An act authorizing the creation of a Commission to negotiate with the duly constituted agents of the states of New York and New Jersey for the regulation of the flow of the Delaware River the conservation apportionment and utilization of the water resources thereof providing the method for ratification of such compact by this Commonwealth and prescribing the conditions of its being in full force and effect

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1093, (House Bill No. 1235), entitled:

An Act authorizing the Department of Forestry to grant on terms conditions and stipulations rights to occupy and use any portions of the State Forestry for dams reservoirs canals pipe lines and other water conduits for water supply purposes and providing for forfeiture and other remedies for breach of such terms conditions and stipulations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1094, (House Bill No. 1236), entitled:

An Act providing for a giant power survey creating a Giant Power Survey Board defining the powers and duties thereof requiring officers departments commissions and other agencies of the Commonwealth to give information thereto and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1095, (House Bill No. 1238), entitled:

An Act authorizing the Department of Forestry to lease for periods of not more than fifty years on terms conditions and stipulations expressed in each lease any portions of the State forests for dams reservoirs canals pipe lines and other water conduits power houses and transmission lines for the development of water power for steam raising and condensation and for the generation and transmission of electric energy

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1111, (House Bill No. 352), entitled:

An Act to amend section three of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An Act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" making the county treasurer the agent of the Commonwealth in the issuing of licenses and the collection of fees and providing his compensation for such services

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred twenty-two) entitled "An Act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" is hereby amended to read as follows

Section 3 On or before the fifteenth day of January one thousand nine hundred and twenty-two and on or before the fifteenth day of January of each year thereafter the owner of any dog six months old or over shall apply to the county treasurer of his respective county or to a qualified justice of the peace alderman magistrate or notary public of his respective district either orally or in writing for a license for each such dog owned or kept by him Such application shall state the breed sex age and color and marking of such dog and the name and address of the last previous owner and shall be accompanied by a license fee of one dollar for each male dog and each spayed female dog and a license fee of two dollars for each unspayed female dog The county treasurers of the several counties shall be agents of the Commonwealth for the issuing reporting and recording of such licenses and for the collection and reporting of license fees and for remitting fees and fines to the State Treasurer and for such services the said agents shall be allowed to retain for their own use the sum of ten cents for each license issued which amount shall be paid by the applicant for the license in addition to the license fee above provided

On the question,

Will the Senate agree to the section?

Mr. SNYDER. Mr. President, I move to amend section 1, page 4, line 16 by inserting after the word "collection" the word "recording"; also line 17 by inserting after the words "license fees" the words "and fines to the Secretary of agriculture"; also line 22 by inserting at the end thereof the following: "Any county treasurer who shall fail to comply with any of the provisions of this act relating to his duties shall not be entitled to retain the sum herein fixed for his services, but such sums shall be paid to the State Treasurer and if not so paid may be recovered by the Commonwealth as debts of like amount are now recovered."

Mr. DAVIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title section of the bill was read as follows and agreed to.

An Act to amend section three of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected in the State Treasury and making an appropriation thereof and providing penalties" making the county treasurer the agent of the Commonwealth in the issuing of licenses and the collection of fees and providing his compensation for such services

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1113, (Houes Bill No. 444), entitled:

An Act making an appropriation for the purpose of maintaining the public road through Cornplanter Indian Reservation Elk Township Warren County Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1118, (House Bill No. 1084), entitled:

A Supplement to an act approved the twenty-third day of June one thousand nine hundred eleven (Pamphlet Laws one thousand one hundred twenty-three) entitled "An Act establishing in each county a Board of Viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" as the same was amended and supplemented by subsequent acts by providing for the compensation to be paid to the members of the Board of Viewers in counties of the second class

And said bill having been read at length the second time and agreed to,

Ordered to be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. DAIX. Mr. President, I ask that Senate Bill No. 1120, (House Bill No. 142) on second reading, entitled:

An act making an appropriation to the county of Philadelphia for the payment of a judgment obtained by the said county against the Commonwealth of Pennsylvania

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1134, as follows:

An Act to authorize the Department of Forestry to offer and pay rewards for evidence to convict anyone maliciously setting forest fire and to authorize payment of such rewards to Local Forest Fire Wardens under certain conditions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Forestry is authorized to offer and to pay rewards for evidence leading to the arrest and conviction of any person who maliciously sets fire to any woodlot forest or wild land When such evidence is obtained by any Local Forest Fire Warden during time for which said Warden shall not have been otherwise paid the Department of Forestry is authorized to pay from its appropriation the amount of said reward to said Fire Warden

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from his Exellency, the Governor of the Commonwealth, which were as follows:

APPROVAL OF SENATE BILLS NOS. 198, 233, 258, 324, 366, 461, 601 and 787.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 7, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed the following:

Senate Bill No. 198, entitled, "An Act to amend section seventy-four of an act approved the second day of July one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and ninteen) entitled 'An act relating to the Elections of this Commonwealth' as amended".

Senate Bill No. 233, entitled, "An Act to further amend section one of an act approved the fifth day of March Anno Domini one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled 'An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for the violation of its provisions".

Senate Bill No. 258, entitled, "An Act to amend section three hundred and twenty-five of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled: 'An act concerning townships and revising amending and consolidating the law relating thereto' fixing the compensation of township auditors".

Senate Bill No. 324, entitled, "An Act to amend section two thousand one hundred five of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' authorizing other forms of teacher training in lieu of teachers' institutes in districts of the first second and third classes".

Senate Bill No. 366, entitled, "An act to permit the service of writs of scire facias in certain cases in any county of the Commonwealth and providing by whom such service shall be made."

Senate Bill No. 461, entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof."

Senate Bill No. 601, entitled "An act authorizing boards of revision of taxes and boards for the assessment and revision of taxes to hear and dispose of appeals away from the county seat."

Senate Bill No. 787, entitled "An act creating a Legislative Reference Bureau providing for the election of a Director by the General Assembly designating the officers and employees of such Bureau defining their duties fixing their salaries abolishing the present Legislative Reference Bureau and making an appropriation."

GIFFORD PINCHOT.

NOMINATIONS BY THE GOVERNOR.

JUSTICE OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 8, 1923.

To the Honorable, The Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate Paul Rupert, of Saltillo, as Justice of the Peace, in and for the Borough of Saltillo, Huntingdon County, vice S. W. Kimmel, deceased, to serve until the first Monday in January 1924.

GIFFORD PINCHOT.

NOTARIES PUBLIC.

Commonwealth of Uennsylvania,
Executive Chamber, Harrisburg, May 8, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

R. S. Abczynski, Pittsburgh, May 21, 1923.
C. L. Butterfield, Pittsburgh, May 21, 1923.
Charles V. Griffith, Pittsburgh, May 19, 1923.
Harry R. Levy, Pittsburgh, Feb. 3, 1923.
Harry L. Neff, Pittsburgh, May 23, 1923.

BLAIR COUNTY.

James T. Hanlon, Altoona, May 24, 1923.

CHESTER COUNTY.

Saml Wilson, Phoenixville, May 22, 1923.

FAYETTE COUNTY.

Ewing A. Ribbs, Uniontown, May 22, 1923.

LAWRENCE COUNTY.

R. W. Hazen, New Castle, April 28, 1923.
Roy M. Jamison, New Castle, May 22, 1923.

LEHIGH COUNTY.

Ezra H. Smith, Allentown, May 24, 1923.

NORTHAMPTON COUNTY.

Onofrio Sacchetti, Easton, May 23, 1923.

PHILADELPHIA COUNTY.

Joseph E. Becker, Philadelphia, May 21, 1923.
Samuel Goldstein, Philadelphia, May 24, 1923.
Robert W. Graham, Philadelphia, May 23, 1923.
Louis L. Lapensohn, Philadelphia, May 23, 1923.

WESTMORELAND COUNTY.

Eugene Warden, Mount Pleasant, May 12, 1923.

GIFFORD PINCHOT.

Commonwealth of Uennsylvania,
Executive Chamber, Harrisburg, May 8, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

Louis A. Harmen, Pittsburgh.
Lawrence J. Schirra, Pittsburgh.

NORTHAMPTON COUNTY.

Miss Elizabeth M. Kindt, Easton.

PHILADELPHIA COUNTY.

Joseph Aronson, 6209 Catharine St., Philadelphia.
Herbert B. Savar, 867 E. Marshall St., Philadelphia.

GIFFORD PINCHOT.

Commonwealth of Uennsylvania,
Executive Chamber, Harrisburg, May 8, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named person to be a Notary Public, for the term of four years, to compute from the date of confirmation:

LACKAWANNA COUNTY.

William H. Edgett, Carbondale.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Aron,
Baldwin.
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. BUCKMAN. Mr. President, I move that the Executive Session do now rise.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGES.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 47.

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in resolution from the Senate, as follows:

In the Senate, May 8, 1923.

Resolved (if the House of Representatives concur), That Senate Bill No. 47, File Folio, entitled:

"An act to amend section eleven of the act approved June 13, 1840 (P. L. 683), entitled "A supplement to an act entitled 'an act, relating to the elections of this Commonwealth,' passed the second day of July, A. D. 1839, and for other purposes;" allowing constables mileage for advertising elections, and compensation for advertising elections where there is more than one polling place in a district. Said mileage and compensation to be paid by counties." be recalled from the Governor for the purpose of amendment.

RESOLUTION COMMENDING LIEUTENANT OAKLEY G. KELLY.

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 7, 1923.

Whereas, Lieutenant Oakley G. Kelly of the United States Army, a resident of Grove City, Penneylvania, in company with Lieutenant John A. Macready, on May third, successfully completed that heretofore unaccomplished feat of spanning the American Continent in a single non-stop airplane flight, and in this trip of over twenty-seven hundred miles from Hempstead, New York to Rockwell Field, San Diego, California, in less than twenty-seven hours, they broke all records for non-stop flights, and

Whereas, In assisting in this spectacular flight across the country, this courageous son of Pennsylvania has reflected lasting credit upon his native State, and has prominently written her name with his in the annals of aviation history, and

Whereas, Their success has added to the peaceful air victories of our Country, has demonstrated anew the pluck, bravery, stamina, perseverance and daring of her sons, and has given to the world notice of the power and resourcefulness of the air branch of her army; therefore be it

Resolved (if the Senate concur), that the congratulations of the people of the State of Pennsylvania through her chosen Representatives in General Assembly met, be extended to her valiant son, the said Lieutenant Oakley G. Kelly, and his companion, upon their remarkable and unprecedented flight, and that they be assured of the best wishes of the people of the State for the Success of their future attempts to establish new records and bring more glory to their Country, and be it

Further Resolved, That these resolutions be printed in the journal and a properly certified copy thereof be forwarded to the said Lieutenant Oakley G. Kelly now at San Diego, California.

Ordered, That the Clerk inform the House of Representatives accordingly,

HOUSE APPOINTS COMMITTEE OF CONFERENCE.

He also informed the Senate that the House insists on its non-concurrence in the amendments made by the Senate to House Bill No. 234, entitled:

An Act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto

and has appointed Messrs. Whiteman, Eaches and Grover C. Meyers, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) (already appointed) to consider the differences existing between the two houses in relation to said bill.

HOUSE BILLS FOR CONCURRENCE.

He also presented for concurrence bills of the House of Representatives as follows:

House Bill No. 84, (Senate Bill No. 1158), entitled:

An act making an appropriation to the Washington Crossing Park Commission for the purpose of the acquisition of land and property and the making of improvements in accordance with the provisions of the act of July twenty-fifth, one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred nine) entitled "An Act to authorize the acquisition by purchase or condemnation of land for a park and the erection of a monument commemorative of Washington Crossing the River Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purposes of this act

Which was committed to the Committee on Appropriations.

House Bill No. 187, (Senate Bill No. 1159) entitled:

An Act relating to pistols and revolvers; regulating the sale, possession and use thereof; defining "pistol or revolver;" imposing additional penalties for crimes committed while unlawfully armed; prohibiting the ownership or possession of a pistol or revolver by any unnaturalized foreign-born person and by persons convicted of certain felonies; providing for licenses to carry and licenses to sell pistols and revolvers; prohibiting the disposing thereof to minors or to persons not entitled to own or possess the same; and prescribing penalties.

Which was committed to the Committee on Judiciary General.

House Bill No. 197, (Senate Bill No. 1160) entitled:

An Act to amend section two of an act approved the twenty-third day of March, one thousand nine hundred and twenty-one, (P. L. 42), entitled "An Act appropriating to the State Highway Department, for the purpose of assisting in the construction, maintenance, improvement, and repair of State highways and State-aid highways, all moneys derived from registrations and from license fees, for the year one thousand nine hundred and twenty-one and subsequent years, under the provisions of the act of Assembly, approved June thirtieth, one thousand nine hundred and nineteen, relating to and regulating motor vehicles, and amendments thereto; and providing for salaries and other expenses of the department."

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 797, (Senate Bill No. 1161) entitled:

An Act increasing the number of courts of common pleas in the county of Philadelphia establishing therein a distinct and separate court of common pleas designated court of common pleas number six and providing for the election and appointment of judges for said court

Which was committed to the Committee on Judiciary General.

BILLS SIGNED.

The PRESIDENT (Lieutenant-Governor David J. Davis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 30, entitled:

An Act to amend an act approved May fifth one thousand nine hundred and twenty-one (Pamphlet Laws three hundred seventy-nine) entitled "An Act to amend an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand fifty-nine) entitled 'An Act extending the powers of judges of courts of quarter sessions and of oyer and terminer in relation to releasing prisoners in jails and workhouses on parole' by extending said act to include houses of correction conferring similar powers on other courts of record and providing that the power of parole shall extend for a period not to exceed the maximum sentence as provided by law" providing the procedure in cases of parole conferring power to parole upon the several courts instead of judges thereof and fixing the time when petitions for parole may be first presented

Senate Bill No. 46, entitled:

An Act making an appropriation to carry into effect the provisions of an act approved July ninth one thousand nine hundred and nineteen (Pamphlet Laws eight hundred fourteen) entitled "An Act providing for the erection and construction by the Commonwealth of Pennsylvania and the State of New Jersey of a bridge over the Delaware River connecting the city of Philadelphia and the city of Camden and the approaches thereto providing for a joint commission for that purpose and defining its powers and duties providing for an independent commission in this Commonwealth in relation thereto and defining its powers and duties providing for the payment of a part of the cost thereof by the city of Philadelphia and providing for the acquiring taking and condemnation of the real estate for the site and approaches thereof providing for the turning over of said bridge upon its completion and making an appropriation for the purposes of this act" and its amendments

Senate Bill No. 153, entitled:

An Act providing for and regulating subject to certain restrictions limitations and liabilities assistance to certain aged persons and providing for their burial creating an Old Age Assistance Commission of this Commonwealth and an Old Age Assistance Board in each county defining their powers and duties providing for the appointment and fixing the compensation of an Old Age Assistance Superintendent and assistants and investigators making counties liable for certain expenses providing penalties and making an appropriation

Senate Bill No. 282, entitled:

An Act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto

Senate Bill No. 448, entitled:

An Act providing for the transfer to Pennsylvania of the titles to and liens affecting any lands heretofore regarded as being in the State of Delaware but found to be in Pennylvania in accordance with the interstate boundary run by the joint commission of said States appointed by virtue of the act of Assembly of Pennsylvania approved the fourth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws eighty-one) entitled "An Act relative to the boundary lines and boundary line monuments"

Senate Bill No. 496, entitled:

An act to further amend section two of an act approved the twentieth day of June, one thousand nine hundred and nineteen, (Pamphlet Laws five hundred and twenty-one) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as amended

Senate Bill No. 511, entitled:

An act making it a misdemeanor to forge or to make or manufacture any object with intent of representing or of permitting the same to be represented as an archeological specimen or to sell or exchange or to possess for the purpose of selling or exchanging as such any object so unlawfully forged made or manufactured and providing penalties

Senate Bill No. 649, entitled:

An Act to repeal the act approved the sixth day of June one thousand eight hundred and seventy-three (one thousand eight hundred and seventy-four Pamphlet Laws four hundred ten) entitled "An act to provide for the creation of a board of examiners and the appointment of an inspector of steam engines and steam boilers for the county of Allegheny"

Senate Bill No. 686, entitled:

An act relating to the registration and re-registration of nurses by the State Board of Examiners for Registration of Nurses and the issuance of a license to practice nursing

Senate Bill No. 781, entitled:

An act authorizing the State Highway Commissioner to combine certain State Highways or any part or sections thereof into a route under a common letter name number or other marker or designation or any combination thereof for the purpose of informing and assisting the traveling public in and through the State

Whereupon,

The PRESIDENT (Lieutenant-Governor David J. Davis) in the presence of the Senate signed the same.

Mr. VARE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia, Mr. Vare, will state his question of personal privilege.

QUESTION OF PERSONAL PRIVILEGE.

Mr. VARE. Mr. President, in a recent discussion relative to changing the method of book keeping in the State Highway Department, the distinguished Senator from Bucks County asked me the question whether or not my motive was not that of desiring to change the method of appropriations in so far as the returns of Philadelphia County were concerned. I assured him that it was not. However, inasmuch as it would have a tendency toward raising the question as to the great help which the City of Philadelphia had given to the Commonwealth insofar as her financial relations were concerned, may I submit to the Senate, in connection with the improvement of the Port of Philadelphia; that between the years 1907 and 1921, the State of Pennsylvania has appropriated all told $1,600,000, whereas during the same time the City of Philadelphia, for that same purpose, has expended $22,853,260, or, in other words, the city has virtually expended for the improvement of the port, the great water gateway of this Commonwealth, twelve times as much as the Commonwealth of Pennsylvania. Mr. President, I submit these figures with the one thought in mind that when the appropriations are being divided that there be proper equal recognition given to the great metropolitan City of Philadelphia insofar as state appropriations are concerned.

MOTION TO READ BILLS THE FIRST TIME.

Mr. LESLIE. Mr. President, I move that all bills reported from Committees at to-day's session be read the first time.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 468, (House Bill No. 436), entitled:

An act regulating the mortgaging of real property, and the signing, executing and delivering of bonds to secure debts by married persons; and providing for the effect thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 527, (House Bill No. 403), entitled:

An Act to enable city, county, poor, ward, school, borough, and township tax collectors, their executors and administrators if they are deceased, or either surety or sureties if the surety or sureties have paid the taxes, to collect taxes for he payment of which they have become personally liable, without having collected the same, by the expiration of the authority of their respective bonds, or by the expiration of the authority of their respective warrants or by the expiration of their terms of office, and to extend the time for the collection of the same for a period of two years from the passage of this act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 725, (House Bill No. 852), entitled:

An Act to amend sections four, seven and section nine, as amended, of an act approved the twenty-second day of July, one thousand nine hundred and nineteen, (P. L. 1093), entitled "An Act creating in counties having a population of from eight hundred thousand to one million five hundred thousand, a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; fixing their salaries, payable by the county; defining the powers and duties of such board; and regulating the assessment of property and occupations for State and county purposes; authorizing the appointment of subordinate assessors and clerks, defining their duties and providing for their compensation, payable by such counties; imposing a penalty on subordinate assessors for failure to comply with certain provisions of this act, and abolishing the office of ward, borough, and township assessor, in so far as respects the assessment of property and occupations for State and county purposes," by exempting buildings and structures in the course of erection, and providing for the placing of borough and township assessments in public places.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 742, entitled:

An act concerning the domicile of a married woman.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 743, entitled:

An act to further amend clause three of section one of an act approved the eighth day of May, one thousand eight hundred and fifty-four (P. L. 644), entitled, "An act concerning divorces," as amended, making the degree of cruelty as a ground for divorce the same for husband and wife.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 744, entitled:

An act to amend section one of an act approved the fifteenth day of March, one thousand eight hundred and fifteen (P. L. 150), entitled "An act concerning divorces;" making the degree of cruelty as a ground for divorce the same for husband and wife, and to repeal section ten of the said act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 758, entitled:

An act to amend section eight clause (a) of act, approved the seventh day of June, one thousand nine hundred seventeen, (P. L. 403) entitled, "An Act relating to the form, execution, revocation, and interpretation of wills; to nuncupative wills to the appointment of testamentary guardians; to spendthrift trust to forfeiture of devise or legacy in case of murder of testator elections to take under or against wills, and to the recording and registering of such elections and of decrees relative thereto and the fees therefor," by giving to the sole surviving parent the right to appoint a testamentary guardian for his or her minor child.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 838, (House Bill No. 900), entitled:

A Supplement to the act approved the twenty-ninth day of April, one thousand eight hundred and seventy-four (P. L. 73) entitled, "An Act to provide for the incorporation and regulation of certain corporations," requiring notice to the Department of Public Welfare of applications for charters and amendments thereto of hospitals, maternity homes and hospitals and certain charitable and elemosynary institutions and societies; and further regulating the incorporation thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of S nate Bill No. 841, (House Bill No. 906), entitled:

An Act to amend section twenty-one of an act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 483), entitled, "An Act relating to practice in the courts of common pleas in actions of assumpsit and trespass, except actions for libel and slander; prescribing the pleadings and procedure to be observed therein, and giving the Courts power to enforce its provisions," by requiring objections to the form of any pleading to be filed and served upon the opposite party within ten days after the service of such objectionable pleading.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 901, (House Bill No. 975), entitled:

An Act to amend section six as amended and section eight of the act approved the twenty-fourth day of July, 1913, (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violations thereof" changing the legal weight of certain commodities and providing for the disposition of certain fines.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 903, (House Bill No. 1305), entitled:

An Act to confer upon the Courts of Quarter Sessions of the several Counties of the Commonwealth jurisdiction and power to authorize the removal of the remains of the dead from private burial grounds which have or shall become unsightly and unsuitable places for interment.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 905, (House Bill No. 820), entitled:

An Act authorizing the sale of real estate held by entireties by husband and wife when an order of support has been secured against the husband who has neglected to comply with the same or whose whereabouts is unknown or who has absented himself from this Commonwealth prescribing the procedure to be followed permitting husband and wife to testify providing for the disposition of the proceeds of such sale and granting a divorced woman the same rights under this act as a wife.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 908, (House Bill No. 1012), entitled:

An Act validating ordinances and proceedings by councils in boroughs for the paving and curbing of public highways and validating municipal liens therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 917, (House Bill No. 366), entitled:

An Act to amend section two of an act approved the eleventh day of May, one thousaid nine hundred and eleven (P. L. 2779) entitled, "An Act relating to the time and manner of taking exception in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purposes of review and providing that exceptions need not be taken where the decision of the court appears in the preceedings of a case"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 930, (House Bill No. 818), entitled:

An Act to amend an act approved the twentieth day of July, one thousand nine hundred and seventeen, (P. L. 1143) entitled, "An Act relating to free, public, non-sectarian libraries and branch libraries within this Commonwealth; providing for their establishment, maintenance, and regulation of such free, public, nonsectarian libraries as may have been already established by the several counties, cities, boroughs, towns, and townships; and providing that all library property, and all gifts, devises, grants, or endowments for library purposes, shall be exempt from taxation; and providing that the several counties, cities, boroughs, towns, and townships may levy taxes, condemn private property, and borrow money for library purposes; and imposing penalties for injuring library property and for violations of library regulations; and repealing existing laws in relation to the above subjects."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 958, (House Bill No. 1216), entitled:

An act authorizing certain corporations to authorize, create and issue capital stock of any class or kind without nominal or par value, and to change or convert their authorized or outstanding capital stock of any class or kind into shares of any class or kind with or without nominal or par value and validating the creation and issues of stock heretofore made by corporations in accordance with the provisions hereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 975, entitled:

An Act forbidding the use or shooting of live pigeons or other birds in any contest exhibition or practice of marksmanship; relating to the renting or use of buildings and premises for such purposes; and prescribing penalties for violations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 998, entitled:

An act to repeal the act approved the fourteenth day of February, one thousand eight hundred and sixty-seven, (P. L. 205), entitled "A supplement to an act, passed the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine, relating to billiard saloons, et cetera, in the counties of Chester and Delaware, extending the same to the county of Bradford."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1014, (House Bill No. 1159), entitled:

An Act providing a system of registering titles to motor vehicles for the protection of owners of motor vehicles and to facilitate the recovery of motor vehicles stolen or unlawfully taken regulating the certification of such titles the purchase sale and transfer of motor vehicles and their registration providing for the collection of fees for the certification of titles and for disposition thereof, forbidding the destruction removal, alteration covering or defacement of any engine manufacturer's or other distinguishing number or indentification mark on motor vehicles and providing for the assignment of special numbers in certain cases, imposing duties on the State Highway Commissioners, sheriffs, constables, police officers and other peace officers and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1018, entitled:

A Joint Resolution proposing an amendment to section seven of article three of the Constitution of Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1045, (House Bill No. 126 titled:

An Act providing for the depositing of money as a forfeit for the appearance of persons arrested for certain offenses for hearing before a mayor or chief burgess and providing for theforfeiture and payment of the same into the city or borough treasury in case of non-appearance of person arrested.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1051, (House Bill No. 148), entitled:

An Act authorizing cities boroughs and incorporated towns to require and permit the laying and construction of sanitary sewers and sewer pipes outside the cartway and the curblines thereof in all streets and highways and prescribing the uses thereof and providing for the assessment of the costs and expenses of any sewer against the abutting property in the front of which the said sewer is laid.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1056, entitled:

An Act making an appropriation to the Home for the training in Speech of Deaf Children before they are of school age, at Belmont Avenue and Monument Road, Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1069, entitled:

An Act construing and confirming the powers of the Public Service Commission with respect to rates, service and facilities of Public Service Companies including the furnishing of street paving and street paving repairs.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1079, entitled:

An Act making an appropriation to the Prison Labor Commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1099, (House Bill No. 1319), entitled:

An Act to amend section one article four chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve), entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" as amended.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1130, (House Bill No. 1338), entitled:

An Act providing a means whereby the individual justice of the peace may better inform himself as to the law changes in the law and decisions of the Courts on the law of this Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1140, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the purchase by the United States of about one hundred and forty-seven and five hundred and forty-three thousandths acres of land in O'Hara Township, Allegheny county, Pennsylvania, for use in the care and treatment of discharged sick and disabled soldiers and ceding jurisdiction over such land; and also providing for the retention of a concurrent jurisdiction by the Commonwealth of Pennsylvania with the United States on such land for the service of legal process thereupon.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1147, entitled:

An Act to authorize and provide for the transfer of person or persons confined in any penitentiary under sentence of law to some other prison or institution.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1148, entitled:

An Act to amend section three, paragraph one, of an act, approved July 18, 1917, (P. L. 1043) entitled "An Act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties", by extending the time for a "present employe", as defined in the act, to elect to be covered by the retirement system, and including among "present employes" those employed in certain educational institutions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

RECESS.

Mr. BUCKMAN. Mr. President, I move that the Senate do now take a recess until four o'clock this afternoon, there being a special memorial session of the Senate in honor of the late Senator Crow at 2:00 o'clock.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

MEMORIAL SERVICE ON THE DEATH OF HONORABLE WILLIAM E. CROW, LATE UNITED STATES SENATOR.

The Senate met at two o'clock P. M.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the Chair.

The PRESIDENT This being the time fixed by the resolution for holding the memorial services on the death of Honorable William E Crow, late United States Senator, the Senate will be in order and will be opened with prayer by the Chaplain.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Almighty and everliving God:

We have come together at this time to honor the memory of one who was a distinguished leader in this body, and who afterward represented our Commonwealth in the National Senate. That mysterious visitor, whom we call Death, who is never idle, who enters every home, and who, some day, will summon us away, has taken our friend from our midst. We thank Thee that so many of us were permitted to know him, as he came in and went out among us. We are thinking of him at this hour, and we delight to recall the excellencies which marked his life and character. He will not be forgotten by the multitude of his friends and colleagues.

Grant Thy comforting grace to the bereaved kindred, and in this time of their affliction, help them to learn the deep and abiding significance of the Beatitude of Sorrow: "Blessed are they that mourn for they shall be comforted."

Remind us all of the brevity of life, and help us to so order our conduct that it may be in perfect harmony with Thy will; so that whenever Thou shalt call us hence, be it sooner or later, we may be found ready to go and dwell with Thee forever.

We ask it in the name of our Lord and Master, who died and rose again from the dead. Amen.

RESOLUTION ON THE DEATH OF HONORABLE WILLIAM E. CROW, LATE UNITED STATES SENATOR.

Mr. BROWN offered the following resolution, which was twice read:

Whereas, On August second, nineteen hundred and twenty-two, Almighty God called from us the Honorable William Evans Crow, Senior United States Senator from Pennsylvania, and until recently, Senator from the Thirty-second District; and

Whereas, the Senate of Pennsylvania, which body he long honored by his membership and counseled in his wisdom, desires to express its high regard for his character and its sorrow for his loss, now then be it

Resolved, that in the death of Senator Crow, the Commonwealth of Pennsylvania has lost its most loved citizen, and one of its greatest and most useful sons; that this Nation was deprived of a unique opportunity to utilize the services, the genius and the life which he dedicated to her cause; that in every phase of life, be it as citizen, lawyer, public official or statesman, he proved himself a helpful and a loyal friend—a friend to others, to his community, to his state, and to his country, and by that friendship made better and happier the lot of his fellowmen; that, with power and prominence he was ever modest, affable and gentle, never losing the common touch; that by his qualities of mind and character he was particularly fitted for the brilliant yet unassuming leadership which was his; that the profund loss which was universally felt at his departure, is especially felt by this body and that, therefore, we, his former colleagues, hereby publicly express our genuine sorrow over his death. And it is further

Resolved, that the Senate of Pennsylvania cause a copy of these resolutions, duly engrossed, to be given to the members of the bereaved family of the deceased, as a token of our sympathy gratitude and esteem.

Guy W. Brown
M. G. Leslie
F. E. Baldwin
W. S. Vare
C. W. Sones

On the question,

Will the Senate agree to the resolution?

The PRESIDENT. It becomes my painful duty once more to preside over a memorial service for your friend and mine. To know the late Senator Crow was to love him and to have confidence in all occasions in which he participated. I am reminded, as I think of him, my comrade and friend, of a motto that hangs over my desk at my office:

When the one great scorer comes to write against your name
He writes not that you won or lost, but how you played the game.

Anybody who knew Bill Crow knows that he played the game in the open, on the square and with absolute fairness toward to all parties with whom he came in contact. I know of no man whose presence has been, or will be so much missed in the Senate of Pennsylvania as the departed Senator Crow. It is true that we would not have had him in this body this session had he not been removed by death, but he would have been a member of the higher legislative body and would always have been with us to counsel and advise us on those subjects in which we are interested. We must, however, get along without him. He has left us never to return, and it seems to me that if any of us, when our time comes to go to our last home, can have one half the honor shown at our funeral that was shown at the funeral of our friend, our families can feel that we did not live our lives in vain, but that we lived our lives to the profit of our families, our State and our Nation.

I am not going to say more at this time for lack of time, because there are a number of speakers who want to say a word on this occasion in tribute to our departed friend.

Mr. BROWN. Mr. President and gentlemen of the Senate, we are gathered her to-day to do honor to one of Pennsylvania's most illustrious sons. T'was just a few months ago that we followed to the last resting place, the earthly remains of Senator William E. Crow.

Nothing that we may do here can in any way assuage the feeling of sorrow that gripped our hearts and minds when the Death Angel sounded his trumpet and called that great man from this world. It is not with the thought that this memorial might lessen our grief that these services are held, but rather do we seek to honor ourselves, and the people whom he so faithfully served thoughout his life. It is well that we should recall the lives and activities of such men as he, for it gives us a new conception of our own duties and a firmer determination to serve to the utmost our fellowmen. Well might we examine the life of William E. Crow for inspiration and for a genuine example of a true public servant. Surely in the annals of Pennsylvania there is no brighter example of the possibilities of attainment under our form of government that that depicted by the life of our friend. By his own efforts and his own sacrifices he trod the pathway which led to the United States Senate. What a laudable example we have in his life for the guidance of the future generations of this State. No man can claim the devotion and love of a people such as Senator Crow possessed, unless his life is worthy of emulation. I do not mean to express the thought that he was without fault, for in the history of mankind there has been only one perfect man, the Carpenter of Nazareth. Yet even the Senator's frailities endeared him to us. We loved him for his faults as well as for his virtues.

Who made the heart, 'tis He alone
Dicidely can try us,
He knows each chord, its various tone;
Each spring its various bias;
Then at the balance, let's be mute
We never can adjust it,
What's done we partly can compute,
But know not what's resisted.
"Robert Burns"

Perhaps it might be well that we should review the steps of Senator Crow's political life, noting the growth of his influence and power, until he stood forth as the political leader of the great state of Pennsylvania. Perhaps we could with profit and pleasure review his many legislative accomplishments, for no man has had a greater influence in the halls of Pennsylvania's Legislature than he. We might with pride recall the many humanitarian laws in whose passage he was such a factor. We might recount without number the laws upon our statute books which tend toward the betterment of the lives of workingmen and women, which were placed there, in a large measure, by the influence of Senator Crow.

Yet after all, it is not the memory of his political accomplishments, nor yet his statemanship, that remains green in our hearts, but it's William E. Crow, the man, our friend and counsellor. When the final summons came on August 2, 1922, the State of Pennsylvania and the Republic of the United States of America, lost a statesman and a patriot. But friends, we of Fayette County lost even more, for we were bereaved of one of the truest friends that God ever gave to a people. Heavy were our hearts on the day, when the word was passed from man to man that "Bill" Crow was dead. Even the children of our county realized that his death was a loss to them.

Perhaps some of my listeners, who were denied the opportunity of knowing intimately Senator Crow, may ask, what were the characteristics which so endeared him to the people of Fayette County. To answer such a question is to me a pleasure for it brings to mind an image of that bright, animated, pleasing countenance. Senator Crow possessed one of the strongest of personalities. He, without any conscious effort, drew men to him. What that peculiar power is, we cannot define, we can only note its manifestation. Such a power we find in men who have stood forth in the world's history. Socrates, as the thinker and teacher, had the peculiar power to attract young men, so that they followed after him to hear his discourses; Alexander, as the young warrior of Macedonia, by his personality, was able to lead the youths of his native land, far from their homes to the fields of conquest; Cromwell, as the statesman, possessed such a power over the minds of men that he was able to knit together the elements of a decaying nation and England again became a dominant nation in the world. Our own Lincoln, as the Great Emancipator, ungainly of form, yet with a heart as pure as gold, had such a power over the minds of men that this nation was willing to sacrifice the lives of thousands of its citizens in order that this might be a government of people, by the people and for the people. I might go on and recount man after man who has possessed this peculiar attribute of great men, the ability to develop the love and affection of their fellows. I beleive that I err not, when I say that William E. Crow possessed to the highest degress this peculiar quality. To know him was to love him; you might disagree with this point of view, yet this did not lessen your respect for him. Is it then difficult to understand why he became the leader of a great political party in Pennsylvania? This leadership brought with it a deep responsibility, a responsibility that exacted the highest toll of his physical being, strong and robust though he was. Yet he was a beneficient leader, one who sought the advice of his followers but once having determined the proper course of action, he was relentless in the achievement. Senator Crow was the type of leader, whom men delight to follow, leadership with him was a natural endowment. You accepted him as such, because the impeling forces of his character set him apart from other men. The great state of Pennsylvania owes a debt of gratitude which never can be repaid to the progressive practical and aggressive leadership of Senator Crow.

Senator Crow was a man of the common people. Though possessed of a brilliant mind and a dignified bearing, yet he was happy in his association with men in all walks of life. He gave to the most humble of men, the same attentive ear that he gave to those more fortunate in life. No matter how trivial a request might seem, if it were within his power, it was granted. The object of Senator Crow's life seems to have been to serve others. This was his joy; the recompense, some happiness for others. Is such a purpose not worth emulating? To serve others should be the geatest ambition of life. Recall to your memories the man whom you and the world honor to-day. Are they the men who selfishly gathered the wealth of Croesus, or conquered worlds; or enslaved peoples, or are they the men who sacrifice the most, who gave to the world their last full measure of devotion.

Another dominant characteristic of Senator Crow's life I would recall to your memories, was the quality of mercy and of kindness possessed by him. These qualities were not only manifested by him in his political and business life, but appeared in his everyday life. It is not for me to cite you instance after instance of widows helped, of orphans succored, of those discouraged or "down and out" who owe to him a new hope and a new vision of life. Neither was he harsh nor unforgiving. Senator Crow judged men not by their frailities, for his was a forgiving spirit. I do not know how to better express this thought than by recalling a passage from Shakespeare, for I beleive it truly represented the sentiments of his heart:

> The quality of mercy is not strained
> It droppeth as the gentle rain from heaven
> Upon the place beneath; it is twice blest:
> It blesseth him that gives and him that takes;
> 'Tis mightiest in the mightiest; it becomes
> The throned monarch better than his crown;
> His sceptre shows the force of temporal power
> The attribute to awe and majesty,
> Wherein doth sit the dread and fear of kings
> It is an attribute to God himself;
> An earthly power doth then show likest God's
> When mercy seasons justice.

I would go on and recount other virtues of him whom we honor to-day, but as the time alloted to me has expired, I shall close with just a few words reference to his hospitality. Did you ever visit him in his mountain home? What a welcome one received from him and his good wife. I speak from experience when I say, that it was a real joy to visit that home. And what a delight the Senator had in it. Here surrounded by vast mountains, shaded by great forests, the Senator found peace and quietness. He was a nature loving man and his heart thrilled with the joys of the great outdoors.

Senator William Evans Crow is dead, but his memory will ever remain green in the hearts and minds of the people of Fayette County and the great state of Pennsylvania. We will ever hold him to have been a great leader, a great statesman, but best of all, a great friend and lover of mankind.

> The sun is but a spark of fire,
> A transient meteor in the sky-
> The Soul, immortal as its Sire,
> Shall never die.

Mr. SISSON. Mr. President, Members of the Senate and friends, I became acquainted with Senator Crow in 1906, the session of 1907, when he came into the Senate as a new member. My associations with him from that time, until the time of his death, were very congenial, very pleasant and very agreeable. We knew that each had confidence in the other. He was a frequent visitor at Erie and I frequently visited him at his mountain home in Fayette County, and knew his family well. He was Chairman of the Republican State Committee from 1913 until he went into the United States Senate in 1922. My associations with him were of a character that made me appreciate him very highly. Like all Pennsylvanians, I regretted exceedingly when death took him from our midst, and with him went other great Pennsylvanians, about the time death took our United States Senator and other prominent people of Pennsylvania. I always regarded Senator Crow as an Abou Ben Adhem.

> Abou Ben Adhem (may his tribe increase!)
> Awoke one night from a deep dream of peace,
> And saw, within the moonlight of his room,
> Making it rich, and like a lily in bloom,
> An angel writing in a book of gold:—
> Exceeding peace had made Ben Adhem bold,
> And to the Presence in his room he said,
> "What writest thou?"—The vision raised its head,
> And with a look made of all sweet accord,
> Answered, "The names of those who love the Lord."
> "And is mine one?" said Abou. "Say not so,"

Replied the Angel. About spoke more low,
But cheerily still; and said, "I pray thee, then,
Write me as one that loves his fellow-men."
The Angel wrote, and vanished. The next night
It came again with a great wakening light,
And showed the names whom love of God had plessed,
And lo! Ben Adhem's name led all the rest.

Mr. LESLIE. Mr. President, members of the Senate and friends, we have assembled here today to do reverence to the memory of a departed friend.

"Friend after friend departs;
Who has not lost a friend?
There is no union here of hearts
That finds not here an end."
"Once in the flight of us here assembled
There lived a man."

A real man, a man of character, personality and ability, such was William Evans Crow, born March 10, 1870 and died August 2, 1922, in his fifty-third year. From a farm boy to a Senator of the United States—such was the achievement of William Evans Crow, an achievement made possible by the outstanding qualities of his heart and mind, which we, his associates in this Chamber, so well knew. Keen insight men and things, coupled with unfailing good nature, made him remarkable both for ability and for popularity. His great experience made him a political leader of wisdom invaluable to the counsels of the Republican Party. His career of mounting the political ladder from the lowest rung to one of the greatest offices within the gift of the people of Pennsylvania, made his leadership true leadership because it was based upon knowledge of the people of his State. No mere scholar or man accustomed to an easy path through life could have acquired his broad, tolerant and wise outlook, which grew from his experience, his love for his great State and his knowledge of her citizens, their virtues and their frailities.

I cannot bring my mind to dwell upon the sadness of his death, at a time when his life's ambition was in full flower.

"O Death,
What feast is toward in thine eternal cell,
That thou so many princes at a shot
So bloodily hast struck."

Men esteem and value nothing so much in this world as a real friend, such a one as if it were another self, such a character was our late friend. Every one trusted him, had confidence in him and he likewise made his presence, thoughts and company an everlasting pleasure to us.

Mr. BALDWIN. Mr. President and gentlemen of the Senate, I regret that I did not come here today prepared with a eulogy of the esteem in which I held Senator Crow. I esteemed his friendship and my regard and love for him was as strong as that of any other man. I consider William Crow one of the best fellows that I ever knew. When I came into the Senate in 1909, Senator Crow had served his first session. We became close personal friends from that time on. As you knew at the end of the session in 1909, he was elected President pro tempore for the recess, and at the convening of the session of 1911 he was made the President pro tempore for the session. I want to call your attention briefly to his biography as presented by his friend Congressman Crago in the memorial held in Congress:

William E. Crow, Republican, of Uniontown, Fayette County, was born in German Township, Fayette County, Pa., March 10, 1870; was reared on a farm and educated in the public schools, the Southwestern State Norman School, from which he was graduated in 1890, and Waynesburg College; was engaged in newspaper work for three years; studied law and was admitted to the bar of Fayette County in 1895; appointed assistant district attorney in 1896, and in November, 1898, was elected district attorney for a term of three years; was chairman of the Republican county committee in 1899, 1900, and 1901; served as a delegate to various Republican State conventions and to the Republican National Convention in 1916; was elected chairman of the Republican State committee in 1913, and reelected in 1914, 1916, and 1918; elected to the State senate in 1906; reelected in 1910, 1914, and in November, 1918; elected president pro tempore of the State senate at the close of the session in 1909, and was reelected in 1911; was appointed to the United States Senate by Governor Sproul, of Pennsylvania, to fill the unexpired term of the late Senator Knox, and took the oath of office on October 24, 1921.

March 24, 1897, Senator Crow was married to Miss Adelaide Curry, of Fayette County, and to this union were born three sons, Evans Curry Crow, William Evans Crow, jr., and Warren Crow. Senator Crow passed away Wednesday morning August 2, 1922, leaving to survive him the widow and these three sons. Thus in this short recital of dates and events is encompassed a life so filled with work and action, and which when ended left a vacancy in the life of a home and in the affairs of the Nation.

I do not believe in our State we have any better illustration of the possibilities of a poor boy with proper ambition and industry than is shown in the life of our friend William Crow. I need not say to you fellow Senators who knew him well that I think he was the most friendly, the most affable fellow that I knew. I think that the secret perhaps of his political and business success was his wonderful personality. I knew him in sunshine, in rain and in storm. I knew him on all occasions, walked with him, talked with him and visited with him and there never was a cleaner better fellow ever lived, successful as a business man, an able lawyer, a good citizen, a splendid family man, with eminent love for his family, and the return of that affection from his family. Will Crow was no ordinary fellow; he was an extra-ordinary fellow. In my opinion he was one of those third degree fellows all of the time. If he had lived, with the passing of Senator Penrose, with the qualities that he had, he would have become and continued the prominent factor in our State politics, and then a prominent figure in the national affairs of our State. Senator Crow had the quality of friendship, sympathy and love beyond most any other man, and they were the essentials that would have kept him in public life and would have carried him anywhere. You never knew a man as a State Chairman, or in his position as State Senator, that so many men over the State were glad to do things for as they were for Senator Crow. It was a pleasure for them. He was a wonderful leader. As I think of it, since my coming into the Senate in 1909 we have held these memorial occasions every session, one or two of our good boys passing on, we are impressed with the sentiment of the poem which reads something like this:

They are passing away these sweet swift years
With never a break in their rapid flow.
We watch them as one by one.
They go into the beautiful past,
There are but a few years more to live.

Shall we waste them in envious taunts?
Shall we trample under our ruthless feet
Those beautiful blossoms, fair and sweet
By the dusty way of life?
There are but a few years more to live.

Oh, let not envious taunts be heard.
Make life's fair pattern or rare design
And fill up the measure of love's sweet wine,
But never an angry word.
Strew gladness along the paths of men,
You will not pass this way again.

That is what our good friend Senator Crow did, strewed gladness along the paths of men, and I am reminded by his death, by his loss, that there is a voice from the tomb that is sweeter than song, there is a memory of the dead to which we turn even from the charms of the living. These we would not want exchanged for the song of pleasure or the mirth of revelry.

Mr. SONES. Mr. President, and members of the Senate, it is peculiarly fitting and appropriate that memorial services should be held in this Chamber for William E. Crow. Here he served as a Senator throughout eight sessions of the General Assembly of the Commonwealth of Pennsylvania. Upon the legislation here enacted he left an enduring impress. With those here associated with him he left the memory of a friendship that will be an abiding treasure of their lives.

Senator Crow was innately marked out for the public service. Whatever his gifts and capacity may have been in other realms, and they were varied and rich, his supreme gift was that of public leadership. Almost immediately upon his admission to the bar he was summoned by appointment to the office of District Attorney, and filled the place with such satisfaction that he was elected for the ensuing full term. He came to the Pennsylvania Senate when still young, and at an hour when it was graded by a veteran and able membership. From the outset he took rank among the strongest, so recognized by all, and at the end of his first term was selected for President Pro Tempore, and continued in this position during the next session, an honor that commonly comes only to those of longer service. No one ever knew this body better than he, had greater familiarity with its rules of procedure, more respect for its noble traditions, higher pride in its standing or clearer understanding of its vast power in shaping the destiny of the Commonwealth. He was a master in the handling of legislation. Whether in the searching and analytical work of the committee room or in debate and open discussion on the floor, he commanded attention by the thoroughness of his knowledge and the force of his utterance.

Senator Crow's services here covered a period signalized by legislation of the utmost consequence to the Commonwealth. Many new departments of government were created to meet the expanding activities and changing conditions of her social and industrial development. Laws safeguarding the work of the child and the woman, providing compensation for injured employes, and kindred nature, were passed. In all this constructive work, and in these humanitarian measures he exercised a real and, at times, controlling power. He spoke not merely for his own district, but voiced and represented the dominant party of the entire State. But as a legislator the partisan never controlled the statesmen. No majority leader was ever more considerate of the just rights of the minority, or readier to see that it had fair consideration. He loved his State and its whole people, took exalted pride in our matchless resources and industries, and out of such pride and love, sought to legislate for the betterment of all and was ever big enough and broad enough to yield his own opinion when convinced that the views of others might better promote the welfare of all. He was never the mouthpiece of any special class or the instrument of any special interest. He never mistook stubborness for firmness, nor self sufficiency for statesmanship.

His capacity for political management amounted to genius. His appraisal of the value of local organization was well nigh faultless, as his sense was unerring as to what issue most concerned the people. As Chairman of its State Committee he was the field marshall of his party in some of its most brilliant state victories. He succeeded to this position in an hour of party gloom, in the year following its severest National reverse, and when to many, it seemed riven forever. Political friend and foe alike must accord to him much of the glory and credit for welding its broken ranks here in Pennsylvania again into a disciplined army. While he fought to win, it was always without bitterness and with a fairness of which his adversaries had no just reason to complain.

All can rejoice that his life's ambition was realized. When a vacancy occured in a United States Senatorship from this State, and in accordance with settled usage it would be filled by one from beyond the Alleghenies, eyes turned to William E. Crow as the man at once fitted and entitled to the place. It must have been deeply gratifying to him that the appointment came from the hand of his beloved friend and long time fellow Senator on this floor, Governor William C. Sproul. The appointment honored them both, he who received and the knightly spirit of him who gave.

This honor came to Senator Crow, however, when the shadow of death was already upon him. Only those close to him can ever fully know the broken hopes that haunted those weary, wasting weeks as he battled so bravely, so patiently with the insidious malady that was bearing him to that farther shore. He had won many battles, but it was not to be for him to win this one. "God's finger touched him and he slept".

For a State to lose three United States Senators within the space of less than a year is perhaps unparrelled in American annals. It was not afforded to Senator Crow to gain in the Federal Senate that renown which haloed the careers of Senator Penrose and Senator Knox. We may be confident if he had been permitted to serve a considerable tenure there, that his trained legislative skill fashioned and strengthened here, his industry and fidelity brought to the discharge of every duty, and his extraordinary talent for leadership, would surely have gained him a national fame.

Today, as we pay our deserved tributes to his public worth and services, we are all thinking first and caring most for the man himself, his winning personality, his warm greeting, his charm, and those qualities of a great heart which outlast all else in the sweet remembrance of him we loved so well and now have lost.

Mr. SALUS. Mr. President and Members of the Senate: Coming as I do from the City of Philadelphia and the County of Philadelphia, it being the largest county in the state, it is but fitting that some one representing that county should say a word or two about the late Senator Crow. Senator Crow was a man's man and his loss is not the loss of Fayette County, it is the loss of Pennsylvania, it is the nation's loss. He was a big man, a big man to the extent that his thoughts and ideas covered not only legislation of a county or of his state, but were bigger than that, they covered the entire American Continent. His ideas were large. He loved all the people of the United States. He loved its institutions, and above all things else he was a great patriot. He had those qualities that make of any man a wonderful man. He was a home loving man, he was a patriot and loyal friend and any man who has those three qualities can not be aught but successful. There can be no question but that he was a home loving man, for you could see on the floor of this Senate that home love and spirit of affection that he must have received in that home, surrounded by his wife and children, radiating to the various members of this body, and at times during political factional fights when men on this floor were at daggers points, one with the other, that the kindliness and that love of his fellow man, and with that calmness for which he was noted, just by the beck of the hand and the saying of a kind word or two, all the turmoil passed away and we then again would come down to a sane and sensible solution of the problems before us. As to his loyalty and devotion to his friends that is so well known by those of us who knew him that it will be almost unfair to talk about it. He loved his fellow man. He kept his word and he expected a man in return to keep his. I believe in all instances when Senator Crow exacted from a man a promise that promise was kept because every one knew that a promise made by Senator Crow was a promise written in the blood of a human being and meant all that was said. Insofar as his patriotism is concerned I had occasion on one time to talk to him in the little back room and he said to me "Sam, we live in a great country, we live with a great people, we are a great people and the time must come, as it will, maybe not in your time or mine, but the time will come when all nations of the world will be looking towards this United States Government, and from its laws, its institutions, all other nations must take their model, and in the near future this United States Government and its Constitution will be the government of all the world." He said "that may not come in your time, but it will come as sure as we are human beings." He believed in this great government, he believed in its people. On another occasion in speaking to him I found that not only was he a political student, a great lawyer, a business man of standing but that he was a reader of books, and among those authors that he thought most of was that great American poet, Longfellow, who he said had done so much toward elevating and educating the youth of this country, and the thought came to my mind when I looked over some of the words of Longfellow and I wondered whether or not some of the writings of that author had not had some effect on the character and the life and on the actions of the late Senator. In conclusion I believe that these two stanzas, taken from the Psalm of Life by Longfellow, had mlch to do with the younger life of the late Senator Crow.

> Lives of great men all remind us,
> We can make our lives sublime,
> And, departing, leave behind us,
> Footprints on the sands of time.
>
> Footprints, that perhaps another,
> Sailing o'er life's solemn main,
> A forlorn and ship-wrecked brother,
> Seeing, shall take heart again.

Mr. C. A. SNYDER. Mr. President, members of the Senate and friends of Senator Crow: It is my privilege to repeat to you this afternoon the most beautiful tribute that I have ever heard rendered unto a prince among men, at the funeral services of the late Senator William E. Crow. To say aught it seems to me would be false to his memory, and to improve upon this would be impossible; therefore, I crave your time, just a few minutes, to read the eulogy by the Reverend W. Hamilton Spence.

BEAUTIFUL TRIBUTE PAID SENATOR CROW BY DR. W. HAMILTON SPENCE.

I am never called upon to perform a service like the present one—to do justice to the dead, which is among the highest obligations that devolve upon the living, without feeling that someone, who had been for longer and more intimately associated with the deceased, could more fittingly voice respect for the character of the departed, and more correctly appraise the services he rendered. I would not attempt an account of the career of so prominent a citizen as Senator Crow, in the presence of those who have been associated with him in various ways for almost a life-time; or presume to analyze the character of one whom so many present are now thinking of even more as a personal friend than as a public character.

My own associations with him were of an entirely personal nature, which naturally has to do with determining one's judgment; but these associations, always affectionate and confidential, were long enough and intimate enough to enable one to discover something of his inner self, the man within the man.

This, no subtility of mind was necessary to dscover, for it was frank and obvious.

The time and place of a man's birth, the character and extent of his education, his environment and inheritances, are but incidents and episodes, the arena on which he pursues his purpose, the instrument by which he accomplishes his will. An account of these is valuable in a biography, as exhibiting the conditions under which a life pursues its purpose and accomplishes its work; but the most valuable point in every biography lies behind and beneath a man's sayings and doings, in the central and controlling idea of the man himself. He is the real center of interest, his personality.

Personality, that vague, indefinable something that singles out one from the many, establishes distinction, is assertive yet attractive, giving an unmistakable sense of the possessor being all there, at every moment and at every point of his contact with people and affairs, one could not but feel that Senator Crow was a personality, a force within himself, compelling and virile; moved more from within than without; daring to think his own thoughts and repose upon his own convictions.

This qualified him for leadership; endowed him with initiative. Leadership came to him as a birthright. Nature intended him to be a leader.

He possessed personal qualities that drew people to him,—that, because he was lovable, kindly and sympathetic.

By these he led quite as much as by special abilities to command, exceptional though these were.

His large following was as much personal as partisan; and many drew to him, adhered to him, worked with him in the field of public life, because he was the kind of a man he was, because he was Will Crow, winsome, companionable, magnetic; and because his loyalty to those who attached themselves to him need never be matter of doubt.

He had the gift of making friends; and this gift was greatly his strength.

He possessed the instinct to divine how others feel and thought, the genius almost to an uncanny degree, to forsee how people would react. He could put himself in their place, think himself into others! And while never losing his own individuality, or becoming but an echo or reflection of others, it made others feel they belonged to him and he to them; that their interests were one.

An outstanding quality, universally conceded and generously admired, was his extraordinary freedom from malice. "He reviled not again". He was sensitive, like us all, could be hurt, often was, but the resentment felt could be restrained and the flash of anger not allowed to kindle into the nursed flames of hate. The sun went not down upon his wrath. Impulse was curbed this side of retaliation; and, upon many an occasion it was transmuted into an act of favor, converting the antagonists into friends. A more conciliatory and forgiving spirit we have not known.

And this can but suggest another quality many felt to be a high distinction in him: self control.

It was not wholly temperamental; for temperamentally he was not phlegmatic; he was alive all through, could flash under provocation like the most sanguine of us; but he learned to bank the inner fire, to silence the call of the blood. Knowing that one is unfit to be entrusted with responsibility; is unable to command the allegiance of others, who has not first come to possess and command himself, he schooled himself in that hardest of schools, self discipline, until self was well in hand, and had developed the power that belongs only to self-restraint. Strange, power, is it not, that a man can come to stand above himself, to command the uses of his own soul, as if two, two in one, himself the commander and the commanded. That power Senator Crow acquired in an eminent degree.

Kindly of his disposition by nature, he preferred to be generous, and to be attentive to the interests of others, a trait most easily misconstrued, especially in a public man, to be but a means to one's own ambitious ends! But those who knew Senator Crow well, and would impartially judge, knew that his kindliness was not assumed, nor motived by sinister purpose. It was his own disposition functioning naturally. Never too tired to listen to the wants of others; however humble of station, never too busy to make the attempt to relieve them.

I alluded to his gift of making friends. To be sure he had enemies, rather antagonists! But what of these he had were not personal but political, incidental to any man in public life. As such they were periodic rather than continuous; and as such were of the most forgetting and forgiving kind. The kind of enmities that were aroused came and went, leaving no racor behind; for he was a man hard to dislike.

His virtues were his own, were of the fiber of his own manhood; what faults were attributed to him as a public man, we shall be ready to say were mainly those of the system, the political environment amid which he worked and aspired.

I think that distinction may frankly, and must fairly be made, in varying degrees, with every one of us.

Every man is himself plus his environment; and it is within and by means of just that environment he must work out his life-accomplishments.

It is enough for us to prize and appraise the virtues that another has made his own, that he has fought for and accomplished, and to leave the rest with God, who will doubtless generously sift out the grain from the chaff and credit to us all the equity that our lives have accumulated.

Strong of will, fixed of purpose, and with so much to live for, a future seemingly but begun in a larger way, his ambition and dream, a future promising to become national as well as state, it is not easy for him to yield voluntarily to the last clear call.

But with the grace of God, he fought it out, and could say, "Thy will be done". When fought out there came to him a peace, a strength not his own, the resignation not of compulsion, but of trust in the wisdom of Him to whom no life is fragmentary or unfinished however seemingly foreshertened or brief. At fifty-two years of age he passed from our midst; dead too soon for himself and for us, but in the Sacred Book we are told that with God, the years of a man's life, as his acts—are not counted but weighed.

In conclusion I may say, as an efficient servant of the people, in his eminent sphere, the Commonwealth owes him its gratitude, and an enduring place in its public memory.

It may well be, too, that with no little pride this community may remember it fitted him for, and gave him to the Commonwealth, reflecting upon it, as he did, the lustre of a record many might envy, and leaving behind in it a vacancy not many can fill.

Mighty always is the hallowing influence of death upon us. His more than most.

In its presence, forgotten is every resentment, buried every defect. It causes us to recall the departed only at their best, and to bestow upon them only our charity and love.

Well should it induce us to bestow upon the living only our forebearance and aid.

Mr. President, this I ask to be spread upon the minutes of the Senate, so that it may be a perpetual record of tribute to this princely man.

Mr. WEAVER. Mr. President, Members of the Senate Ladies and Gentlemen:

Since it was determined that I am to talk next to last on this occasion, I have assumed that certain phases of the life and public career of Senator Crow would be discussed by the speakers who have preceded me. It would, therefore, seem not to be proper on my part to traverse this ground again, but rather to speak of the personal way in which he impressed me, and attempt to draw some lessons which ought to be helpful to all of us.

I am certain, if he were sitting yonder in the seat he filled for so many years, modest as he was, he would hardly feel embarrassed by what I purpose saying; and, if he could know or does know what we are doing and saying here today, I am persuaded that he would not take serious exception to the form of this eulogy. He would not expect me to say, and I do not say that he was a perfect man, or that he did not make mistakes, some of them more or less serious. But I thoroughly agree with the statement of the Rev. Doctor Spence at Senator Crow's funeral last August, that his errors or mistakes were not of the heart, but of the system which had grown up through practically unnumbered years, whether you call it Republican, Democrat or what not.

To me he was the gentlest, kindliest and most obliging of friends. I think my friends will agree that ingratitude is not numbered among my sins. I loved him while he lived; and I shall always gratefully treasure his memory. It was not my privilege to see him after he became seriously ill. To have insisted on doing so would have been highly improper on my part, under all the circumstances. So my last recollection of him is as he stood yonder at the head of the main aisle on the day of final adjournment last session. It was generally known that I had been placed in the chairmanship of the Judiciary General Committee at the beginning of the last session, probably with some resulting embarrassment to Senator Crow, to the President Pro Tempore of the Senate and other leaders of the party, not because of my insistence, but because some of my friends in Western Pennsylvania were determined I should have it, if it could be had. Of course, a man of my disposition would be keenly sentitive under such circumstances, and extremely anxious not to add to his friends' embarrassment by failure in the work. So I approached him to say good-bye, and when no one was listening, I said "Senator, I hope my management of affairs in Committee has not added seriously to your embarrassment as it existed at the beginning"? Then he put a hand on each of my shoulders, looked me in the eyes and said, "Boy, there's not a spot on you". Of course, we all know that was more than I deserved. And yet, can you realize how I treasure that over kind statement as the very last word to fall on my ears from my friend?

In these times of scorching and withering criticism by thousand of good people, intent on bringing about the millennium entirely by force without charity or love, I wonder if it would be improper to suggest that, from the standpoint of the test or standard set out in the 13th Chapter of 1st Corinthians, Senator Crow came nearer qualifying than many of them. I'm going to read it for you in the King James Version. I'm aware that the revised version replaces the word "charity" with "love". That's all right. But I still like to read it as it was when I was a boy.

"Though I speak with the tongues of men and of angels, and have not charity, I am become as sounding brass, or a tinkling cymbal.

2. And though I have the gift of prophecy, and understand all mysteries, and all knowledge; and though I have all faith, so that I could remove mountains, and have not charity, I am nothing.

3. And though I bestow all my goods to feed the poor, and though I give my body to be burned, and have not charity, it profiteth me nothing.

4. Charity suffereth long, and is kind; charity envieth not; charity vaunteth not itself, is not puffed up,

5. Doth not behave itself unseemly, seeketh not her own, is not easily provoked, thinketh no evil;

6. Rejoiceth not in iniquity, but rejoiceth in the truth;

7. Beareth all things, believeth all things, hopeth all things, endureth all things."

I wonder, if upon this occasion of a memorial to a man whom I dearly loved, I might not with propriety seize the opportunity to urge many of these well-intentioned persons to think of the futility of trying to induce people to be good by constantly abusing them. This was not the plan nor practice of the Galilean Teacher. As I remember His words, most of His denunciations were directed toward the self-righteous. He even wept over the great city that would not accept him. If He had been like many of us, with His power, He would have utterly destroyed the obdurate. But you say "His methods will not do now". Oh, is that true? Well then I withdraw my suggestion. It seems I am wrong. I hold no brief for the wrong-doer. Upon proper occasion he deserves to be punished. However,

"This ought ye to have done and not to have left for the other undone".

The plaintive sadness of the fate of Senator Crow in his unrealized ambition appeals to a nature like mine. Senator Daix in his address at the memorial to the late Senator Edwin H. Vare told us how Senator Vare, coming home from Senator Crow's funeral, had commented feelingly on "We are going down the valley one by one", one of the songs used upon that occasion. However, I was greatly moved by the singing of the other one "Oh Love That Will Not Let Me Go". It was most beautifully sung by the quartet, the baritone being almost indescribably beautiful and sad to me. I wondered if the song had been selected not only on account of the music, but also partly on account of the history of the poetry.

The words were written by George Matheson, a gifted young man, who seemed to have a most brilliant future before him, and was engaged to a young lady of fine mind and high social standing. Suddenly without previous warning, he began to experience great trouble with his eyesight. When he consulted the most noted eye specialist available, he was told that there was no hope for him and that in a very short time he must go totally blind. On his return home, he sent for his betrothed, told her the worst, and generously explained to her that, if it were not selfish, he could wish that it would make no difference between them, but his manhood compelled him to release her if she so desired. She told him that she would consider the matter and let him know. In a few days, he received her letter, telling him that upon reflection she felt constrained to accept his generous offer of release, and expressed her sympathy in his great affliction. After that he wrote this beautiful hymn, the first, third and fourth stanzas of which are as follows:

"O Love, that will not let me go,
I rest my weary soul in thee;
I give thee back the life I owe,
That in Thine ocean depths its flow
May richer, fuller be.

O Joy that seekest me through pain,
I cannot close my heart to thee;
I trace the rainbow through the rain,
And feel the promise is not vain
That morn shall tearless be.

O Cross that liftest up my head,
I dare not ask to fly from thee;
I lay in dust life's glory dead,
And from the ground there blossoms red
Life that shall endless be."

Although of a different character, this incident seems mournfully suggestive of the cruel fate, humanly speaking, that befell Senator Crow. The ambition of a life time was easily within his grasp, but the hand of fate rested on him even more heavily than was true in the case of Matheson, for nothing would stay the ravages of a disease which shortly resulted in death. That he would have succeeded in the United States Senatorship and that he would have been a credit to his State, I firmly believe.

It is not for us to question the ways of Providence. Surely

"God moves in a mysterious way
His wonders to perform."

The trial of the Lincoln blood from old England across the Atlantic to Massachusetts and Connecticut in New England, then to New Jersey, then to Pennsylvania, then to Virginia, then to Kentucky, and from Kentucky to Indiana and finally into Illinois and then to Washington, the capital of the Nation, is dotted all the way with cruel hardships, dissappointment, poverty and death, and yet who would dare to say that unless Abraham Lincoln had finally found himself in Illinois, he ever would have been President of the United States undoubtedly as God's chosen instrument for the particular time. No one, except a traitor, could or ever did justify the manner of his taking off. "It must needs be that offences cometh, but woe unto him by whom they come". This is literally true of the assassin who took his life; and, yet I have hidden my face hundreds of times from the scene I fear would have been enacted if he had lived to finish his second term. He had gone through a period of the most teriffic unpopularity any President of the United States had ever been called upon to endure. Thousands of people forget this fact now. Shortly before his death, he had emerged into a comparatively new atmosphere of kindness and consideration, but the storm was still rumbling against him. Sumner of Massachusetts, Stevens of Pennsylvania, Wade of Ohio and others in Congress, Wendell Phillips, and others out of Congress, were only waiting again to turn the full blasts of their condemnation against him on account of his merciful ideas of reconstruction; but I have never been able to get rid of the conviction that these overly righteous men set upon exact justice would not only in the end have broken his heart, but destroyed much of his usefulness and fame. It has always seemed to me that God wanted one strong outstanding character of gentle kindness for all time to stand forth as our typical American. And so he was called home at the height of his usefulness. Above everything else, we delight to think of him as Bryant describes him:

"O slow to smite and swift to spare,
Gentle and merciful and just."

So, above everything else in Senator Crow, the thing we cling to is his kindness, his gentleness, his lack of malicious hatred toward anyone, and we confidently look forward to a reunion in that upper and better world.

"Alas for him who never sees
The stars shine through the cypress trees,
Who, helpless lays away his dead,
Nor looks to see the breaking day

Across the mournful marble play;
Who hath not learned in hours of faith
The truth to sense and flesh unknown,
That life is ever lord of death
And love can never lose its own."

Mr. FRANK B. McCLAIN. Mr. President, Governor Pinchot, Lieutenant-Governor Davis and gentlemen of the Senate: At times like this when hearts are full, I feel I could be most eloquent in silence, or, by simply saying in the beautiful language of the good Irish poet.

"'Tis not the tear at this moment shed,
When the cold turf has been laid o'er him,
That can tell how beloved was the soul that's fled,
Or how deep in our hearts we deplore him,
'Tis the tear through many a long day wept,
Through lives by his loss all shaded,
'Tis the fond remembrance sadly kept,
When lighter griefs have faded."

Among the people of Ireland there is a venerable and beautiful custom, in the observance of which the traveler on the highroad upon meeting a funeral cortege, no matter what be his hurry, turns and for a brief distance, at least, walks with the solemn procession. It matters not whether death has knocked at the door of castle or cabin, this universal homage is paid by to-day's living and to-morrow's dead.

In this Senate of Pennsylvania a similar beautiful custom is observed in that, its members pause midst the hurry and bustle of lawmaking, resolve themselves into one family fold to express sorrowful regret at the loss of a colleague upon whom the shadows have fallen for whom the night has come. Today, we have gathered to paint upon the canvass of memory the virtues of a departed colleague, and long for "The touch of a vanished hand, and the sound of a Voice that is still."

It seems as if 'twere yesterday that he mingled with us, to-day the great dumb walls of silence rise between us, the gates of the undiscovered Land have closed behind him and we have with us, but a vacant chair the unfaded image of his kindly face, and the memory of a loveable associate. The hand which so often clasped ours in fellowship's greeting, is forever loosed from affection's clinging grasp. 'Tis hard to realize that his kindly beaming eye has, by the finger of Death, been closed in sleep, and his cheering voice stilled in the silence of the tomb.

To other tongues more eloquent than mine, I will leave the telling of his inflexible integrity, the patriotism of his public principles, the extremely valuable service he rendered as a member of this Body, his unusual ability, his commanding personality, neither will I rehearse his many kindnesses, his fidelity to his friends, and generosity to his enemies,—personal and political, except to say, that if everyone for whom he went far out of his way to do a kindly, manly, generous act, were to drop a single flower, upon his grave, that little mound on the hillside in Fayette County, would to-day be buried under a mountain of blooms.

In the death of William E. Crow, "Another boat has left the shore," another seat is made vacant at our fraternity table, let we who are still here find in his memory fresh bonds of brotherhood, and admonition to "Sit closer Boys, sit closer," Let us all reflect how vain are the strifes the partisan and factional contests and bitternesses in which we daily engage. Let us in the death of our colleague learn the lesson of how to live as he did with malice toward none and with good will and charity for all. Let each of us, when this Memorial Session of to-day adjourns, carry away and harbor in his heart, that sentiment which will prompt him should he come back here next Session and find one of his brother members here to-day, has "Crossed the Bar," to say, "I wish he was here."

I mean not to criticize the wisdom of a Divine Providence, that took him away, but knowing him, esteeming him, as I did, I cannot help but feel, "He should have died hereafter." Different from some of those with whom he disagreed and who bitterly opposed him in his political doings, he never made pretense to saintliness, he never wore a "I am more holy than thou," phylactery on his brow, but for all that—On the Last great Day, I'd rather take my chance with "Bill" as we affectionately called him, than with many of the self-styled purists who at times to serve their own selfish ends seemed to find delight in defaming him.

I will not trespass further upon the time of those who are to follow and lay their chaplet of affections upon the Altar of Memory. Turning to the place where he sat for so many years in this Senate House. By gone days like ghosts forgotten rise, and olden memories are again unsealed. I speak to him as if he were with us in the flesh, and pray that my voice may reach him in that far off Land of the "Beautiful Dead" when I say, "Good-by old Friend. In this drama of life we too will someday hear the prompter's call perhaps to fairer scenes and happier days, ere for us the curtain falls, good-by old friend, good-by, good-by."

And the question recurring,

Will the Senate agree to the resolution?

The yeas and nays werer taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

ADJOURNMENT.

Mr. BROWN. Mr. President, I move that the memorial session of the Senate do now adjourn.

Mr. LESLIE. Mr. Presidentt, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT (Lieutenant-Governor, David J. Davis) in the Chair.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives as follows:

House Bill No. 8, (Senate Bill No. 1152), entitled:

An act to provide for the ordinary expenses of the executive judicial and legislative departments of the Commonwealth interest on the public debt of the public schools for the two fiscal years beginning June first one thousand nine hundred and twenty-thre

Which was committed to the Committee on Appropriations.

BILL ON THIRD READING AND FINAL PASSAGE

Mr. BARR. Mr. President, I move that the Senate do now proceed to the third reading and consideration of Senate Bill No. 896, (House Bill No 1229), entitled:

An Act to furthed amend section one thousand two hundred ten as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Mr. McCLINTOCK. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 896, (House Bill No. 1229), as follows:

An Act to further amend section one thousand two hundred ten as amended, of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred and nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand two hundred ten of an act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which as amended by an act approved the tenth day of July one thousand nine hundred nineteen (Pamphlet Laws nine hundred and ten) entitled "An act to further amend section one thousand two hundred ten and to repeal sections one thousand two hundred eleven one thousand two hundred thirteen and two thousand eight hundred and five of an act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred and nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' and making an appropriation" and which as amended by an act approved the twenty-eighth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundred twenty-eight) entitled "An act to amend section one thousand two hundred ten as amended and section one thousand one hundred three and section five hundred twenty-four as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith and repealing section one thousand two hundred twelve thereof" is hereby further amended to read as follows

Section 1210 One The minimum salaries of all teachers supervisors principals and superintendents in the public schools of the Commonwealth except as otherwise hereinafter provided shall be paid by the several classes of districts in which such persons are employed in accordance with the following schedules

Two Districts of the first class Elementary teachers minimum annual salary one thousand two hundred dollars ($1,200) minimum annual increment one hundred dollars ($100) minimum number of increment eight (8) assistant high school teachers minimum annual salary one thousand five hundred dollars ($1,500) minimum annual increment one hundred dollars ($100) minimum number of increments three (3) junior high school teachers and city normal school training teachers minimum annual salary one thousand eight hundred dollars ($1,800) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments eight (8) high school teachers and city normal school teachers minimum annual salary one thousand eight hundred dollars ($1,800) minimum annual increment one hundred seventy-five dollars ($175) minimum number of increments eight (8) provided that subject to regulations prescribed by the State Board of Education and such additional regulations as the local board of public education may prescribe the minimum maximum salary for high school teachers shall be advanced to at least three thousand six hundred dollars ($3,600) supervisors minimum annual salary one thousand eight hundred dollars ($1,800) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments eight (8) elementary school principals minimum annual salary two thousand one hundred dollars ($2,100) minimum annual increment two hundred thirty-seven dollars and fifty cents ($237.50) minimum number of increments eight (8) junior high school high school city normal school principals minimum annual salary four thousand dollars ($4,000) minimum annual increment two hundred fifty dollars ($250) minimum number of increments four (4) Vocational industrial manual training continuation school industrial art and similar teachers if classified in the elementary schools shall be entitled to the salary and increments prescribed in the schedule for elementary teachers or if classified in junior high schools they shall be entitled to the salary and increments prescribed in the schedule for junior high school teachers All teachers now holding valid licenses to teach in districts of the first class shall be deemed to have the minimum qualifications required by this act

Three The principalships in elementary continuation industrial trade junior high and high schools in districts of the first class shall be classified by the board of public education on the basis of the number of teachers or rooms in the school or such other facts and conditions as determine the relative importance and value of the service rendered by such principals The board of public education shall fix the number of increments the amount thereof and the maximum salary of each of such principals but no principal shall receive less than the minimum salary prescribed The increments provided in the foregoing schedule for principals apply to those principals only who serve in the schools of the highest classification which classification shall be determined by the board of public education

Four Each person on the teaching or supervisory staff in a school district of the first class on the first Monday of July one thousand nine hundred twenty-one shall be entitled to receive the minimum salary provided for herein and in addition thereto to one annual increment for each year of accredited service or experience not exceeding the number of increments authorized by this act

Five Districts of the second class—Elementary teachers and elementary principals who devote less than one-half their time to supervision and administration minimum annual salary one thousand dollars ($1,000) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) high school teachers and high school principals who devote less than one-half their time to supervision and administration minimum annual salary one thousand four hundred dollars ($1,400) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) provided that where teachers in junior high schools have the qualifications required by the local school board for teachers of the senior high school they shall be placed upon the high school schedule otherwise they shall be placed upon the elementary school schedule supervisors minimum annual salary one thousand four hundred dollars ($1,400) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) elementary principals who devote one-half or more of their time to supervision and administration minimum annual salary one thousand six hundred dollars ($1,600) minimum annual increment one hundred dollars ($100) minimum number of increments eight (8) high school principals who devote one-half or more of their time to supervision and administration minimum annual salary three thousand dollars ($3,000) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments eight (8) superintendents minimum annual salary five thousand dollars ($5,000)

Six Districts of the third class—Elementary teachers and elementary principals who devote less than one-half of their time to supervision and administration minimum annual salary one thousand dollars ($1,000) minimum annual increment one hundred dollars ($100) minimum number of increments four (4) high school teachers and high school principals who devote less than one-half of their time to supervision and administration minimum annual salary one thousand two hundred dollars ($1,200) minimum annual increment one hundred dollars ($100) minimum number of increments for (4) provided that where teachers in junior high schools have the qualifications required by the local school board for teachers of the senior high school they shall be placed upon the high school schedule otherwise they shall be placed upon the elementary school schedule supervisors minimum salary one thousand two hundred dollars ($1,200) minimum annual increment one hundred dollars ($100) minimum number of increments four (4) elementary principals who devote one-half or more of their time to supervision and administration minimum annual salary one thousand four hundred dollars ($1,400) minimum annual increment one hundred dollars ($100) minimum number of increments four (4) high school principals who devote one-half or more of their time to supervision and administration minimum annual salary two thousand dollars ($2,000) minimum annual increment one hundred twenty-five dollars ($125) minimum number of increments four (4) superintendents minimum annual salary thirty-five hundred dollars ($3,500)

Seven Districts of the fourth class Elementary teachers minimum monthly salary one hundred dollars ($100) high school teachers minimum monthly salary one hundred thirty dollars ($130)

Eight County superintendents of counties having a population of less than twenty thousand (20,000) minimum annual salary two thousand five hundred ($2,500) county superintendents of counties having a population of twenty thousand and more but less than forty-five thousand (45,000) minimum salary three thousand dollars ($3,000) county superintendents of counties having a population of forty-five thousand and more but less than one hundred fifty thousand (150,000) minimum annual salary three thousand five hundred dollars ($3,500) county superintendents of counties having a population of one hundred fifty thousand (150,000) or more minimum annual salary four thousand dollars ($4,000) all assistant county superintendents minimum annual salary two thousand five hundred dollars ($2,500)

Nine The foregoing schedules prescribe a minimum salary in each instance and where increment is prescribed it is also a minimum It is within the power of the boards of education boards of public school directors or county conventions of school directors as the case may be to increase for any person or group or persons included in this schedule the initial salary or the amount of an increment or the number of increments or the minimum qualifications set forth in this act Teachers shall be entitled to the increments as provided for in said schedules who have complied with such requirements as may be prescribed by the State Board of Education except where additional qualifications are required by the local board of public education or board of school directors

Nothing in this act contained shall be construed to interfere with or discontinue any salary schedule now in force in any school district so long as such schedule shall meet the requirements of this section nor to prevent the adoption of any salary schedule in conformity with the provisions of this act

Ten The increments herein provided for are applicable only where the beneficiaries thereof remain in the services of the same school district Where such teachers enter a new district they shall enter at a point in the schedule to be agreed upon between said teacher and the employing districts which agreement shall be made a part of the contract between them

Eleven Teachers who are required because of additional work to devote more than the usual number of periods per day to their duties shall be entitled to a fair increase in compensation to be determined by the board of public education or the board of school directors Teachers who may be empolyed in giving instruction for only part of a day shall render such other service for such period of time per day as the board of public education or the board of school directors may direct but if such services cannot be assigned to such teacher by the board of public education or the board of school directors the salary paid to such teacher shall be proportioned to the number of hours of service rendered

Twelve Only those persons holding one of the following certificates shall be qualified to teach in the public schools of this Commonwealth College permanent certificate college provisional certificate normal school diploma normal school certificate special permanent certificate special temporary certificate permanent State certificate certificates which are permanent licenses to teach by virtue of the provisions of section one thousand three hundred eight of this act as amended or such other kinds of certificates as are issued under the rules and regulations of the State Board of Education or State Council of Education The State Board of Education shall also provide for the issuance of certificates by county or district superintendents to meet such emergencies or shortage of teachers as may occur

Thirteen The holders of any of the foregoing certificates shall be entitled to the benefits of the salary schedule where the qualifications required for such certificates include not less than graduation from a State normal school of this Commonwealth or equivalent training but all holders of certificates which are permanent licenses to teach in the public schools of the Commonwealth shall be entitled to the benefits of this salary schedule and nothing in this act nor any regulations of the State Board of Education shall invalidate any permanent certificate except as hereinafter provided on account of incompetence cruelty negligence immorality or intemperance Teachers not entitled to the benefits of the salary schedule herein provided shall become entitled to such benefits by meeting the qualifications prescribed in this act and such teachers until so qualified shall receive at least seventy-five ($75) dollars per month Provided That a teacher holding a professional certificate or a certificate of equivalent value as determined by the State Board of Education shall receive a minimum monthly salary of eighty-five dollars ($85) upon meeting such qualifications as shall be required under the rules of the State Board of Education

Fourteen After the first day of September one thousand nine hundred twenty-seven all persons receiving certificates to teach in the public schools of the Commonwealth except emergency certificates as herein provided for shall have the qualifications required herein of beneficiaries of the salary schedule

Fifteen The State Board of Education shall provide for summer schools in normal schools colleges universities and other educational institutions and for extension courses and correspondence courses for all teachers employed in the public school system of the Commonwealth who wish to acquire the minimum qualifications prescribed herein or such further qualifications as may be desirable

Sixteen The board of public education or board of school directors of each school district shall establish a salary schedule with increments for all members of the teaching and supervisory staff not included in the schedules herein provided

Seventeen All certificates in effect the first Monday of July one thousand nine hundred and twenty-one shall remain valid for the period of time for which they were issued or renewed

Eighteen In school districts of the second third and fourth classes at the beginning of the school year following the approval of this act each teacher supervisor or principal employed in the same school district in which he was employed for the previous school year shall be entitled to the salary provided in the schedule next higher than the salary received by the said teacher during the said previous school year

Nineteen Of the salaries herein provided for teachers supervisors principals and all other members of the teaching and supervisory staff in the public schools of the Commonwealth except part time and night school teachers the Commonwealth shall pay for the biennium beginning June first one thousand nine hundred and twenty-three and each biennium thereafter to such school districts as comply with the laws governing the public schools of the Commonwealth for each of said persons employed therein as shown by the certificate herein required to be filed with the Superintendent of public instruction in the November immediately preceding any such biennium as follows In school districts of the first class for each member of the teaching and supervisory staff twenty-five per centum (25%) of the annual minimum salary prescribed herein for elementary teachers in such districts in school districts of the second and third class for each member of the teaching and supervision staff thirty-five per centum (35%) of the annual minimum salary prescribed herein for elementary teachers in such districts in school districts of the fourth class for each member of the teaching and supervisory staff fifty per centum (50%) of the annual minimum salary prescribed herein for teachers in such districts Provided That the amount paid by the Commonwealth to a school district in any of the foregoing classes which has a true valuation per teacher of assessable property of fifty thousand dollars ($50,000) or less shall be seventy-five per centum (75%) of the annual minimum salary prescribed herein for elementary teachers in such districts and that the amount paid to a school district in any of the foregoing classes which has a true valuation per teacher of assessable property of more than fifty thousand dollars ($50,000) and not more than one hundred thousand dollars ($100,000) shall be sixty per centum (60%) of the annual minimum salary prescribed herein for elementary teachers in such districts Provided That where any member of the teaching or supervisory staff receives less salary than the minimum salary prescribed by the foregoing salary schedule for the class of district in which he is teaching there shall be paid to the district a corresponding per centum of the salary paid to such person And provided further That wherever payment is made upon the salary of any member of the teaching or supervisory staff from Federal or other State funds such amounts shall be to the extent thereof in lieu of the payment provided herein for such person Provided further That the Superintendent of Public Instruction shall annually apportion to each fourth class school district the sum of two hundred dollars ($200) for each school permanently closed or discontinued in such district since nineteen hundred eleven or which may hereafter be permanently closed or discontinued The true valuation per teacher for each district shall be determined by the State Council of Education on data and material submitted by the officers of such district in the annual report to the Superintendent of Public Instruction It shall be found by dividing the true valuation of the district by the number of full time teachers which number shall include all teachers principals supervisors and superintendents employed in the vocational and non-vocational schools of the district for the year covered by such report The true valuation of the taxable property of each school district shall be obtained by dividing the amount of the assessed valuation certified in the annual report of the district for the school year ending June thirtieth one thousand nine hundred and twenty-two and every second year thereafter by the average rate of assessment certified in such annual reports for the three years immediately preceding the date on which such true valuation is determined For the two fiscal years beginning on June first one thousand nine hundred and twenty-three and ending on May thirty-first one thousand nine hundred and twenty-five such true valuation of the district shall be determined during the month of June one thousand nine hundred and twenty-three on the data and material available in the report filed with the Superintendent of Public Instruction on August first one thousand nine hundred and twenty-two The true valuation of each school district for the two fiscal years beginning on June first one thousand nine hundred and twenty-five and ending May thirty-first one thousand nine hundred and twenty-seven and for each biennium thereafter shall be determined during the month of October one thousand nine hundred and twenty-four and in the month of October of every second year thereafter The State Council of Education is hereby given full power and authority to make such investigations to take such action and to institute such proceedings as may be necessary to determine any of the questions that may be raised in the determination and adjustment of the aforesaid true valuations and the decisions which such Council reaches in such questions shall be final and conclusive

Twenty On or before the first day of November of each year each school district of the first and second class and each school district of the third class having a district superintendent shall file a certificate with the Superintendent of Public Instruction in such form as he may prescribe and on blanks to be furnished by him showing the number of teachers supervisors principals and other members of the teaching and supervisory staffs the certificates held by each and the compensation paid each for the current school year on or before the first day of October of each year each school district of the third class not having a district superintendent and each school district of the fourth class shall forward such a certificate to the county superintendent and if approved by him the county superintendent shall forward the same to the Superintendent of Public Instruction on or before the first day of November of each year

Twenty-one The Superintendent of Public Instruction shall ascertain and determine the amount of funds required to meet each of the four payments to school districts which become due and payable within the two fiscal years beginning June first one thousand nine hundred and twenty-three and first immediately preceding the beginning of each biennium ending on May thirty-first one thousand nine hundred and twenty-five and each biennium thereafter on the data and material contained in the certificates which school districts are required by law to file with the said Superintendent on November first immediately preceding the beginning of each biennium and the said Superintendent shall also apportion and allot the same to and among the respective districts Provided That the amount paid to any school district within any biennium shall in no case exceed an amount computed on the data and information contained in the certificate required to be filed in the November immediately preceding such biennium

Twenty-two When the amount payable to each school district has been ascertained and determined by the superintendent of Public Instruction he shall certify the same to the State Treasurer and Auditor General who shall place the amounts to the credit of the respective school districts The Superintendent of Public Instruction shall transmit to each county and district superintendent a statement showing the amount which has been apportioned and allotted to each school district under the supervision of such county or district superintendent

Twenty-three The amount apportioned and allotted to each school district shall be divided into equal semi-annual instalments and the Superintendent of Public Instruction shall draw his warrants semiannually upon the State Treasurer in favor of each district for the amount to which it is entitled and payment thereof shall be to fourth class districts during the months of February and August of each year to second and third class districts during the months of March and September of each year and to first class districts during the months of April and October of each year

Twenty-four Boards of school directors of school districts of the second third and fourth classes are hereby authorized and directed to levy annually a tax on each dollar of the total assessment of all property assessed and certified for taxation therein to pay the minimum salaries and increments of the teaching and supervisory staff provided for herein Said tax shall not be invalidated or affected by reason of the fact that it may increase the total annual school tax levy of any school district beyond the mileage fixed or limited by law Provided that in districts of the fourth class the tax herein authorized together with all other school taxes levied in the district shall not exceed thirty-five (35) mills on each dollar of the assessed valuation thereof

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President, for the information of the Senate, I desire to say that this bill gives 75%, 60%, 50%, 35% and 25% of the receipts to the school districts of the

State of Pennsylvania. It is a department bill and it has been agreed to by the committee.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Christley,
Clark,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Harris,
Homsher,
Huffman,
Jones,
Joyce,
Kutz,
Leslie,
Long,
Mansfield,
McClintock,
Miller,
Phipps,
Quigley,
Schantz,
Sisson,
Smith,
Sprowls,
Steele,
Stineman,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

REPORTS FROM COMMITTEE

Mr. MILLER. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MILLER, from the Committee on Public Health and Sanitation, re-reported as amended, Senate Bill No. 242, entitled:

An Act to amend sections one, eleven, twelve and fourteen of and to add section eight (a) to an act entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," approved March 19, 1909, (P. L. 46); providing additional qualifications for a member of the State Board of Osteopathic Examiners; providing for the examination and licensing of osteopathic physicians to practice surgery, regulating the practice of the same and requiring additional qualifications therefor, defining osteopathy and providing for the effect of reports and certificates made by osteopathic physicians and granting additional powers to the Board of Osteopathic Examiners to revoke licenses.

Mr. SCHANTZ. Mr. President, I ask unanimous consent to make reports from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCHANTZ, from the Committee on Appropriations, reported as committed, Senate Bill No. 851 (House Bill No. 987), entitled:

An Act to amend sections one, two as amended, three and four of an act approved July 11, A. D. 1917, (P. L. 769) entitled "An act to regulate the importation into the State of Pennsylvania of dependent delinquent children and providing a penalty for the violation thereof."

Also from the Committee on Appropriations, reported as committed Senate Bill No. 1145, entitled:

An act reappropriating moneys to the trustees of the State Institution for Feeble Minded of Western Pennsylvania, at Polk, Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1150, entitled:

An act making an appropriation to the Department of Public Welfare for major repairs and upkeep of plant and equipment in the several hospitals, homes and institutions.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1151 entitled:

An act making an appropriation to the Department of Public Welfare for capital outlay, new construction, alterations, extensions and equipment of the several State institutions.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1152, entitled:

An Act making an appropriation to the Department of Public Welfare for administration and operation expenses and maintenance of the State institutions for mental defectives at Laurelton, Polk and Spring City.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1153, entitled:

An act making an appropriatioin to the Department of Public Welfare for administration and operation expenses and maintenance of the State schools for the deaf.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1154, entitled:

An act making an appropriation to the Department of Public Welfare for administration and operation expenses and maintenance of the several State medical and surgical Hospitals

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1155, entitled:

An Act making an appropriation to the Department of Public Welfare for the support and expenses of the State Penal and Correctional Institutions.

Mr. DAVIS. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAVIS, from the Committee on Mines & Mining, reported as committed, Senate Bill No. 1135, entitled:

An Act to amend section one, paragraph three, of an act approved May 17, 1921 (P. L. 831) entitled "An act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth; prescribing the qualifications, defining the powers and duties, and fixing the compensation of such examiners; providing for the appointment and removal of inspectors of anthracite mines, prescribing their qualifications, and regulating their salaries and term of office; and abolishing the terms of office of the present mine inspectors of the anthracite mines;" authorizing the Chief of the Department of Mines to determine the maximum number of days for which the members of the Anthracite Mine Inspectors' Examining Board shall receive compensation.

Also from the Committee on Mines and Mining, reported as committed, Senate Bill No. 1136, entitled:

An Act to amend section 11 of an act approved May 17, 1921 (P. L. 831) entitled "An act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth; prescribing the qualifications, defining the powers and duties, and fixing the compensation of such examiners; providing for the appointment and removal of inspectors of anthracite mines, prescribing their qualifications, and regulating their salaries and term of office; and abolishing the terms of office of the present mine inspectors of the anthracite mines.

Also from the Committee on Mines and Mining, reported as committed, Senate Bill No. 1137, entitled:

An act to amend section one, paragraph two, of an act approved the ninth day of June, one thousand nine hundred and eleven (Pamphlet Laws, page seven hundred fifty-six), entitled "An act to provide for the health and safety of persons employed in and about bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith;" authorizing the Chief of the Department of Mines to determine the maximum number of days for which the members of the Bituminous Mine Inspectors' Examining Board shall receive compensation.

Also from the Committee on Mines and Mining, reported as committed, Senate Bill No. 1143, entitled:

An act to amend section nine of article nineteen of an act, approved the ninth day of June, one thousand nine hundred eleven (Pamphlet Laws, seven hundred fifty-six), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith."

Also from the Committee on Mines and Mining, reported as committed, Senate Bill No. 1143, entitled:

An act providing for approved electric motors, and requiring attendants at ventilating fans, in the anthracite mines of Pennsylvania, and providing penalties for violations thereof.

Mr. DIAX. Mr. President, I ask unaminous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAIX. from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 536 (House Bill No. 551), entitled:

An Act to amend an act approved May 14, 1915, (P. L. 312) entitled "An act providing a system of government for boroughs and revising, amending and consolidating the law relating to boroughs" by adding additional subsection to section nine of article seven of chapter six thereof to empower boroughs without petition of property owners to grade, pave, curb, macadamize or otherwise improve public streets or parts thereof and assess the entire cost thereof against the owners of the property abutting thereon when said streets or parts thereof do not exceed one thousand feet in length and connect two streets theretofor paved and improved.

RESOLUTION REQUESTING INFORMATION RELATING TO ALLEGED PAYMENT OF MONEY TO INFLUENCE LEGISLATION.

Mr. CLARK offered the folowing resolution, which was twice read, as follows:

In the Senate of Pennsylvania, May 8, 1923.

Whereas: On Monday evening, May seventh, one thousand nine hundred and twenty-three, in the course of remarks on a question of personal privilege in connection with ticket scalping legislation the Senator from Allegheny, Mr. Barr, made the assertion that charges have been made that "the last time that this bill was in the legislature, an amount of money equal to twelve thousand dollars had been paid to somebody, either in the House or Senate;" therefore

Resolved, That the Senator from Allegheny, Mr. Barr, be requested to lay before the Senate the full details of all information with respect to the aforesaid charge within his possession.

Resolved, further That if the Senator from Allegheny, Mr. Barr comply with the above request, and the facts so warrant that a committee of three senators be appointed to investigate said charges and to report their finding to the Senate.

On the question,

Will the Senate agree to the resolution?

Mr. BARR. Mr. President, the resolution refers to my remarks in the record. You will find that the statement I made was that I had received a letter from a man in Philadelphia in which he stated that $12,000 had been paid to somebody for the stoppage of this bill. You will further find that I deprecated that statement and resented it, and you will further find that I said that I did not believe that there was a man in the House, and I knew that there was not a Senator in the Senate, that could be reached by money, but he could be reached by political influence, and that is what kept the bill in committee.

Mr. President, in my opinion that resolution is aimed at me from the standpoint of malice and I do not think that any Senator on the basis of that statement that I made should be subjected to such an attack as that.

Mr. CLARK. Mr. President and gentlemen of the Senate, the statement made by the Senator from Allegheny is as follows: "I have some letters from Philadelphia that I received to-day in which the charge was loosely made, and I use the word "loosely" in its proper term, that the last time that this bill was in the legislature an amount of money equal to $12,000 had been paid to somebody, either in the House or Senate." That statement is either a fact or it is not a fact. If it is a fact it should be investigated, and if any member of this legislature accepted $12,000 he should be condemned for that sort of graft, and if he did not accept it, it seems to me, that that kind of gossip, should not enter this Senate Chamber.

Mr. BARR. Mr. President, I wish to interrogate the Senator from Indiana.

The PRESIDENT. Will the Senator from Indiana, Mr. Clark, permit himself to be interrogated?

Mr. CLARK. Mr. President, I will.

Mr. BARR. Mr. President, I would like to ask the Senator from Indiana what he means by the statement that "it is either a fact or it is not a fact"? Does that mean to imply that I did not receive the letter?

Mr. CLARK. Mr. President, no, sir, I made no such implication but if that is gossip it should not have been dealt in, it is too serious a matter.

Mr. BARR. Mr. President, I feel with the Senator from Indiana, Mr. Clark, that it is a serious matter and I have made myself plain on the floor of the Senate that I deprecated that kind of business and that kind of letter writing, but, nevertheless, it is going on and the charges are made, and the the charges are made loosely and this legislature is subject to just such things as that by virtue of the action of keeping these bills in committee. That is what does it.

Mr. President, I move that this resolution be referred to a committee.

Mr. HARRIS. Mr. President, I second the motion.

The PRESIDENT. To what committee?

Mr. BARR. Mr. President, it is immaterial to me.

On the question,

Will the Senate agree to the motion?

Mr. HARRIS. Mr. President, I think that this is unfair, that Senator Barr should be accused of saying that the legislature had been bribed in any way. I think that every man in this room knows that it is not his intention to imply anything of the kind. I think we will all agree that Senator Barr did say that he had received a letter and he also made it very plain to us that in his opinion it did not apply to a member of the legislature. I really think that this resolution should be withdrawn.

Mr. SCHANTZ. Mr. President, if Senator Barr has received letters, I do not care whether they come from inside of the state or outside of the state, that $12,000 was paid to anybody connected with this General Assembly I think it ought to be investigated by a real committee. I am not talking anything about Senator Barr. If I had received a letter of that kind I would have immediately presented it to the bar of the Senate for action by the Senate. I find no fault with Senator Barr's statement. I think it was perfectly proper for him to say that to the Senate. I would have gone farther, I would have immediately taken that letter that I had received stating that anybody connected with the General Assembly had received $12,000 and presented it to the bar of the Senate for action, and, therefore, I think very emphatically that this resolution should be adopted and the investigation proceeded with by a real committee, not on account of what Senator Barr did, but on account of the author of that letter, communications flying around the State of Pennsylvania in general terms, or any other way, emphatically implying that anybody in connection with the General Assembly got $12,000 puts everybody under suspicion, and I think what Senator Barr did should be approved and the only criticism is that he did not go farther. I, therefore, think he ought to join in requesting the adoption of this resolution.

Mr. BARR. Mr. President, why take the time of the Senate and why waste time on a letter that has been received, mention of which was made and deprecated on the floor of the Senate? It is simply a statement was made in a letter and I repeated it as I got it. Now where are you going to get if you do investigate? Simply taking the time of the Senate, that is what you are doing, purely and simply, and again I repeat that it is my opinion that the resolution was put in on the basis of malice, not malice toward the fellow that wrote the letter, but malice toward the Senator speaking.

Mr. LONG. Mr. President, you requested that there be included in the motion some committee. I make the motion that this resolution be referred to the Committee on Judiciary General for consideration.

Mr. CHRISTLEY. Mr. President, I second the motion.

And the question,

Will the Senate agree to the motion?

Mr. SCHANTZ. Mr. President, I would like to know the purpose of committing a resolution of that kind to a committee? Should this committee make a preliminary investigation and find whether the resolution should be adopted or not? If you want to kill the resolution, refer it to this committee. What can this committee do? Make a preliminary investigation and then report back and have another committee appointed to make a real investigation? That seems to me a farce. If you want to kill the resolution I think you would adopt this motion; if not you ought to adopt the resolution introduced by Senator Clark.

Mr. LONG. Mr. President, In answer to the Senator about referring the resolution to Committee, I would say that every thing else connected with this House in the matter of legislation, and business, practically all of it, is referred to a Committee to be considered by them and to report back to the Senate, especially a matter of this kind, and if this is of sufficient importance, it seems to me, on the part of some members at least, to be considered by the Senate, and this resolution should be considered by a Committee. Therefore, I insist upon the motion.

Mr. VARE. Mr. President, I remained silent last evening when this discussion concerning Philadelphia was before the Senate and I had intended remaining silent today, but with all due respect to both sides of this question and having a high regard for the Senator from Allegheny, I fail to understand why he did not name and give the address of that man. I take it that this ought to be a dignified body representing the great Commonwealth of Pennsylvania. I believe it is not a proper place to bring in rumors or anonymous communications, or to read letters without giving the author of that letter.

Mr. LESLIE. Mr. President, I rise for information. As I understand the resolution, it provided for a committee of three to be appointed.

The resolution was read as follows:

In the Senate of Pennsylvania, May 8, 1923.

Whereas: On Monday evening, May seventh, one thousand nine hundred and twenty-three, in the course of remarks on a question of personal privilege in connection with ticket scalping legislation the Senator from Allegheny, Mr. Barr, made the assertion that charges have been made "the last time that this bill was in the legislature, an amount of money equal to twelve thousand dollars had been paid to somebody, either in the House or Senate;" therefore

Resolved, That the Senator from Allegheny, Mr. Barr, be requested to lay before the Senate the full details of all information with respect to the aforesaid charge within his possession.

Resolved, further That if the Senator from Allegheny, Mr. Barr, comply with the above request, and the facts so warrant that a committee of three senators be appointed to investigate said charges and to report their finding to the Senate.

Mr. LESLIE. Mr. President, then I would understand the situation, first, the resolution calls upon the Senator from Allegheny to lay before the Senate the information that is in his possession; secondly, to be followed by a committee of three to make a further investigation. Therefore, I call the Chair's attention to the fact that the motion made by the Senator from Franklin County is not in order. I take the position that the matter before us is first the adoption of the resolution and second receiving the information from the Senator and third to proceed with the further investigation.

Mr. LONG. Mr. President, It seems to me since I have heard the reading of the resolution my motion is very much more in order than I believed in the first place. The very purpose of the resolution is to find out the facts.

The PRESIDENT. The Chair rules that the motion is in order.

And the question recurring,

Will the Senate agree to the motion to commit the resolution to the Committee on Judiciary General.

A division being called for 15 Senators voted in the affirmative and 11 in the negative, whereupon the question was decided in the affirmative.

REPORT FROM COMMITTEE.

Mr. LONG. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LONG from the Committee on Elections, re-reported as amended, Senate Bill No. 802, entitled:

An Act to regulate nominations and elections for all offices of judges of courts of record; providing for non-partisan nominations and elections for said offices, abolishing certain existing methods of nomination in such cases and the use of party or political names or appellations at elections with respect to said offices; imposing certain duties upon the Secretary of the Commonwealth, county commissioners and election officers and clerks and providing penalties for the violation of the provisions hereof, and the punishment of certain offenses.

BILL INTRODUCED.

Mr. LONG. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LONG read in his place and presented to the Chair Senate Bill No. 1163, entitled:

An Act to further amend section thirteen of an act aproved May 31, A. D., 1911 (P. L. 468) entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendent of highway, and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads, connecting county-seats, principal cities and towns and extending to the State line, describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways, solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expenses to improve or maintain in the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property or otherwise in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State Highways to be done by contract except where the State highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads, and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town and requiring contracts by counties, townships, boroughs, and incorporated towns, with Commonwealth governing same; providing for the minimum width of State Highways, and State-aid highways; and kinds of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department, and improvement of roads and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act" as amended by providing for the deposit of bankable securities by the contractor in lieu of the surety required on said contractor's bond.

BILLS ON FIRST READING.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 536, (House Bill No. 551), entitled:

An Act to amend an act approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 312), entitled, "An Act providing a system of government for boroughs and revising, amending, and consolidating the law relating to boroughs," by adding additional sub-section to section nine of article seven of chapter six thereof to empower boroughs without petition of property owners, to grade, pave, curb, macadamize or otherwise improve public streets, or parts thereof, and assess the entire cost thereof against the owners of the property abutting thereon when said streets or parts thereof do not exceed one thousand feet in length and connecting two streets theretofore paved and improved.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 851, (House Bill No. 987), entitled:

An Act to amend sections one, two, three and four, of an act approved the eleventh day of July, Anno Domini, one thousand nine hundred and seventeen, (P. L. 739) entitled, "An Act to regulate the importation into this Commonwealth of dependent, delinquent or defective children, and providing a penalty for the violation thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1135, entitled:

An Act to amend section one, paragraph three, of an act approved May 17, 1921 (P. L. 831) entitled "An Act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth; prescribing the qualifications, defining the powers and duties, and fixing the compensation of such examiners; providing for the appointment and removal of inspectors of anthracite mines, prescribing their qualifications, and regulating their salaries and term of office; and abolishing the terms of office of the present mine inspectors of the anthracite mines;" authorizing the Chief of the Department of Mines to determine the maximum number of days for which the members of the Anthracite Mine Inspectors' Examining Board shall receive compensation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1136, entitled:

An Act to amend section 11 of an act approved May 17, 1921 (P. L. 831) entitled "An Act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth; prescribing the qualifications, defining the powers and duties, and fixing the compensation of such examiners; providing for the appointment and removal of inspectors of anthracite mines, prescribing their qualifications, and regulating their salaries and term of office; and abolishing the terms of office of the present mine inspectors of the anthracite mines

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1137, entitled:

An Act to amend section one, paragraph two, of an act approved the ninth day of June, one thousand nine hundred and eleven (Pamphdlet Laws, page seven hundred fifty-six), entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith;" authorizing the Chief of the Department of Mines to determine the maximum number of days for which the members of the Bituminous Mine Inspectors' Examining Board shall receive compensation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1138, entitled:

An Act to amend section nine of article nineteen of an act, approved the ninth day of June, one thousand nine hundred eleven (Pamphlet Laws, seven hundred fifty-six), entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1143, entitled:

An Act providing for approved electric motors, and requring attendants at ventilating fans, in the anthracite mines of Pennsylvania, and providing penalties for violations thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1145, entitled:

An Act reappropriating moneys to the trustees of the State Institution for Feeble Minded of Western Pennsylvania, at Polk, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1150, entitled:

An Act making an appropriation to the Department of Public Welfare for major repairs and upkeep of plant and equipment in the several State hospitals, homes and institutions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1151, entitled:

An Act making an appropriation to the Department of Public Welfare for capital outlay, new construction, alterations, extensions and equipment of the several State institutions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1152, entitled:

An Act making an appropriation to the Department of Public Welfare for administration and operation expenses and maintenance of the State institutions for mental defectives at Laurelton, Polk and Spring City.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1153, entitled:

An Act making an appropriation to the Department of Public Welfare administration and operation expenses and maintenance of the State schools for the deaf.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1154, entitled:

An Act making an appropriation to the Department of Public Welfare for administration and operation expenses and maintenance of the several State medical and surgical hospitals

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1155, entitled:

An Act making an appropriation to the Department of Public Welfare for the support and expenses of the State Penal and Correctional Institutions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. SMITH. Mr. President, I move that the Senate do now adjourn until to-morrow morning at eleven o'clock.
Mr. DAIX. Mr. President, I second the motion.
The motion was agreed to.
The Senate adjourned at 5:50 P. M. until Wednesday May 9, 1923, at 11 o'clock A. M.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 8, 1923.

The House met at 11:00 o'clock A. M.
The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:
O Lord our God, we thank Thee for this day and all its blessings, for life and all it means to us, for soundness of mind and strength of will, for home ties and associations and fellowship. We are glad that our hearts are as an open book before Thee. Thou knowest all about us, and if we ever attempt to appear before Thee other than what we are, we pray that Thou wouldst forgive us. We pray that Thou wouldst enable us to escape that depravity of soul that comes to him who attempts hyprocrisy. Help us to despise sham, to avoid duplicity, and above all things, O God, help us to shun every and all appearance of pious cant and religious insincerity. Help us to hate as Thou dost hate every form of a lie. Save us from selfishness and make of us true men and true women, to the end that we may serve our fellowmen, and in so doing serve Thee. We ask it in Christ's name.
Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.
The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Millar, the further reading was dispensed with and the Journal approved.

REPORT OF BOARD OF DIRECTORS OF CITY TRUSTS.

The SPEAKER. The Chair lays before the House the report of the Board of Directors of City Trusts of the City of Philadelphia for 1922.
The same will be noted upon the Journal and printed in the appendix to the Legislative Journal.
(For report see Appendix).

REPORTS FROM COMMITTEES.

Mr. GOLDER, from the Committee on Appropriations, reported as amended House Bill No. 602, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the Veterinary School of Medicine.

Mr. PERRY, from the Committee on Appropriations, reported as committed House Bill No. 1131, entitled:

An Act making an appropriation to the Board of Trustees of The Philadelphia Museum.

Mr. CONNER, from the Committee on Appropriations, reported as committed House Bill No. 107, entitled:

An Act making an appropriation to the Woman's Medical College of Pennsylvania.

Mr. SCHILLING, from the Committee on Appropriations, reported as committed House Bill No. 817, entitled:

An Act making an appropriation to the board of trustees of the Pennsylvania Soldiers' and Sailors' Home, at Erie, Pennsylvania, for maintenance of said home and the payment of expenses of administration, including salaries of officials and clerks; and providing that all moneys received from the United States Government by the Governor of Pennsylvania on account of maintenance shall be paid into the State Treasury.

Miss BENTLY, from the Committee of Appropriations, reported as committed House Bill No. 1171, entitled:

An Act to amend section one of an act approved the eighteenth day of July, one thousand nine hundred and nineteen (Appropriation Acts, 246), entitled "An Act making an appropriation to the Water Supply Commission of Pennsylvania or the Department of Conservation for the purpose of co-operating with the Goverment of the United States in making investigations, examinations, and surveys, and in preparing plans and estimates of cost, with a view of devising andcarrying into effect plans for controlling the flood waters of rivers and their tributaries being either in whole or in part within this Commonwealth," saving said appropriation from lapsing.

Mr. McCAIG, from the Committee on Appropriations, reported as committed, House Bill No. 803, entitled:

An Act making an appropriation for the payment of the expenses required by an act approved the twenty-fifth day of May, one thousand eight hundred and eighty-nine, entitled, " An Act to provide for the continuance of the education and maintenance of the destitute orphans of deceased soldiers, sailors and marines, and the destitute children of permanently disabled soldiers, sailors and marines of the State", also making an appropriation to carry out the provisions of an act to provide for the education and maintenance of the children admitted to the Pennsylvania Soldiers' Orphan industrial School and the Soldiers' Orphans Schools, approved May twenty-seventh, one thousand eight hundred and ninety-three, and its supplements.

Mr. DUNN, from the Committee on Appropriations, reported as amended, House Bill No. 108, entitled:

An Act making an appropriation to the trustees of the Philadelphia School of Design for Women, at Philadelphia, Pennsylvania.

Mr. HAWS, from the Committee on Appropriations, reported as amended, House Bill No. 96, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art.

Mr. WILLISTON P. WOOD, from the Committee on Law and Order, reported as amended, House Bill No. 1342, entitled:

An Act to restrain and regulate the manufacture, furnishing and traffic in alcoholic breverages made from malt or grain or any grain products by the usual methods of brewing, fermentation or fortification by which malt and brewed liquors or beverages are or can be made; requiring and authorizing licenses therefore and prescribing licenses fees and penalties; providing for inspectors, inspection, and making an appropriation.

Mr. WILLISTON P. WOOD, from the Committee on Law and Order, reported as amended, House Bill No. 1327, entitled:

An Act to restrain and regulate the manufacture, sale and furnishing or intoxicating liquor for medicinal, scientific, commercial, or other non-beverage use requiring and authorizing licenses therefor and prescribing license fees and penalties, defining intoxicating liquor and repealing existing alcoholic liquor laws and alcoholic liquor license laws.

Mr. SPROWLS, from the Committee on Appropriations, reported as committed House Bill No. 1463, (Senate Bill No. 505), entitled

An Act to repeal an act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Appropriations Acts Page two hundred sixty-nine) entitled "An Act making an appropriation to the Washington and Jefferson College Washington Pennsylvania."

Mr. WONER, from the Committee on Appropriations reported as committed, House Bill No. 1419, (Senate Bill No. 399), entitled:

An Act making an appropriation to reimburse the fund in the Mechanics Trust Company of Harrisburg standing to the credit of the Water Supply Commission for the improvement of French Creek for moneys inadverently paid into the State treasury.

Mr. COLDSMITH, from the Committee on Appropriations, reported as committed, House Bill No. 1431, (Senate Bill No. 776), entitled:

An Act making an appropriation for the restoration of buildings and property at the State Hospital for the Insane of the Southeastern District of Pennsylvania located at Norristown Pennsylvania damaged and destroyed by a Cyclone.

Mr. McKIM, from the Committee on Appropriations reported as committed, House Bill No. 1412 (Senate Bill No. 553), entitled:

An Act for the appointment of a commission to study conditions relating to blind persons in Pennsylvania and make recommendations and making a appropriation.

Mr. RINN, from the Committee on Appropriations reported as committed House Bill No. 1462, (Senate Bill No.. 201), entitled:

An Act directing the State Librarian to cause certain old church records of this State to be translated, preserved and published and making an appropriation therefor.

Mr. WELLS, from the Committee on Appropriations, reported as committed House Bill No. 1255, entitled:

An Act providing for the refunding of moneys erroneously paid into the State Treasury as taxes by dealers in goods, wares and merchandise under the mercantile license tax law and making an appropriation for such refunding.

LEAVE OF ABSENCE.

Mr. JOHN G. MARSHALL asked and obtained leave of absence for Mr. Schleiter, on account of a death in the family.

Mr. JOSEPH C. MARCUS asked and obtained leave of absence for Mr. Goehring.

RESOLUTION EXTENDING CONGRATULATIONS TO LIEUTENANT OAKLEY G. KELLY.

Mr. BUSH offered a resolution which was twice read as follows:

In the House of Representatives, May 8, 1923.

Whereas, Lieutenant Oakley G. Kelley of the United States Army, a resident of Grove City, Pennsylvania, in company with Lieutenant John A. Macready, on May third, successfully completed that heretofore unaccomplished feat of spanning the American Continent in a single non-stop airplane flight, and in this trip of over twenty-seven hundred miles from Hempstead, New York to Rockwell Field, San Diego, California, in less than twenty-seven hours, they broke all records for non-stop flights, and

Whereas, In assisting in this spectacular flight across the country, this courageous son of Pennsylvania has reflected lasting credit upon his native State, and has prominently written her name with his in the annals of aviation history, and

Whereas, Their success has added to the peaceful air victories of our country, has demonstrated anew the pluck, bravery, stamina, perseverance and daring of her sons, and has given to the world notice of the power and resourcefulness of the air branch of her army; therefore be it

Resolved (if the Senate concur), that the congratulations of the people of the State of Pennsylvania through her chosen Representatives in General Assembly met, be extended to her valiant son, the said Lieutenant Oakley G. Kelley, and his companion, upon their remarkable and unprecedented flight, and that they be assured of the best wishes of the people of the State for the success of their future attempts to establish new records and bring more glory to their country, and be it

Further Resolved, That these resolutions be printed in the journal and a properly certified copy thereof be forwarded to the said Lieutenant Oakley G. Kelly now at San Diego, California.

Mr. BUSH asked and obtained unanimous consent for immediate consideration of the resolution.

On the question,

Will the House adopt the resolution?

Mr. BUSH. I move that the resolution be adopted.

Mr. ARMSTRONG. Mr. Speaker, I second the motion.

The motion was agreed to, and the resolution was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 7, 1923.

Resolved, (if the Senate concur), that House Bill No. 162, Printer's No. 55, File Folio 197, entitled "An Act to amend section one thousand seven hundred and eight of the act aproved the eighteenth day of May, one thousand nine hundred and eleven, (Pamphlet Laws three hundred and nine), entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue, and repealing all laws general, special or local, or any parts thereof that are or may be inconsistent therewith,'" be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE.

AMENDED SENATE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 686.

An Act relating to the registration and re-registration of nurses by the State Board of Examiners for Registration of nurses and the issuance of a license to practice nursing

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 234.

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 234, entitled:

An Act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto

And has appointed Messrs. Clarke, Buckman and Quigley a committee of conference to confer with a similar committee of the House of Representatives (If the House of Representatives shall appoint such committee) on the subect of the differences existing between the two houses in relation to said bill.

Mr. KELLY. Mr. Speaker, I move that the House insist on its nonconcurrence in the amendments made by the Senate to House Bill No. 234, and that a committee on conference be appointed.

Mr. BEAVER. Mr. Speaker, I second the motion.

The motion was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE.

The SPEAKER. The Chair appoints as a conference committee on House Bill No. 234 Messrs. Whiteman, Eaches and Grover C. Myers.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

HOUSE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 532.

An Act to provide for the registration and protection of names titles or designations of associations societies orders foundations federations organizations and corporations of the first class

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the House of Representatives and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 7, 1923.

Resolved (if the House of Representatives concur), That Senate Bill No. 472, File Folio 1153, entitled "An act to amend section one of an act, approved the eighteenth day of Juy, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand and seventy-two), entitled 'An act providing a method of establishing title to land acquired at a sale for unpaid taxes', extending the provisions of said act to all such sales," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED SENATE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 511.

An act making it a misdemeanor to make or manufacture any object with intent of representing or of permitting the same to be represented as an archaeological specimen or to sell or exchange or to possess for the purpose of selling or exchanging as such any object so unlawfully made or manufactured and providing penalties

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced returned bill from the House of Represetnatives numbered and entitled as follows, viz:

HOUSE BILL No. 317.

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and eight) entitled "An Act prohibiting under certain conditions the commutation encumbrance or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto prohibiting the attachment of such proceeds and income and authorizing life insurance companies to hold such proceeds as part of the general corporate funds" by extending the same to the proceeds and income from policies issued by both domestic and foreign companies

HOUSE BILL No. 774.

An Act authorizing courts of quarter sessions to commit the care of certain burial grounds to the councils of boroughs township commissioners and township supervisors of townships and requiring boroughs and townships to pay the expenses in conection therewith

HOUSE BILL No. 885.

An Act limiting the power of State banks banking companies trust companies savings banks and unincoporated banks to become surety on bonds

with information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 30.

An Act to amend an act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred seventy-nine) entitled "An act to amend an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand and fifty-nine) entitled 'An act extending the powers of judges of courts of quarter sessions and of oyer and terminer in relation to releasing prisoners in jails and workhouses on parole by extending said act to include houses of correction conferring similar powers on other courts of record and providing that the powers of parole shall extend for a period not to exceed the maximum sentences as provided by law" providing the procedure in cases of parole conferring power to parole upon the several courts instead of judges thereof and fixing the time when petitions for parole may be first presented

SENATE BILL No. 46.

An Act making an appropriation to carry into effect the provisions of an act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and fourteen) entitled "An act providing for the erection and construction by the Commonwealth of Pennsylvania and the State of New Jersey of a bridge over the Delaware River connecting the city of Philadelphia and the city of Camden and the approaches thereto providing for a joint commission for that purpose and defining its powers and duties providing for an independent commission in this Commonwealth in relation thereto and defining its powers and duties providing for the payment of a part of the cost thereof by the city of Philadelphia and providing for the acquiring taking and condemnation of real estate for the site and approaches thereof providing for the turning over of said bridge upon its completion and making an appropriation for the purposes of this act" and its amendments

SENATE BILL No. 153.

An Act providing for and regulating subject to certain restrictions limitations and liabilities asssitance to certain aged persons and providing their burial creating an Old Age Assistance Commission of this Commonwealth and an Old Age Assistance Board in each county defining their powers and duties providing for the appointment and fixing the compensation of an Old Age Assistance Superintendent and assistants and investigators making counties liable for certain expenses providing penalties and making an appropriation

SENATE BILL No. 282.

An Act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto

SENATE BILL No. 448.

An Act providing for the transfer to Pennsylvania of the titles to and liens affecting any lands heretofore regarded as being in the State of Delaware but found to be in Pennsylvania in accordance with the interstate boundary run by the joint commission of said States appointed by virtue of the act of Assembly of Pennsylvania approved the fourth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws eighty-one) entitled "An Act relative to the boundary lines and boundary line monuments"

SENATE BILL No. 496.

An Act to further amend section two of an act approved the twentieth day of June, one thousand nine hundred and nineteen, (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax and the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," as amended.

SENATE BILL No. 511.

An Act making it a misdemeanor to make or manufacture any object with intent of representing or of permitting the same to be represented as an archeological specimen; or to sell or exchange or to possess for the purpose of selling or exchanging as such any object so unlawfully made or manufactured; and providing penalties.

An Act to repeal the act approved the sixth day of June one thousand eight hundred and seventy-three (one thousand eight hundred and seventy-four (Pamphlet Laws four hundred and ten) entitled "An act to provide for the creation of a board of examiners and the appointment of an inspector of steam engines and steam boilers for the county of Allegheny"

SENATE BILL No. 686.

An Act relating to the registration and re-registration of nurses by the State Board of Examiners for Registration of nurses and the issuance of a license to practice nursing

SENATE BILL No. 781.

An Act authorizing the State Highway Commissioner to combine certain State Highways or any part or sections therof into a route under a common letter name number or other marker or designation or any combination thereof for the purpose of informing and assisting the traveling public in and through the State

Whereupon,
The SPEAKER, in the presence of the House, signed the same.

BILLS ON SECOND READING.

The SPEAKER. If there are no objections the Chair will take up the second reading calendar. The Chair hears none.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1314, as follows:

An Act to give concurrent jurisdiction to the municipal court in actions for divorce in any judicial district in which such court shall exist and providing that all laws relating thereto are hereby made applicable to said court
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hertby enacted by the authority of the same That hereafter the municipal court in any judicial district shall have concurrent jurisdiction in divorce with the court of common pleas in said judicial district and all laws relating to divorce are hereby made applicable to proceedings in said municipal court

And said bill having been read at length the second time and agred to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 88, as follows:

A Further Supplement to an act approved the eighteenth day of July one thousand nine hundred and nineteen entitled "An act authorizing the appointment of a commission to supervise the revising amending consolidating and simplifying of the laws relating to the assessment levy and collection of taxes for all purposes prescribing the power and duty of such commission imposing certain duties on the Legislative Reference Bureau and making an appropriation" continuing the commission appointed under the provisions of said act for a further period of two years and making an appropriation
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the tax law revision commission appointed under the provisions of this act as supplemented by the act of May twenty-fourth one thousand nine hundred and twenty one is hereby continued for a further period of two years The commission shall continue the work of revising amending consolidating and simplifying the laws relating to the assessment levy and collection of taxes for county city borough town township school and poor purposes as directed in the act to which this is a supplement and shall make a report of its proceedings to the Governor and the General Assembly at the session of one thousand nine hundred and twenty-five which report shall contain a draft or draft of bills codifying revising amending and simplifying the laws aforesaid
Section 2 For the payment of the expenses of the members of the commission and the payment of the expenses of extra clerical and legal services of the Legislative Reference Bureau the sum of four thousand dollars ($4,000) is hereby specifically appropriated to the said Tax Law Revision Commission

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 897, entitled:

An Act to amend sections nine and ten of an act approved the twenty-second day of June one thousand eight hundred and ninety-one (Pamphlet Laws three hundred and seventy-nine) entitled "An act to provide for the selection of a site and the erection of a State asylum for the chronic insane to be called the State asylum for the chronic insane of Pennsylvania and making an appropriation therefor" changing the name and purpose of said hospitals and repealing sections eleven and fifteen of said act

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section nine of the act approved the twenty-second day of June one thousand eight hundred and ninety-one (Pamphlet Laws three hundred and seventy-nine) entitled "An act to provide for the selection of a site and the erection of a State asylum for the chronic insane to be called the State asylum for the chronic insane of Pennsylvania and making an appropriation therefor" which reads as follows
"Section 9 The said commissioners upon the completion of said asylum shall surrender their trust to a board of trustees to consist of nine members who shall serve without compensation and be appointed by the Governor by and with the advice and consent of the Senate said trustees shall be a body politic or corporate of the name and style of the State Asylum for the chronic insane of Pennsylvania they shall manage and direct the concerns of the institution and make all necessary by-laws and regulations not inconsistent with the Constitution and laws of the Commonwealth Of the trustees first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacancies shall be filled by the Governor by the appointment for three years as hereinbefore provided and should any vacancy occur by death or resignation or otherwise of any trustee such vacancy shall be filled by appointment as aforesaid for the unexpired term of such manager"
is hereby amended to read as follows
Section 9 The said commissioners upon the completion of said asylum shall surrender their trust to a board of trustees to consist of nine members who shall serve without compensation and be appointed by the Governor by and with the advice and consent of the Senate said trustees shall be a body politic or corporate of the name and style of the Wernersville State Hospital they shall manage and direct the concerns of the institution and make all necessary by-laws and regulations not inconsistent with the Constitution and laws of the Commonwealth Of the trustees first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacancies shall be filled by the Governor by the appointment for three years hereinafter provided and should any vacancy occur by death or resignation or otherwise of any trustee such vacancy shall be filled by appointment as aforesaid for the unexpired term of such manager

On the question,

Will the House agree to the section?

Mr. SARIG. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendment were read by the Clerk as follows:

Amend section 1, page 2, line 1, by striking out beginning with the words "which reads" and ending in line 20 with the word "manager"

Amend section 1, page 2, line 28 by inserting in parentheses after the word "the", the following: "(State Asylum for Chronic Insane of Pennsylvania)".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 That section fifteen of said act as amended by an act approved the twenty-second day of June one thousand eight hundred and ninety-one (Pamphlet Laws three hundred and seventy-nine) entitled "An act to provide for the selection of a site and the erection of a State asylum for the chronic insane to be called the State Asylum for the Chronic Insane of Pennsylvania and making an appropriation therefor" as amended fixing the maximum for maintenance weekly per capita is hereby further amended to read as follows

Section 16 That the cast of the care and detention of the said chronic insane in said hospital shall not exceed the sum of five dollars per week for each patient including clothing two dollars and fifty cents thereof to be charged upon and paid by the several counties and poor districts from which the said insane are received but the State shall not be required to pay more than the remainder of the actual cost of maintenance in said institution after said payment by said counties and should any surplus remain annually after the cost of maintaining said patients as aforesaid has been ascertained the same shall be returned to the Commonwealth

On the question,

Will the House agree to the section?

Mr. SARIG. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 2, page 4, lines 3 and 4 by striking out the words "as amended by an" and inserting in lieu thereof "which was amended by the act approved April thirteenth one thousand nine hundred and twenty-one, (P. L. 136) entitled "An act to further amend section fifteen of the"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act to amend sections nine and ten of an act approved the twenty-second day of June one thousand eight hundred and ninety-one (Pamphlet Laws three hundred and seventy-nine) entitled "An Act to provide for the selection of a site and the erection of a State asylum for the chronic insane to be called the State asylum for the chronic insane of Pennsylvania and making an appropriation therefor" changing the name and purpose of said hospital and repealing sections eleven and fifteen of said act

On the question,

Will the House agree to the title?

Mr. SARIG. Mr. Speaker, I desire to offer the following amendment:

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, lines 9 and 10 by striking out the words "and repealing sections eleven and fifteen of said act"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 106, as follows:

An Act making an appropriation to the trustees of the University of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one million five hundred forty-one thousand three hundred twelve dollars ($1,541,312) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the trustees of the University of Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the general maintenance of the university and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the University of Pennsylvania for the maintenance of the school of education of the University of Pennsylvania for the maintenance of the extension schools of the University of Pennsylvania and for the maintenance of the graduate school of medicine of the University of Pennsylvania Provided however That the sum of one hundred and sixty-four thousand dollars ($164,000) thereof shall be used for the maintenance and equipment of the Graduate School of Medicine

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1441 (Senate Bill No. 583), entitled:

An Act authorizing the annexation to cities of portions of townships not exceeding one hundred acres in area and totally surrounded by said cities and providing for the division of the assets and liabilities of said townships

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

The SPEAKER. If there are no objections the Chair will take up the first reading calendar. The Chair hears none.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1126, entitled:

An Act to amend section one thousand four hundred and one of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled, "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1407, (Senate Bill No. 509), entitled:

An Act to require the teaching of the Constitution of the United States in the public and private schools

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON THIRD READING.

SPECIAL ORDER.

The SPEAKER. The hour of 11:30 having arrived, the Chair lays before the House the special order of the day at this time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 81, as follows:

An Act to provide for the ordinary expenses of the executives judicial and legislative departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and twenty-three

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following sums or so much thereof as may be necessary be and the same are hereby specifically appropriated to the several objects hereinafter named for the two fiscal years commencing on the first day of June one thousand nine hundred and twenty-three to be paid out of any moneys in the treasury not otherwise appropriated

Section 2 For the payment of the salaries of the several state officers and clerks and employes in the several departments of the State government and for the incidental expenses of the said departments the following sums or so much thereof as may be necessary the same to be paid on the warrant of the Auditor General upon the State Treasurer in the amounts as follow and in the manner prescribed by law

EXECUTIVE DEPARTMENT

Office of Governor

For the payment of the salary of the Governor two years the sum of thirty-six thousand dollars	$36,000.00
For the payment of the salaries wages and fees of the Secretary to the Governor and of such consultants experts accountants investigators inspectors clerks stenographers and other employes as the Governor may require for the proper conduct of the work of his office and the payment of the contingent traveling and incidental expenses of the Governor and his secretary expenses incurred in the conduct of the Executive Mansion the entertainment of official guests the maintenance of an automobile and the expenses not exceeding five hundred dollars ($500) incident to participation in the procedure of the Governor's Conference two years the sum of seventy-five thousand dollars	$75,000.00

Office of Lieutenant Governor

For the payment of the salary of the Lieutenant Governor two years the sum of ten thousand dollars	$10,000.00
For all contingent expenses including traveling clerical and stenographic charges of the Lieutenant Governor for the two fiscal years beginning June first one thousand nine hundred and twenty the sum of two thousand five hundred dollars	$2,500.00

SECRETARY OF THE COMMONWEALTH

For the payment of the salary of the Secretary of the Commonwealth two years the sum of sixteen thousand dollars	$16,000.00
For the payment of the salaries of such deputy secretary or secretaries bureau chiefs expert accountants superintendents clerks messengers janitors and night watchmen as the Secretary of the Commonwealth may require for the proper conduct of the work of the department of proof reading the pamphlet laws and of postage expressage traveling and contingent expenses two years the sum of one hundred and thirty-four thousand dollars	$134,000.00
To provide for the expenses of prescribing and installing a uniform system of accounts and for the preparation of a Budget under the direction of the Governor and for such investigational work as may be necessary therefor including the payment of the salaries and wages or other compensation for such accountants experts clerks and stenographers as may be needed the sum of seventy thousand dollars	$70,000.00
For the payment of the expenses of publishing in the various newspapers in the state the several amendments to the constitution of the Commonwealth for the two fiscal years beginning June first one thousand nine hundred and twenty-three the sum of sixty thousand dollars	$60,000.00
For the purpose of refunding under the provisions of the act of June fourteenth one thousand nine hundred and eleven (Pamphlet Laws page nine hundred and thirty-six) fees paid for commissions to notaries public when such commissions have not been issued or if issued have not been recovered and have been cancelled two years ending May thirty-first one thousand nine hundred and twenty-five the sum of one thousand dollars	$1,000.00

ATTORNEY GENERAL'S DEPARTMENT

For the payment of the salary of the Attorney General two years the sum of twenty-four thousand dollars	$24,000.00
For the payment of the salaries wages or other compensation of such deputy attorneys general law clerks secretaries clerks stenographers messengers experts investigators and other employes as may be required for the proper conduct of the work of the department contingent expenses witness fees costs postage express charges the purchase of law books for the law library of the Attorney General the services and expenses of attorneys employed to assist in cases and the prosecution of claims in which the Commonwealth is interested two years the sum of two hundred and twenty-five thousand six hundred dollars	$225,600.00
For the payment of expenses incurred by and under the direction of the Governor in the suppression of crime vice and banditry and for the enforcement of the laws of this Commonwealth two years the sum of two	

hundred and fifty thousand dollars (250,000.00) Provided however that no part of this item shall be used for the payment of bonuses or special allowances of compensation for services rendered contingent upon the detection apprehension or conviction of persons violating the law And provided further that the provisions herein contained for the suppression of crime vice and banditry and for the enforcement of law in the several counties of this Commonwealth shall be carried out in cooperation with the District Attorneys of the several counties of this Commonwealth

AUDITOR GENERAL'S DEPARTMENT

For the payment of the salary of the Auditor General two years the sum of twenty thousand dollars	$20,000.00
For the payment of the Auditor General for services as a member of the Board of Public Grounds and Buildings two years the sum of one thousand two hundred dollars	$1,200.00
For the payment of the salary of the Revenue Deputy two years the sum of fifteen thousand dollars	$15,000.00
For the payment of the salary of the Disbursing Deputy two years the sum of fifteen thousand dollars	$15,000.00
For the payment of the salary of the Assistant Deputy two years the sum of twelve thousand dollars	$12,000.00
For the payment of the salaries of the chief clerks chief of bureau of corporations and assistants traveling auditors accountants book-keepers and all other clerks and employees	
For the payment of compensation and expenses of persons appointed in pursuance of law to examine the property methods processes and accounts of officers corporations and individuals required by law to make reports to the Auditor General of monies or taxes due the Commonwealth and for the payment of expenses of the Auditor General deputies representatives and traveling auditors actually and necessarily incurred by them in the performance of the duties assigned them as provided by law	
For the payment of persons employed by the Auditor-General to discover prosecute and collect unpaid taxes bonus interest and penalties and all public accounts	
For the payment of the costs of advertising required by an act of assembly in connection with the escheat of monies and property to the Commonwealth or in connection with the payment of unclaimed monies in the State Treasury without escheat and for the payment of any other costs connected with such escheats or the payment into the State Treasury with escheats two years the sum of six hundred fifty-eight thousand dollars	$658,000.00
For the purchase of patent indexes records law books and other books necessary for the proper conduct of the work of collecting taxes from corporations and auditing accounts two years the sum of three thousand dollars	$3,000.00
For the payment of postage express charges cost of filing liens and contingent expenses two years the sum of thirty thousand dollars	$30,000.00
For the balance due or to become due retired county officers on account of overpayment of merchantile and other taxes collected for the Commonwealth the sum of four thousand dollars	$4,000.00
For the purpose of refunding by the Auditor-General to purchasers of stock transfer stamp under the act of June fourth one thousand nine hundred and fifteen (Pamphlet Laws page eight hundred and twenty-eight) any sums that may be due them upon the surrender and return of such stamps as may be spoiled cancelled mutilated or defaced unintentionaly by accident or in error the sum of one thousand five hundred dollars	$1,500.00
For the payment of the compensation of informants in escheats as provided for in the Act of May second one thousand eight hundred and eighty-nine and amendments thereto the fees and expenses of escheats and the services of attorneys authorized by the Auditor-General in connection with such escheat proceedings and for the refund of moneys to those entitled thereto upon the traverse of decrees in escheat as provided by said Act for the two years beginning June first one thousand nine hundred and twenty-three the sum of twenty thousand dollars	$20,000.00
For the payment of the mileage of the appraisers of the merchantile and other license taxes of the several counties of the Commonwealth two years the sum of twenty-five thousand dollars	$25,000.00
For the payment of costs in suits against delinquent dealers for merchantile and other licenses insurred during the two fiscal years beginning June first one thousand nine hundred and twenty-three the sum of eight thousand dollars	$8,000.00
For refunding inheritance taxes of all kinds whether collateral direct transfer or otherwise paid in error for two years fifty-five thousand dollars	$55,000.00
For the payment of the expenses of publishing monthly statements of the general sinking and all other funds as required by law and for the payment of advertisements for proposals for publication of the decision of the Supreme Court under the provisions of an Act approved the twelfth day of June one thousand eight hundred and seventy-eight two years the sum of twenty-five thousand dollars	$25,000.00
For the fees of county officers for furnishing information to the officers of the Commonwealth in accordance with the Act of April fourteenth one thousand eight hundred and ninety-seven (Pamphlet Laws twenty-two) two fiscal years the sum of four thousand dollars	$4,000.00

TREASURY DEPARTMENT

For the payment of the salary of the State Treasurer two years the sum of twenty thousand dollars	$20,000.00
For the payment of the State Treasurer for services as Members of the Board of Public Grounds and Buildings two years the sum of one thousand two hundred dollars	$1,200.00
For the payment of the salary of the Cashier two years the sum of ten thousand dollars	$10,000.00
For the payment of the salary of the Assistant Cashier two years the sum of seven thousand two hundred dollars	$7,200.00
For the payment of clerk hire including auditors investigators messengers watchmen and cleaners two years the sum of three hundred seventy thousand dollars	$370,000.00
For the payment of contingent expenses two years the sum of fifteen thousand dollars	$15,000.00
For the purchase of patent indices law books and other books necessary for the proper conduct of the work of the department two years the sum of one thousand dollars	$1,000.00
For the payment of traveling expenses of the State Treasurer and employes while on departmental business two years the sum of five thousand dollars	$5,000.00
For the payment of postage express freight and other incidental expenses two years the sum of twenty-five thousand dollars	$25,000.00
For the poyment of costs procuring bonds required to be given by his employes of the State Treasury two years the sum of ten thousand dollars	$10,000.00

For the payment of the salary of the Deputy State Treasurer and Commissioner of Trusts two years the sum of sixteen thousand dollars $16,000.00

For the payment of clerks typists and other employes and for the payment of other expenses made necessary by the Act of 1921 creating the Office of Deputy State Treasurer and Custodian of Trusts and prescribing his duties two years the sum of ten thousand dollars $10,000.00

For the payment of premiums on bonds of officers and employes required to be given to the Commonwealth two years the sum of twenty thousand dollars $20,000.00

COMMISSIONERS ON SINKING FUND

For the payment of the salary of the clerk of the Board of Sinking Fund Commissioners two years the sum of two thousand dollars $2,000.00

For the purpose of paying the interest on and redeeming at maturity the bonds of the Commonwealth of Pennsylvania issued for the purpose of improving and rebuilding the highways of the Commonwealth and issued under the authority of the act of the General Assembly of Pennsylvania approved the eighteenth day of April Anno Domini one thousand nine hundred and nineteen entitled "An act authorizing the issue and sale of bonds to the amount of fifty millions of dollars by the Commonwealth of Pennsylvania defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto making an appropriation of the proceeds of such bonds for the purpose of improving and rebuilding the highways of the Commonwealth providing for the payment of interest on and the redempton of such bonds by the Sinking Fund Commission and making an appropriation to carry out the provisions of this act" the sum of seven million ninety thousand eight hundred and twenty dollars .. $7,090,820.00 or so much thereof as may be necessary Any balance remaining unexpended from the appropriation of one thousand nine hundred and twenty-one made for the purpose of paying the interest on and redeeming at maturity said bonds shall remain available for said purposes All of the foregoing appropriation not necessary for the payment of interest on said bonds shall be paid by the State Treasurer into the sinking fund

DEPARTMENT OF INTERNAL AFFAIRS

For the payment of the salary of the Secretary of Internal Affairs two years the sum of sixteen thousand dollars $16.000.00

For the payment of the Deputy Secretary of Internal Affairs two years the sum of ten thousand dollars $10,000

For the payment of the salary of the Chief of the Bureau of Standards in the Department of Internal Affairs two years the sum of eight thousand dollars $8,000

For the payment of the salary of the Chief Draftsman and Surveyor two years the sum of five thousand dollars $5,000

For the payment of the salaries of other officials clerks and employes in the Executive Bureau the Land Office and the Bureau of Standards fixed by Acts of Assembly and not otherwise provided for two years the sum of one hundred thirty-six thousand six hundred dollars $136,600

For the payment of the salaries of officials clerks and employes necessary for the proper conduct of the work of the Bureau of Statistics and Information two years the sum of one hundred forty-four thousand five hundred dollars $144,500

For the payment of the salaries of officials clerks and employes necessary for the proper conduct of the work of the Bureau of Municipalities two years the sum of sixty thousand dollars $60,000

For the payment of skilled draftsmen surveyors and other assistants necessary to the proper continuation of the warrantee map work two years the sum of twelve thousand dollars $12,000

For the payment of services rendered and expenses incurred in the collection of tax statistics and the compilation of the same (paid to the County Commissioners) two years the sum of twelve thousand dollars $12,000

For the employment of draftsmen in copying the surveys or other ancient papers important to be preserved in the Land Office Bureau two years the sum of twenty-eight thousand dollars $28,000

For services and other expenses incident to the investigating and surveying of vacant and unappropriated land two years the sum of eight hundred dollars $800

For the payment of the expense of additional equipment and of maintenance of equipment for the Bureau of Standards two years the sum of five hundred dollars $500.00

For the payment of the salaries of a State Geologist and such assistant geologists mineralogists chemists engineers draftsmen et cetera (traveling and all other contingent and incidental expenses) of the Bureau of Topographic and Geological Survey two years the sum of one hundred and ten thousand dollars $110,000.00

For the payment of the incidental and traveling expenses of the Secretary and all other officers and employes of the Department for the payment of all postage contingent and incidental expenses of the Department of Internal Affairs with its several Bureaus except the Bureau of Topographic and Geological Survey two years the sum of forty thousand dollars $40,000.00

DEPARTMENT OF PUBLIC INSTRUCTION

For the payment of the salary of the Superintendent of Public Instruction of the salaries of such deputy superintendents directors assistant directors supervisors assistants examiners proctors inspectors experts investigators employees clerks and stenographers as may be required for the proper conduct of the work of the department for general expense traveling expense equipment supplies postage and other incidental expenses of the Department as authorized and approved by the Superintendent of Public Instruction for such services and expenses of the state council of education of vocational education of profesional education of medical education and licensure of the regulation of the practice of midwifery of the dental council as are authorized by law of Americanization adult education and reducing illiteracy as are approved by the Superintendent of Public Instruction and for supplying the Pensylvania School Journal to each board of school directors two years the sum of nine hundred and eighteen thousand five hundred and ninety-four dollars $918,594.00

For the support of State Normal Schools including instruction operation and maintenance and such necessary additions alterations equipment and repairs thereof as may be authorized and approved by the Superintendent of Public Instruction payment to be made on requisition of the Superintendent of Public Instruction two years the sum of three million five hundred thousand dollars $3,500,000.00

For reimbursing school districts upon the salaries of school teachers as required by law for the two fiscal years beginning the first Monday of July one thousand nine hundred and twenty-three the sum of thirty-eight million eight hundred three thousand two hundred forty-six dollars $38,803,246.00

For the payment of the salaries and expenses of the county and assistant county superintendents of public schools as required by law for aid to school districts which now maintain or shall cause to be established and maintained as a part of the public school system vocational schools or departments schools for agricultural education manual training domestic science and other vocational and practical education including a sum of fifty thousand dollars for the Thaddeus Stevens Industrial School at Lancaster for the training of vocational teachers in such institutions as the State Council of Education may designate and under such regulations as the State Council of Education may prescribe for the transportation of pupils where schools are closed or consolidated as required by law for the investigation transportation and necessary expense involved in the education of blind children as required by law for reimbursing school districts maintaining special classes in the public schools or special public schools or providing special education as required by law for the award of scholarship to graduates of secondary schools to aid them in obtaining a higher education as required by law for for Corn Planter Indians as required by law for the necessary expenses of blind students in attendance at institutions of higher learning as required by law the sum of two million seven hundred ninety-seven thousand two hundred and fifty dollars	$2,797,250.00

RETIREMENT BOARD

For payment into the contingent reserve fund two years the sum of seven hundred thousand dollars	$700,000.00
For payment into the annuity reserve fund number two two years the sum of two million three hundred thousand dollars	$2,300,000.00

ADJUTANT GENERAL'S DEPARTMENT

For the payment of the salary of the Adjutant General two years the sum of sixteen thousand dollars	$16,000.00
For the payment of the salary of the Division Commander two years the sum of sixteen thousand dollars	$16,000.00
For the payment of the salary of the Deputy Adjutant General two years the sum of seven thousand and two hundred dollars	$7,200.00
For the payment of the salaries of the members of the State Military Board (excluding the Adjutant General and the Division Commander) two years the sum of two thousand and four hundred dollars	$2,400.00
For the payment of the salaries wages or other compensation of such officers and employees of the Adjutant General's Department including Division Headquarters Office of the United States Property and Disbursing Officer State Aarsenal and State Militray Reservation as may be required for the proper conduct of the work of the department two years the sum of two hundred sixty-one thousand four hundred dollars	$261,400.00
For all necessary expenses including annual allowance armory rent individual pay officers' annual allowance rifle practice commutation passenger and freight transportation necessary for the maintenance organization government and discipline of the Pennsylvania National Guard two years the sum of seven hundred thousand dollars	$700,000.00
For the purchase of military stores to replace those sold or exchanged by the Adjutant General or for such other military purposes as the State Military Board may direct two years the sum of twenty thousand dollars	$20,000.00
Provided That the Auditor General shall not at any time authorize the payment of any amounts hereunder in excess of the amount paid into the State Treasury by the Adjutant General as the proceeds of such sales or exchanges	
For the purpose of making improvements additions or repairs to buildings and roads on the State Reservation at Mt. Gretna construction of new buildings and other necessary permanent improvements two years the sum of twenty thousand dollars	$20,000.00
For the purpose of placing at the disposal of the Governor and making same available for replacing or repairing armory buildings owned by the Commonwealth and occupied by an organization of the Pennsylvania National Guard for all necessary expenses in connection therewith should such armory building be destroyed or damaged in whole or in part by fire flood storm or other unavoidable cause and to replace or repair military stores or supplies stored or used in such armory building and destroyed or damaged in whole or in part in like manner and to pay for transportation pay of officers and enlisted men horse hire subsistence and quartermaster stores and other proper and necessary expenses incident to actual service rendered by the Pennsylvania National Guard under orders of the Governor in repelling invasion subduing insurection riot tumult or disorder or imminent danger thereof and when such Pennsylvania National Guard may be placed on duty under orders of the Governor under extraordinary circumstances for the protection of property or human life and in the event of all or any portion of said Pennsylvania National Guard being called into active service of the United States by the President of the United States or in furnishing the quota of volunteers from the Commonwealth of Pennsylvania under a call made by the President of the United States or for the payment of mileage and lawful expenses of commissioners to take the vote of Pennsylvania soldiers in Federal or State service when in the field on active duty two years the sum of two hundred thousand dollars ..	$200,000.00
For the payment of postage traveling expenses cleaning of offices and basement storage room and other incidental and unforeseen items two years the sum of ten thousand dollars	$10,000.00
For the preparation and compiling of the records of the soldiers of Pennsylvania who participated in the World War including the payment of clerical services two years the sum of twelve thousand dollars	$12,000.00

STATE ARMORY BOARD

For the payment of salaries of members of the State Armory Board two years the sum of twelve thousand dollars	$12,000.00
Provided That the Governor and the Adjutant General as members ex-officio shall receive no compensation	
For the maintenance of armories including necessary repairs the leasing of armory and stable quarters for National Guard units where State armory buildings have not been erected compensation insurance of caretakers janitors and other employees actual traveling expenses of members of the State Armory Board clerical general and contigent expenses of the Board expenses of inspection of armories two years the sum of two hundred and twelve thousand dollars	$212,000.00

INSURANCE DEPARTMENT

For the payment of the salary of the Insurance Commissioner two years the sum of fifteen thousand dollars	$15,000.00
For the payment of the salaries wages or other compensation of such deputies actuaries examiners investigators inspectors clerks	

stenographers and other employes as may be required for the proper conduct of the work of the department and of contigent traveling and incidental expenses of the Insurance Commissioner and the employes of the department two years the sum of one hundred and eighty-five thousand dollars .. $185,000.00

BANKING DEPARTMENT

For the payment of the salaries of employes and other expenses incident to the supervision and examination of building and loan associations two years the sum of sixty thousand dollars $60,000.00

DEPARTMENT OF AGRICULTURE

For the payment of the salary of the Secretary of Agriculture two years the sum of sixteen thousand dollars $16,000.00

For the payment of the salaries wages or other compensation of such deputy secretaries directors or chiefs of bureaus deputy directors or chiefs of bureaus attorneys specialists chemists advisers inspectors agents special agents clerks reporters stenographers and other employees as may be required for the proper conduct of the work of the department for the payment of traveling postage contingent and incidental expenses of the Secretary of Agriculture and the officers and employes of the department of supplies including scientific apparatus chemicals samples of food books and other materials cost of maintenance of field laboratories premiums and other expenses incident to the State Farm Products Show and agricultural meetings held in connection therewith including the compensation and expenses of lecturers of the cost of maintaining an agricultural library and issuing and distributing agricultural bulletins and of other publicity of the expenses incident to the establishment and enforcement of quarantines of the expense or regulating the weighing testing buying and selling of milk and cream for the scouting and control of imported white pine blister the Japanese beetle the potato wart diseases and generally of the diseases of poultry animals and plants for the inspection of and supervision over cold storage plants for the inspection and analysis of concentrated commercial feeds fertilizers lime used for agricultural purposes linseed oil paints seeds and insecticides for the payment of the expense of collecting and publishing facts relating to the transportation and marketing of farm products and the statistics relating to the agricultural industries and interests of the State and for the enforcement of any and all Acts of Assembly which it is the duty of the department to enforce two years (not including however appropriations for the payment of indemnity for animals afflicted with dangerous contagious or infectious diseases which shall be paid from the Dog law fund but not in excess of two hundred and fifty thousand dollars ($250,000) the sum of five hundred and eighty-four dollars $584,000.00

For payment to incorporated agricultural associations as provided by law for exhibits of live-stock live-stock products horticultural products handiwork cereals bees and bee products subject to the filing of such reports by said associations as may be acquired by the Secretary of Agriculture two years the sum of one hundred thousand dollars $100,000.00

DEPARTMENT OF FORESTRY

For the payment of the salary of the Commissioner of Forestry two years the sum of sixteen thousand dollars $16,000.00

For the payment of the salaries wages or other compensations of such deputy commissioners assistants forest officers experts instructors draftsmen clerks bookkeepers stenographers messengers matrons cooks waitresses and other employes as may be required for the proper conduct of the work of the department of traveling contingent and other necessary expenses of the department and of the members of the State Forest Commission of expenses incurred in the erection and repair of buildings the purchase of necessary materials and equipment used in forest management and development for the maintenance planting and improvement of State forests and the encouragement and promotion of proper forest practice for surveying mapping and marking the boundaries of State forest land for forest protection and the prevention discovery suppression and control or forest fires for the maintenance of the State Forest Academy for the payment of the annual fixed charges for road school and county purposes on lands owned by the Commonwealth of Pennsylvania and held and administered by it as State forests and for the payment of the annual fixed charges for road and school purposes on lands classified as auxiliary forest reserves two years the sum of one million two hundred and ninety-nine thousand dollars $1,299,000.00

DEPARTMENT OF LABOR AND INDUSTRY

For the payment of the salary of the Commissioner two years the sum of twenty thousand dollars $20,000.00

For the payment of the salaries wages or other compensation of such bureau chiefs members of Industrial Board secretary mediator clerks inspectors supervisors experts stenographers employment agents superintendents and examiners adjustors investigators accountants auditors messengers and other employes as may be required for the proper conduct of the work of the department and for the payment of the incidental and traveling expenses of the Commissioner and all other officers and employes of the department and of all contingent and incidental expenses necessary for carrying out the provisions of the various acts of assembly relating to the department for the payment of artificial appliances and of maintenance costs for physically handicapped persons in training and all other expenses incidental to carrying out the provisions of the rehabilitation acts for the payment of the salaries wages or other compensation of the members of the Workmen's Compensation Board and of such counsel secretaries actuaries referees directors clerks adjustors chief assistants physicians sergeant-at-arms stenographers and other employe as may be required for the proper administration of the Workman's Compensation Act and for the payment of traveling contingent and incidental expenses of the members of the Workman's Compensation Board referees and other employees of the Department engaged in the administration of the Workmen's Compensation Act and for the payment of any and all amounts of statutory medical hospital surgical and burial expenses and of workmen's compensation which may become due and payable during the biennial period beginning June first Anno Domini one thousand nine hundred and twenty-three and ending May thirty-first one thousand nine hundred and twenty-five to injured employes and dependents of deceased employes of the various departments of the Government of the Commonwealth of Pennsylvania upon claims arising under the provisions of the Workmen's Compensation Act of one thousand nine hundred and fifteen and the amendments thereto and supplements thereof and for the payment of expenses incurred by the Bureau of Workmen's Compensation in the investigation and adjustment of claims of such employes and dependents said appropriation to be paid by the State Treasurer on the warrant of the Auditor General upon certificates furnished by the Commissioner or Acting Commissioner of Labor and Industry two years the sum of one million four hundred and seventy thousand dollars $1,470,000.00

DEPARTMENT OF MINES

For the payment of the salary of the Chief of the Department and the other officials the sum of twelve thousand dollars $12,000.00

For the payment of the salaries wages or other compensation of such deputy chiefs attorneys clerks statisticians stenographers messengers janitors and such expert service as may be required for the proper conduct of the work of the department of the traveling incidental and contingent expenses of the Chief of the Department and the other officials and employes thereof of the cost of books instruments electrical equipment chemicals plans freight expressage postage and other supplies required for the proper conduct of the work of the department two years the sum of fifty-nine thousand eight hundred dollars $59,800.00

For the payment of the salaries of the inspectors of coal mines as provided by law and for the payment of the actual traveling expenses of the inspectors and for their office rent stationery postage telegrams express charges instruments typewriters furniture and all other actual necessary expense two years the sum of four hundred ninety-two thousand seven hundred dollars $492,700.00

For the payment of the compensation and expenses attending the examination of candidates for inspectors of coal mines mine foremen assistant mine foremen and fire bosses as provided for by the Acts of Assembly relating thereto two years the sum of four thousand dollars $4,000.00

DEPARTMENT OF HEALTH

For the payment of the salary of the Commissioner of Health two years the sum of twenty thousand dollars $20,000.00

For the payment of the salaries wages or other compensation of such deputy commissioners bureau and division chiefs assistants sanitary engineers in engineering division county medical directors rural health officers inspectors nurses clerks stenographers messengers janitors and other employes as may be required for the proper conduct of the work of the department of the traveling incidental and contingent expenses of the Commissioner of Health his assistants and the other employes of the department of the cost of diphtheria antitoxin and other products for free distribution to the poor of collecting compiling and publishing vital and morbidity statistics of maintaining laboratories and experimental stations of educational work of improving and conserving child health of maintaining genito-urinary dispensaries of investigating and regulating housing conditions of the department's work in dental health of narcotic drug control of supervising epidemics of diseases for the purpose of maintaining the department's sanitoria and dispensaries for the free treatment of indigent persons affected with tuberculosis including the purchase of food supplies and other necessities additions and the salaries and wages of employes for the medical inspection of the public schools in accordance with the provisions of the School Code and for the payment of all other necessary expenses of the Department of Health in the performance of duties imposed upon it by the Acts of Assembly in supervising epidemics of diseases and in protecting the public health two years the sum of three million nine hundred and eighty thousand dollars $3,980,000.00

STATE HIGHWAY DEPARTMENT

For the payment of the salary of the State Highway Commissioner two years the sum of twenty thousand dollars $20,000.00

For the payment of the salaries wages or other compensation of such assistant state highway commissioners engineers highway superintendents township commissioners controllers registrars of motor vehicles managers statisticians inspectors agents paymasters accountants bookkeepers cashiers mechanicians draughtsmen stenographers clerks and all other employees as may be required for the proper conduct of the work of the Department for necessary traveling contingent and incidental expenses for the purchase and maintenance of motor equipment for the necessary expense of the registration of automobiles for the maintenance and equipment of laboratories for surveying and plotting county and township roads and making and publishing maps thereof two years the sum of nine hundred and eighty thousand dollars $980,000.00

DEPARTMENT OF PUBLIC GROUNDS AND BUILDINGS

For the payment of the salary of the Superintendent of Public Grounds and Buildings two years the sum of fourteen thousand dollars $14,000.00

For the payment of such clerks auditors bookkeepers secretaries draughtsmen storekeepers stenographers custodians messengers inspectors engineers assistants and other employees as may be required for the proper conduct of the work of the department two years the sum of four hundred and ninety-five thousand dollars $495,000.00

For the payment of the cost of general supplies including stationery supplies furniture fuel repairs alterations and improvements and other matters required by the Legislature the several departments boards and commissions of the State Government and the Executive Mansion as set forth and included in the general annual schedule of supplies for the State Government for the payment of bills and accounts for such supplies remaining unpaid and for the purchase of any article of furniture furnishings stationery supplies fuel emergency supplies or any other matter or things and for the payment of any emergency or other repairs alterations or improvements the want of which may not have been anticipated at the time of the issue of the annual schedule and which do not appear in the same and for which requisition is made on the superintendent for the payment of any bills for design or specifications ordered by the board two years the sum of six hundred and eighty-four thousand dollars $684,000.00

For the payment by the superintendent for any emergency supplies the want of which may not have been anticipated at the time of the issue of the annual schedule and which do not appear in the same and for which requisitions shall be made upon the superintendent and for the payment by the superintendent for emergency repairs and supplies and all temporary help for the care maintenance and preservation of the public grounds and buildings including the Executive Mansion two years the sum of twenty thousand dollars which appropriation shall be known as the board's contingent fund.... $20,000.00

For the cost of advertising the annual schedule of supplies the sale of unserviceable furnishings the readvertising of the annual schedule when necessary and all other adver-

tisements as authorized by the Board of Commissioners of Public Grounds and Buildings and the superintendent and for the payment of bills and accounts for such advertising unpaid two years the sum of fourteen thousand dollars	$14,000.00
For the payment to the city of Harrisburg for supplying the public grounds and buildings with water two years the sum of eight thousand dollars	$8,000.00
For the payment of the cost of electric current gas and steam for light heat and power for the public grounds and buildings where not supplied from the Capitol power plant two years the sum of forty thousand dollars	$40,000.00
For the payment of the rent of offices and rooms outside of the Capitol Building when necessary for the accomodation of any department board or commission of the State Government in accordance with the act approved the seventh day of June Anno Domini one thousand nine hundred and eleven two years the sum of two hundred and twenty-five thousand dollars	$225,000.00
For the payment of rental charges for telephone service and other patented leased office devices the cost of toll and long distance telephone messages and telegrams for the Legislature the several departments boards and commissions of the State Government and Executive Mansion two years the sum of one hundred and thirty thousand dollars	$130,000.00
For the payment of the cost of grading filling and improving the Capitol Park two years the sum of twenty thousand dollars..	$20,000.00
For the purpose of carrying on the work of completing an office building in Capitol Park as authorized by an act approved the eighteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand and fifty-three) entitled "An act authorizing the Board of Commissioners of Public Grounds and Buildings to erect construct and complete an office building in the Capitol Park and to grade and terrace the ground in connection therewith providing for the letting of contracts therefor authorizing the appointment of a superintendent of construction and making an appropriation for the payment thereof" two years the sum of one million two hundred and fifty thousand dollars	$1,250,000.00
For the purpose of making additions and extensions to the capitol power plant the sum of one hundred and fifty thousand dollars ($150,000.00) or so much thereof as may be necessary	
For payment to A W Brunner architect and engineer of the south office building for fees and commissions now due and owing the sum of sixty-nine thousand dollars	$69,000.00

DEPARTMENT OF PUBLIC PRINTING AND BINDING

For the payment of the salary of the Superintendent of the Department of Public Printing and Binding and for the payment of the salaries wages and other compensation of such deputies chiefs chief clerks journal clerks shipping clerks mailing clerks clerks stenographers bookkeepers messengers and other employes as may be required for the proper conduct of the work of the department and of freight drayage postage express and contingent and incidental expenses two years the sum of one hundred and eight thousand dollars	$108,000.00
For the payment of printing binding ruling lithographic printing engraving paper envelopes plates cuts electrotypes dies stamps and other supplies two years the sum of seven hundred and eighty-nine thousand dollars	$789,000.00
Provided That the Governor and the Secretary of the Commonwealth shall apportion the said appropriation among the various departments and agencies of the government and shall notify each such department and agency and the Auditor General how much of said appropriation has been allocated to such department or agency Each department or agency shall be limited to printing and binding costing not more than the portion of the above appropriation thus allocated to it Any department or agency which shall not require for its printing and binding the entire portion of the said appropriation thus allocated to it shall with the approval of the Governor and the Secretary of the Commonwealth be permitted to employ for the general purposes of said department or agency any balance of the portion thus allocated to it and the Auditor General is hereby authorized and directed upon the requisition of the head of any such department or agency when countersigned by the Secretary of the Commonwealth to draw warrants upon the State Treasurer for the payment of expenses incurred for the general purpose of such department or agency in accordance herewith	
For advertising proposals for executing the State Printing supplying the Commonwealth with paper lithographic printing engraving plates cuts electrotypes stamps and purchase of waste paper two years the sum of three thousand dollars	$3,000.00

STATE LIBRARY AND MUSEUM

For the payment of the salary of the State Librarian and Director of the Museum two years the sum of twelve thousand dollars ..	$12,000.00
For the payment of the salaries wages or other compensation of such deputies secretaries assistant librarians custodians curators chiefs clerks assistants stenographers messengers watchman and other employes as may be required for the proper conduct of the work of the State Library and Museum for the purchase of books exchanges pamphlets illustrations lantern slides periodicals parliamentary papers and supplies and for subscriptions to newspapers for the payment of the binding of books pamphlets and periodicals and for the payment of freight postage expressage traveling cleaning and miscellaneous expenses two years the sum of one hundred and fifty-eight thousand dollars	$158,000.00

LEGISLATIVE REFERENCE BUREAU

For the payment of the salary of the Director of the Legislative Reference Bureau two years the sum of twelve thousand dollars	$12,000.00
For the payment of the salaries wages or other compensation of the Assistant Director and of such chiefs clerks compilers bill drafters stenographers librarians messengers and other employes as may be required for the proper conduct of the work of the Bureau and for incidental and miscellaneous expenses two years the sum of sixty-three thousand dollars	$63,000.00

DEPARTMENT OF STATE POLICE

For the payment of the salary of the Superintendent of State Police two years the sum of twelve thousand dollars	$12,000.00
For the payment of the salaries of necessary personnel in the Department of State Police including a deputy superintendent division chiefs clerks and expert assistants captains at two thousand four hundred dollars ($2,400) per annum lieutenants at one thou-	

sand eight hundred dollars ($1,800) per annum first sergeants at one thousand five hundred dollars ($1,500) per annum sergeants at one thousand three hundred and eighty dollars ($1,380) per annum corporals at one thousand three hundred and twenty dollars ($1,320) per annum privates at one thousand two hundred dollars ($1,200) per annum continuous service pay required legal fees veterinary fees medical attendance and hospital charges for members of the State Police Force injured in line of duty fees for mileage and reporting fires inspection of property keep of horses renewal of uniforms horse equipment replacing horses rent of barracks maintenance of substations purchase and maintenance of motor vehicles transportation and traveling expenses investigation of incendiary fires costs taking testimony serving of process removal of dangerous fire hazards preparing and disseminating knowledge of fire prevention and any other necessary expenses incurred in the discretion of the Superintendent in the proper operation of the Department of State Police and the State Police Force two years the sum of one million four hundred eighty-eight thousand dollars $1,488,000.00

THE PUBLIC SERVICE COMMISSION OF THE COMMONWEALTH OF PENNSYLVANIA

For the payment of the salary of the Chairman two years the sum of twenty-one thousand dollars $21,000.00

For the payment of the salaries of the Commissioners other than Chairman of the Secretary Counsel Assistant Counsel Marshal and Investigator of Accidents and the salaries wages or other compensation of such bureau chiefs examiners experts engineers inspectors accountants investigators reporters statisticians technical assistants testors draftsmen clerks stenographers messengers elevator men watchmen janitors and other employes as may be required for the proper conduct of the work of the Commission fees and expenses of witnesses the purchase of laboratory apparatus and supplies of postage books stationery printing binding and other materials and supplies for which requisition may not be made for express service for advertising and publication of legal notices in the making of special field examinations valuations and appraisals of plants facilities and properties of public service companies inspection and regulation of grade crossings and other facilities inspection and testing of meters lamps and standards inspection and regulation of safety devices safeguards and other facilities necessary for prevention of accidents investigation of accidents examination analysis and investigation of rates and tariffs special field examination and analysis of accounts and records development and administration of systems of accounts to be prescribed development and administration of reports to be prescribed examination and analysis of reports and compilation of data information and statistics respecting public service company development and also the activities of the commission the formulation supervision and analysis of applications complaints petitions and other proceedings reporting and recording of testimony economics engineering accounting and judicial research by the commission and its agents and their co-operation with other bodies engaged in such research classification indexing and filing of documents reports tariffs records correspondence et cetera conduct of hearings and investigations before the commission and for meeting all other responsibilities and performing all other duties prescribed by the Public Service Company Law and the amendments thereto and for the traveling expenses of commissioners counsel experts engineers inspectors examiners accountants investigators and other employes two years the sum of six hundred and nineteen thousand dollars $619,000.00

DEPARTMENT OF WATER SUPPLY COMMISSION

For the payment of salaries of the commissioners two years the sum of eighteen thousand dollars $18,000.00

For the payment of the salaries wages or other compensation and expenses of such engineers assistants expert flood forecasters gage readers clerks stenographers and other employes as may be required for the proper conduct of the work of the department and for the payment of all other expenses incurred in making examinations and reports upon applications for water and water power company charters mergers consolidations and new or additional supplies of water and water power investigations and reports of the status of water and water company charters special examinations investigations and reports upon protests lodged with the commission the establishment maintenance and operation of stream gaging stations examinations and reports upon dams and other encroachments now existing or hereafter to be placed in or along any of the streams of the Commonwealth establishing and maintaining gaging stations on the principal rivers and tributaries thereof for the determination of the daily height of water in such streams and tributaries thereof in order that the water supply commission may during freshet and flood conditions issue bulletins to be telegraphed or telephoned to municipalities in the Commonwealth in which flood damage is likely to occur forecasting the probable gage heights expected to be reached and the probable time of such expected gage heights and for performing any other duties imposed upon the department by the laws of this Commonwealth two years the sum of eighty-two thousand dollars $82,000.00

DEPARTMENT OF PUBLIC WELFARE

For the payment of the salary of the Commissioner of public welfare two years the sum of twenty thousand dollars $20,000.00

For the payment of the salaries wages or other compensation of such deputy commissioners directors of bureaus assistants clerks stenographers employes inspectors experts and investigators as may be required for the proper conduct of the work of the department for general expenses of the department including materials supplies postage telephone express traveling expenses heat light power water repairs maintenance equipment apparatus rents and storage of vehicles as authorized and approved by the Commissioner of Public Welfare and for such expenses of the Public Welfare Commission as are authorized by law two years the sum of two hundred fifty thousand dollars......... $250,000.00

STATE BOARD OF CENSORS

For the payment of the salary of the chairman two years the sum of seven thousand two hundred dollars $7,200,00

For the payment of the salary of the vice-chairman two years the sum of six thousand six hundred dollars $6,600.00

For the payment of the salary of the secretary two years the sum of six thousand six hundred dollars $6,600.00

For the payment of the salaries wages or other compensation of such clerks assistants inspectors operators stenographers messengers janitors and other employes as may be required for the proper conduct of the work of the Board and for the payment of the contingent traveling and incidental expenses of the members of the Board and the employes thereof and the necessary costs expenses incurred in the prosecution of offenders or violators of the Act creating the State Board of Censors two years the sum of eighty-nine thousand six hundred dollars $89,600.00

BOARD OF PARDONS

For the payment of the salaries of the members of the Board of Pardons two years the sum of four thousand dollars $4,000.00

For the payment of postage express charges and other incidental expenses of the Board two years the sum of eight hundred dollars $800.00

STATE BOARD OF EXAMINERS OF ARCHITECTS

For the payment of the necessary expenses of the State Board of Examiners of Architects as authorized by the Act of Assembly creating said Board two years the sum of six thousand dollars $6,000.00

BOARD OF ACCOUNTS

For the payment of the salary of a clerk two years the sum of one thousand dollars $1,000.00

STATE REPORTER

For the payment of the salary of the State Reporter two years the sum of ten thousand dollars $10,000.00

For the payment of the salary of the Assistant State Reporter two years the sum of six thousand dollars $6,000.00

For the payment of stationery clerk hire and assistants two years the sum of seven thousand dollars $7,000.00

LEGISLATIVE DEPARTMENT

Section 3 For the payment of the expenses of the Legislative Department for two years ending May thirty-one one thousand nine hundred and twenty-five and also for the expenses of the session and recess of one thousand nine hundred and twenty-three not previously provided for the following sums or so much thereof as may be necessary to be paid in the manner prescribed by law

Provided That the salaries stationery and mileage of the members of the Senate and House of Representatives and all the salaries and mileage of the session officers and employes of the legislative session of one thousand nine hundred and twenty-five shall only be paid after statement of the amounts due the several Senators members officers and employes shall have been certified to the Auditor General by the President pro tempore of the Senate and the Speaker of the House of Representatives respectively and that the Senators and members also the officers receiving fixed salaries for said session shall each be paid one-fifth of his total salary each month for the first four months of the session if the Legislature shall be in session that long and the balance due each Senator and Member on the day fixed for final adjournment of the Legislature or during the two days previous thereto and that the session officers and employes receiving per diem salaries shall be paid amount due them at the end of the month during the session except the last month when payment shall be made on the day fixed for final adjournment of the Legislature or during the two days previous thereto

SENATE

For the payment of the salary of the clerk and stenographer to the President of the Senate for postage in the amount of one hundred and fifty dollars to the President of the Senate and for the payment of the salaries of the Senators and extra compensation allowed by law to the President pro tempore of the Senate for the payment of the mileage of the Senators for the postage allowed by law to each Senator (one hundred and fifty dollars) for the payment of postage for the chief clerk and assistants for the payment of the postage on the Legislative Journal bills and calendars

For the payment of the salaries of the officers and employes of the Senate during the session and recess salaries of all officers and employes whose positions are now or may hereafter be created and for the payment of which provision is not otherwise made also for the payment of the mileage of the officers and employes of the Senate and for the salaries and mileage of the returning officers of the Senate at the beginning of the session of one thousand nine hundred and twenty-five

For the payment of the salaries of the secretary chief clerk assistant clerk librarian assistant librarian assistant to the secretary stenographers to the librarian two watchman superintendent of the store room custodians assistant custodians and messenger

For the payment of the expenses of the Committee on appropriations session of one thousand nine hundred and twenty-five in investigating schools reformatories prisons asylums hospitals and other institutions supported in whole or part from the Treasury of the Commonwealth and for necessary clerical assistance the sum of twelve thousand dollars ($12,000) bills of this committee to be paid on warrant of the Auditor General drawn in favor of the chairman of the committee on the presentation of his requisition for same and said chairman shall file an account of the committee's expenses with the Auditor General within thirty days after the adjournment of the Legislature

For the payment of expenses incident to issuing certificates of election of Senators for the session of one thousand nine hundred and twenty-five (Act of June fourteen one thousand nine hundred and eleven)

For the contigent expenses including clerical and stenographic charges of the President pro tempore of the Senate during the recess ending January sixth one thousand nine hundred and twenty-five the sum of two thousand dollars ($2,000) or so much thereof as may be necessary and for like expenses for the session of one thousand nine hundred and twenty-five the sum of two thousand dollars ($2,000) and for the payment of the necessary expenses including extra labor in the office of the chief clerk for the year ending May thirty-first one thousand nine hundred and twenty-four the sum of four thousand dollars ($4,000) and for six months ending November thirty one thousand nine hundred and twenty-four the sum of two thousand dollars ($2,000) and for the payment of the incidental expenses of the Senate for six months commencing December first one thousand nine hundred and twenty-four and for the entire period of the session of one thousand nine hundred and twenty-five should same extend beyond May thirty-first such sum as may be necessary to be expended by the chief clerk of the Senate who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts but said chief clerk shall at no time have in his hands more than two thousand dollars ($2,000) for which accounts have not been rendered and settled and the whole amount expended by said chief clerk shall not exceed the sum of eight thousand dollars ($8,000) out of which amount such necessary extra labor in the Senate shall be paid as shall be certified by the President pro tempore and the chief clerk and for the payment of the postage labor and incidental expenses in the office of the secretary of the Senate for the year ending May thirty-one one thousand nine hundred and twenty-four the sum of one thousand eight hundred dollars ($1,800) and a like amount for the year ending May thirty-one one thousand nine hundred and twenty-five and for the payment of postage labor express charges and other expenses in the office of the librarian of the Senate for the year ending May thirty-one one thousand nine hundred and twenty-four the sum of two thousand eight hundred dollars ($2,800) and for the year ending May thirty-one one thousand nine hundred and twenty-five the sum of two thousand eight hundred dollars ($2,800) and to the chief clerk of the Senate for the payment of the expenses of the Senate or committees of the Senate in attending funerals or expenses incident thereto of Senators officers of the Senate or State officials during the two years ending May thirty-first one thousand nine hundred and twenty-five the sum of three thousand dollars ($3,000)

To the chief clerk of the Senate for the payment of extra services in connection with the compilation of the history of legislation in the Senate session of one thousand nine hundred and twenty-three the sum of two thousand five hundred dollars ($2,500) two years the sum of three hundred seventy-one thousand one hundred ninety-six dollars and fifty cents ($371,196.50)) or so much thereof as may be necessary to be paid in the manner as prescribed by law

HOUSE OF REPRESENTATIVES

For the payment of salaries of the Members of the House of Representatives and extra compensation allowed by law to the Speaker of the House for the payment of mileage of the Members for the payment of the postage allowed by law one hundred and fifty dollars each for the payment of postage for the chief clerk and assistants for the payment of postage for mailing Legislative Journal bills calendars

For the payment of salaries of the officers and employes of the House of Representatives during the session and recess salaries of all officers and employes whose positions are now or may hereafter be created and for the payment of which provision is not otherwise made also for the payment of the mileage of the officers and employes of the House of Representatives and for the salaries and mileage of the returning officers of the House of Representatives at the beginning of the session of one thousand nine hundred and twenty-five

For the payment of the salaries of the Chief Clerk assistant clerk resident clerk stenographer to the resident clerk superintendent of store-rooms assistant resident clerk day and night watchmen custodians and assistant custodians and messenger

For the payment of contingent expenses including clerical and stenographic traveling and discretionary charges of the Speaker during the recess ending January first one thousand nine hundred and twenty-five the sum of two thousand dollars ($2,000) or so much thereof as may be necessary and for like expenses for the session of one thousand nine hundred and twenty-five the sum of two thousand dollars $2,000

For the payment of the necessary expenses including extra labor in the office of the chief clerk for the year ending May thirty-first one thousand nine hundred and twenty-four the sum of four thousand seven hundred dollars ($4,700) and for the six months ending November thirtieth one thousand nine hundred and twenty-four the sum of two thousand three hundred and fifty dollars ($2,350)

For the payment of the incidental expenses of the House of Representatives for the six months commencing December first one thousand nine hundred and twenty-four these accounts are to be expended by the chief clerk who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts but said chief clerk shall have at no time have in his hands more than two thousand dollars for which accounts have not been rendered and settled The whole amount thus expended by the chief clerk shall not exceed the sum of twelve thousand dollars $12,000

For the payment of the expenses of the Committee on Appropriations of the House of Representatives session of one thousand nine hundred and twenty-five in investigating schools reformatories prisons asylums hospitals and other institutions supported in whole or in part from the Treasury of the Commonwealth and for necessary clerical assistance of this committee the sum of twelve thousand dollars ($12,000) to be paid on warrant of the Auditor General drawn in favor of the chairman of the committee on the presentation of his requisition for the same said chairman shall file on account of the committee's expenses with the Auditor General within thirty days after the adjournment of the Legislature

For the payment of the expenses incident to issuing certificates of election to Members of the House of Representattves for the session of one thousand nine hundred and twenty-five (Act of June fourteenth one thousand nine hundred and eleven) and for the payment of postage labor express and other items of expense incurred in the office of the resident clerk for the year ending May thirty-one one thousand nine hundred and twenty-four the sum of three thousand five hundred dollars ($3,500) and for the year ending May thirty-one one thousand nine hundred and twenty-five the sum of three thousand five hundred dollars ($3,500) two years the sum of eight hundred twenty-nine thousand eight hundred and fifty-two dollars and twenty-five cents ($829,852.25) or so much thereof as may be necessary to be paid in the manner as prescribed by law

LEGISLATIVE JOURNAL AND SMULL'S LEGISLATIVE HAND BOOK

For the payment of the chief clerk of the Senate and the chief clerk of the House of Representatives for making indices for the session of one thousand nine hundred and twenty-three the sum of seven hundred and fifty dollars each fifteen hundred dollars ($1,500)

For the work of the Legislative Journal officials after the close of the session of nineteen hundred and twenty-three on the Legislative Journal also the proof reading of the appendix and index thereto as provided by law the sum of four thousand five hundred dollars four thousand five hundred dollars ($4,500)

For the payment of the person or persons appointed to index the Legislative Journal session of one thousand nine hundred and twenty-five in accordance with the act establishing said Journal the sum of one thousand five hundred dollars one thousand five hundred dollars ($1,500)

For the payment of the compensation allowed by law to the compiler and assistant compiler of Smull's Legislative Hand Book for the year one thousand nine hundred and twenty-four the sum of one thousand and five hundred dolars each three thousand dollars ($3,000) and like amounts for the year one thousand nine hundred and twenty-five three thousand dollars ($3,000.00) ....

JUDICIARY DEPARTMENT

Section 4 For the payment of the salaries of the judges of the Supreme and Superior Courts the salaries and mileage of the president and other law judges of the several courts of common pleas in the Commonwealth and the judges of the several orphans' courts and for the compensation of common pleas judges holding court in other districts and for the payment of salaries and milegae of associate judges the following sums or so much thereof as may be necessary for the two fiscal years beginning June first one thousand nine hundred and twenty-three payments to be made monthly by warrant drawn by the Auditor General on the State Treasurer except in the case of associate judges who shall be paid quarterly on August thirty-first November thirtieth February twenty-eighth and May thirty-first of each year but when by reason of death or resignation salary for a fraction of a quarter is due any judge it shall be computed according to the ratio it bears to the whole quarter so as not however to increase or diminish the salary he is entitled to receive under the several acts of Assembly fixing the compensation of judges Provided That at the beginning of the term the interval from the first Monday of January to the first Monday of March shall be reckoned as two-thirds of a quarter and at the close of the term the interval from the first day of December to the first Monday of January shall be reckoned as one-third of a quarter

SUPREME COURT JUDGES

For the payment of the salaries of the Supreme Court Judges two years the sum of two hundred forty-six thousand dollars $246,000.00

For the payment of the salaries or compensation of the briefers investigators stenographers tpyewriters and clerks and to reimburse the judges of said court for expenses incurred in the discharge of their duties or attendant upon execution of the duties of the office two years the sum of fifty-six thousand dollars $56,000.00

For the payment of the salary of the deputy prothonotary eastern district two years the sum of four thousand eight hundred dollars $4,800.00

For the payment of the salary of the deputy prothonotary and clerk middle district two years the sum of three thousand six hundred dollars $3,600.00

For the payment of the salary of a chief clerk in the office of the prothonotary of the Supreme Court for the eastern district two years the sum of four thousand eight hundred dollars $4,800.00

For the payment of the salary of an assistant chief clerk in the office of the prothonotary of the Supreme Court for the eastern district two years the sum of three thousand six hudred dollars $3,600.00

For the payment of the salary of a clerk in the office of the prothonotary of the Supreme Court western district two years the sum of four thousand eight hundred dollars $4,800.00

For the payment of the salary of a clerk as assistant to the chief clerk in the prothonotary's office of the Supreme Court in the eastern district two years three thousand dollars $3,000.00

For the payment of the salary of a record clerk in the office of the prothonotary of the eastern district two yers the sum of four thousand eight hundred dollars $4,800.00

For the payment of the salary and expenses of the crier tipstaves official stenographers court officers and special clerk to the Chief Justice of the eastern middle and western districts two years the sum of fifty-nine thousand nine hundred and fifty-five dollars $59,955.00 Provided That the crier for the middle district shall receive no other compensation from the State

For the payment of expenses of the Supreme Court in the middle district and the Superior Court at Harrisburg two years the sum of eight hundred dollars $800.00

For the payment of the salaries and expenses of the librarian assistant librarian and for the purchase of books for the library of the Supreme Court at Philadelphia two years the sum of fourteen thousand seven hundred dollars $14,700.00

For the payment of an attendant of the Supreme Court room and office and show rooms adjacent thereto middle district two years the sum of twelve hundred dollars payable monthly $1,200.00

For the purchase of books for the library of the Supreme Court Pittsburgh two years the sum of one thousand dollars $1,000.00

For the purchase of stationery supplies and the payment of the necessary expenses of the said Supreme Court for the eastern district thereof two years the sum of ten thousand dollars to be paid on the warrant of the Auditor General upon presentation of specially itemized vouchers approved by the prothonotary of the said Supreme Court for the eastern district thereof $10,000.00

For the purchase of stationery supplies and other necessary expenses of the Supreme Court western district for two years the sum of three thousand five hundred dollars to be paid on the warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the prothonotary of the said court for the said western district thereof $3,500.00

For the payment of the fees of the prothonotaries of the Supreme Court of the eastern middle and western districts on assignment of judges to counties other than their own under an order of the Supreme Court dated February nineteen one thousand nine hundred and nineteen the sum of six thousand dollars payments to be made monthly by the State Treasurer on warrants drawn by the Auditor General $6,000.00

SUPERIOR COURT JUDGES

For the payment of the salaries of the judges of the Superior Court two years the sum of two hundred and twenty-five thousand dollars $225,000.00

For the payment of the salaries or compensation of the clerks briefers investigators stenographers and typewriters of the Superior Court and to reimburse the judges of said court for expenses incurred in the discharge of their duties two years the sum of forty-nine thousand dollars $49,000.00

For the payment of the salaries and expenses of the crier and necessary tipstaves of the Superior Court two years the sum of forty-two thousand two hundred and fifty dollars $42,250.00

For the purchase of dockets stationery supplies books for the library and other necessary expenses of the said Superior Court and its officers two years the sum of ten thousand dollars to be paid on the warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the prothonotary of the said Superior Court Philadelphia Harrisburg and Pittsburgh $10,000.00

COMMON PLEAS JUDGES

For the payment of the salary of the judges of the courts of common pleas learned in the law in the several judicial districts of the Commonwealth, two years the sum of two million one hundred sixty thousand dollars $2,160,000.00

For the payment of the judges of the courts of the common pleas of Dauphin County for clerk hire in accordance with the provisions of the act of one thousand nine hundred and twenty-one (Pamphlet Laws page twenty-eight) the sum of fourteen thousand four hundred dollars $14,400.00

For the payment of the mileage allowed common pleas judges in judicial districts containing more than one county as per act number forty-eight session of nineteen hundred and nineteen approved April eighteenth one thousand nine hundred and nineteen the sum of five thousand dollars $5,000.00

ORPHANS' COURT JUDGES

For the payment of the salaries of the orphans' court judges in the several judicial districts in which separate orphans' courts have been established by law two years the sum of four hundred thirty-two thousand dollars $432,000.00

For the payment of the compensation carfare and expenses of judges for holding court outside of their own judicial districts in accordance with the provisions of the act of Assembly approved April twenty-seventh Anno Domini one thousand nine hundred and eleven the sum of sixty thousand dollars $60,000.00

For the payment of the salaries of the judges of the Municipal Court of Philadelphia in accordance with the provisions of the act of Assembly approved July twenty-first Anno Domini one thousand nine hundred and nineteen the sum of one hundred and sixty-one thousand dollars $161,000.00

For the payment of the salary of the present president judge of the county court for the county of Allegheny two years the sum of seventeen thousand dollars $17,000.00

For the payment of the salaries of the other judges of the county court for the county of Allegheny two years the sum of eighty thousand dollars $80,000.00

For the payment of the salaries of the judges of the Supreme Superior common pleas and orphans' courts who may resign or retire in accordance with the provisions of the act of Assembly approved June twelfth Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws four hundred and sixty-one) two years the sum of one hundred thousand dollars .... $100,000.00 and for deficiency which will accure May thirty-first one nine hundred and twenty-three and not otherwise provided for the further sum of four hundred eighty-eight dollars and forty-four cents $488.44

ASSOCIATE JUDGES

For the payment of the salaries of the associate judges two years the sum of fifty thousand dollars $50,000.00

For the payment to the associate judges of mileage for the two fiscal years beginning June first one thousand nine hundred and twenty-three the sum of five thousand dollars $5,000.0

INTEREST ON FUNDED DEBT AND MISCELLANEOUS APPROPRIATIONS

Section 5 For the payment of interest on the funded debt of the Commonwealth which falls due on the first day of August one thousand nine hundred and twenty-three and the first day of February one thousand nine hundred and twenty-four and on the first day of August one thousand nine hundred and twenty-four and the first day of February one thousand nine hundred and twenty-five the sum of thirty-two thousand and forty dollars $32,040.0

To the Commissioners on the part of Pennsylvania of the National Commission on Uniformity of Legislation for the payment of expenses and incidentals already incurred and to be incurred during the two fiscal years beginning June first one thousand nine hundred and twenty-three the sum of one thousand five hundred dollars $1,500.00

For the payment of pensions and gratuities that have been granted by act of Legislature or that may hereafter be granted according to law two years the sum of six thousand dollars $6,000.00

For the payment of salaries of State employes who may be retired by resignation two years the sum of one hundred seventeen thousand two hundred and fifty dollars $117,250.00

For the payment of the expenses of the Pennsylvania Historical Commission in carrying out its work as provided by the act of July twenty-fifth one thousand nine hundred and thirteen as amended two years the sum of seven thousand five hundred dollars $7,500.00

For the payment of the cost of painting the portrait of Governor William Cameron Sproul the sum of seven hundred and fifty dollars $750.00

For the payment of the traveling and other expenses of the State Art Commission and the compensation of its employes the two years the sum of seven thousand five hundred dollars $7,500.00

For the payment of the compensation and expenses of the Electoral College one thousand nine hundred and twenty-four as provided by section thirty-two of an act of Assembly approved July second one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and twenty-five) entitled "An act relating to the election of this Commonwealth" as amended by a supplemental act of Assembly approved May twenty-fourth one thousand eight hundred and ninety-three (Pamphlet Laws one hundred and twenty-nine) the sum of one thousand dollars ($1,000) or so much thereof as may be necessary

For deficiency in the salaries and expenses of the State Art Commission for the two years ending May thirty-first one thousand nine hundred and twenty-three the sum of sixteen hundred ninety-two dollars ($1,692.00) or so much thereof as may be necessary

For the payment to the Philadelphia National Bank Philadelphia the State's Fiscal Agent for the custody and safe-keeping of the books and records pertaining to loans of the Commonwealth as per act of April fourth one thousand nine hundred nineteen two years the sum of one thousand dollars ($1,000.00)

For the payment to the Philadelphia National Bank Philadelphia the State's Fiscal Agent of compensation as Loan and Transfer

Agent of the Commonwealth two years the sum of fifteen thousand dollars ($15,000.00)

On the question,

Will the House agree to the bill on third reading?

Mr. JOSEPH C. MARCUS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend sec. 2, page 6, lines 5 to 22, by striking out the following:

For the payment of expenses incurred by and under the direction of the Governor in the suppression of crime, vice and banditry and for the enforcement of the laws of this Commonwealth, two years, the sum of two hundred and fifty thousand dollars ($250,000): Provided, however, That no part of this item shall be used for the payment of bonuses or special allowances of compensation for services rendered contingent upon the detection apprehension or conviction of persons violating the law. And provided further, That the provisions herein contained for the suppression of crime, vice and banditry and for the enforcement of law in the several counties of this Commonwealth shall be carried out in cooperation with the district attorneys of the several counties of this Commonwealth.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection?

Mr. McVICAR. Mr. Speaker, I object.

The SPEAKER. The chair hears objections and unanimous consent is not granted.

MOTION TO GO INTO COMMITTEE OF THE WHOLE HOUSE.

Mr. JOSEPH C. MARCUS. Mr. Speaker I move that this House do now resolve itself into a Committee of the Whole for the purpose of considering special amendments to House Bill No. 81, file folio 6477.

Mr. STEEDLE. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion.

POINT OF ORDER.

Mr. McVICAR. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. McVICAR. The motion in question does not specify the special amendments to be offered, as required.

The SPEAKER. The Chair feels that the amendments are indicated by those just offered by the gentleman from Allegheny, Mr. Marcus, and the Chair rules that the point of order is not well taken.

Mr. McVICAR. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Marcus.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. MARCUS. Yes, Mr. Speaker.

Mr. McVICAR. Is the special amendment which is referred to in the motion just made, the special amendment which you asked the unanimous consent of the House to insert in the bill?

Mr. JOSEPH C. MARCUS. It is.

Mr. McVICAR. Mr. Speaker and members of the House, there are two principles which the people of this Commonwealth have decidedly stated at many times and in many ways, and that is that they are in favor of economy and in the candidate for Governor at the primaries in May last, favor of law enforcement. That principle was enunciated by and received the sanction of the Republican county. That principle of the Republican party is as well the principle of a great many members of the Democratic party, and was confirmed by the people of this Commonwealth at the election in November. In the inaugural address of the Governor that same principle was brought forth. This assembly a few weeks ago passed an act providing for law enforcement, and by their action the people of the Commonwealth confirmed this principle. Now in order to carry out this principle there was inserted in the general appropriation bill an item of $250,000 for law enforcement. That was submitted to the Appropriations Committee. The Appropriation Committee first reported against the inclusion of that item. The bill was referred to this House and this House last week referred the bill back to the Committee for the purpose of amendment, and one of the amendments as we all knew, was the insertion of this $250,000 item.

Now I take it, members of the House, regardless of what your stand might be on the original question, you have come to the point today where the Republican party and the Democratic party also to a large extent, have stood for a certain principle, confirmed by the members of the party in May, confirmed by the electorate of this Commonwealth in November, and confirmed by its representatives in the general assembly a short time ago. When that bill was sent back to the Appropriations Committee to make amendments so as to include the $250,000, the Committee did report it and did obviate, in a measure, the sniping which has been going on to prevent economy and law enforcement, and I therefore, ask the members of this House on the general principle of right and wrong, to meet this question fairly, and to refuse to go into a Committee of the Whole for the inserting of that which is opposed to all of the agencies which I have mentioned. Vote no on this question.

Mr. DAVID FOWLER. Mr. Speaker, ladies and gentlemen of the House. I am in favor of going into a Committee of the Whole for the purpose of striking out the $250,000 item. When I say that I am voicing the objections of organized labor to this $250,000. I have had some experience in the detective work in West Virginia. I have had to battle against the detective systems, employed by the corporations but this is the first time that I have seen the State of Pennsylvania, or any State in the United States, asking to inject a detective system to enforce law. What are detectives? Practically every detective I have ever seen has employed law breaking methods in order to get to the law breaker. While this House was discussing the Prohibition measure, it was said that it was going to be a great bill. Now, we find one hundred different kinds of legislation coming around for the purpose of enforcing it.

I was on the sub-committee appointed by the Appropriations Committee to call upon the Governor, and we asked the Governor if he wanted this money to enforce the prohibition laws. He said, "Yes". We said, "Then why not say in the bill that it is for prohibition." We returned later that evening, and this is what he gave the sub-committee: "For the payment of expenses incurred by and under the direction of the Governor in the suppression of crime, vice and banditry and for the enforcement of the laws of this Commonwealth." Does that mean just for prohibition, gentlemen? No, but it means the organization of a private detective agency at the expense of the tax payers of the State for $250,000 and placed in the hands of one man. I say to you that I don't believe that Governor Pinchot would use that detective agency against organized labor, but I do know that if it is placed on the statute books of this State that if we appropriate $250,000 for this, maybe the next legislature will give $500,000. We will be establishing a bad precedent. I want to say to you that there is nothing that prevents this scheme that I read in the papers a few months ago when Mrs. Pinchot visited President Harding she suggested that it would be a splendid thing for the women to enforce this law. I can see this, that after that $250,000 was placed in the hands of the Governor we would have a beautiful political machine of women traveling through this State as law enforcement officers, but really nothing else than a political machine.

There were other amendments offered to the Appropriation Committee, after we had met with the Governor, but I was not called into that meeting. I do not know whether all other members of the sub-committee were called in or not, but I think that as a member of the sub-committee I should have been called in too. I want to say to you members of this House that it is up to us to appropriate money for hospitals; let us take care of the injured, and the sick; let us appropriate our money there. I want to say to you that from my district we have been coming here for 15 or 20 years fighting for the protection of our homes. Our homes have been going down in the coal mines, our children have sacrificed their lives. It is not safe for our children to go to the schools. We have come here year after year to ask for some remedy, and when we visited Governor Pinchot he said, "We can't afford it this year". He can afford $250,000 to inaugurate a detective system, but he can't let our bills come out of the committee so that the members can vote upon this matter. He cannot go along and say give us a bill to protect the children and men and women and our homes in the anthracite coal fields. I want to say now that my experience has been that detective agencies in various states have been used to club the heads of the working man. Two years ago, I made mention of a detective agency. I pointed ou the name of a detective, C. E. Libbey, and those who were here at that time remember that. I made mention of a detective employed by the Baldwin-Feltz Detective Agency, who was a man who had served time in the penitentiaries, a man who had committed various crimes. Now why was he hired? Because he knew the game, and that is the very reason you want a detective agency in Pennsylvania. You want a spotter, you want a sewer rat to work on the decent citizens of the State.

If the prohibition law is not strong enough to make decent citizens, then why do you have to employ the lowest kind of people to spy upon them. I make mention of this at this time. I made the statement then that this detective who had testified in the case against he working man had murdered a man in Waltonburg, Colorado. That stands as a matter of fact in the courts of West Virginia, that that very individual had murdered a man, and we brought the facts before the Court. I said that later on I would not be surprised if he would murder Mr. Hatfield. I made that statement here and in August of that very year he deliberately shot to death the very man I said on the court house steps. Detective Agencies. They have stood at the Court House steps and murdered men when they brought in their case for justice.

I say, as a member of organized labor, I shall not vote for this bill. I shall not go on record as voting for any measure that employs a detective agency.

Mr. SARIG. Mr. Speaker, ladies and gentlemen of the House, this is a matter of such state-wide concern, such state-wide interest, that I feel that this House, instead of the Appropriations Committee, should consider and decide this matter fully. Now, I am as much in favor of law enforcement as any other member of this House, but I do not see just exactly why it is necessary to set aside these $250,000 for this particular purpose. Now, let us look at the testimony of both ex-Governor Sproul and our present Governor on this matter. During the first week of this Legislature, while delivering his farewell address, Governor Sproul told us that in communities or in counties where the public sentiment was favorable to prohibition, it was an easy matter to enforce the prohibition law; but in communities where sentiment was hostile, it was a difficult matter. Now, I thought that a very fair and a very sane and reasonable statement of the facts, and I still hold to that view. A few weeks later the present Governor, in delivering his inaugural address, told us and told the people of Pennsylvania that his overwhelming vote as Governor of Pennsylvania was a mandate from the people for strict law enforcement. Now, then, let us see just why it would be necessary to have this extra money to enforce the law if the sentiment of the people of Pennsylvania is so overwhelmingly in favor of this law enforcement, then why cannot the regular enforcement agencies of the State take care of this enforcement? If I remember the figures correctly, the city of Philadelphia gave the Governor a majority of 185,000. Now, if the sentiment in the city of Philadelphia is so overwhelmingly in favor of law enforcement, if that majority for Governor Pinchot meant that the people of Philadelphia are so overwhelmingly in favor of this law enforcement, then why under God's sun do you want these $250,000? Then it will be the easiest thing in the world for the regular law enforcement agencies in Philadelphia to carry out the provisions of this prohibition law. The county of Allegheny likewise, has given a heavy majority to the present Governor. If in Allegheny County the people are there so overwhelmingly in favor of this law enforcement, then why is it necessary to send any snooping agents or any snooping detective into the county of Allegheny? Then, I see no necessity for it. On the Sunday after the vote was taken in this House on the present Snyder-Armstrong Bill, the Philadelphia North American had a map of the State of Pennsylvania published. That map represented, in white, the counties that were dry; it represented, in black, the counties that were wet. Now, when you look over this map, you will find that four-fifths of the State of Pennsylvania is considered dry. Now, that will mean that if four-fifths of the counties of Pennsylvania are dry, the regular law enforcement agencies can amply provide and amply take care of any enforcement that is necessary under the prohibition law. And in those counties that are represented as wet, a number of them have thrown heavy majorities for the present Governor so I assume that if the statement is correct and if these majorities represent such an overwhelming demand in favor of this enforcement, then it will not be necessary to have any extra force in those counties to take care of law enforcement. The only thing, then, would be a few of these which you might call bad democratic counties that would not give these majorities to the present Governor. Now, I submit to you ladies and gentlemen, that the Governor, during the last two months, used the State Police almost exclusively for this law enforcement, and I say to you that the State Police and the Federal Enforcement Agencies which are also in this Commonwealth, in our State, helping to assist this work, are these not sufficient to make these few mean democratic counties behave and obey the law? Consequently, I cannot see from his own method of reasoning why it should be necessary to create a special detective agency or a special law enforcement agency. Now then, also, there is the question of economy. During the entire session the cry has been from all over the State, "Keep down expenses; keep down taxes."

I know the cry is coming from my county day after day. Every week when I get home, people say, "Keep down the taxes; keep down the expenses; stand for economy," and so forth. Now, then, the Governor also, in his inaugural address, something like this: He said, "There is a widespread feeling that no sincere effort has been made, either by the national administration or by the State administration for the enforcement of the prohibition laws or the Eighteenth Amendment." Now, if that be true, ladies and gentlemen, if there is no sincerity, if our national administration has been a farce in prohibition enforcement and if our former State Administration has made a farce out of it, why should we, who are only a subordinate authority in this matter of prohibition enforcement, go to work and squander a great deal of money? If what the Governor has said is true, then these national law enforcement officers who have not been sincere in their efforts are only a set of leeches that are sucking at the life's blood of the people of Pennsylvania, and if that be true, why, then, shall we go to work and turn loose another set of leeches to keep on still further sucking up the life blood of the people of Pennsylvania? The federal amendment, or the Eighteenth Amendment, makes this prohibition question a federal question. The decisions of the Supreme Court on the Eighteenth Amendment when the concurrent powers were before it, virtually decided that this is a federal issue, that the amendments makes it a federal issue; and we have practically, or at least have little voice in this prohibition matter. We are only a subordinate authority, we can only play second fiddle when it comes to the question of prohibition enforcement or deciding what kind of prohibition we are going to have in these United States. Now then, if the statement of the Governor is correct, if the national administration has made a farce of it, if there has been no sincerity in prohibition enforcement by the national administration which is, after all, the real power behind the throne in all this prohibition legislation, then why should we, as a subordinate authority and as a subordinate power go to work and squander $250,000 of the money of the tax payers? There is a general law or principle in all legislation, that where there is a great deal of power, there is a great deal of responsibility; but where there is no power there is no responsibility. Now we have very little authority, we have very little power here as a Legislature in this matter of prohibition enforcement, and therefore I submit to you that we only have as much responsibility as we have voice and power in this matter. The main responsibility rests upon the federal government. It was made a federal issue when a majority of two-third of the states of this Union transmitted this question over into the hands of the federal government. They made it a federal issue and they placed the responsibility on the federal government instead of on the State government, and our responsibility only goes as far as our voice or our authority goes in this matter. Now, a few weeks ago, our Governor went down to Philadelphia, and he is quoted in the newspapers as saying, "Once in a while a solemn ass gets up in the General Assembly and says that the Eighteenth Amendment cannot be enforced." Now, I don't care what bad names the Governor calls us so long as he invites us to dinner every once in a while down at the executive mansion; but I want to say that I have not taken that statement very seriously. I rather feel that the Governor of this Commonwealth is under such continual pressure and under such arduous stress that when he gets away, when he gets one hundred miles away from Capitol Hill, he feels like a school boy out of school. He feels free to engage in a little fun and a little frivolity. We married men all do when we get away from our wives and our families. We just feel a little free when we are a hundred miles away and we like to engage in a little frivolity; and when the Governor is one hundred miles away from his wife and his family, why he feels more free to engage in a frivolity and a little fun, and that is the way I look at that. I have no hard feelings against the Governor if he does call us bad names or something of that sort once in a while. I think he is entitled to a little fun and a little entertainment, because I realize that the stress of his office is very arduous and that he must have some recreation once in a while.

Now, the gentleman from Northampton told us last week, in speaking of the King Tut bill that we in the present day no longer worship the bull, but that we sling the bull. Now, I think that this question of the solemn ass is simply a matter of slinging the bull. The Governor simply wanted to sling the bull when he came down to the city of Philadelphia and I have no hard feelings against him for that reason. But now, the thing that I want to leave with you is this; I think, coming down and laying all levity and all joking aside, I feel that this is, after all, a vital question. It is not so much adding to the present force as it is to get a body of men who are honest and sincere in the enforcement of this prohibition legislation. Now, I submit to you that if it is true, as the Governor has said, that there has been no sincere effort although this law has been on the statute books for more than three years, then I submit to you, the question is not of adding any more leeches to the present force of prohibition enforcers, but the question is to get an honest and a sincere enforcement. It is up to the Governor to see to it if possible, and not to him only, but to the people also to see that they elect men in their respective communities who really try honestly and sincerely to enforce the law. And if the Governor's statements in his inaugural address are correct that the sentiment of Pennsylvania, of Philadelphia, with its 185,000 in favor of this law enforcement, if this is correct, then why would these 185,000 people in Philadelphia not see to it that they have honest judges on the bench and that they have honest district attorneys; that they have an honest police force; that they have honest detectives; and why will they not see to it and enforce the laws with the agencies that they now have? I submit to you that if there is an honest effort, if there is a sincere effort to enforce this prohibition legislation, then we have agencies enough. We have our law enforcement agencies for prohibition the same as we have for other laws. In addition to that we have the State Police, in addition to that we have the federal enforcers; and if the sentiment of the people really is what it is represented to be, then I can see no necessity whatever for adding this extra burden on the backs of the people.

Mr. ALEXANDER. Mr. Speaker and members of the House, in answer to the gentleman from Allegheny, Mr. McVicar, as to why this House should not go into a committee of the whole and arguing as he does the fact that this has already been decided in the committee, I would say for one in this House, that if that had been fairly decided in that committee, I would be the last one to support a motion of this kind at this time. I was, as everybody knows. originally, in that committee, supporting this $250,000 appropriation for law enforcement, which I understood was for the purpose of enforcing the so-called enforcement bill that was passed here not long ago, you notice I say, the so-called enforcement bill. But when the Governor himself, in order to get the $250,000, garbled up this statement as he does without telling us what part of the $250,000 is going to be used for one place or another, I opposed it; and then when the tactics were used by the Executive of this grand Commonwealth that were used by the Executive and the way that this became a part of the bill, I say, for one, that I don't propose to stand for it. The same tactics that I have heard him denounce in other administrations we find him playing here at this time. I was very much suprised from the time, almost, that this session started, at the articles that had been in the newspapers and I might say, in the newspapers which are his organs and which are his mouthpieces, unrefuted at any time by him or at any time denounced as not coming from him. In the first place, we were told, as members of this House, mind you, that he was not going to make any appointment until after the session was over. What did that mean? He believed, as he says now through the newspapers, that the only thing we people are here for is the purpose of getting jobs for their friends back home. I want to serve notice on him at the present time that I never asked him for a job, nor do I want a job from him, and I don't want him to insult me with that kind of stuff, and I will not stand for it. As I say, all along the line, every Sunday you have seen in that paper the same threat, that the men in the House who are good will be remembered by the Governor when the session is over, and I want to read to you from that paper one of the things which struck me to the very marrow of my bones, and I wondered where we are living, whether we are living under a reform administration or whether we are living under the machine tactics that we heard of back in Quay's administration, and further back than that. And I refer and I want to read it to you: "The situation has reached a point where friends of the administration must declare themselves by acts as well as words. Pleasant platitude, cheap talk, poorly concealed efforts of obstruction and all the—"

POINT OF ORDER.

Mr. McVICAR. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. McVICAR. Mr. Speaker, the gentleman from Delaware is not discussing the motion.

Mr. ALEXANDER. I am the first one who has been on the floor so far, Mr. Speaker, who has been discussing the motion. I am giving my reasons for this motion at the present time, showing the tactics used in this committee for the purpose of getting this amendment in, and that is purely on the question and on the motion.

The SPEAKER. The Chair rules that the point or order is well taken and the gentleman will confine himself to a discussion of the question before the House.

Mr. ALEXANDER. I again say that the discussion before this House is whether or not this shall be placed in. I didn't interfere with the gentleman; he went on discussing the bill, and it comes with poor grace from him at the present time when I attempt to tell you the truth as to what happened in this committee. In this committee it was in today and out tomorrow. It was a good deal like the fellow that was a conductor on the railroad. He had been handing in too lengthy reports and he was called down for it, and he finally sent in a report something like this; His train had gotten off the track and he had gotten it back on again, and his report read something like this: "Off again, on again, gone again. Finnegan." Now, the only difference between that and this was this: It was out again, in again, out again, in again, amendments. Now, that is the only difference, and what does that mean? That means this, that after a vote of this committee, this was cut out of this bill after the charges had been in the papers time and time again, which I hesitated believing, having heard them denounced by the Executive himself, we find three of the men whom he claims have been riding recklessly on joyrides, we find him all afternoon in his office with them. That night, mind you, that night an appointment was made, notwithstanding the Executive told us that no appointment was going to be made until after the session. We find an appointment made by the Executive, a $5,000 appointment, in the city of Philadelphia, and the very next morning we find faced about three men voting absolutely opposite as they had been opposite on the same bill, and voting against it.

POINT OF ORDER.

Mr. DUNN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. DUNN. Mr. Speaker, the gentleman is discussing something that happened in the Committee, the executive meeting of the committee.

The SPEAKER. The Chair rules that the point of order is well taken, that the transaction in the committee room are not to be discussed on the floor of the House.

Mr. ALEXANDER. I have not mentioned any names, I am simply telling you this so that the House might know what happened. But I want to read to you section 30, of Article of the Constitution: "Any person who shall directly or indirectly offer, give or promise money, or thing of value, testimonial, privilege or personal advantage to any executive or judicial officer, or member of the general assembly, to influence him in the performance of his public or official duties shall be guilty of bribery." Now, gentlemen, of course if you have renounced your reason it is no use of my talking to you, because you might as well give medicine to the dead as to argue with men who have renounced their reason. I say to you that if you are reasonable men and sent here to act as actors and not as mere puppets or solemn asses, as he calls us, or as rubber stamps, then let us be men and let us stand by our rights and not by the dictation of anybody, either by threats or inuendos or anything else. If he has patronage to offer, let him put it up and let him offer it to the highest bidder and let us know who is getting it and the price paid for it. I say, the House should resolve itself into the Committee of the Whole, and you and I will have an opportunity to vote upon it without any fear or favor as to whether this stays in or comes out.

Mr. JOHN G. MARSHALL. Mr. Speaker, I desire to interrogate the gentleman from Delaware.

The SPEAKER. Will the gentleman permit himself to be interrogated.

Mr. ALEXANDER. Yes, Mr. Speaker.

Mr. JOHN G. MARSHALL. Will you kindly state to the members of this House how you voted on this question when it was first presented to the committee as to whether or not this $250,000 should be included in this bill.

Mr. ALEXANDER. As I said in the beginning I not only voted to leave it in there, but I made a speech in favor of leaving it in there, and not only that I want to answer further, as I said before in the House, it was not until after the tactics used by the Chief Executive of this state, that I came to the conclusion that we should call a halt to this kind of a proposition.

Mr. JOHN G. MARSHALL. Didn't you say you did not agree with the enforcement bill but since it was enacted into law, the governor should be given all the machinery necessary to carry it out.

Mr. ALEXANDER. No. I did not, what I said was this, as I said in the beginning of the session that I did not believe this enforcement law would do what he said it would do.

POINT OF ORDER.

Mr. DILSHEIMER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. DILSHEIMER. This interrogation is a matter that belongs to the committee, and it was in secret session of the committee where this happened, and I think it is entirely out of order.

Mr. ALEXANDER. Mr. Speaker, I waive the privilege on that.

The SPEAKER. The Chair feels that the gentleman has a right to state his position whether in the committee or out of the committee. Therefore, the Chair rules that the point of order is not well taken.

Mr. ALEXANDER. Mr. Speaker, what I said was this, that I did not believe, in fact, I knew from experience, both before and since the passage of this bill, that this was far from being an enforcement bill, and I do not propose to have him or any other man come back and say that I was trying to hamper him.

Mr. JOHN G. MARSHALL. Then you changed your attitude because of the happenings since the time it was originally voted on.

Mr. ALEXANDER. No, but because I have lost confidence in the Governor, sir.

Mr. JOHN G. MARSHALL. Mr. Speaker, ladies and gentlemen of the House, we have heard this matter discussed all the way from Philadelphia to West Virginia. If you will indulge me for a very few minutes, I would like to say just a few words on the motion. I want to first call your attention to a few statements made by my friend, Mr. Sarig. He stated that for the state officials it was a very easy matter to enforce the law in a dry district and very difficult in a wet district. To my mind that argument is fallacious in that if the State is predominantly in favor of prohibition, then we do not need any enforcement machinery and the Governor is not entitled to any aid from the members of this House in the line of a monetary appropriation to enable him to carry out the law in those districts in which the sentiment was not in favor of it. I think that argument is fallacious. He further atsted, "Let the people elect dry officials throughout the State and they will enforce it." I ask you in fairness, how are you going to elect dry officials in a wet district that is absolutely and utterly opposed to the enforcement of a temperance measure of any kind? To my mind that is the sole argument and answers in favor of the appropriation which this bill carries to enable the chief Executive of this State to make such provisions to meet conditions in those particular districts in which the sentiment is against the enforcement of the law that it cannot be carried out and will not be carried out by the local officials. I do not think any member of this House or any one present is going to be misled in the least by the purpose of this resolution. Unfortunately, ladies and gentlemen, and we see it bobbing up at all times in this session and in every session, when a question of this kind is up it seems to me that we forget the fundimental and guiding principal that we ought to be led by, and that we ought to consider, and that we were supposed to consider since the time we opened this session, and that is our oath to support the Constitution of this State and of the federal government. I say, when an issue of this kind comes up we allow ourselves to be swayed right and left, not by the guiding principal that we swear to support but by local sentiment on these issues; and I say to you this is not by any means a wet or dry issue. It is the sole question of whether we are going to pass such legislation as will enable the Governor of this State to carry out the very thing that we, as a body, that we who did not vote for the enforcement of the bill, who did not stand by the constitution as much as those who worked night and day for the security to pass it, because we are all bound to support the constitution, I say we are bound to give the Governor every aid we possibly can and if we do not do that, we are not fulfilling our full obligations to the people, and we members of this House are bound to do that regardless of whether we are in favor of temperance or not. It is not a temperance question at this time; it is a question at this time of whether we are in favor of enforcement of the laws and of the constitution to which we have all been a party in adopting. I want to say further in regard to the enforcement machinery of this State that we have no enforcement machinery, as such, under the direct control of the State Administration, and I want to take this occasion to pay my compliments to the men who have been appointed from time to time as enforcement officers of the federal government in this State. I mean the men higher up. I say my own opinion is that we haven't had an honest-to-goodness enforcement officer since the Eighteenth Amendment has been ratified. I mean a man who is absolutely sincere to the bottom of his heart and strictly temperance, and used his best efforts to bring it about. I only refer you to the history, the unfortunate history of the enforcement of the State laws during the time that we have had those officials. You take districts where the sentiment is in favor of it, and it has been dry, but you take districts where the sentiment was the other way, and you know the history. For that very reason, I think that we should, by all means, give the Governor every aid that we possibly can, and the only thing he has asked us to do is to give him the small sum of $250,000, which is a small sum when it comes to carrying out such a big piece of work as enforcing the Eighteenth Amendment to our federal constitution throughout this great State in the face of tremendous opposition and handicaps which are encountered in many districts. For those reasons, and in view of the fact that the Appropriations Committee of this House has given this matter very careful consideration day after day the majority of those present on the occasion when this bill was reported out voted in favor of reporting it out because they thought it was the proper thing to do. And I ask you further, not to be swayed, or influenced by any personal feeling of any member of that committee who might have a personal grudge or a supposed grievance against the officials who must handle this enforcement without bias. That is neither here nor there; that is a personal matter. Our duty is to give them every aid to carry out the law which we, as members, placed upon our books a few days ago, and then if we have done that, the burden falls upon the administration of this State to carry it out and give the people the very best service. I therefore ask you to vote against this motion.

Mr. LONG. Mr. Speaker and members of the House, I think the question with which we are vitally concerned right now is the passage of important bills which have been framed and recommended to us by the Committee, and in getting away from here. We are two weeks overdue now. I understand that a motion of this kind has not even been entertained or attempted for many sessions past and if we permit a motion of this kind to prevail now, we are liable to be here until the opening of the rabbit season on November 1st. I am a firm believer in majority rule and the backing up of our committees, when these committee reports have been made by a large majority. My friend from Allegheny, Mr. McVicar, with whom I am in thorough accord, is not a member of the Appropriations Committee, and had he informed you exactly of what occurred there, his argument would have been stronger. When this item of $250,000 was first reached on the Appropriation bill it was passed without what might be called serious opposition. We had a relatively large committee at that time too. We had every reason to believe that that appropriation would stay put. Some days later at a very small meeting of the committee, which a number of us did not know was about to occur although it had been announced and we paid no special attention to it, the item was stricken out. At a final meeting, also a relatively large meeting, the item was put back by the committee with a majority of 32 to 15. That majority was so pronounced, I think this House should accept it and not permit this motion to pass. I think it would be the height of absurdity to pass a bill for law enforcement and create no funds and no machinery to carry it out. Gentlemen, I hope you will vote no on this motion.

Mr. WHITEMAN. Mr. Speaker, I simply want to point out that if we place any reliance at all upon the argument of the gentlman from Delaware regarding deals we also must take into consideration the fact that we impugn the member and the integrity of the members of this House. Mr. Speaker, it always takes two to make a deal and when the gentleman from Delaware attacks the Governor for making a deal we also, if we place any reliance upon an argument of that kind, impugn the integrity of the members of our own body; and I don't think that anybody ought to vote against this motion on the argument that was presented by the gentleman from Delaware. Mr. Speaker, even though we have been on again and off again, we are on again now; even though we have marched up the hill and down again and then up again, we are up the hill now; and the committee on Appropriations has agreed by a large majority upon this proposition as it is now included in this bill. It is not the Governor's original proposition; it is an amended proposition, amended in conformity, and so as to meet the desires and the approbation of some of the members of the appropriations committee who had objected to it in its original form, and who, when it came to considering it in amended form, found that they honestly and conscientiously could vote for the amended proposition. Let's not try to camouflage this situation, Mr. Speaker and members of this House, it is not a question of economy, it is not a question of partisanship, it is not a question of law enforcement. This whole question has resolved itself into this motion now before the House, and is, whether you are for the Governor in endeavoring to aid him to fulfill a solemn pldge which he made or whether you are against the Governor of the Commonwealth of Pennsylvania, and you can't get away from that proposition.

Mr. STEEDLE. Mr. Speaker, I move the previous question.

The motion was seconded by the following members: Messrs. McVicar, Vickerman, Weamer, Horne, Ludlow, Storb, Haws, Lucas, Dunn, Edmonds, Craig, Heyburn, Metcalf, Aston, Bidelspacher, Orr, Burd P. Evans, Lafferty, Bluett, Dilsheimer.

The SPEAKER. More than twenty members having joined in moving the previous question,

On the question,

Shall the main question now be put?

It was agreed to.

On the question recurring,

Will the House resolve itself into the Committee of the Whole?

The yeas and nays werer required by Mr. McVicar and Mr. Perry.

Mr. EDMONDS. Mr. Speaker, I ask for a verfication of the roll.

The roll was verfied as follows:

YEAS—111.

Alexander,
Allman,
Arthur,
Asbury,
Baker,
Baldi,
Behney,
Bell, W. T.,
Betts,
Bluett,
Blumberg,
Boback,
Brenneman,
Brownmiller,
Burns,
Bush,
Colville,
Conner,
Coyne,
Craig,
de Young,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, D.,
Gibbon,
Glasgow,
Golder,
Gorham,
Greeby,
Grimes,
Guerin,
Haas,
Hall,
Haws,
Heffernan,
Hetrick,
Heyburn,
Hontz,
Hoover,
Howell,
Huber,
Johnson,
Keene,
Kohler,
Labar,
Lafferty,
Little,
Lucas,
Lynch,
Mack,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McCann,
McCaig,
McClure,
McDermott,
McGowan,
Millar,
Miller,
Minehart,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Orr
Patterson,
Perry,
Posey,
Rhodes,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schilling,
Schoener,
Schwartz,
Sheridan,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Speiser,
Sprowls,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Wells,
Wettach,
Whitehouse,
Williams, J. M.

NAYS—87.

Albert,
Anderson,
Armstrong,
Aston,
Beaver,
Bell, F. A.,
Bentley,
Berger,
Bidelspacher,
Blair,
Brewster,
Bromley,
Brown,
Burchinal,
Clutton,
Coldsmith,
Diehm,
Edmonds,
Fowler, A. I.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gilchrist,
Goss,
Griffith,
Gundy,
Haines,
Harer,
Harter,
Haslett,
Heffran,
Henderson,
Himes,
Holcombe,
Hollis,
Horne,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kunkle,
Lauver,
Long,
Ludlow,
MacKinney,
Marshall, J. G.,
McBride,
McCurdy,
McKim,
McVicar,
Metcalf,
Moffatt,
Moore,
Morrison,
Ogle,
Parkinson,
Peelor,
Pitts,
Post,
Price,
Richards,
Schaeffer,
Shambach,
Smith, G. A.,
Spangler,
Stark,
Staudenmeier,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wheeler,
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

So the question was determined in the affirmative and the motion was agreed to

Mr. ALEXANDER. Mr. Speaker, I move that the Speaker of the House act as Chairman of the Committee of the Whole.

Mr. HEYBURN. Mr. Speaker, I second the motion.

The SPEAKER. The Chair states that the rules of the House provide that the Speaker shall appoint a chairman of the committee of the whole House. We quite naturally would not like to appoint ourself as chairman.

COMMITTEE OF THE WHOLE HOUSE.

Whereupon,

The House resolved itself into the Committee of the Whole (Mr. George W. Williams) in the chair on said bill.

And after some time, the Committee rose, and

The Speaker having resumed the Chair,

The Chairman of the Committee of the Whole reported the bill as amended in accordance with the instruction of the Committee of the Whole.

On the question,

Will the House agree to the report of the Committee of the Whole?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

The SPEAKER. This amendment being a strike out, the bill is before the House for consideration.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—200.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.
Stofflet,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows, viz:

In the Senate, May 8, 1923.

Whereas, Memorial services in honor of the late William E. Crow, Senator from Pennsylvania in Congress of the United States and a former member of the Senate of Pennsylvania, are to be held in the Hall of the Senate today at two o'clock P. M. and the presence of the members of the House of Representatives is desired at said services, therefore be it

Resolved, That an invitation be extended to the Members of the House of Representatives to attend said memorial services by the President Pro Tempore of the Senate.

COMMUNICATIONS FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 633.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 7, 1923.

To the Honorable, The House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 633, entitled "An Act to amend section one of the act approved the twelfth day of June one thousand nine hundred and one (Pamphlet Laws five hundred and fifty-nine) entitled 'An Act to provide for the election of one person to fill the office of prothonotary one person to fill the office of clerk of the courts of general quarter sessions and oyer and terminer one person to fill the office of register of wills and clerk of the orphans' court and one person to fill the office of recorder of deeds in counties containing forty thousand inhabitants and hereafter created separate judicial districts under the Constitution' providing that said act shall be in effect only upon the acceptance thereof."

GIFFORD PINCHOT.

PETITIONS.

FAVORING THE PASSAGE OF HOUSE BILLS Nos. 1278 AND 1279.

The SPEAKER presented a petition from the Philadelphia Board of Trade favoring the passage of House Bill No. 1278, providing for the creation, management and maintenance of a State Fund for the insurance against automobile accidents, and House Bill No. 1279, making obligatory the insurance by owners of automobiles for damage to persons or property.

Referred to the Committee on Insurance.

Supplemental Report of the Commissioner on Public Welfare
OF PUBLIC WELFARE.

The SPEAKER. The Chair lays before the House the Supplemental Report of the Commissioner on Public Welfare

Which was referred to the Committee on Appropriations.

REPORTS FROM COMMITTEES.

Mr. KELLY, from the Committee on Law and Order, reported as committed House Bill No. 1303, entitled

An Act to repeal an act, entitled "An act supplementary to an act passed thirteenth April, one thousand eight hundred and fifty-nine, relating to Billiard Saloons, et cetera, in the Counties of Chester and Delaware, extending the same to Lycoming and Clinton Counties," approved the twenty-second day of March Anno Domini one thousand eight hundred and sixty, as far as said act relates and extends to Lycoming County.

Mr. ALFRED I. FOWLER, from the Committee on Public Roads, reported as committed House Bill No. 1170, entitled:

An Act to further amend section six of an act, approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State

Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise in the improvement thereof; providing for purchase or acquiring of turnpikes or tollroads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work to be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads, and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts in consistent herewith; and providing that existing contracts are not affected by provisions of this act."

Miss GRIMES, from the Committee on Education, reported as committed, House Bill No. 1182, entitled:

An act to amend section five hundred and twenty-four as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general, special or local, or any parts thereof, that are or may be inconsistent therewith", by providing for the classification of real estate for the purpose of taxation into two classes; to wit, the buildings on land and the land exclusive of buildings, and by providing for the assessment of a less tax upon the buildings than upon the land exclusive of the buildings, in cities of the second class.

Mr. STARK, from the Committee on Public Roads, reported as committed, House Bill No. 1489, (Senate Bill No. 736), entitled:

An act authorizing the State Highway Commissioner to use funds appropriated for State-aid highway purposes by the Act of March tenth, one thousand nine hundred and twenty-one, entitled "An Act making an appropriation to the State Highway Department for the construction of permanent State Highways; for the payment of the Commonwealth's share in the expenses of constructing State-aid highways; for the maintenance and repair of State Highways within the limits of boroughs; for the maintenance and repair of State-aid highways; for the payment of rewards due townships of the second class; for the payment of damages to property caused or occasioned in connection with the work of the State Highway Department"; for the construction of State highways, and to enter certain charges against the State-aid highway accounts of those counties in which State Road Bond Fund money has been used to pay State-aid highway contracts, so as to reimburse accounts available heretofore for highway purposes which were used for State-aid highway purposes and making an appropriation thereof.

Mr. SARIG, from the Committee on Education, reported as committed, House Bill No. 1482, (Senate Bill No. 792), entitled:

An Act to amend section nine hundred six of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended conferring sole power of supervision over certain schools and institution wholly or partly by the State upon the Council of Education.

Mr. PEELOR, from the Committee on Corporations, reported as committed, House Bill No. 1478, (Senate Bill No. 789), entitled:

An Act to amend the act approved the twenty-first day of May one thousand eight hundred and eighty-one (Pamphlet Laws thirty) entitled "An act to enable mining manufacturing and trading companies to wind up their affairs after the expiration of their charters" as amended by extending the same to include the foreign corporations.

Mr. MILLER, from the Committee on Corporations, reported as committed, House Bill No. 1480, (Senate Bill No. 868), entitled:

An Act authorizing poor directors to county poor districts to provide for the payment for the preparation of plans and specifications heretofore made for public buildings for such poor districts where no legal or valid contract was entered into as required by law.

Mr. WALKER, from the Committee on Education, reported as committed, House Bill No. 1488, (Senate Bill No. 702), entitled:

An Act to amend section twelve of the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand forty-three) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties as amended."

RECESS.

The SPEAKER. If there are no objections the Chair will declare a recess until 8:00 o'clock P. M. Are there any objections? The Chair hears none.

Whereupon at 2:20 P. M. the House took a recess until 8:00 o'clock P. M.

AFTER RECESS.

The House reconvened at 8:00 o'clock P. M.

The SPEAKER, (C. J. Goodnough) in the Chair.

SENATE MESSAGF

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 8, 1923.

Whereas, Lieutenant Oakley G. Kelly of the United States Army, a resident of Grove City, Pennsylvania, in company with Lieutenant John A. Macready, on May third, successfully completed that heretofore unaccomplished feat of spanning the American Continent in a single non-stp airplane flight, and in this trip of over twenty-seven hundred miles from Hempstead, New York to Rockwell Field, San Diego, California, in less than twenty-seven hours, they broke all records for non-stop flights, and

Whereas, In assisting in this spectacular flight across the country, this courageous son of Pennsylvania has reflected lasting credit upon his native State, and has prominently written her name with his in the annals of aviation history, and

Whereas, Their success has added to the peaceful air victories of our Country, has demonstrated anew the pluck, bravery, stamina, perseverance and daring of her sons, and has given to the world notice of the power and resourcefulness of the air branch of her army; therefore be it Resolved (if the Senate concur), that the congratulations of the people of the State of Pennsylvania through her chosen Representatives in General Assembly met, be extended to her valiant son, the said Lieutenant Oakley G. Kelly, and his companion, upon their remarkable and unprecedented flight, and that they be assured of the best wishes of the people of the State for the Success of their future attempt to establish new records and bring more glory to their Country, and be it

Further Resolved, That these resolutions be printed in the Journal and a property certified copy thereof be forwarded to the said Lieutenant Oakley G. Kelly now at San Diego, California.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 872. (HOUSE BILL No. 1494).

An Act to amend section three, article seven of the act approved the twenty-seventh day of June, one thousand nine hundred and thirteen (Pamphlet Laws five hundred and sixty-eight), entitled "An act providing for the incorporation, regulation and government of cities of the third class; regulating nomination and election of municipal officer therein and repealing consolidating and extending existing laws in relation thereto."

Referred to Committee on Municipal Corporations.

SENATE BILL No. 580. (HOUSE BILL No. 1495).

An Act to enable city, county, poor ward, school, borough and township tax collectors, their executors and administrators or their surety or sureties to collect taxes for the payment of which they have become personally liable by the expiration of the authority of their respective bonds or warrants of terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act and authorizing such taxes to be entered as municipal liens and the land on which such taxes were assessed to be sold.

Referred to Committee on Judiciary General.

SENATE BILL No. 751. (HOUSE BILL No. 1496).

An Act to amend section two hundred and eighty-six of an act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840) entitled "An act concerning townships; and revising, amending and consolidating the law relating thereto."

Referred to Committee on Judiciary General.

SENATE BILL No. 977. (HOUSE BILL No. 1497).

An Act prohibiting the purchase, sale, acceptance as a pledge or pawn offering for sale, stealing or conversion of medals, buttons, insignias of decorations granted by the Government of the United States for service in the army, navy, marine or nurses corps.

Referred to Committee on Judiciary General.

SENATE BILL No. 979. (HOUSE BILL No. 1498).

An Act to authorize the trustees of the Pennsylvania State College to borrow funds for the erection and equipment of buildings and to liquidate present mortgage indebtedness.

Referred to the Committee on Appropriations.

SENATE BILL No. 980. (HOUSE BILL No. 1499).

An Act to amend section one of an act approved the fifth day of April one thousand nine hundred and seventeen (Pamphlet Laws forty-seven) entitled "An act specifying additional securities in which trustees or directors of savings banks savings institutions and provident institutions chartered under general or special acts of Assembly may invest moneys deposited therein."

Referred to the Committee on Banks and Banking.

SENATE BILL No. 984. (HOUSE BILL No. 1500).

An Act granting water companies organized after April 13, 1905, the right of eminent domain, and requiring such water companies, and also water companies incorporated under Clause eighteen, section two, of the act approved April 29, 1874, entitled "An Act to provide for the incorporation and regulation of certain corporations," to secure certificates from the Water Supply Commission prior to the exercise of the power of condemnation.

Referred to the Committee on Judiciary Special.

SENATE BILL No. 1006. (HOUSE BILL No. 1501).

An Act Exempting in certain cases the net proceeds of life insurance policies or annuities from the claims of creditors.

Referred to the Committee on Insurance.

SENATE BILL No. 1063. (HOUSE BILL No. 1502).

An Act to amend section seventeen of the act approved June 20, 1919 (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal."

Referred to Committee on Judiciary General.

SENATE BILL No. 1070. (HOUSE BILL No. 1503).

An Act to amend part of section two of the act approved the twenty-seventh day of May, one thousand nine hundred and twenty-one, (Appropriation Acts, page 33), entitled "An act to provide for the ordinary expenses of the Executive Judicial and Legislative Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for the two fiscal years beginning June first, one thousand nine hundred and twenty-one. and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and twenty-one."

Referred to Committee on Appropriations.

SENATE BILL No. 1071. (HOUSE BILL No. 1504).

An Act to validate deeds and conveyances defectively, acknowledged prior to the fourth day of April, one thousand nine hundred and one.

Referred to Committee on Judiciary General.

SENATE BILL No. 763. (HOUSE BILL No. 1505).

An Act relating to the preparation of a new Constitution of the Commonwealth by a convention and its adoption or rejection by the people.

Referred to Committee on Constitutional Reform.

SENATE BILL No. 796. (HOUSE BILL No. 1506.)

An Act providing for the lateration of the boundaries of counties in certain cases for the adjustment of the indebtedness thereof providing the effect thereof.

Referred to the Committee on Counties and Townships.

SENATE BILL No. 1080. (HOUSE BILL No. 1507.)

An Act amending section two of Article XVI of an act approved the twenty-ninth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and eighty-one) entitled "An Act for the better government of cities of the first class of this Commonwealth.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 1074. (HOUSE BILL No. 1508.)

An Act to amend section three of an act approved the fifteenth day of April one thousand eight hundred and forty-five (Pamphlet Laws four hundred and fifty-nine) entitled "A supplement to an act entitled 'An Act relating to executions' passed the sixteenth day of June Anno Domini one thousand eight hundred and thirty-six" allowing counsel fees to garnishees filing written answers in attachments in executions issued by aldermen or justices of the peace and providing for the payment thereof.

Referred to the Committee on Judiciary General.

SENATE BILL No. 1077. (HOUSE BILL No. 1509.)

An Act to amend section ten of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as amended.

Referred to the Committee on Judiciary General.

BILLS RE-REFERRED.

Mr. HEFFRAN returned from the Committee on Education with the recommendation that it be re-referred to the Committee on Counties and Townships, House Bill No. 1427 (Senate Bill No. 653), entitled:

An Act to amend section one thousand four hundred and six as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

The SPEAKER. The bill is now re-referred to the Committee on Counties and Townships.

REPORTS FROM COMMITTEES.

Mr. LITTLE, from the Committee on Municipal Corporations, reported as committed House Bill No. 929, entitled:

An Act to amend clause forty-one, section three, article five of an act approved the twenty-seventh day of June, one thousand nine hundred and thirteen, (P. L. 568). entitled "An Act providing for the incorporation, and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto."

Mr. GEORGE W. WILLIAMS, from the Committee on Appropriations, reported as amended House Bill No. 495, entitled:

An Act making an appropriation to the State Highway Department for the payment of rewards to townships of the second class.

Mr. EARLEY, from the Committee on Insurance, reported as committed House Bill No. 1413 (Senate Bill No. 558), entitled:

An Act to amend section six hundred and three of an act approved the seventeenth day of May nineteen hundred and twenty-one (Pamphlet Laws six hundred and eighty-two) entitled "An Act relating to insurance amending revising and consolidating the law, providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws."

Mr. HASLETT, from the Committee on Counties and Townships, reported as committed House Bill No. 1479 (Senate Bill No. 795), entitled:

An Act providing that in all suits against any county process shall be served upon and defense made by county controllers.

Mr. JOHN G. MARSHALL, from the Committee on Counties and Townships, reported as committed House Bill No. 1484 (Senate Bill No. 393), entitled:

An Act to amend section forty-four, forty-five and fifty of article seventeen, chapter six, of the act approved the fourteenth day of May, one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs, and revising, amending and consolidating the law relating to boroughs."

Mr. DILSHEIMER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1440, (Senate Bill No. 557), entitled:

An Act authorizing Council in cities of the first class by Ordinance to require the installation of standpipes and sprinkler systems in certain buildings in such cities to prescribe the kind and character thereof and regulations therefor and to provide for the enforcement of such Ordinance.

Mr. HIMES, from the Committee on Counties and Townships, reported as committed, House Bill No. 1470, (Senate Bill No. 512), entitled:

An Act to amend section one of an act approved the seventeenth day of March one thousand nine hundred and twenty-one (Pamphlet Laws thirty-two) entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county" by providing for second like proceeding in certain cases and making it the duty of the county commissioners upon favorable result of a second election to erect such hall at same place designated in the question submitted on the ballot.

Mr. KOHLER, from the Committee on Public Buildings, re-reported as amended, House Bill No. 673, entitled:

An Act to amend section one of the act approved the twenty-fifth day of July, one thousand nine hundred and seventeen, (P. L. 1180), entitled "An Act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll-bridges over the Delaware River, and making an appropriation therefor."

Mr. DIEHM, from the Committee on Insurance, reported with a negative recommendation, House Bill No. 1000, entitled:

An Act to repeal section six hundred and thirty-four of an act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, seven hundred eighty-nine), entitled, "An act relating to insurance; establishing an insurance department; and amending revising and consolidating the law relating to the licensing qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyd's associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; providing penalties; and repealing existing laws."

Mr. CRAIG, from the Committee on Municipal Corporations, reported as committed House Bill No. 1437 (Senate Bill No. 476), entitled:

An Act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in alleys in cities of the first class for the establishment of lines and grades for and the grading, paving or repaving of said alleys and the grading of private alleys hereafter laid out and for apportioning the cost and for the filing of liens therefor.

Mr. MANGAN, from the Committee on Municipal Corporations, re-reported as committed House Bill No. 890 (Senate Bill No. 240), entitled:

An Act to amend section six of an act approved June 20, 1917 (P. L. 618), entitled "An Act relating to the appointment of persons to the police department in cities of the third class; providing for and regulating examinations the manner of appointments, and the manner and power of removal of employes of said department; and providing a method for fixing compensation," as amended.

TIME EXTENDED ON BILL.

Mr. STERLING. Mr. Speaker, I move that the time on House Bill No. 314, file folio 5331, entitled:

An Act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business through a bureau in the department of the Secretary of the Commonwealth

on page 12 of today's calendar, bills on third reading postponed be extended five days.

Mr. MATHAY. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL

Mr. LITTLE. Mr. Speaker, I move that the time on House Bill No. 992, file folio 6371 entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania by adding thereto section thirty-five

on page 14, of today's calendar, bills on third reading postponed be extended five days.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL.

Mr. LITTLE. Mr. Speaker, I move that the time on House Bill No. 607, file folio 4509 entitled:

A Joint Resolution proposing an Amendment to Section Fifteen of Article Five of the Constitution of the Commonwealth of Pennsylvania

on page 12 of today's calendar, bills on third reading postponed be extended five days.

Mr. McKIM. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL.

Mr. LITTLE. Mr. Speaker, I move that the time on House Bill No. 991 file folio 4887 entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania by adding thereto section thirty-four

on page 12 of today's calendar, bills on third reading postponed be extended five days.

Mr. McKIM. Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. McCLURE. Mr. Speaker, I move that the vote by which House Bill No. 926, file folio 1739, entitled:

An Act to amend section twenty-three of an act approved the first day of June Anno Domini one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred and twenty) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine"

was defeated on final passage on April 30, 1923, be reconsidered.

Mr. HAWS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. WONER. Mr. Speaker, I desire to explain to the House why the Auditor General would like to have this bill reconsidered and put back in the Ways and Means Committee for amendment. There were certain sources of opposition, all of which he has ironed out, or at least hopes to iron out, and all I am asking of you is the courtesy to the Auditor General to put this in a status that it can be returned to the Ways and Means Committee for the amendments which he has in mind.

On the question recurring,

Will the House agree to the motion?

The Speaker declared the ayes appeared to have it.

Whereupon a division was called for, and 85 members having voted in the affirmative, and 36 in the negative, the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. WONER. Mr. Speaker, I move that the vote by which House Bill No. 926, passed third reading be reconsidered.

Mr. LAFFERTY. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. WONER. Mr. Speaker, I move that House Bill No. 926 be recommitted to the Committee on Ways and Means for the purpose of amendment.

Mr. LAFFERTY. Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. HEFFRAN. Mr. Speaker, I move that the vote by which House Bill No. 827, file folio 5523, entitled:

> An Act to amend section six of the act approved the twentieth day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred and eighteen) entitled "An act relating to the appointment of persons to the police department in cities of the third class providing for and regulating examinations the manner of appointments and the manner and power of removal of employees of said department and providing a method for fixing compensation" as amended

was defeated on final passage on May 1, 1923, be reconsidered.

Mr. LABAR. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The Speaker declared the ayes appeared to have it,

Whereupon a division was called for, and 72 members having voted in the affirmative and 49 members having voted in the negative the question was determined in the affirmative and motion was agreed to.

On the question recurring,

Shall the Bill pass finally?

Mr. MOFFATT. Mr. Speaker and members of the House, this bill was acted upon a week ago tonight, the first of May. I believe that there was a misunderstanding which led to its defeat at that time. It is a civil service bill applicable only to third class cities. The only amendment that is proposed is that in case a municipality should decide for the purpose of economy to reduce their police force that that reduction would be made by the dismissal of the last men appointed under the civil service rules. Under the civil service rules everyone receiving an appointment as policeman must pass very stringent examinations and when once upon the police force they can be removed only for cause, except in case the municipality desires to reduce its force of policemen for the purpose of economy. Under the present laws the municipality is permitted to discharge anyone on the force. The policemen feel that this is unjust, and that in case a reduction is made for the purpose of economy that the last members appointed should be the ones to be removed. That is the only amendment in this bill and I think it should be reported.

Mr. BROWN. Mr. Speaker, and members of the House, I do not think there are many men here who employ labor who would like to be hampered by a regulation of this kind. In ordinary life, ordinary business, a man discharges, if necessary when he comes to a reduction in force, the one of least service to him, and I think it should be so in public life. I do not think this bill should be reconsidered.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—109.

Anderson,
Armstrong,
Asbury,
Beaver,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Blair,
Brewster,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Coyne,
de Young,
Dietz,
Dilsheimer,
Donahue,
Eaches,
Edmonds,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Goehring,
Golder,
Goss,
Grimes,
Gundy,
Haas,
Hall,
Harter,
Haslett,
Heffran,
Henderson,
Himes,
Holcombe,
Hontz,
Hoover,
Howell,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kunkle,
Labar,
Little,
MacKinney,
Mangan,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McCann,
McClure,
McCurdy,
McDermott,
McKim,
Miller,
Moffatt,
Moore,
Munley,
Myers, G. C.,
Ogle,
Parkinson,
Patterson,
Peelor,
Post,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Schilling,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Sprowls,
Stavitski,
Steedle,
Stevens, A. J.,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—56.

Alexander.
Allman,
Arthur,
Berger,
Bluett,
Bromley,
Brown,
Burns,
Colville,
Craig,
Diehm,
Earley,
Eshelman,
Evans, B. P.,
Evans, J.,
Fratt,
Glasgow,
Greeby,
Haws,
Heffernan,
Hetrick,
Heyburn,
Hollis,
Horne,
Irvin,
Lafferty,
Long,
Lucas,
Ludlow,
Malie,
Marcus, J.,
Mathay,
Metcalf,
Morrison,
Myers, P. M.,
Nolte,
O'Boyle,
Orr,
Perry,
Pitts,
Posey,
Sarig,
Sautter,
Schaeffer,
Schoener,
Sheridan,
Smith, H.,
Sowers,
Spangler,
Speiser,
Stark,
Staudenmeier,
Stevens, A. F.,
Storb,
Whitehouse,
Wood, N.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. DUNN

The House resumed the consideration on final passage of House Bill No. 36, entitled:

> An Act to regulate the practice of Chiropractic and to provide for the appointment and maintenance of the Board of Chiropractic Examiners To define the powers and duties of said Board of Chiropractic Examiners To provide for the examining and licensing of Chiropractors in this State and provide for penalties for the violation of this act

On the question,

Shall the bill pass finally?

Mr. STEEDLE. Mr. Speaker and members of the House, a small explanation might be necessary with reference to the manner in which this bill left the Committee. Two weeks ago tomorrow, when the committee in its executive session saw fit to take some definite action, the committee at that time in going over the bill with various amendments of the chiropractors and the physicians of Pennsylvania, the bill was so disarranged that we hardly knew it to be

36. With all respects to the gentleman from Philadelphia Mr. Dunn, I suggest to the committee that in all fairness to him we would vote to bring the bill out on the floor of the House to have it reprinted, that we might possibly by having it reprinted be enlightened as to the proposed amendments in it, and if for any reason we felt that the amendments should not be agreed upon by both the sponsor of the bill and the sub-committee, we would again replace the bill back in the committees hands. This plan was followed and the bill came on the floor.

I received an amendment suggested by one of the chiropractors of Pittsburgh. I submitted it to Mr. Dunn, the sponsor of the bill, and he in turn submitted the amendment to the proponents, and they accepted it. I told them at the time that it was not the amendment from the State Medical Society but was rather from the chiropractors. I again went to Mr. Dunn yesterday, and I gave him the amendments which we thought the bill ought to carry with it. Mr. Dunn took these amendments, so I am informed, to the proponents of this bill, and he later returned them to me with the information that the friends and proponents of the bill were not in accord with those amendments. Now, in all fairness to the committee I believe that Mr. Dunn should have submitted these amendments, or at least have the bill recommitted to the Committee on Public Health and Sanitation for the purpose of discussing the amendments asked for by the Pennsylvania State Medical Society. Therefore, Mr. Speaker and members of the House, I desire to offer amendments to House Bill No. 36.

RECONSIDERATION OF VOTE.

On the question, recurring

Shall the bill pass finally?

Mr. STEEDLE. Mr. Speaker, I move that the vote by which House Bill No. 36 passed third reading be reconsidered.

Mr. McCAIG. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. STEEDLE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendmnets as follows:

Amend section 1, page 2, line 10, by inserting after the word "licensed" the following: "as a drugless therapist"

Amend section 2, page 3, line 1, by striking out the words "this act "and inserting in lieu thereof: "the medical practice act of one thousand nine hundred eleven as a drugless therapist."

Amend section 6, page 10, line 3, by reinserting after the word "character" the following: "has obtained a preliminary education hereinafter provided.

Amend section 6, page 10, line 13, by striking out the word "not"

Amend section 7, page 11, lines 27 and 28, by striking out the word "confirming" and inserting in lieu thereof: "conforming."

Amend section 10, page 12, line 27, by inserting after "aminers" the following "including the standard of preprofessional education."

Amend section 11, page 13, lines 8 and 9, by striking out "satisfactory to the said board"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears objection, and unanimous consent was not granted.

On the question recurring,

Will the House agree to the bill on third reading?

MOTION TO RECOMMIT.

Mr. STEEDLE. Mr. Speaker, I move you that this bill be recommitted to the Committee on Public Health and Sanitation for the purpose of amendment.

Mr. McCAIG. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. DUNN. Mr. Speaker and members of this House, I ask you, as members of the House, to vote this motion down. At the public hearing on this bill some four or five weeks ago, the State Medical Association, or their representatives, presented to the chairman of the meeting at that time a set of amendments to be placed in this bill. Those amendments were referred to a sub-committee of which I was a member. We carefully considered those amendments. Three different meetings were held, and the final result was that we accepted almost all the amendments, and the recommendations of the committee were the most liberal recommendations towards these people that have ever been made to this General Assembly on any bill like this. But, unfortunately, in arranging the amendments to go into this bill, the gentleman who prepared them failed to strike out the most important thing, and when we find the bill on our calendars, we find the amendments that permitted these practictioners of our State to take the same advantage as any other cult which has come before this Body and asked for this privilege, was stricken out, and that part of the bill that was to permit those who were practicing in the field for three or five years would be given a license upon the passage of this bill. I prepared an amendment to include what we intended to go into the bill, and the gentlemen of the committee agreed to the amendment that should go into the bill. I submitted it in all courtesy to the chairman of the Health and Sanitation Committee and I said, "This is what we agreed to regarding the mistake that has been made in the bill," and he said to me, "I have an amendment which a chiropractor in Pittsburgh has given to me, and I asked you to consider that amendment." The members of the committee and myself considered that amendment, and we decided to accept the amendment offered by the chairman of the Public Health and Sanitation Committee and ignore the amendment which gives the right and privilege to these people to have a license without an examination and to place them under an examination. We accepted of the amendments produced by the medical association of the State 95% of what they gave to us, and I believe if we had accepted 99% of what they gave us to insert into a bill like this they would still come before this body and object to that one per cent that you were granting these people in fair consideration. Now if you propose to put this bill back into the committee again, it is only the delay that has been customary in all bills like this ever since I have been a member of this House, due to the State Medical Association of this State, because they are opposed to any other cult, it doesn't matter how important it is to the people of this Commonwealth. From the time that they first were granted a bill of their own up to the present time, they had opposed any other cult or practicioners of the healing art to receive the necessary legislation to protect them. They think the medical organization of the State is the guardian over every other cult or healing art and they object to anybody coming into this State who can prove their worthiness. And before this bill passes, I propose to show to the members of this House their worthiness, their work, by petitions here from over ten thousand patients of these people who have been benefited by their work, and I want to say it is only the natural delay of the state medical organization to put this back into the committee, not for the purpose of honest amendment, no, but in the hope that within two or three weeks or a month this session is going to come to an end, and then they will go out and say, "We have accomplished one more thing for two more years. We have prevented a body of citizens from receiving protection from the Commonwealth," and these citizens are just as good, just as honorable, just as worthy of consideration and proven to the people of this Commonwealth that they are worthy of consideration, and all that they ask is protection of their own profession. All that they asked is that the State of Pennsylvania will not be a dumping ground for the other forty-seven states surrounding this State who had granted them a license and protection. I only ask, in honesty to these people, Pennsylvania citizens, honorable, intelligent and educated, that you don't put this bill back into the committee.

Mr. ALEXANDER. Mr. Speaker and members of the House, if the chiropractors the men and the women who are to be benefited by this are satisfied with this bill, why need the medical profession worry about it? Now, the medical profession have their own examining board so that when they get a certificate everybody knows what it means. The osteopaths have the same thing. The chiropractors are only being put in the same position. Now, why should they be handicapped? In other words, all they mean is this, that under this bill when they put their sign up it shows that they have had a certain course or have undergone a certain examination. It is to protect you if you believe in chiropractors or it is to protect me or somebody else so that when they go along the street and see the sign that means just what it stands for, and that means that they have to have an examination under this bill. Now, why is this medical profession continually, and I am not objecting to the medical profession, to them having what they please, but what would they say if they prepared a bill here and we lawyers woul stand up and commence to criticize their bill and say they shouldn't have it. The chiropractors simply want to be in a position where they can protect themselves and their profession, and protect you against quacks. Now that is all there is to it, and why should this bill go back to this committet when we are able to pass on it tonight? We understand the bill, and therefore I would oppose this return.

Mr. STEEDLE. Mr. Speaker and members of the House, I don't like to take up your time, but I feel that there is some explanation necessary. Ladies and gentlemen of the House, what Mr. Alexander has said is true regarding the medical profession. We have a board, so do the osteopaths. Now those amendments that we are supposed to put into this bill will make the same regulation. It is for the purpose of ascertaining whether the men who are now practicing chiropractics are really qualified to practice chiropractics. It carries with it the professional standards of osteopathy mechanotherapy and electrotherapy. We are asking that this board do the same thing and that the board shall be composed of such men and ladies who have already received a certificate through the medical license act of the so-called drugless therapy. I will promise this House and the sponsor of this bill that if this bill be referred back to the Committee that the bill will be acted upon favorably regarding these amendments and the bill shall come out tomorrow again. It only means a delay of a day or two, and then when the bill comes up for final passage we can act on the amendments here. I see no reason why these red flags should be going up and members be scared to death. Nobody is trying to crowd these men out. We appreciate that they have some virtues; but we feel that they ought to be put in the same catagory of education and I am sure that if Mr. Dunn will just reason this thing out, he and his friends, and if the committee does not agree with my amendments, I assure you that the bill shall come out of the committee tomorrow.

On the question recurring,
Will the House agree to the motion?

The yeas and nays were required by Mr. Dunn and Mr. Alexander were as follows

YEAS—59.

Albert,
Allman,
Armstrong,
Behney,
Bell, W. T.,
Bidelspacher,
Brewster,
Burchinal,
Bush,
Chaplin,
Clutton,
Coyne,
Donahue,
Eshelman,
Flynn,
Frazier,
Glasgow,
Goehring,
Gundy,
Haines,
Harter,
Haslett,
Henderson,
Himes,
Howell,
Johnson,
Jones, C. B.,
Jones, D. J.,
Kennedy,
Kunkle,
Little,
Long,
Lynch,
Mack,
MacKinney,
Malie,
Marcus, J. C.,
Marshall, J. G.,
McBride,
McCaig,
McClure,
McVicar,
Moffatt,
Ogle,
Parkinson,
Rippman,
Patterson,
Peelor,
Richards,
Schilling,
Smith, G. A.,
Sprowls,
Steedle,
Thomas, M. G.,
Thompson,
Wettach,
Whiteman,
Williams, G. W.
Williams, J. M.
Woner,

NAYS—99.

Alexander,
Anderson,
Arthur,
Asbury,
Aston,
Baker,
Bell, F. A.,
Bentley,
Berger,
Betts,
Blair,
Bluett,
Blumberg,
Bromley,
Brown,
Brownmiller,
Colville,
Dietz,
Dilsheimer,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fowler, A. I.,
Fratt,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Golder,
Goss,
Greeby,
Grimes,
Haas,
Hall,
Haws,
Heffran,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hoover,
Horne,
Irvin,
Jones, E. P.,
Kohler,
Labar,
Lafferty,
Lauver,
Lucas,
Ludlow,
Mangan,
Marcus, J.,
Marshall, W. F.
McCann,
McCurdy,
McGowan,
McKim,
Metcalf,
Millar,
Miller,
Minehart,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Perry,
Posey,
Post,
Rhodes,
Sample,
Sarig,
Sautter,
Schaeffer,
Schoener,
Smith, H. J.,
Smith, H.,
Sowers,
Speiser,
Stark,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Thomas, L. D.,
Walker,
Wells,
Wood, N.,
Wright,
Zook,
Goodnough,
Speaker.

So the question was determined in the negative, and the motion was not agreed to.

On the question recurring,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. DUNN. Mr. Speaker and members of the House, this cult or healing art that is coming before you tonight and asking for this legislation have a right to ask for legislation that will give them protection, that will clean out the State of Pennsylvania of any incompetent, inefficient people who are claiming to be practictioners in this particular line. Thirty-five states surrounding Pennsylvania have adopted this law and have given these people the right to license and govern themselves. Pennsylvania today is the dumping ground for these other states who refuse to license an incompetent, inefficient, incapable chiropractor. Why should this great Commonwealth one of the greatest within the Union be permitted, by preventing a piece of legislation like this from passing, to be made a dumping ground for twenty-three or twenty-four other states? I ask you this, that if you give them this protection, I will guarantee that inside of a year the incompetent people, those who received their education through a correspondence school, or a three months' college course, will be wiped out in Pennsylvania, and Pennsylvania will be placed on a level with other states in dealing with this particular healing art. I have here petitions from ten thousand patients who are depending on these people for health, to bring them back from a condition in which, very often, the medical profession has left them, left them on the dump without any help or without any assistance. They have gone to these people and received treatments and been brought back to health and happiness. And is it not worth while then, when ten thousand alone in this State are appealing to you to give these people the right to practice under the protection of this law? We propose in this act to do something that no other cult has ever done, and that is, we propose to put every chiropractor in Pennsylvania under an examination. No other state has required that, no other cult in Pennsylvania, not even the doctors, were required in the first act passed by them that they should be put under an examination and questioned as to their ability. All other cults that apply to this Legislature and are granted a bill similar to this have been granted a license to practice in this State if they practiced from three to five years, but we propose to show that every one of these, after this act is passed, we propose to show you they are educated, because a person who is not educated, who has not received a college education cannot pass this examination, and I will say that I believe fifty percent of the doctors who today are practicing medicine cannot pass that examination, but we are going to put our men to this test. We only ask that the preliminary education, that is, the high school education, be eliminated in the case of boys that are in college today whose parents are sending them there to be educated. They are there now, and we can't force on those boys who are there and are spending their money to be educated in this science of the healing art, the requirement that they must pass the four year high school course. We asked that it be eliminated, but when the boys come out of college, we propose, under this act, to put them under an examination as to their ability, their knowledge of the right to practice in the State of Pennsylvania, and I only ask you, for these four or five hundred who are in Pennsylvania today, every one of them an American citizen, everyone of them qualified to practice and some of them having been practicing for ten or fifteen years, I only ask you to vote favorably on this bill. Why should they be persecuted, persecuted by the medical society? Two years ago I had a similar bill up in the House and through the maneuvering of this state medical society certain amendments were inserted, which made it practically useless and we refused to accept it. What was the result? The State Medical Society engaged detectives giving them one hundred dollars for each case that they could detect. How were they doing it? They were sending a man to the office with another man, and when that chiropractor saw him he might say there was something the matter with the heart or the lungs, the chiropractor might say "You may have lung trouble" and immediately a warrant was sworn out for these people to take them before a magistrate, and taken into court for practising medicine without a license. That is the only ground that they can have for arresting them. In May of last year, this detective who never practised medicine, who was employed by the state Medical Society was trapped, and was trapped in Montgomery county in the town of Trappe. He went to a chiropractor and he said I can get $100.00 from the medical board which is checking you, and in Philadelphia I can get twenty-five. Now, I can get $2500.00 from the Medical Society of Pennsylvania to take them into Court, but if you give me $500.00 a piece I will guarantee not one of them will go into Court. We put the District Attorney in Philadelphia on it and used his detectives and they sent him up to Trappe where a chiropractor was. He goes in there and he tells them, they have a dictograph in the other room, and this doctor was in the profession which we all consider the highest in the country, this doctor deliberately says, "Give me $500.00 and no arrest will be made through me as their detective." "No," they said "we cannot give you that, we will give you $100.00 now and later on we will give you $500.00 additional". That money was marked. He accepted the $100.00 and when he went out on the highway the city detective grabbed him with the marked money in his hand and he was taken before the Montgomery county court and put on trial for accepting a bribe. While there one of the most prominent men in the state Medical Society went on the stand and tried to protect this man from being prosecuted, and tried to keep his case from going to the jury. The judge of the court said, "I am surprised to see one of the most eminent men of Pennsylvania high up as a professional man, come into this court and try to have a man released who deliberately did this thing." The man served three months in jail and they have not arrested any more since that time. They only ask for protection so that they will not be prosecuted any more in the state of Pennsylvania, if you give them a license to protect themselves.

Mr. STEEDLE. Mr. Speaker and members of the House, I rise at this time not so much exercised over chiropractors as my good friend the gentleman from Philadelphia would have you believe. The bill before us for consideration, Mr. Speaker and ladies and gentlemen of the House, I feel in all fairness to the medical profession in Pennsylvania, the medical profession in general, is not the kind of a bill that safeguards people against quackery, and men whom I know personally to have graduated from chiropractic schools who took but a course of three months. Those men from the day of their graduation until the present time never practised one hour in chiropractics. I know blacksmiths and I know shoemakers, and I know men in other walks of life, who went to the Pittsburgh school of chiropractics, came out of there in three months and put up a sign "doctor of chiropractics" and two weeks afterwards tore it down and went to the workshop. Under this bill you license every man who knows not an iota of his profession, that is the condition that we wanted to correct in the amendments that were offered, but in the wisdom of this House you saw fit to reject those amendments. I ask it in all fairness to the men, to the doctors in general in this great country, and this great Commonwealth, who have done so much and who have sacrificed so much in life for the welfare and the benefit of humanity in general. I am willing to accept the challenge of the gentleman from Philadelphia when he says that possibly one doctor may for $500.00 have done what he says, but remember, gentlemen, in the legal profession and in the medical profession and every other profession, as well as the clergy, there are a lot of cheaters. We don't deny that. We know that we have some men who absolutely should not be practising medicine. I want to say, ladies and gentlemen of the House that it has been said by the proponents and the sponsor of the bill that it will protect the people of Pennsylvania from the influx from the various states of the Union, if they have an opportunity, they will come here and make a dumping ground of Pennsylvania. We don't want that man accepted as a member of the profession here unless he is qualified. There are many of them for whom I have the kindest regard and the greatest respect, who are serious in the practice of chiropractics and who, I know, would not deviate one iota from the practice of chiropractics, but I ask you, members of the House, where is the line of demarkation between osteopathy and chiropractics, as it is practised by some of the men in chiropractics. I take myself, as an example, for I went to a chiropractor and I went to an osteopathist. The line of treatment was so very similar that I did not know which was chiropractics and which was osteopathy, because they did not stop at simply spinal manipulation, not all of them, I am generalizing, I don't mean every one of them, but the majority, and it is only for that reason, ladies and gentlemen of the House, that we cherish and respect our profession to such a degree, that we want men and women to be recognized in the profession of chiropractics in such a way that we know will be a safeguard to the people in this great state.

Ladies and gentleman, this is a more serious problem than you may realize. How many of you members have ever stopped to think of the sacrifice that the men in the medical profession have made personally for the welfare of the people of this great nation. Men who have permitted themselves to be infected with the malaria germs, yellow fever, bubonic plague, consumption of unfiltered water in the prevention of typhoid. Have they done that for the purpose that the doctor may enrich his finances? No, if that were to continue the doctors would be better off, there would be more typhoid, there would be more malaria, there would be more bubonic plague, and then this element wants to come in here into this state and be recognized as physicians. I say that this is just a stepping stone as was argued on the floor of this House in 1909 when the osteopaths became licensed men. He received his board, and he on the very floor of this House said that "we no longer want medicine". Four years ago the osteopaths came into this House and asked that they be permitted the privilege to prescribe medicine. Why, I ask you? Because they know that the application of thereapy, whether that be osteopathy or chiropractics, is only an alleviation and they know they need medication. In this session the osteopathists have gone in the Senate and asked that they be permitted to practice surgery. Now, this same line or cult comes in and wants their own board. We do not object to the chiropractor who is qualified. We do not argue against the virtue of chiropractics, but we are arguing for the safety of the people. If they qualify the same as any other student of medicine who has to go out into the world to make diagnosis of diseases, and in the establishment of a diagnosis, after he has done so, he then applies his remedy. We don't object to this chiropractic thereapy, but we want them to be qualified. We want to know that the examination board is composed of men of qualifications, or ladies of qualification, and that is what the amendments that I presented tonight carried with them. In all fairness, ladies and gentlemen of the House, I ask you to vote this bill down.

Mr. HEYBURN. Mr. Speaker and members of the House, I feel that it would be unfair to me if I were not to say just one or two words in favor of this bill. I am related to a party that had suffered with rheumatism for years and years. They procured the best of medical treatment, the best that they could find, and without any result; and from year to year she was gradually growing worse, until they had practically given her up, but through the advice of a friend the suggestion was made to her to take this treatment. And I want to say to you that when this lady went under this treatment she could not even move a finger, not a finger. Now, I don't know that I can say to you that she will ever again walk, but the pain was something terrible. Today she has no pain, she can move her fingers, she can move her arms and she is not in any way distressed, and she is not taking a particle of medicine. One year ago I would have let this bill go by unnoticed by me, but after I have seen the results that have been accomplished through this healing art, I feel it my duty to say to you that I believe that this bill should have fair and proper consideration. I believe there is no reason in the world why these people should not be licensed. There is evidently a reason why the professional men are opposed to it. I don't know what the reason may be, but I do know that these people are giving beneficial results to our people, and I believe that they should be justly considered.

Mr. ALEXANDER. Mr. Speaker and members of the House, just what my friend here has said from Delaware county, is true of a number of others. Now when my friend from Allegheny talks about these men getting out of the grocery store one day and being a chiropractor the next, there is no doubt about that being correct and about them making mistakes. There is no doubt about that being correct. Lawyers and doctors all make mistakes, and the only difference in the mistakes is that the lawyers' mistakes are six feet above the ground and the doctor's mistakes are six feet under the ground. Now there are too many mistakes; there are too many tombstones; there are too many grave yards filled by the mistakes of doctors for them to come here and tell me that they have the exact cure for every ill that there is. And it is not correct, it is not right, it is not fair even, for the medical profession to stand here and object to this bill or this profession, protecting themselves against the many vices that he speaks about. I know there are men on this floor tonight that are talking against it and men who say they studied chiropractic and they don't want this bill because they will have to take an examination and they can't pass this examination, and therefore they can't put up their shingle and invite you people in to be treated when they become chiropractors and naturally they are now lobbying in the back part of this House against this bill. They can't practice, they can't pass this examination. This will stop the man from taking a four months course and then hanging up his shingle, but after this bill is passed, it protects everyone of them and it protects you. Now you know if you want a medical man you can get him; if you want an osteopath you can go and get him; if you want a chiropractor you can go and get him; but you want to know when you see a sign up, either an M. D. or a chiropractor's sign or an osteopath's sign, you want to know that that stands for the fact that that man has taken a certain examination, has come up to certain requisites and is ready and fitted to treat you. And I cannot understand why this medical profession don't want them today, when they can get some assistance, whether it be from the chiropractor or whether it be from the osteopath, God knows from somebody at least who can help to save humanity from dying if you possibly can. They have been trying to treat cancer for the last one thousand years and they don't know any more about it than they did before, and then they come here and ask you and me to come to them alone and to nobody else and to give no other profession a chance to try help cure these ills. I say there is something wrong with it there is something wrong with their profession, that they don't want these other people to help them.

Mr. DUNN. Mr. Speaker, I only want to interrogate the gentleman from Allegheny, Mr. Steedle.

The SPEAKER. Will the gentleman from Allegheny, Mr. Steedle, permit himself to be interrogated?

Mr. STEEDLE. I will Mr. Speaker.

Mr. DUNN. Mr. Speaker, I would like to ask the gentleman from Allegheny whether this amendment, in regard to putting these people under an examination, that he submitted to me has been incorporated into the bill at the present time?

Mr. STEEDLE. On what page?

Mr. DUNN. On page 8.

Mr. STEEDLE. What line?

Mr. DUNN. Starting on line 4 after the bracket:

"Any person engaged in the practice of Chiropractic in this Commonwealth prior to the passage of this act and desiring to continue the practice thereof after January first one thousand nine hundred and twenty-four who shall file with the Secretary of the said State Board of Chiropractic Examiners upon appropriate blank to be furnished by said secretary an application verified by oath that the applicant is not less than twenty-one years of age is of good moral character and a graduate of a legally incorporated or chartered school or college of Chiropractic shall be entitled to take an examination as to his or her qualifications for the practice of Chiropractic which examination shall include the subjects of anatomy physiology chemistry diagnosis pathology sanitation hygiene neurology symptomatology and the principles of Chiropractic and shall further require the prospective licentiate to give a clinical demonstration of the vertebral palpation and adjusting."

That is the very amendment you offered to me, and I inserted it in the bill. Don't you approve of that?

Mr. STEEDLE. I approve of that, yes.

Mr. DUNN. You agree to that amendment? You are the one, then, who is the sponsor, who put a chiropractor under an examination and specifies that they take an examination, and every man or woman who takes that examination must be a graduate from a college and must have the education, or they cannot pass the examination.

Mr. PATTERSON. Mr. Speaker, there is one thought that has not been brought out in connection with this discussion. The proponents of the bill talk about this being an attempt to stop the practice of chiropractic. That is not so. My friend from Philadelphia has presented the petition of 10,000 patients. These patients could get their chiropractors the same as before. The drugless therapy act covers the law now. And the gentleman from Delaware says that the doctor's mistakes are six feet under ground. If the doctors have made mistakes in diagnosis, after having gone through seven years of schooling before they can practice, and then pass their state board examination, if then they make mistakes, how much more careful should we be about licensing any particular cult, or whatever you may call it, and allow them to practice when they have not had the advantage of that much learning. We are not trying to knock them but we are trying to regulate them and protect them from their mistakes. This bill does not offer that security to the public which we would like to have them offer, and for that reason I would ask the members of this House to vote down this bill.

Mr. EDMONDS. Mr. Speaker, I move the previous question.

The motion was seconded by the following members: Messrs. Allman, Asbury, Aston, Baker, Bluett, Blumberg, Bromley, Burns, Bush, Colville, Conner, Coyne, Diehm, Dilsheimer, Dunn, Eaches, Earley, Evans, Burd, P., Fields, Flynn, Frazier, Gibbon, Golder, and others.

The SPEAKER. More than twenty members having joined in moving the previous question

On the question,

Shall the main question be put?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Mr. STEEDLE. Mr. Speaker, I ask for a verification of the roll.

The roll was verified as follows:

YEAS—82.

Alexander,
Anderson,
Arthur,
Asbury,
Aston;
Bell, F. A.,
Berger,
Betts,
Blair,
Bluett,
Bromley,
Brown,
Brownmiller,
Chaplin,
Colville,
Dietz,
Dilsheimer,
Dunn,
Eaches,
Edmonds,
Evans, B. P.,
Evans, J.,
Fowler, A. I.,
Fratt,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Golder,
Goss,
Greeby,
Grimes
Haas,
Haws,
Heffran,
Heyburn,
Hollis,
Hoover,
Horne,
Howell,
Jones, D. J.,
Jones, E. P.,
Kohler,
Lafferty,
Lauver,
Lucas,
Ludlow,
Mangan,
Marcus, J.,
McCann,
McCurdy,
Metcalf,
Millar,
Miller,
Minehart,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Perry,
Posey,
Post,
Sarig,
Sautter,
Schaeffer,
Schoener,
Schwartz,
Smith, H. J.,
Smith, H.,
Sowers,
Speiser,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Thomas, L. D.,
Walker,
Whitehouse,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—78

Armstrong,
Baldi,
Behney,
Bell, W. T.,
Bentley,
Bidelspacher,
Blumberg,
Boback,
Brenneman,
Brewster,
Burchinal,
Bush,
Clutton,
Coyne,
Craig,
Diehm,
Donahue
Driggs,
Eshelman,
Flinchbaugh,
Flynn,
Frazier,
Goehring,
Gundy,
Haines,
Hall,
Harer,
Harter,
Haslett,
Heffernan,
Henderson,
Hetrick,
Himes,
Holcombe,
Irvin,
Johnson,
Jones, C. B.,
Kelly,
Kennedy,
Kunkle,
Little,
Long,
Lynch,
Mack,
MacKinney,
Malie,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McCaig,
McClure,
McKim,
McVicar,
Moffatt,
Ogle,
Patterson,
Peelor,
Rhodes,
Richards,
Rinn,
Sample,
Schilling,
Shambach,
Smith, G. A.,
Spangler,
Stark,
Steedle,
Storer,
Thomas, M. G.,
Thompson,
Weamer,
Wells,
Wettach,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. MATHAY,

The House resumed the consideration on third reading of House Bill No. 850, entitled:

An Act to amend section three of an act approved the twenty-fifth day of July, one thousand nine hundred and thirteen (Pamphlet Laws one thousand twenty-four) entitled "An Act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to the hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry, and others, by prescribing penalties for violation thereof, by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof," as amended.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MATHAY. Mr. Speaker and members of the House, this bill is an amendment to section three of the act of 1913 commonly known as the woman's hour bill. The purpose of the amendment is to reduce the hours from fifty-four per week to forty-eight per week and from ten hours per day to eight hours per day, with the proviso, however, "that for the sole purpose of making a shorter work day on one day in the week any female may be employed by such establishment on each of the other five days of the week for a period of time not exceeding eight and three-quarter hours."

Mr. Speaker and members of the House, I recognize that labor is the foremost domestic problem confronting the American people today. One of the most important problems of that is the problem affecting the men and women in the question of hours. This question is very important for the reason that in the United States there are employed over twelve million women and in the State of Pennsylvania there are employed close to half a million women, and so you will see, Mr. Speaker and members of the House, that this bill is vitally important to the State. This legislation is not new, there are states having this legislation and it is working very well. The Supreme Court of the United States has passed upon this question, holding that the regulation of the hours of the women is subject to the police powers of the State. The United States Supreme Court has held in upholding the California Act along this same line that fixing the hours of labor at eight hours per day is a reasonable exercise of the police power. So, Mr. Speaker and members of the House, you will see that this question is not a new one. It is a question which has been interpreted by the highest court of the land and has been upheld as a valid exercise of the police power. Industry at the bottom is essentially a question of human power. The question of importance in industry is human power. There are two kinds of power in industry, machine power and human power. There is no regulation to the machine, but the only regulation we have is the regulating of human power and this State in the exercise of its police power has already recognized the fact that the health of its citizens must be protected, and especially is this true of the women. Women demand more protective law than men, women are differently constituted than men, and therefore, this State, the State of Pennsylvania, has already recognized the fact that there must be regulation for the hours of women in industry in Pennsylvania, and the act of 1913 was passed by this Legislature fixing the maximum hours at fifty-four hours per week, and ten hours per day.

We will hear argument no doubt to the effect that if we curtail the hours of labor in industry that it will affect production. That is a fallacy, Mr. Speaker and members of the House. Statistics have shown us that with a shorter working day production is in no way hampered; that industry is able to produce more with a shorter working hour day than with a long working hour day. The best test of that is the test in Massachusetts. Massachusetts has a forty-eight hour week, and the law in Massachusetts is working very well. Let me just read for the information of the members of the House a few of the stock dividends paid by the Massachusetts mills, because the question will be raised here that if we reduce the house of labor that industry will be hampered, and the result will be that industry will be driven from the State of Pennsylvania. These figures I am giving you from our Massachusetts mills are taken from the United States census. The Pacific Mills of Massachusetts in 1920 paid a stock dividend of one hundred per cent; the United States Bobbin and Schuttle Company paid a two hundred per cent. stock dividend; and the Durfee Mills, Fall River, paid two hundred per cent. Mr. Speaker, I am not going to read here a long list showing that the industries of Massachusetts where they have the same law have not been affected. We will hear also the argument on the other side of this bill, that probably the competition of the south will affect the mills in the north. I want to say right here, Mr. Speaker, that the south, although they have no limitation on the hours of labor, that the statistics I have gathered from government statistics show that in competition with the mills of the north, that the northern mills can take care of themselves. For instance, in 1920, the State of Massachusetts with a forty-eight hour law in one hundred and ninety-one mills produced goods to the value of $686,171,106 as compared with North and South Carolina where they have a sixty-hour week and four hundred and fifty-six mills the total production was $546,440,000. So Mr. Speaker and members of the House, it will become apparent that in Massachusetts with a forty-eight hour law for women they more than hold their own. Now, Mr. Speaker and members of the House, it is an old saying that a chain is no stronger than its weakest link; and so with the women in industry, the future of this country depends upon the women of the nation, and as strong as the women of the nation are, so strong will the nation itself be. So, I say, Mr. Speaker and members of the House, it is absolutely necessary that we pass legislation of this kind effecting women especially. I call your attention to the fact also that the men have labor organizations, they have organizations taking care of their hours of labor, but women have no such organizations, therefore, it is incumbent upon us as members of the Legislature to pass a bill along this line.

The greatest element in labor, hampering industry, is fatigue, and nothing is more harmful to the individual and the worker than fatigue. A human being can work just so long, and when they work so long their energy is exhausted and fatigue comes along and says, "If you work any longer, you are going to impair your health." It has a dangerous effect. On the other hand the machine in competition with human labor knows no fatigue. The machine starts and the machine stops, and when the machine is worn out they buy new machines. Not so with human labor, especially with women. When the woman's health gives out we cannot replace woman labor, she becomes a drug upon society, and the state must take care of her, and so that state in recognizing exercising its police power has recognized the fact that legislation of this kind must be assed to protect women in industry.

Mr. Speaker, and members of the House, I can frankly say that in many instances in Pennsylvania the hours adjusted by this bill are now being worked daily and work no hardship I think that we owe it to the women in industry to pass this bill and cut the house hours of labor down from fifty-four per week to forty-eight per week, and the maximum from ten hours per day, to eight hours per day. Therefore, members of the House, I ask your earnest support of this bill.

Miss GRIMES. Mr. Speaker, I feel obliged to oppose this bill because I feel it to be class legislation and unconstitutional, and I believe in the second place it is bad economics. First, I wish to say that I do not want to be understood as opposing anything that improves the condition under which people work. I mean that for all of us, because all of us should work. I know that the conditions under which people work make the difference between that which is drudgery and work which is joyous self-expression, so what I would like to do is to urge things that improve the condition of work, but I do not believe that this bill does. I believe in the first place it is unconstitutional. It provides a different number of hours for women than those provided for men. Since women are now equal with men, after having clamoured for years for equal rights, we should accept equal responsibilities with men, and work under the same condition as men work. I believe that these woman's organizations who are behind laws of this kind are hampering and limiting woman in her desire to meet men on an equal basis and to fight the battle of life equally with them. Women are no longer in the class of children and imbeciles. We are now under the law equal with men and we should take our chances equally with them. I believe this law to be bad economics because in many places where men and women work together in industries, the work of the men and women is complimental and supplemental, and if the hours for women are changed, it decreases the working day for men and increases the cost of production by limiting production. In many cases where women work by the day, they do not want this change in the law because they want to work as many hours as they can and earn as much money as they can. They do not want to be limited or restricted to eight hours a day because they want the money, and you know that where their hours are restricted their earning capacity is limited and the cost of living will increase not only to them but to the rest of us. Now take the big industries in Pennsylvania, particularly throughout the western part of the State. I know something about the condition that exists in the big industries, and a great many of them are doing work to improve conditions under the Welfare Department in the industries, doing everything to improve the conditions under which the women work, and a law like this upsets the organization in industries of the State. It is a fact that in our industrial life it is the spirit of co-operation between the employer and the employee that is working out a great many of the problems for women. They have their hospitals and their recreation classes and many other things that the women could not possibly get for themselves. I believe this eight-hour provision for women is a very bad thing in large industries and not in the interest of the women themselves. I therefore ask you to vote this bill down.

Mr. DAVID FOWLER. Mr. Speaker, I rise in favor of this bill, due to the fact that my grandmother was a coal miner, and that my mother also worked in a coal mine. I just want to go back to the year 1609. That is a long way back, but I want to say to you that under the English Law that the women of England, Scotland and Wales were playing in those years the part that mills and electricity are now playing in America. In the year 1609, women, men and children were compelled, under the laws of Scotland and England, to work in the coal pits. They dragged cars of coal like the mules now drag them in this country. Until 1775, the laws were then changed, whereby the women and children of Scotland, England and Wales were not given their freedom until they had served seven years for the corporations. They were then working sixteen and seventeen hours a day. Many of the men and women who fought the battles of that time swung from the gallows in the defense of the labor movement. Until the year 1842, when Lord Ashley passed a law in the Parliament of England, were the women and children freed from the mines of England. I have thought many a time when I have gone over the history of our states whether we are going to go back to the old days. I want to say to you that under the laws of our day there is no person in this Hall who can intelligently stand upon this floor and say that the eight hour work day has not been well received in this country. Leave me just say to you, the statistics are not mine, but they are federal government, if you please: The anthracite coal region of this state, prior to the war employed 168,000 men and boys. They produced in two hundred seventy-two days, 70,000,000 tons of coal, working nine and ten hours per day. During the war, and we heard much of that this morning, during the war 45,000 men and boys gave up their employment in the anthracite coal industry and went into the trenches of France and into munition factories of this country, and with 45,000 less men and boys, working on an eight hour basis, they produced in two hundred seventy-two days, 102,000,000 tons of coal. Did the eight hour day injure the production of coal? I want to say to you and to the men who are familar with anthracite industry that during the years when I was a boy they were mining seams of coal anywhere from six feet to a hundred feet in thickness. During the war they were employed in a vein twenty-seven inches to six feet of coal and produced over 20,000,000 more tons of coal working on a wage of a $1.00 per day. With 45,000 less employees, we can see this was a great year in our shops and in our industries. I was a member of this committee when the hearing was held in this very room, when there appeared upon the floor of this House a man that couldn't speak the English language, who absolutely admitted that he had only been in the country ten years, and was here representing the industry of this state, and he was telling us that we should work sixteen hours a day if we wanted to. My friends, if the men of this state are entitled to an eight hour day, then I say to you the women of this state are also entitled to an eight hour day. Why should they not be? The industries of this state, taking the silk industry, if you please, I know my wife was a silk waever, and she was employed in the silk industry and where she was running one loom seventeen years ago, that same girl is running six looms today. And why should they not have an eight hour day? I say to you that if the women of seventeen years ago was running one and two looms in a silk industry where a woman today is running five or six looms in the silk industry, she is certainly entitled to an eight hour day.

Fatigue, and we have heard a great deal of it; I stood in this Hall in 1917 when Governor Brumbaugh had called a conference of the great industrial agents of this state and Samuel Gompers was here on that occasion, and he so intelligently presented the argument before Governor Brumbaugh and before that efficiency conference that I am absolutely convinced that the eight hour day is absolutely necessary. The question was put forth in this House as to how many men and women were at work in this state after three o'clock in the afternoon, and the statisticians throughout the United States and throughout the world, my friends, proved that sixty percent of the people that were killed and injured in the state of Pennsylvania and in the United States and throughout the entire country were injured after three o'clock in the afternoon, proving absolutely that fatigue was the cause of the injury. My position was a coal miner. Many a day I have had the painful duty of carrying home a man who had been killed in the coal mines, and I had the painful duty of helping to feed widows and orphans and I can truthfully state that nine out of every ten cases that I helped to carry home from the coal mines were killed in the mines after three o'clock in the afternoon. It has been attributed, my friends, that it is due to laziness and blamed upon the worker. That is not true. It is fatigue, and I can truthfully say to you and I know from my experience in this House that men have sat around me and they couldn't sit eight hours in this House to save their souls and pass on third reading bills, because they were afraid of fatigue. It doesn't need to be manual labor, but there is fatigue of the mind as well as physical fatigue, and I say to you in defense of the women of this state, that I believe the women of Pennsylvania are as deserving of as much consideration as the women are receiving by the federal government. It has been said that we should follow the federal government in all things. The federal government has given the eight hour day to its employees, and if we are going to follow them in one thing, let us follow them in all things, and let us give to the working women of this great state an eight hour day.

Mr. MANGAN. Mr. Speaker, as I was chairman of the committee through which this bill passed, I desire to make an explanation to the members of this House. The bill was introduced on March 19th. Having in my entire career in this House, of five terms, voted in favor of every piece of labor legislation that was introduced in this House, I felt very kindly to the measure. On the afternoon of March 19th I presented the bill to this House for its consideration. Immediately upon presentation to this House, those opposed to the bill and other members of this House presented themselves for a hearing. I went to the sponsor of the bill and had it recommitted for a hearing. We had that hearing in our regular room, but the room would not hold us and we went to the caucus room, but the caucus room would not hold us. The Speaker of the House was away at the time and we took a chance on taking this House for a hearing. I might say we had the biggest hearing I have seen in the House this session. We listened to both sides of it, and as chairman of the committee I carefully listened to the opponents and proponents of the bill. I held the bill for one week. I went into a committee and we asked the committee to allow the people from the western end of the State to be granted a hearing, but due to the fact that the girls in the western end of the State did not have enough money, they could not appear at that hearing and oppose the bill. There is no industry west of the Allegheny mountains that does not oppose this bill. There is no department store in Allegheny County that does not oppose this bill. I am just as much for an eight-hour day as my friend from Lackawanna, Mr. Fowler, and I will vote for an eight-hour day if they will grant it for every woman in this State. Many of these women west of the Alleghenies are working fifty hours a week and they work five days a week and they have one day a week off so they are opposed to this bill on those grounds. There is another reason for opposing this bill. In these industries west of the Allegheny Mountains men are employed in these industries and these men can work fifty-four, fifty-six and sixty hours a week if they want to. If this bill passes women can only work forty-eight hours while the men will work sixty. If you call that equal rights, all right, but I don't. I feel that if this bill would apply to all women, those in domestic service and in hospitals and otherwise, I would be for it; but I am not for some individual corporations such as the silk mills and textile mills in the eastern end of the state having an eight-hour day and the women and the men as well in the western end of the State working sixty hours a week. I feel that this bill ought to be voted down.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Mr. MATHAY. Mr. Speaker, I ask for a verification of the roll.

The roll was verified as follows:

YEAS—86.

Albert,
Allman,
Arthur,
Asbury,
Aston,
Baldi,
Bell, F. A.,
Bell, W. T.,
Berger,
Bluett,
Blumberg,
Boback,
Chaplin,
Coyne,
de Young,
Dietz,
Driggs,
Drinkhouse,
Eaches,
Eshelman,
Evans, J.,
Fields,
Fowler, A. I.,
Fowler, D.,
Gallaher,
Gelder,
Glasgow,
Goehring,
Golder,
Goss,
Gundy,
Harter,
Haslett,
Heffernan,
Heffran,
Holcombe,
Hontz,
Hoover,
Jones, D. J.,
Jones, E. P.,
Kelly,
Little,
Lynch,
Mack,
MacKinney,
Marcus, J.,
Marcus, J. C.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDermott,
McKim,
Millar,
Moffatt,
Munley,
Myers, P. M.,
Nolte,
Patterson,
Pitts,
Post,
Richards,
Rinn,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Sheridan,
Smith, H. J.,
Sowers,
Speiser,
Staudenmeier,
Stavitski,
Steedle,
Stevens, A. J.,
Stevens, A. F.,
Thomas, L. D.,
Van Alen,
Walker,
Wells,
Williams, G. W.,
Williams, J. M.,
Wright,
Zook,

NAYS—77.

Alexander,
Anderson,
Armstrong,
Beaver,
Behney,
Bentley,
Bidelspacher,
Blair,
Brenneman,
Brewster,
Bromley,
Brown,
Burchinal,
Bush,
Coldsmith,
Colville,
Craig,
Diehm,
Donahue,
Edmonds,
Evans, B. P.,
Flinchbaugh,
Flynn,
Fratt,
Gibbon,
Greeby,
Grimes,
Haas,
Haines,
Harer,
Haws,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Howell,
Huber,
Irvin,
Kennedy,
Kunkle,
Labar,
Lauver,
Long,
Lucas,
Ludlow,
Malie,
Mangan,
Marshall, W. F.,
Metcalf,
Miller,
Minehart,
Myers, P. M.,
Ogle.
Orr,
Parkinson,
Peelor,
Posey,
Price,
Rhodes,
Rippman,
Sample,
Shambach,
Smith, G. A.,
Sprowls,
Stark,
Sterling,
Storb,
Thomas, M. G.,
Thompson,
Vickerman,
Weamer,
Wettach,
Wheeler,
Wood, N.,
Goodnough,
Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REASONS FOR VOTE.

Mr. LUDLOW. Mr. Speaker, the provisions of this bill are not sufficiently elastic. They forbid five days' employment at ten hours each day during any week, an arrangement which permits a whole day's rest on Saturday. This practice already prevails in many industries throughout our State——in some during the entire year and in others during the summer months only. The bill, if passed, would prevent this.

Again, the bill recognizes no distinction between unhealthy and confining kinds of occupation and those in which the conditions surrounding the work done under existing law are deemed by the women themselves to be most desirable.

The conditions affecting adult women in industry and those affecting child labor differ very materially. As to the latter, I have voted consistently to protect the child in industry, regarding the health and well being of the child of today as a fundamental prerequisite to that of the grown-up of tomorrow.

However, economic reasons and reasons affecting the political status of adult women in industry have not been sufficiently studied in the preparation of House Bill No. 850

For these reasons, I vote "no".

REASONS FOR VOTE.

Mr. SHAMBACH. Mr. Speaker, I desire to file the following reason for voting "no" on House Bill 850. Personally I favor a 48-hour week but I find that a large number of women employed in my district desire to work 9 hours per diem in order that they may have a short Saturday.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. ALLEN J. STEVENS.

The House resumed the consideration on third reading of House Bill No. 751,(Senate Bill No. 40), entitled:

An Act fixing the salary of the prothonotary in counties of the eighth class and providing for the payment of all fees and commissions into the county treasury

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. ALLEN J. STEVENS. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties and Townships for the purpose of amendment.

Mr. DONAHUE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. STEEDLE.

The House resumed the consideration on third reading of House Bill No. 1434, (Senate Bill No. 685), entitled:

An Act to amend sections one, two, three, five and seven, as amended of the act approved May 1, 1909 (P. L. 321) entitled "An Act to provide for State registration of nurses, to establish a State Board of Examiners in connection therewith, and to provide penalties for the violation of certain provisions regarding such registration;" by providing for a change in membership of the Board, for a change in salary of the secretary, treasurer, educational director and of the members of the Board

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—134.

Alexander,
Anderson,
Armstrong,
Asbury,
Aston,
Baldi,
Bentley,
Berger,
Betts,
Blumberg,
Brenneman,
Brewster,
Bromley,
Brown,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
Diehm,
Dilsheimer,
Driggs,
Eaches,
Earley,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier
Gelder,
Gibbon,
Gilchrist,
Gorham,
Goss,
Greeby,
Grimes,
Guerin,
Gundy,
Haas,
Hall,
Harer,
Harter,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kennedy,
Kohler,
Lafferty,
Lauver,
Little,
Lucas,
Ludlow,
MacKinney,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McBride,
McCaig,
McCurdy,
McDaniel,
McGowan,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Spangler,
Sprowls,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. F.,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wheeler,
Whitehouse,
Williams, G. W.,
Wood, N.,
Wood, W. P.,
Wright,

NAYS—2.

Arthur,
Sowers,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

RESOLUTION No. 15.

Mr. VAN ALEN asked and obtained unaminous consent to call up resolution No. 15, file folio 6143.

The resolution was read as follows:

Whereas There is now at the Homeopathic State Hospital for the Insane at Allentown certain electrical equipment no longer of use at such institution by reason of a change from an alternating to a direct current system and

Whereas The Department of the Adjutant General can make use of said electrical equipment at the State Military Reservation at Mt. Gretna therefore be it

Resolved (if the Senate concur) That the board of trustees of the Homeopathic State Hospital of Allentown is authorized to transfer to the Adjutant General of the Commonwealth for use at the State Reservation at Mount Gretna one one hundred K. V. A. Motor Generator Set the switch board equipment for the same and the transformers and motors for the above equipment

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. METCALF.

The House resumed the consideration on final passage of House Bill No. 825, entitled:

An Act for the protection of owners of electric storage batteries upon which the word "rental" or any other word mark or character is printed painted stamped or attached to identify the same and providing penalties

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. METCALF. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. ALEXANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recuring,

Will the House agree to the bill on third reading?

Mr. METCALF. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend Sec. 3, page 2, line 16, by inserting after the word "recharge" the words "except in cases of emergency"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. LYNCH.

The House resumed the consideration on final passage of House Bill No. 1004, entitled:

An Act to amend the act approved the fourth day of April one thousand eight hundred and seventy-two (Pamphlet Laws forty) entitled "An Act supplemental to an act entitled 'A Supplement to acts relating to incorporations by the courts of common pleas' approved on the ninth day of April Anno Domini one thousand eight hundred and fifty-six" providing for the publication of notice and the mailing of notices to stockholders in case of dissolution proceedings

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168.

Alexander,
Armstrong,
Aston,
Baker,
Baldi.
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Guerin,
Gundy,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Himes,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Schaeffer,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wettach,
Wheeler,
Whitehouse,
Williams, G. W.
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. GOEHRING

The House resumed the consideration on third reading of House Bill No. 1113, entitled:

An act to further amend section ten of an act approved the twelfth day of July, Anno Domini, one thousand nine hundred and thirteen (Pamphlet Laws, seven hundred and nineteen) entitled, "An Act Regulating certain political parties, providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—145.

Albert,
Alexander,
Anderson,
Armstrong,
Asbury,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Bluett,
Blumberg,
Boback,
Brenneman,
Bromley,
Brown,
Burchinal,
Burns,
Chaplin,
Clutton,
Coldsmith,
Conner,
Coyne,
Craig,
de Young,
Dietz,
Dilsheimer,
Donahue.
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields.
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haines,
Hall,
Harer,
Haslett,
Heffernan,
Heffran,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Lucas,
Ludlow,
Lynch,
Mack.
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McCann,
McClure,
McGowan,
Millar,
Minehart,
Moore,
Morrison,
Nolte,
O'Boyle,
Orr,
Parkinson,
Perry.
Pitts,
Post,
Price,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sautter,
Schaeffer,
Schilling,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Spangler,
Speiser,
Sprowls,
Staudenmeier,
Steedle,
Sterling,
Stofflet,
Stoner,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Weamer.
Wells,
Wheeler,
Whitehouse,
Williams, G. W.,

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. GOEHRING

The House resumed the consideration on third reading of House Bill No. 1115, entitled:

An Act amending section one hundred and twenty-seven of an act, approved the second day of July, Anno Domini one thousand eight hundred and thirty-nine, (Pamphlet

Laws, five hundred and nineteen), entitled "An act relating to the Elections of this Commonwealth."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—146.

Alexander,
Allman,
Anderson,
Armstrong,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brewster,
Bromley,
Brown,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Conner,
Coyne,
Craig,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Gibbon,
Gilchrist,
Golder,
Gorham,
Greeby,
Griffith,
Guerin,
Gundy,
Haines,
Hall,
Harer,
Harter,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
MacKinney,
Malle,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
McKim,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
O'Boyle,
Patterson,
Perry,
Price,
Richards,
Rinn,
Sample,
Schaeffer,
Schwartz,
Shambach,
Sheridan,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sprowls,
Stavitski,
Steedle,
Storb,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. WHITEHOUSE,

The House resumed the consideration on third reading of House Bill No. 135, entitled:

An Act regulating the hours of labor of policemen in cities of the third class

On the question,

Will the House agree to the bill on third reading?

Mr. CRAIG. Mr. Speaker and members of the House, I have very little interest in this bill for the reason that in the city of Chester, which I have the honor to represent, our police work but 8 hours a day, and I see no reason why this body should pass a law which will affect some forty odd cities of the third class. I believe that the various city councils are thoroughly competent and able to pass such laws as might be required in the different cities. This bill is entirely opposed to our home rule principle, and I sincerely trust that you will vote this bill down.

Mr. WHITEHOUSE. Mr. Speaker and members of the House we are not asking any 44 or 48 hour law, we are asking for a 56 hour law, 8 days in the week, and we are asking for greater efficiency in the police force that will work for greater efficiency for the people. I ask you to vote for this bill.

Mr. SPANGLER. Mr. Speaker and members of the House, I do not like to oppose legislation of our dear friend from Schuylkill, but it seems to me that the cities of the third class should be permitted in matters of this kind to regulate the hours of their own police forces. Now we all know that if this bill should pass it would very greatly add to the expense of the cities of the third class because it would require at least three shifts of policemen. There are many times when the safety of a city demands that the policeman work more than 8 hours. For example when there is a large affair it is absolutely necessary to have the policeman on duty more than 8 hours. There are many occasions during the year when it is necessary to have policemen in service more than 8 hours a day, and if you pass this bill you limit the police power of third class cities. For that reason it seems to me to be very unwise for this legislature to impose this burden on cities of the third class, particularly since cities of the third class should have the right to regulate the number of hours that policemen work, themselves.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—78.

Armstrong,
Aston,
Baldi,
Bell, W. T.,
Berger,
Boback,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Conner,
Dilsheimer,
Donahue,
Drinkhouse,
Eaches,
Fields,
Fowler, A. I.,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Goehring,
Golder,
Gorham,
Goss,
Grimes,
Gundy,
Haas,
Hall,
Haws,
Heffernan,
Henderson,
Hetrick,
Himes,
Holcombe,
Hontz,
Howell,
Huber,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Labar,
Little,
Lynch,
Mack,
Mangan,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCann,
McCaig,
McClure,
McDermott,
Miller,
Moffatt,
Munley,
Patterson,
Pitts,
Posey,
Price,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Sheridan,
Smith, H.,
Sowers,
Sprowls,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. F.,
Stoner,
Storb,
Thomas, L. D.,
Van Alen,
Wells,
Wheeler,
Whitehouse,
Williams, J. M.,
Zook,

NAYS—55.

Alexander,
Allman,
Anderson,
Arthur,
Beaver,
Bell, F. A.,
Bidelspacher,
Blair,
Bluett,
Brenneman,
Brewster,
Brown,
Clutton,
Colville,
Craig,
Diehm,
Edmonds,
Evans, B. P.,
Evans, J.,
Flynn,
Fratt,
Greeby,
Griffith,
Harer,
Harter,
Heyburn,
Hollis,
Irvin,
Kunkle,
Lauver,
Lucas,
Ludlow,
MacKinney,
Marshall, J. G.,
Metcalf,
Moore,
Morrison,
Myers, P. M.,
Nolte,
Ogle,
Orr,
Parkinson,
Peelor,
Perry,
Post,
Raymond,
Shambach,
Smith, G. A.,
Spangler,
Thomas, M. G.,
Walker,
Weamer,
Williams, G. W.,
Wood, N.,
Goodnough,
Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. MORRISON, The House resumed the consideration on third reading of House Bill No. 1429, (Senate Bill No. 746), entitled:

An Act relative to the disposition of fines and forfeitures in counties of this Commonwealth of the fourth class and authorizing the expenditure of a portion of all of said fines for the support and maintenance of a law library in said counties

On the question,

Will the House agree to the bill on third reading?

Mr. MORRISON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, page 1, line 5, by inserting after the word "existing" the words "or future"

Amend section 1, page 1, line 7, by inserting after the word "forfeiture" the following: "in such proportion as said court may direct"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

TIME EXTENDED ON BILL.

Mr. GIBBON. Mr. Speaker, I move that the time on House Bill No. 1392 (Senate Bill No. 600), file folio 1049, entitled:

An Act to amend section one of the act approved the eighth day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred and fifteen) entitled "An Act to fix the salaries of the deputies in the offices of the clerk of the courts county controller recorder of deeds county treasurer chief deputy sheriff and chief clerk to the county commissioners in counties of this Commonwealth having over two hundred and fifty thousand population and less than four hundred thousand population by changing the manner of fixing salaries and prescribing the minimum thereof and making the act apply to counties of the third class

on page 16 of today's calendar, bills on final passage postponed be extended five days.

Mr. SOWERS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. CHAPLIN,

The House resumed the consideration on third reading of House Bill No. 1454, (Senate Bill No. 775), entitled:

An Act requiring supervisors and commissioners of townships to apply for county aid in the construction and maintenance of roads upon application therefor by property owners

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—148.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Bluett,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Coyne,
Craig,
Diehm,
Dietz,
Dilsheimer.
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. L.,
Fratt,
Frazier,
Gibbon,
Gilchrist,
Golder,
Goss,
Greeby,
Griffith,
Gundy,
Haas,
Haines,
Hall,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDermott,
McKim,
McVicar,
Metcalf,
Miller,
Minehart,
Moore,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Post,
Price,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Schaeffer,
Schilling,
Schwartz,
Shambach,
Smith, G. A.
Smith, H. J.,
Smith, H.
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Steedle,
Sterling,
Stevens, A.
Storb,
Thomas, L. D
Thomas, M.
Vickerman,
Walker,
Wells,
Wettach,
Whitehouse,
Williams, G.
Williams, J. M
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted i the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senat with the information that the House has passed the sam without amendments.

Agreeably to order,

The bill having been called up from the postponed calenda by Mr. GOEHRING.

The House resumed the consideration on third reading o House Bill No. 1117, entitled:

An Act to further amend section seventy-four of an act approved the second day of July, Anno Domini, one thousand eight hundred and thirty-nine (Pamphlet Laws, five hundred and nineteen)" entitled "An Act relating to the elections of this Commonwealth"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—144.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bentley,
Betts,
Bidelspacher,
Bluett,
Blumberg,
Brewster,
Fowler, A. L.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haines,
Hall,
Harer,
Harter,
Labar,
Lafferty,
Little,
Long,
Lucas,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Mathay,
McBride,
McCann,
Price,
Raymond,
Richards,
Rinn,
Sarig,
Sautter,
Schilling,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Soffel,
Sowers,
Spangler,
Sprowls,

Bromley,
Brownmiller,
Burchinal,
Bush,
Clutten,
Coldsmith,
Conner,
Coyne,
Craig,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Haslett,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Johnson,
Jones, C. B.,
Jones, D. J.,
Keene,
Kennedy,
Kohler,
Kunkle,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
Metcalf,
Millar,
Miller,
Minehart,
Moore,
Morrison,
Munley,
Myers, G. C.,
Nolte,
O'Boyle,
Orr,
Parkinson,
Patterson,
Posey,
Post,
Stark,
Staudenmeier,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stoner,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Wells,
Wettach,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Wright,

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

TIME EXTENDED ON BILLS.

Mr. MOFFATT. Mr. Speaker, I move that an extension of five days time be granted on House Bill No. 819, file folio 6069, entitled:

> An Act to amend section six of the act approved the third day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred thirty-eight) entitled "An Act relating to the appointment of persons to the fire departments in cities of the third class constituting a civil service board in relation thereto providing for and regulating examinatoins the manner of appointments and the manner and power of removal of employes of said department and providing for fixing compensation of a secretary"

on page 13 of today's calendar, bills on third reading postponed.

Mr. WALKER. Mr. Speaker, I second the motion.

The motion was agreed to.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. STORER.

The House resumed the consideration on third reading of House Bill No. 1164, entitled:

> An Act amending an act entitled "An act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth" approved the tenth day of April Anno Domini one thousand eight hundred and sixty-seven Pamphlet Laws page sixty-two

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JOSEPH C. MARCUS. Mr. Speaker, I would ask the sponsor to explain this bill.

Mr. STORER. Mr. Speaker, this bill applies to counties of the second class and was drawn at the request of the judges of Allegheny County. The only change in the bill is that when the names of the jurors submitted, the names of the persons who are to serve as jurors are submitted to the jury commissioners, they send out a card with a return card upon which the person drawn as a juror will state his preference as to what season of the year he desires to serve. The year will be divided into three seasons. Those who fail to make this return, their names will be placed in the wheels at the judgment of the commissioners. The purpose of the bill is to give those who are called for service an opportunity to state their preference as to which season of the year will suit them best. Conditions now are such that at least fifty to seventy-five per cent of the persons called to serve as jurors have to be relieved. The names will be placed in three different wheels. The persons requesting to serve the first part of the year will be placed in wheel No. 1, those who desire to serve in the second part of the year in wheel No. 2, and those who desire to serve the latter part of the year will be placed in wheel No. 3.

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny, Mr. Storer, permit himself to be interrogated?

Mr. STORER. I will.

Mr. ALEXANDER. Mr. Speaker, I would like to ask the gentleman if the caption or the title of the act does not refer to all counties in the Commonweath.

Mr. STORER. It does not, it refers to counties of the second class.

Mr. ALEXANDER. The title says that it is to amend an act entitled "An act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth."

Mr. STORER. Mr. Speaker, this bill was drawn by a man who was not familiar with the new rules, and he quoted the old act.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—142.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Conner,
Coyne,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Fowler, A. I.,
Gelder,
Gibbon,
Gorham,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harter,
Haslett,
Heffernan,
Heffran,
Henderson,
Heyburn,
Holcombe,
Hontz,
Hoover,
Horne,
Howell,
Irvin,
Johnson,
Jones, D. J.,
Kennedy,
Labar,
Lafferty,
Little,
Lucas,
Ludlow,
MacKinney,
Malie,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
McBride,
McCann,
McCurdy,
McDaniel,
McGowan,
McKim,
Metcalf,
Millar,
Minehart,
Moffatt,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
O'Boyle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz.
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Walker,
Weamer,
Wells,
Whitehouse,
Whiteman,
Williams, J. M.
Wood, N.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

ANNOUNCEMENT BY SPEAKER.

The SPEAKER. The Chair desires to remind the members at this time that bills on the postponed calendar not called up tonight cannot be called up until one week from today.

RESOLUTION RECALLING HOUSE BILL NO. 957. FROM THE GOVERNOR

Mr. KUNKLE offered the following resolution which was twice read considered and agreed

In the House of Representatives, May 8, 1923.

Resolved, (if the Senate concur), That House Bill No. 957, Printer's No. 558, File Folio 3963, entitled "An act to provide for the laying out, altering and vacating roads lying partly in one county and partly in an adjoining county, forming or intended to form a continuous highway from one county to another, and providing for the location, construction of a joint county bridge on said road," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION RECALLING HOUSE BILL NO. 1312 FROM THE GOVERNOR

Mr. GEORGE W. WILLIAMS offered the following resolution which was twice read considered and agreed

In the House of Representatives, May 8, 1923.

Resolved (if the Senate concur), That House Bill No. 1312, File Folio 4715, entitled "An act to amend sections one, two, three and four of an act, approved the eighteenth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, four hundred ninety-eight), entitled 'An act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools,'" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

ADJOURNMENT.

Mr. McKIM. Mr. Speaker, I move that this House do now adjourn until 11:00 o'clock tomorrow morning.

The motion was agreed to and (at 11:37 o'clock P. M.) the House adjourned until tomorrow morning at 11:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

Session 1923 125th of the General Assembly

Vol. 7. HARRISBURG, PA., WEDNESDAY, MAY 9, 1923. No. 54.

SENATE

WEDNESDAY, MAY 9, 1923.

The Senate met at 11 o'clock A. M.

The PRESIDENT (Lieutenant-Governor David J. Davis) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Our Heavenly Father: We thank Thee for another day of life, and do Thou help us to spend it well. Everything we possess is from Thee. We may not all have the same number of talents. To some Thou givest five, to some two, and still others may have only one. But help us to take what Thou hast given and use it to the best of our ability, remembering that those who are faithful over a few things, Thou wilt make ruler over many things. May we redeem the time; may we do with our might what our hands find to do; and in all the business of life, may we seek to be workmen that need not to be ashamed.

We ask it in the Redeemer's name. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE.

The CHAIR asked and obtained leave of absence for the Senator from Berks, Mr. Norton.

COMMUNICATION RELATIVE TO PROPER ENGINEERS REGISTRATION LAW.

The Chair laid before the Senate the following communication:

MH NORFOLK VA 1155A MAY 9 1923

The President of Senate, Harrisburg, Pa.

Whereas the health and safety of the Public require the safeguard which result from a proper engineers registration law and whereas the Legislature of Pennsylvania has before it a bill for repealing its Engineer registration act which has not had a proper trial to determine its value to the public Therefore be it resolved that the American Association of Engineers in convention assembled urges with the strongest emphasis that the state maintain its forward stand and retain this law on its statute books.

AMN ASSN OF ENGINEERS A N JOHNSON PREST

REPORTS FROM COMMITTEES.

Mr. JONES from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 1163, entitled:

An Act to further amend section thirteen of an act approved May 31, A. D. 1911 (P. L. 468) entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief Engineer, Chief Draughtsman, Superintendent of highway, and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities and towns, and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways, solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same, requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property or otherwise in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads, and prescribing the contents of township county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns, with Commonwealth governing same; providing for the minimum width of State Highways, and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act, and providing for the repeal of certain acts relating to Highway Department, and improvement of roads and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act" as amended, by providing for the deposit of bankable securities by the contractor in lieu of the surety required on said contractor's bond.

Mr. MacDADE from the Committee on Judiciary General, reported as committed, Senate Bill No. 869, entitled:

An Act to amend section fourteen of an act approved June 20th, 1919, (P. L. 505) entitled "An Act relating to and regulating the solicitation of moneys and property for charitable and patriotic purposes."

Mr. STINEMAN from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 1096 (House Bill No. 671), entitled:

An act to amend sections one and three of the act approved July 10th, 1919, (P. L. 893) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appoinment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties"

Mr. WOODWARD from the Committee on Judiciary General, reported as committed, Senate Bill No. 665, (House Bill No. 623), entitled:

An act to amend section five of an act approved May 19, 1874 (P. L. 206) entitled "An act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof" as amended by changing the provision for appointment of first assistant clerks so as to conform to the constitution and giving to the Court and Register of Wills joint power to modify the salaries fixed for any assistant clerk.

Mr. DAIX from the Committee on Judiciary Special, reported as committed, Senate Bill No. 909, (House Bill No. 18), entitled:

An Act to provide for the welfare of all persons confined (whether such persons be tried or untried prisoners) in any Penitentiary or County Prison in this Commonwealth.

Also from the Committee on Judiciary Special, reported as committed, Senate Bill No. 693, (House Bill No. 382), entitled:

An Act relating to the leasing of real property making it unlawful to dispossess tenants or recover leased property except after thirty days' notice prohibiting the execution of leases containing waivers of the provisions of this act and voiding certain leases.

Mr. VARE from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1165, entitled:

An Act to amend section four of an act approved March 17, 1921 (P. L. 32) entitled "An Act authorizing the erection and construction by counties of memorial halls in memory of the soldiers, sailors and marines of such counties; providing for an election to determine whether such hall shall be erected; providing for the purchase and condemnation of property for such purposes; regulating the use of such halls; and providing for the maintenance and care of the same, by a board of control, at the expense of the county."

Also from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1166 entitled:

An Act fixing the salary of county commissioners in counties of the first class.

Also from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1167 entitled:

An Act to amend an act approved April 19, 1895 (P. L. 38) entitled "An Act to regulate the erection of county buildings" by providing for the approval of plans of county buildings and the letting of contracts for the construction thereof by the body levying the taxes for general county purposes in certain counties.

Mr. LONG from the Committee on Judiciary General, reported as committed, Senate Bill No. 1100, entitled:

A Supplement to the Public Service Commission Law approved the twenty-sixth day of July Anno Domini one thousand nine hundred and thirteen requiring street railway corporations whose facilities cross or are adjacent to the facilities of street railway lines owned leased or operated by municipal corporations under circumstances to establish fer points and switch or other connections at points of ing or adjacent and through routes and service and joint for the conveyance of passengers over two or more connected at transfer points giving the Public Service mission jurisdiction in the premises and prescribin conditions upon which the Commission shall have ju tion to regulate the joint facilities services or rates street railway corporation and a street railway line leased or operated by a municipal corporation

Mr. KUTZ from the Committee on New Counties County Seats, reported as committed, Senate Bill No. (House Bill No. 1337) entitled:

An Act providing a method for deciding a tie vo borough councils.

Mr. STITES from the Committee on Judiciary Gen reported as committed, Senate Bill No. 543 (House No. 610) entitled:

An Act to amend section seventy-four of the act appr the thirty-first day of March, one thousand eight hundred sixty (P. L. 382) entitled "An Act to consolidate, r and amend the penal laws of this Commonwealth."

BILLS INTRODUCED.

Mr. DAVIS, read in his place and presented to the C Senate Bill No. 1164, entitled:

An act to further amend section one thousand two h dred and ten, paragraph twenty-three of an act, appr the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "An act to establish a pu school system in the Commonwealth of Pennsylvania, gether with the provisions by which it shall be administe and prescribing penalties for the violation thereof; pro ing revenue to establish and maintain the same, and method of collecting such revenue; and repealing all la general, special or local, or any parts thereof, that are may be inconsistent therewith," as amended.

Which was committed to the Committee on Education.

Mr. WOODWARD, read in his place and presented to Chair Senate Bill No. 1165, entitled:

An act to amend section four of an act approved seventeenth day of March, one thousand nine hundred a twenty-one, (P. L. 32), entitled "An act authorizing the er tion and construction by counties of memorial halls in me ory of the soldiers, sailors and marines of such counti providing for an election to determine whether such hall sh be erected; providing for the purchase and condemnation property for such purposes; regulating the use of such hal and providing for the maintenance and care of the same, a board of control, at the expense of the county."

Which was committed to the Committee on Municipal A fairs.

Also read in his place and presented to the Chair Sena Bill No. 1166, entitled:

An act fixing the salary of county commissioners in cou ties of the first class.

Which was committed to the Committee on Municipal A fairs.

Also read in his place and presented to the Chair Senat Bill No. 1167, entitled:

An act to amend an act approved the nineteenth day o April, one thousand eight hundred and ninety-five (P. L. 38 entitled "An act to regulate the erection of county buildings by providing for the approval of plans of county building and the letting of contracts for the construction thereof b the body levying the taxes for general county purposes i certain counties.

Which was committed to the Committee on Municipal Af fairs.

Mr. LESLIE (By request of Mr. Einstein) read in his place and presented to the Chair Senate Bill No. 1168, entitled:

An act making an appropriation to the Presbyterian Hospital, at Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. STITES, read in his place and presented to the Chair Senate Bill No. 1169, entitled:

An act providing for the establishing and maintenance of uniform building lines in boroughs and townships of the first class.

Which was committed to the Committee on New Counties and County Seats.

Also read in his place and presented to the Chair Senate Bill No. 1170, entitled:

An act authorizing cities to make emergency repairs to dangerous sidewalks and providing for the cost of collection thereof from the abutting property owners.

Which was committed to the Committee on Municipal Affairs.

Mr. DAIX, read in his place and presented to the Chair Senate Bill No. 1171, entitled:

An act to amend section eight of Article seventeen of the act approved the twenty-fifth day of June, one thousand nine hundred and nineteen, (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth," as amended.

Which was committed to the Committee on Judiciary Special.

Mr. BALDWIN, read in his place and presented to the Chair Senate Bill No. 1172, entitled:

An act validating certain elections of school districts of the third class held pursuant to the provisions of an act approved the twentieth day of April, one thousand eight hundred and seventy-four, (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof;" and the amendments thereto; and validating bonds issued or authorized to be issued in pursuance of such elections.

Which was committed to the Committee on Judiciary General.

Mr. STEELE (By request of Mr. McClintock) read in his place and presented to the Chair Senate Bill No. 1173, entitled:

An act making an appropriation to the Saint Joseph's Protectory for Homeless Boys, Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SONES, read in his place and presented to the Chair Senate Bill No. 1174, entitled:

An act reappropriating the unexpended balance of the item of twenty thousand dollars appropriated by act dated May twenty-seven, one thousand nine hundred twenty-one to the State Industrial Home for Women at Muncy for the purchase of Industrial machinery for making rugs, carpets, et cetera to said State Industrial Home for women at Muncy and providing for doing washing and laundry work and appropriating the earnings from such work to the general maintenance fund of said State Industrial Home.

Which was committed to the Committee on Appropriations.

Mr. HUFFMAN, read in his place and presented to the Chair Senate Bill No. 1175, entitled:

An act making an appropriation to the trustees of the State Hospital for the Criminal Insane at Farview, Wayne County, and authorizing the board of trustees to perform certain work in connection therewith.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 1176, entitled:

An Act making an appropriation to the trustees of the State Hospital for the Criminal Insane, at Farview.

Which was committed to the Committee on Appropriations.

RESOLUTION RELATIVE TO JOINT SESSION FOR PURPOSE OF ELECTING DIRECTOR TO THE LEGISLATIVE REFERENCE BUREAU.

Mr. WOODWARD offered the following resolution, which was twice read, considered and agreed to.

In the Senate, May 1923.

Resolved, (if the House of Representatives concur), That a joint session of the House and Senate be held in the Hall of the House on May 15 1923, at 1 o'clock, for the purpose of electing a Director to the Legislative Reference Bureau, as provided by the act approved the seventh day of May, one thousand nine hundred and twenty-three, entitled: "An act creating a Legislative Reference Bureau, providing for the election of a Director by the General Assembly, designating the officers and employees of such Bureau, defining their duties, fixing their salaries, abolishing the present Legislative Reference Bureau, and making an appropriation."

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 439.

Mr. BARR offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 9, 1923.

Resolved (if the House of Representatives concur), That Senate Bill No. 439 entitled "An Act to amend sections one thousand one hundred five and one thousand one hundred thirty-four of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith,'" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS OVER IN ORDER.

Mr. MANSFIELD. Mr. President, I ask that Senate Bill No. 162, on final passage, entitled:

An Act to amend section one of the act approved June seventeenth one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and County purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SISSON. Mr. President, I ask that Senate Bill No. 782, on final passage entitled:

An Act to amend section nineteen of an act approved the second day of May, one thousand nine hundred and five (Pamphlet Laws, three hundred and fifty-two), entitled "An Act to regulate the employment, in all kinds of industrial estabishments, of women and children employed at wages or salary, by regulating the age at which minors can be employed and the mode of certifying the same, and by fixing the hours of labor for women and minors to provide for the safety of all employes in all industrial establishments and of men women and children in school-houses academies seminaries colleges hotels hospitals store-houses office buildings public halls and places of amusement in which proper fire-escapes exits and extinguishers are required to provide for the health of all employes and of men women and children in all such establishments storehouses and buildings by proper sanitary appliances and to provide for the appointment of inspectors office clerks and others who with the Chief Factory Inspector shall constitute the Department of Factory Inspection to enforce the same and providing penalties for violations of the provisions thereof fixing the term and salaries of the Chief Factory Inspector and his appointees" by providing for inspection of boilers by the Department of Labor and Industry for examination and certification of boiler inspectors and a fee therefor for issuance of certificates of operation and a fee therefor and for the use of the fees collected.

go over in its order.

The PRESIDENT. Is there objections? The Chair hears none.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 783, as follows:

An Act to amend section one of an act approved the thirtieth day of May one thousand eight hundred and ninety-five (Pamphlet Laws one hundred twenty-nine) entitled "An Act to provide for safety guards upon passenger elevators and providing a penalty for violation thereof"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the thirtieth day of May one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and twenty-nine) entitled "An Act to provide for safety guards upon passenger elevators and providing a penalty for violation thereof" is hereby amended to read as follows

Section 1 Be it enacted et cetera That all elevators that are now in use or that may hereafter be constructed in this State for the carriage of passengers are required to have placed thereon or attached thereto such automatic locking device electrical or mechanical as will hold immovable and secure the carriage used in such elevator while any gate or door is open or unsecured or shall hold immovable and secure the carriage while the gate or door of the landing at which the carriage stands is open or unsecured Provided That in elevators where said automatic locking device is electrical or electro-mechanical there shall be an approved emergency release switch installed in the car which when actuated will permit the operation of the car independent of the locking device without affecting the locking of the doors Such emergency release shall be located under a glass cover so constructed that it must be broken in order to release the locking device and the breaking of the said glass shall cause the continuous ringing of an alarm bell or bells Said release shall be used only in cases of emergency or in making repairs A warning sign to this effect which shall also contain directions for the use and readjustment of the release must be posted by the side of the emergency release

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MILLER. Mr. President, I ask that Senate Bill No. 242, on third reading, entitled:

An Act to amend sections one eleven twelve and fourteen of and to add section eight (a) to an act entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violations of this act" approved March nineteenth one thousand nine hundred and nine (Pamphlet Laws forty-six) providing additional qualifications for a member of the State Board of Osteopathic Examiners providing for the examination and licensing of osteopathic physicians to practice surgery regulating the practice of the same and requiring additional qualifications therefor defining osteopathy and providng for the effect of reports and certificates made of osteopathic physicians and granting additional powers to the Board of Osteopathic Examiners to revoke licenses

go over in its order.

The PRESIDENT. Is there objections? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 109, entitled:

An Act making an appropriation to the commission constituted for the purpose of acquiring and maintaining toll-bridges over the Delaware River between Pennsylvania and New Jersey

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Derrick,
DeWitt,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,

Craig,
Daix,
Davis,
Joyce,
Krause,
Kutz,
Phipps,
Sisson,
Smith,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 278, entitled:

An Act authorizing the Governor to appoint a commission which with a similar commission of the State of New Jersey is authorized to acquire purchase maintain and operate ice boats on the Delaware River to keep said river open to navigation

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 320, entitled:

An Act authorizing the Secretary of Agriculture separately or jointly with the county commissioners to provide for the installation of rural index maps and signs

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 394, entitled:

An Act to amend section fifteen as amended and section seventeen of chapter six of article seven of the act approved May fourteenth one thousand nine hundred fifteen (Pamphlet Laws three hundred twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating thereto"

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 419, (House Bill No. 406), as follows:

An Act authorizing corporations incorporated under the laws of any other state of the United States to acquire use encumber and dispose of such real estate and rights and interests in the nature of or in respect to real estate in Pennsylvania as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful for them to exercise in this State defining certain of their powers rights and liabilities in connection therewith regulating the exercise of said rights by foreign public service corporations repealing certain acts and validating certain titles rights and interests heretofore acquired

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any corporation incorporated under the laws of any other state of the United States of America may take by conveyance devise lease or otherwise such real estate and rights and interests in the nature of or in respect to real estate in Pennsylvania as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful under the Constitution and laws of Pennsylvania to exercise in this State and may hold use enjoy improve develop mortgage lease and convey the same or any portion thereof Provided however That no foreign corporation which is a public service company under the Pennsylvania law shall exercise any rights under this act until it shall first have obtained the approval of the Public Service Commission of the Commonwealth of Pennsylvania evidenced by its certificate of public convenience

Section 2 Nothing herein contained shall be deemed to prevent or relieve real estate so taken by any such foreign corporation under the provisions of this act from being taxed in like manner as other real estate within this State is taxed

Section 3 The exercise by any such foreign corporation of the rights granted by this act shall constitute doing business in this State and shall render such corporation subject to the provisions of the Constitution and the laws of this State regulating the same

Section 4 The act of Assembly approved the eleventh day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred and forty-one) entitled "An act authorizing corporations incorporated under the laws of any other state of the United States to acquire erect and maintain buildings and manufacturing establishments and to take hold mortgage lease and convey real estate necessary and proper for such corporate purposes" and all other acts or parts of acts inconsistent with this act are hereby repealed provided however that the title to any real estate and to rights or interests in in the nature of or in respect to real estate in Pennsylvania heretofore taken held mortgaged leased or conveyed under and by virtue of the provisions of said act is hereby validated so far as the same depends for its validity upon said act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Sshall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 522, (House Bill No. 289), entitled:

An Act to amend part of section forty-one of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred forty-seven) entitled "An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries, the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buiudings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estate of decedents"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 526, (House Bill No. 383), entitled:

An Act to repeal the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand two hundred and seventy-three) entitled "An Act to authorize the compilation and publication of not less than two nor more than four volumes of Statutes at Large of Pennsylvania in addition to the sixteen volumes heretofore authorized additional volumes being necessary to connect the Statutes at Large and the Pamphlet Laws of Pennsylvania in a serial complete publication of the Laws of the Province and Commonwealth and to provide for the appointment of a Commission to control and supervise the preparation of said volumes and of a competent person to compile and edit them and making an appropriation therefor"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 538, (House Bill No. 571), entitled:

An Act to amend section three hundred and twenty-five of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto" changing the compensation of township auditors

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 559, entitled:

An act making an appropriation to the commission constituted for the purpose of acquiring and maintaining toll-bridges over the Delaware River between Pennsylvania and New York

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 715, (House Bill No. 693), entitled:

An Act providing for the quarantine and control of the Japanese Beetle imposing certain powers and duties on the Department of Agriculture and providing penalties

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 765, entitled:

A Joint Resolution providing for the continuation of the commission appointed in accordance with the provisions of a joint resolution approved the twenty-fifth day of July one thousand nine hundred seventeen (Pamphlet Laws eleven hundred eighty-tight) entitled "A joint resolution providing for a commission to submit a revised penal code of Pennsylvania and making an appropriation for the expenses of the commission" providing for additional members and making an appropriation

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 777, entitled:

An Act authorizing the commissioners of Valley Forge Park to convey certain lands to an Historical Society incorporated to secure preserve and publish documents relating to the history of Valley Forge and the heroes of the United States in creating and perpetuating the republic and making an appropriation of the moneys received therefor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. SISSON. Mr. President, I ask that Senate Bill No. 784, on third reading, entitled:

An Act to amend section twelve of an act approved May 2, 1905, (P. L. 352) entitled "An act to regulate the employment, in all kinds of industrial establishments, of women and children employed at wages cr salary, by regulating the age at which minors can be employed and the mode of certifying the same, and by fixing the hours of labor for women and minors; to provide for the safety of all employes in all industrial establishments, and of men, women and children in school-houses, academies, seminaries, colleges, hotels, hospitals, storehouses, office buildings, public halls and places of amusements, in which proper fire-escapes, exits and extinguishers are required, to provide for the health of all employes, and of men, women and children in all such establishments, storehouses and buildings, by proper sanitary appliances; and to provide for the appointment of inspectors, office clerks and others, who with the Chief Factory Inspector, shall constitute the Department of Factory Inspection; to enforce the same, and providing penalties for violations of the provisions thereof; fixing the term and salaries of the Chief Factory Inspector and his appointees" by providing for inspection of elevators by the Department of Labor and Industry, for examination and certification of elevator inspectors for an examination fee for issuance of certificates of operation and a fee therefor, and for the use of the fees collected.

go over in its order.

The PRESIDENT. Is there objection? the Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 823, (House Bill No. 712), entitled:

An Act to amend section six of an act approved the twenty-sixth day of June, one thousand eight hundred and ninety-five, (P. L. 327), entitled "An Act to provide for the incorporation of institutions of learning with power to confer degrees in art, pure and applied science, philosophy, literature, medicine, law, and theology, and for the supervision and regulation of the same, and providing a method by which institutions already incorporated may obtain the power to confer degrees; and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas, with power to confer degrees, in cases where such colleges have, at the time of the passage of this act, a specified amount of capital or resources," as amended; by prescribing additional requirements for institutions conferring degrees; making certain exceptions therefrom; and imposing certain duties on the State Council of Education.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments..

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 832, (House Bill No. 813), entitled:

An Act to amend section one of an act approved the eighth day of May, one thousand eight hundred and eighty-nine, (P. L. 127), entitled "A supplement to the Act of April twentieth, one thousand eight hundred and sixty-nine, entitled 'An Act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth, and their discharge therefrom,' fixing the amount of compensation to be paid to the commissioners appointed under section six of said Act, and declaring who shall be liable therefor, and for the costs of proceedings under said section;" by imposing certain duties on the lawyer member of the commission, and fixing his compensation therefor.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 843, (House Bill No. 920), on third reading, entitled:

An Act to amend section one of the act approved the fourteenth day of April one thousand nine hundred five (Pamphlet Laws one hundred and sixty-nine) entitled "An Act making it unlawful to trespass upon land posted as private property and providing the penalty therefor

be recommitted to the Committee on Corporations, for the purpose of amendment.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 889, (House Bill No. 1), entitled:

An Act fixing the pay of election officers and clerks in cities of the first class

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—19.

Baldwin,
Brown,
Buckman,
Clark,
Daix,
Davis,
DeWitt,
Eyre,
Heaton,
Homsher,
Jones,
Joyce,
Krause,
Leslie,
MacDade,
Phipps,
Sisson,
Stineman,
Woodward,

NAYS—18.

Barr,
Betts,
Christley,
Craig,
Derrick,
Huffman,
Kutz,
Lanius,
Long,
Mansfield,
McClintock,
Miller,
Smith,
Sones,
Sprowls,
Steele,
Stites,
Vare,

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. STEELE. Mr. President, I ask that Senate Bill No. 895, (House Bill No. 1086), on third reading, entitled:

An Act providing for the public health safety and welfare requiring owners and operators of coal mines and operations to furnish and sell fuel coal at current or market prices to and for the use of Hospitals poor houses or other charitable institutions school churches and buildings of municipal or quasi municipal character and providing penalties for the violation of this act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED.

Mr. CLARK. Mr. President, I move that Senate Bill No. 941, (House Bill No. 939), on third reading, entitled:

An Act providing for the payment of certain claims for damages done to livestock poultry or bees by bear providing a method for the ascertainment of such damage and making an appropriation

be recommitted to the Committee on Game and Fisheries.

Mr. LESLIE. Mr, President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 951, (House Bill No. 1080), entitled:

An Act to make reinstatements in the civil service of persons honorably released from the active military or naval service of the United States after service in any of the wars in which the United States has been engaged

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. LONG. Mr. President, I ask that Senate Bill No. 985, on third reading, entitled:

An Act to amend section three hundred and twenty-nine, as amended, and section five hundred and fifty-four of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. . . 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1023, (House Bill No. 686), entitled:

An Act authorizing probation officers of the various counties to attend the annual State Association or Conference of Probation and Parole and providing for the payment of their expenses and membership dues by counties

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—1.

Sprowls,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1030, (House Bill No. 1058), entitled:

An Act authorizing cities and boroughs to appropriate moneys to organizations of veterans to assist in paying rent

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1036, (House Bill No. 353), entitled:

An Act to amend section eight of the act approved the sixteenth day of May, one thousand nine hundred and twenty-one, (P. L. 559), entitled "An Act for the better protection of fish; requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth, or in the waters bounding or adjacent thereto; and regulating the issuance of such license; providing penalties for the violation of this act, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the penalites recovered and license fees received," by making county treasurers agents of the Commonwealth in collecting license fees and issuing licenses.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the constitution, and were as follows, viz:

YEAS—40.

Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. LESLIE. Mr. President, I ask that Senate Bill No. 1037, (House Bill No. 428), on third reading, entitled:

An Act to amend section one of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred and sixty-eight) entitled "An Act relating to police pension funds in cities of the third class and directing such cities to appropriate certain moneys thereto"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1042, (House Bill No. 1023), entitled:

An Act providing a system of employment and compensation for the inmates of county jails and prisons

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the constitution, and were as follows, viz:

YEAS—40.

Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1058, entitled:

An Act for the encouragement of unincorporated cooperative association of agricultural and industrial workers providing that membership therein and interest in the funds and property thereof may be made nontransferable and imposing penalties upon persons making or accepting unlawful assignment transfer or pledge of such membership or interest

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the constitution, and were as follows, viz:

YEAS—40.

Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1082, entitled:

An Act making an appropriation to pay for the care treatment removal and maintenance of the indigent insane for two years ending the thirty-first day of May one thousand nine hundred twenty-five

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1083, entitled:

An Act making an appropriation to pay for the deficiency in the care treatment removal and maintenance of the indigent insane for the two years ending May thirty-first one thousand nine hundred and twenty-three

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 1084, on third reading, entitled:

An Act requiring all State institutions to use bread stuffs made from Pennsylvania milled flour and corn meal and milled from Pennsylvania grown wheat rye and corn

be recommitted to the Committee on Agriculture.

Mr. DAVIS. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER.

Mr. BUCKMAN. Mr. President, I ask that Senate bill No. 1092, (House Bill No. 1234), on third reading, entitled:

An Act authorizing the creation of a commission to negotiate with the duly constituted agents of the states of New York and New Jersey for the regulation of the flow of the Delaware River the conservation apportionment and utilization of the water resources thereof providing the method for ratification of such compact by this Commonwealth and prescribing the conditions of its being in full force and effect

Senate Bill No. 1093, (House Bill No. 1235), on third reading, entitled:

An Act authorizing the Department of Forestry to grant or terms conditions and stipulations rights to occupy and use any portions of the State Forestry for dams reservoirs canals pipe lines and other water conduits for water supply purposes and providing for forfeiture and other remedies for breach of such terms conditions and stipulations

Senate Bill No. 1094, (House Bill No. 1236), on third reading, entitled:

An Act providing for a giant power survey creating a Giant Power Survey Board defining the powers and duties thereof requiring officers departments commissions and other agencies of the Commonwealth to give information thereto and making an appropriation

and Senate Bill No. 1095, (House Bill No. 1238), on third reading, entitled:

An Act authorizing the Department of Forestry to lease for periods of not more than fifty years on terms conditions and stipulations expressed in each lease any portions of the State forests for dams reservoirs canals pipe lines and other water conduits power houses and transmission lines for the development of water power for steam raising and condensation and for the generation and transmission of electric energy

go over in their order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED.

Mr. CLARK. Mr. President, I move that Senate Bill No. 1111, (House Bill No. 352), on third reading, entitled:

An Act to amend section three of the act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An Act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected in the State Treasury and making an appropriation thereof and providing penalties" making the county treasurer the agent of the Commonwealth in the issuing of licenses and the collection of fees and providing his compensation for such services

be recommitted to the Committee on Game and Fisheries.

Mr. SISSON. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1113, (House Bill No. 444), entitled:

An Act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. MANSFIELD. Mr. President, I ask that Senate Bill No. 1118, (House Bill No. 104), on third reading, entitled:

A Supplement to an act approved the twenty-third day of June one thousand nine hundred eleven (Pamphlet Laws one thousand one hundred twenty-three) entitled "An act establishing in each county a Board of Viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" as the same was amended and supplemented by subsequent acts by providing for the compensation to be paid to the members of the Board of Viewers in counties of the second class

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1134, entitled:

An Act to authorize the Department of Forestry to offer and to pay rewards for evidence sufficient to convict anyone maliciously setting forest fire and to authorize payment of such reward to Local Forest Fire Wardens under certain conditions

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley.
Clark,
Craig,
Daix,
Davis.
Derrick,
DeWitt,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones.
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. LONG. Mr. President, I move that Senate Bill No. 468, (House Bill No. 436), on second reading, entitled:

An Act regulating the mortgaging of real property by married persons

be recommitted to the Committee on Judiciary General.

Mr. McCLINTOCK. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 527, (House Bill No. 403), entitled:

An Act to enable city county poor ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties if the surety or sureties have paid the taxes to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective warrants or by the expiration of their term of office and to extend the time for the collection of the same for a period of two years from the passage of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 536, (House Bill No. 551), entitled:

An Act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" by adding an additional sub-section to section nine of article seven of chapter six thereof to empower boroughs without petition of property owners to grade pave curb macadamize or otherwise improve public streets or parts thereof and assess the entire cost thereof against the owners of the property abutting thereon when said streets or parts thereof do not exceed one thousand feet in length and connecting two streets theretofore paved and improved

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 671, (House Bill No. 719), entitled:

An Act to amend sections two, three and thirteen, and to repeal section eleven of the act approved the ninth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred nine), entitled "An Act prescribing the powers and duties of the Bureau of Markets in the Department of Agriculture; providing for co-operation with the Bureau of Standards of the Department of Internal Affairs to establish standard receptacles for farm products and to promulgate regulations for the enforcement thereof; and prescribing penalties for violations of the provisions of this act," by clarifying certain provisions, extending said act to cover the manufacture of standard receptacles for farm products and providing that violations be prosecuted by summary proceeding.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. MANSFIELD. Mr. President, I move that Senate Bill No. 725, (House Bill No. 852), on second reading, entitled:

An Act to amend sections four seven and section nine as amended of an act approved the twenty-second day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand ninety-three) entitled "An Act creating in counties having a population of from eight hundred thousand to one million five hundred thousand a board for assessment and provision of taxes providing for the appointment of the members of such board by the county commissioners fixing their salaries payable by the county defining the powers and duties of such board and regulating the assessment of property and occupations for State and county purposes authorizing the appointment of subordinate assessors and clerks defining their duties and providing for their compensation payable by such counties imposing a penalty on subordinate assessors for failure to comply with certain provisions of this act and abolishing the office of ward borough and township assessor in so far as respects the assessment of property and occupations for State and county purposes" by exempting buildings and structures in the course of erection and providing for the placing of borough and township assessments in public places

be recommitted to the Committee on New Counties and County Seats.

Mr. LESLIE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 742, as follows:

An Act Concerning the domicile of a married woman

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the domicile of a married woman for the purpose of voting or holding any public office shall be determined for all purposes as if she were unmarried

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 743, as follows:

An Act to further amend clause three of section one of an act approved the eighth day of May one thousand eight hundred and fifty-four (Pamphlet Laws six hundred and forty-four) entitled "An act concerning divorces" as amended making the degree of cruelty as a ground for divorce the same for husband and wife

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause three of section one of an act approved the eight day of May one thousand eight hundred and fifty-four (Pamphlet Laws six hundred and forty-four) entitled "An act concerning divorces" as amended by an act approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred and eight) entitled "An act amending section three of an act entitled 'An act concerning divorces' approved the eighth day of May one thousand eight hundred and fifty-four enlarging the same so as to include indignities to the person of the husband" is hereby amended further to read as follows

Section 3 Where either husband or a wife shall have by cruel and barbarous treatment endangered the life of the other or by indignities to (his) the person of the other rendered his or her (the) condition (of her husband) intolerable or life burdensome Provided That in case of divorce under this act if the application shall be made on the part of the husband the court granting such divorce may allow such support or alimony to the wife as her husband's circumstances may admit of and as said court may deem just and proper

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 744, as follows:

An Act to amend section one of an act approved the fifteenth day of March one thousand eight hundred and fifteen (Pamphlet Laws one hundred and fifty) entitled "An Act concerning divorces" making the degree of cruelty as a ground for divorce the same for husband and wife and to repeal section ten of the said act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the fifteenth day of March one thousand eight hundred and fifteen (Pamphlet Laws one hundred and fifty) entitled "An Act concerning divorces" is hereby amended to read as follows

Section 1 Be it enacted and et cetera That when a marriage hath been heretofore or shall hereafter be contracted and celebrated between any two persons and it shall be judged in the maner hereinafter mentioned that either party at the time of the contract was and still is naturally impotent or incapable of procreation or that he or she hath knowingly entered into a second marriage in violation of the previous vow he or she made to the former wife or husband whose marriage is still subsisting or that either party shall have committed adultery or wilful and malicious desertion and absence from the habitation of the other without a reasonable cause for and during the term and space of two years or when (any) either husband or wife shall have by cruel and barbous treatment endangered (his wife's) the life of the other or offered such indignities to (her) the person of the other as to render his or her condition intolerable and life burdensome (and thereby force her to withdraw from his house and family) in every such case it shall and may be lawful for the innocent and injured person to obtain a divorce from the bond of matrimony

Section 2 That section ten of the said act is hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 758, as follows:

An Act to amend section eight clause (a) of an act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and three) entitled "An Act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such election and of decrees relative thereto and to the fees therefor" by giving to the sole surviving parent the right to appoint a testamentary guardian for his or her minor child

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight clause (a) of an act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and three) entitled "An Act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such election and of decrees relative thereto and to the fees therefor" is hereby amended to read as follows

(a) Every person competent to make a will being the (father or adopting father) sole surviving parent of any minor child unmarried may appoint a testamentary guardian (for) of the person or property or both of such child during his or her minority or for any shorter period Provided however That any parent may by will appoint a guardian of the property which his or her child mav inherit from him or her

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. EYRE. Mr. President, By agreement with the sponsor of the bill, I move that Senate Bill No. 802, on second reading, entitled:

An Act to regulate nominations and elections for all offices of judges of courts of record providing for non-partisan nominations and elections for said offices abolishing certain existing methods of nomination in such cases and the use of party or political names or appellations at elections with respect to said offices imposing certain duties upon the Secretary of the Commonwealth county commissioners and election officers and clerks and providing penalties for the violation of the provisions hereof and the punishment of certain offenses

be recommitted to the Committee on Elections, for the purpose of a hearing.

Mr. LONG. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. BUCKMAN. Mr. President, I ask that Senate Bill No. 814, (House Bill No. 440) on second reading, entitled:

An act to provide for the licensing of transit retail merchants in cities boroughs and townships and providing a penalty for the failure to obtain such license

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED.

Mr. JOYCE. Mr. President, I move that Senate Bill No. 838, (House Bill No. 900), on second reading, entitled:

A supplement to the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" requiring notice to the Department of Public Welfare of applications for charters and amendments thereto of hospitals maternity homes and hospitals and certain charitable and eleemosynary institutions and societies and further regulating the incorporation thereof

be recommitted to the Committee on Judiciary Special, for the purpose of a hearing.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order;

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 841 (House Bill No. 906), entitled:

An Act to amend section twenty-one of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws four hundred eighty-three) entitled "An act relating to practice in the courts of common pleas in actions of assumpsit and trespass except actions for libel and slander prescribing the pleadings and procedure to be observed therein and giving the courts power to enforce its provisions" by requiring objections to the form of any pleading to be filed and served upon the opposite party within ten days after the service of such objectionable pleading

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. JOYCE. Mr. President, I move that Senate Bill No. 851, (House Bill No. 987), on second reading, entitled:

An Act to amend sections one two three and four of an act approved the eleventh day of July Anno Domini one thousand nine hundred seventeen entitled "An act to regulate the importation into this Commonwealth of dependent delinquent or defective children and providing a penalty for the violation thereof

be recommitted to the Committee on Judiciary Special, for the purpose of a hearing.

Mr. EYRE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 901 (House Bill No. 975), entitled:

An Act to amend section six as amended and section eight of the act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred sixty-five) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" changing the legal weight of certain commodities and providing for the disposition of certain funds

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and sixty-five) entitled "An Act defining commodities regulating the sale thereof and providing penalties for violation thereof" which was amended by the act approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred and fifty-three) entitled "An Act to amend section six of an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred sixty-five) entitled 'An Act defining commodities regulating the sale thereof and providing penalties for violation hereof' as amended" is hereby further amended to read as follows

Section 6 Whenever any commodity named in this section shall be sold by the bushel the bushel shall consist of the number of pounds herein stated and wherever sold in the subdivisions of the bushel the number of pounds shall consist of the fractional part of the number of pounds as are herein set forth for the bushel namely

Alfalfa seed sixty pounds
Apples (forty-five) forty-eight pounds
Apples dried twenty-five pounds
Barley (forty-seven) forty-eight pounds
Beans dried sixty pounds
Beans castor (shelled) forty-six pounds
Beets fifty-six pounds
Blue-grass seed fourteen pounds
Bran twenty pounds
Broom-corn seed fifty pounds
Buckwheat forty-eight pounds
Cabbage fifty pounds
Carrots fifty pounds
Cement one hundred pounds
Charcoal twenty pounds
Cherries with stems fifty-six pounds
Cherries stemmed sixty-four pounds
Chestnuts hulled fifty pounds
Clover-seed sixty pounds
Coal anthracite seventy-five pounds
Coal bituminous seventy-six pounds
Coal stone eighty pounds
Coke forty pounds
Corn shelled fifty-six pounds
Corn ear (husked) seventy pounds
Corn-meal fifty pounds
Cranberries (forty) thirty-two pounds
Cucumbers (fifty) forty-eight pounds
Currants forty pounds
Flaxseed fifty-six pounds
Gooseberries forty pounds
Grapes forty-eight pounds
Hair (plastering) eight pounds
Hemp-seed forty-four pounds
Herd's grass forty-five pounds
Hickory-nuts fifty pounds
Hominy sixty pounds
Horseradish fifty pounds
Hungarian grass seed fifty pounds
Kaffir corn fifty-six pounds
Lentils sixty pounds
Lime eighty pounds
Linseed fifty-six pounds
Malt thirty-eight pounds
Millet fifty pounds
Oats thirty-two pounds
Onions (fifty) fifty-seven pounds
Onion sets twenty-eight pounds
Orchard grass seed fourteen pounds
Parsnips fifty pounds
Peaches forty-eight pounds
Peaches dried (peeled) thirty-eight pounds
Peaches dried (unpeeled) thirty-three pounds
Peanuts twenty-two pounds
Pears fifty pounds
Peas green (unshelled) (fifty-six) twenty-eight pounds
Peas dried sixty pounds
Plums sixty-four pounds
Potatoes sixty pounds
Potatoes sweet fifty-four pounds
Quinces forty-eight pounds
Raspberries forty-eight pounds
Rape-seed fifty pounds
Redtop grass seed fourteen pounds
Rice rough forty-five pounds
Rutabagas sixty pounds
Rye fifty-six pounds
Rye-meal fifty pounds
Salt (course) eighty-five pounds
Salt (ground) sixty-two pounds
Sand one hundred pounds
Shorts twenty pounds
Sorghum-seed fifty pounds
Spelt forty pounds
Spinach twelve pounds
Strawberries forty-eight pounds
Timothy-grass seed forty-five pounds
Tomatoes (sixty) fifty-six pounds
Turnips (sixty) fifty-six pounds
Walnuts (common) fifty pounds
Wheat sixty pounds

Provided That when any fruits or vegetables named in this section are sold in Pennsylvania standard containers which are the original packages and are filled in accordance with good commercial practices such fruits and vegetables shall be exempt from the provisions of this section

On the question,

Will the Senate agree to the section?

Mr. SNYDER. Mr. President, I move to amend section 1, page 7, line 12, by striking out after the word "onions" the entire line and inserting the word "fifty."

Mr. BARR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows:

Section 2 That section eight of said act is hereby amended to read as follows

Section 8 Each person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace of the proper county for first offense shall be fined not more than twenty-five dollars upon conviction for the second offense such person firm or corporation shall be fined not less than twenty-five dollars nor more than one hundred dollars and upon conviction for the third and each subsequent offense such person firm or corporation shall be fined not less than one hundred dollars nor more than two hundred and fifty dollars All fines collected under the provisions of this act shall be for the use of and shall be paid to the treasurer of the respective city or county in which the offense was committed

On the question,

Will the Senate agree to the section?

Mr. SNYDER. Mr. President, I move to amend section 2, page 9, line 23, by striking out, beginning with the word "shall" and ending with the word "and-".

Mr. BARR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act to amend section six as amended and section eight of the act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and sixty-five) entitled "An Act defining commodities regulating the sale thereof and providing penalties for violations thereof" changing the legal weight of certain commodities and providing for the disposition of certain fines

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 903, (House Bill No. 1305), entitled:

An Act to confer upon the courts of Quarter Sessions of the several counties of the Commonwealth jurisdiction and power to authorize the removal of the remains of the dead from private burial grounds which have or shall become unsightly and unsuitable for internment

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 905, (House Bill No. 820), entitled:

An Act authorizing the sale of real estate held by entireties by husband and wife when an order of support has been secured against the husband who has neglected to comply with the same or whose whereabouts is unknown or who has absented himself from this Commonwealth prescribing the procedure to be followed permitting husband and wife to testify providing for the disposition of the proceeds of such sale and granting a divorce woman the same rights under this act as a wife

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 908, (House Bill No. 1012), entitled:

An Act validating ordinances and proceedings by councils in boroughs for the paving and curbing of public highways and validating municipal liens therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 917, (House Bill No. 366), entitled:

An Act to amend section two of an act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred seventy-nine) entitled "An Act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purpose of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 930, (House Bill No. 818), entitled:

An Act to amend an act approved the twentieth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred forty-three) entitled "An Act relating to free public non-sectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public non-sectarian libraries as may have been already established by the several counties cities boroughs towns townships and providing that all library property and all gifts devices grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relating to the above subjects"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 952, (House Bill No. 1095), entitled:

An Act relating to debts of municipalities

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 958, (House Bill No. 1216), entitled:

An Act authorizing certain corporations to create and issue and convert their authorized and outstanding capital stock into shares of any class or kind either with or without nominal or par value and validating the creations and issues of stock heretofore made by corporations in accordance with the provisions hereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 975, as follows:

An Act forbidding the use or shooting of live pigeons or other birds in any contest exhibition or practice of markmanship relating to the renting or use of buildings and premises for such purposes and prescribing penalties for violations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any person in any contest exhibition or practice of markmanship to use or to shoot or be a party to the using or shooting of any live pigeons or other bird or to rent any building room field or other premises or knowingly permit the use thereof for the shooting of live pigeons or other birds

Section 2 Any person who shall violate any provision of this act shall upon conviction thereof before any Magistrate Alderman or Justice of the Peace be sentenced to pay the costs of prosecution pay a fine of fifty dollars and five dollars for each pigeon or other bird killed or wounded and in default thereof be committed to the county jail for a period not exceeding thirty days

Section 3 This act shall not be construed to apply to the shooting of game birds while hunting

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 998, as follows:

An Act to repeal the act approved the fourteenth day of February one thousand eight hundred and sixty-seven (Pamphlet Laws two hundred and five) entitled "A supplement to an act passed the thirteenth day of April Anno Domini one thousand eight hundred and fifty-nine relating to billiard saloons et cetera in the counties of Chester and Delaware extending the same to the county of Bradford

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the fourteenth day of February one thousand eight hundred and sixty-seven (Pamphlet Laws two hundred and five) entitled "A supplement to an act passed the thirteenth day of April Anno Domini one thousand eight hundred and fifty-nine relating to billiard saloons et cetera in the counties of Chester and Delaware extending the same to the county of Bradford" be and the same is hereby repealed

And said bill having been read at length the second time, and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1014. (House Bill No. 1159), entitled:

An Act providing a system of registering titles to motor vehicles for the protection of owners of motor vehicles and to facilitate the recovery of motor vehicles stolen or unlawfully taken regulating the certificate of such titles the purchase sale and transfer of motor vehicles and their registration providing for the collection of fees for the certification of titles and for disposition thereof forbidding the destruction removal alteration covering or defacement of any engine manufacturer's or other distinguishing number or identification mark on motor vehicles and providing for the assignment of special numbers in certain cases imposing duties on the State Highway Commissioner sheriffs constables police officers and other peace officers and providing penalties

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. EYRE. Mr. President, I move that Senate Bill No. 1014, (House Bill No. 1150), entitled:

An Act providing a system or registering titles to motor vehicles for the protection of owners of motor vehicles and to facilitate the recovery of motor vehicles stolen or unlawfully taken regulating the certification of such titles the purchase sale and transfer of motor vehicles and their registration providing for the collection of fees for the certification of titles and for disposition thereof forbidding the destruction removal alteration covering or defacement of any manufacturer's or other distinguishing number or identification mark on motor vehicles and providing for the assignment of special numbers in certain cases imposing duties on the State Highway Commissioner sheriffs constables police officers and other peace officers and providing penalties

be recommitted to the Committee on Finance. This bill is a revenue measure for raising license fees on automobiles and I think it should be considered with the other revenue measures.

Mr. LESLIE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1018, as follows:

A Joint Resolution proposing an amendment to section seven of article three of the Constitution of Pennsylvania

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That section seven of article three of the Constitution of Pennsylvanoa which reads as follows

The General Assembly shall not pass any local or special law authorizing the creation extension or impairing of liens

Regulating the affairs of counties cities townships wards boroughs or school districts

Changing the names of persons or places

Changing the venue in civil or criminal cases

Authorizing the laying out opening altering or maintaining roads highways streets or alleys

Relating to ferries or bridges or incorporation ferry or bridge companies except for the erection of bridges crossing streams which form boundaries between this and any other State

Vacating roads town plats streets or alleys

Relating to cemeteries grave-yards or public grounds not of the State

Authorizing the adoption or legitimation of children

Locating or changing county seats erecting new counties or changing county lines

Incorporating cities towns or villages or changing their charters

For the opening and conducting of elections or fixing or changing the place of voting

Granting divorces

Erecting new townships or boroughs changing township lines borough limits or school districts

Creating offices or prescribing the powers and duties of officers in counties cities boroughs townships election or school districts

Changing the law of descent or succession

Regulating the practice or jurisdiction of or changing the rules of evidence in any judicial proceeding or inquiry before courts aldermen justices of the peace sheriffs commissioners arbitrators auditors masters in chancery or other tribuals or providing or changing methods for the collection of debts or the enforcing of judgments or prescribing the effect of judicial sales of real estate

Regulating the fees or extending the powers and duties of aldermen justices of the peace magistrates or constables

Regulating the management of public schools the building or repairing of school houses and the raising of money for such purposes

Fixing the rate of interest

Affecting the estate of minors or persons under disability except after due notice to all parties in interest to be recited in the special enactment

Remitting fines penalties and forfeitures or refunding moneys legally paid into the treasury

Exempting property from taxation

Regulating labor trade mining or manufacturing

Creating corporations or amending renewing or extending the charters thereof

Granting to any corporation association or individual any special or exclusive privilege or immunity or to any corporation association or individual the right to lay down a railroad track

Nor shall the General Assembly indirectly enact such special or local law by the partial repeal of a general law but laws repealing local or special acts mav be passed

Nor shall any law be passed granting powers or privileges in any case where the granting of such powers and privileges shall have been provided for by general law nor where the courts have jurisdiction to grant the same or give the relief asked for" is hereby amended to read as follows

The General Assembly shall not pass any local or special law

Authorizing the creation extension or impairing of liens

Regulating the affairs of counties townships wards boroughs or school districts

Changing the names or places

Changing the venue in civil or criminal cases

Authorizing the laying out altering or maintaining roads highways streets or alleys

Relating to ferries or bridges or incorporating ferry or bridge companies except for the erection of bridges crossing streams which form bondaries between this and any other State

Vacating roads town plats streets or alleys

Relating to cemeteries grave-yards or public grounds not of the State

Authorizing the adoption or legitimation of children

Locating or changing county seats creating new counties or changing county lines

Incorporating cities towns or villages or changing their charters

For the opening and conducting of elections or fixing or changing the place of voting Provided however That the General Assembly may pass legislation applying to Allegheny county or any part thereof providing for the installation and use of voting machines at any election or primary and providing for their optional installation and use subject to the approval of the court of common pleas

Granting divorces

Erecting new townships or boroughs changing township lines borough limits or school districts

Creating offices or prescribing the powers and duties of officers in counties cities boroughs townships election or school districts

Changing the law of descent or succession

Regulating the practice or jurisdiction of or changing the rules of evidence in any judicial proceeding or inquiry before courts aldermen justicts of the peace sheriffs commissioners arbitrators auditors masters in chancery or other tribunals or providing or changing methods for the collection of debts or the enforcing of judgments or prescribing the effect of judicial sales of real estate

Regulating the fees or extending the powers and duties of aldermen justices of the peace magistrates or constables

Regulating the management of public schools the building or repairing of school houses and the raising of money for such purposes

Fixing the rate of interest

Affecting the estates of minors or persons under disability except after due notice to all parties in interest to be recited in the special enactment

Remitting fines penalties and forfeiture or refunding moneys legally paid into the treasury

Exempting property from taxation

Regulating labor trade mining or manufacturing

Creating corporations or amending renewing or extending the charters thereof

Granting to any corporation association or individual any special or exclusive privilege or immunity or to any corporation association or individual the right to lay down a railroad track

Nor shall the General Assembly indirectly enact such special or local law the partial repeal of a general law but laws repealing local or special acts may be passed

Nor shall any law be passed granting powers or privileges in any case where the granting of such powers and privileges shall have been provided for by general law nor where the courts have jurisdiction to grant the same or give the relief asked for

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1045, (House Bill No. 1264), entitled:

An Act providing for the depositing of money as a forfeit for the appearance of persons arrested for certain offences for hearing before a mayor or chief burgess and providing for the forfeiture and payment of the same into the city or borough treasury in case of non-appearance of person arrested

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1051, (House Bill No. 148), entitled:

An Act authorizing cities boroughs incorporated towns and townships of the first class to require and permit the laying and constructing of gas mains or pipes water mains or pipes and all other mains and pipes and sanitary sewers and sewer pipes outside the cartway and the curblines thereof in all streets and highways and prescribing the uses thereof and providing for the assessment of the costs and expenses of any such sewer against the abutting property in the front of which the said sewer is laid

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1056, as follows:

An Act making an appropriation to the Home for the Training in Speech of Deaf Children before they are of school age at Belmont Avenue and Monument Road Philadelphia

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seventy-seven thousand dollars ($77,000) or so much thereof as may be necessary is hereby specifically appropriated to the Home for the Training in Speech of Deaf Children before they are of school age in Philadelphia for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the following purposes

For maintenance and training of pupils in the home during the fiscal years the sum of seventy-two thousand dollars ($72,000) or so much thereof as may be necessary

For painting repairs and furnishings the sum of five thousand dollars ($5,000) or so much thereof as may be necessary

Section 2 No part of this appropriation shall become available until the managers of this institution shall have filed with the Auditor General a declaration that thereafter all pupils received into the institution shall be taught exclusively by the oral method

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1069, as follows:

An Act construing and confirming the powers of the Public Service Commission with respect to rates service and facilities of Public Service Companies including the furnishing of street paving and street paving repairs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is hereby declared to be the intent and meaning of the Public Service Company Law that the Public Service Commission shall exercise the same jurisdiction and have the same powers with respect to furnishing of street paving and street paving repairs by Public Service companies as it has with respect to the rates to be changed and the service and other facilities to be furnished by such companies

Section 2 All acts and parts of acts inconsistent with this act be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1079, as follows:

An Act making an appropriation to the Prison Labor Commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby specifically appropriated to the Prison Labor Commission for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the manufacturing fund for the general use of the commission for the enlarging of the present industries and to add new industries as may seem advisable from time to time

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1099, (House Bill No. 1319), entitled:

An act to amend section one article four chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" as amended

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1120, (House Bill No. 142), entitled:

An act making an appropriation to the County of Philadelphia for the payment of a judgment obtained by the said county against the Commonwealth of Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1130, (House Bill No. 1338), entitled:

An Act providing a means whereby the individual Justice of the Peace may inform himself as to the law changes in the law and decision of the Courts on the law of this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1135, as follows:

An Act to amend section one paragraph three of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred thirty-one) entitled "An act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners providing for the appointment and removal of inspectors of anthracite mines prescribing their qualifications and regulating their salaries and term of office and abolishing the terms of office of the present mine inspectors of the anthracite mines" authorizing the Chief of the Department of Mines to determine the maximum number of days for which the members of the Anthracite Mine Inspectors' Examining Board shall receive compensation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one paragraph three of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred thirty-one) entitled "An act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners providing for the appointment and removal of inspectors of anthracite mines prescribing their qualifications and regulating their salaries and term of office and abolishing the terms of office of the present mine inspectors of the anthracite mines" is hereby amended to read as follows:

The members of said board shall each receive the sum of ten dollars a day for each day actually employed and all necessary expenses incurred in carrying out the provisions of this act which shall be paid out of the State Treasury on warrant of the Auditor General issued upon presentation of vouchers properly made out and sworn to by each member of the board and approved by the Chief of the Department of Mines Provided That the Chief of the Department of Mines shall have the right to determine from time to time the maximum number of days for which the members of the board shall receive compensation The board is hereby authorized to engage the services of a clerk whose compensation shall be the same as that of the members of the board

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1136, as follows:

An Act to amend section eleven of an act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws eight hundred thirty-one) entitled "An act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners providing for the appointment and removal of inspectors of anthracite mines prescribing their qualifications and regulating their salaries and term of office and abolishing the term of office of the present mine inspectors of the anthracite mines"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eleven of an act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws eight hundred and thirty-one) entitled "An act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners providing for the appointment and removal of inspectors of anthracite mines prescribing their qualifications and regulating their salaries and term of office and abolishing the term of office of the present mine inspectors of the anthracite mines" is hereby amended to read as follows

Section 11 Each inspector shall before entering upon the discharge of his duties take an oath or make affirmation that he will discharge duties with impartiality and fidelity

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1137, as follows:

An Act to amend section one paragraph two of an act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws page seven hundred fifty-six) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" authorizing the Chief of the Department of Mines to determine the maximum number of days for which the members of the Bituminous Mine Inspectors' Examining Board shall receive compensation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one pragraph two of an act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws page seven hundred fifty-six) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" is hereby amended to read as follows

Each member of the Examining Board shall receive the sum of ten dollars a day for each day actually employed and all necessary expenses incurred in carrying out the provisions of this article which shall be paid out of the State Treasury on warrant of the Auditor General issued upon presentation of vochers properly made out and sworn to by each member of the board and approved by the Chief of the Department of Mines Provided That the Chief of the Department of Mines shall have the right to determine from time to time the maximum number of days for which the members of the board shall receive compensation The Examining Board is hereby authorized to engage the services of a clerk who shall be a stenographer

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time ang agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1138, as follows:

An Act to amend section nine of article nineteen of an act approved the ninth day of June one thousand nine hundred eleven (Pamphlet Laws seven hundred fifty-six) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preserviation of property connected therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section nine of article nineteen of an act approved the ninth day of June one thousand nine hundred eleven (Pamphlet Laws seven hundred fifty-six) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property conected therewith" is hereby amended to read as follows

Section 9 Each inspector shall before entering upon the discharge of his duties take an oath or make affirmation that he will discharge his duties with impartiality and fidelity to the best of his knowledge and ability But no person who is acting as manager or agent of any coal mine or as mining engineer or who is interested in operating any coal mine shall at the same time act as inspector under this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1140, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the purchase by the United States of about one hundred and forty-seven and five hundred and forty-three thousandths acres of land in O'Hara Township Allegheny County Pennsylvania for use in the care and treatment of discharged sick and disabled soldiers and ceding jurisdiction over such land and also providing for the retention of a concurrent jurisdiction by the Commonwealth of Pennsylvania with the United States in such land for the service of legal process thereupon

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the consent of the Commonwealth of Pennsylvania in hereby granted to the purchase by the Government of the United States of a certain tract of land containing approximately one hundred and forty-seven and five hundred and forty-three thousandths acres for use in the care and treatment of discharged sick and disabled soldiers said tract of land being situate in O'Hara Township Allegheny County Pennsylvania and bounded and described as follows to wit

Beginning at a concrete monument at the Northeasterly corner of lands of the city of Pittsburgh upon which is constructed its Filtration Plant said monument being distant North Three Degrees Forty-three Minutes (N. 3° 43') East One Thousand One hundred and Ninety-nine and Seventy-seven One-hundredths (1199.77) feet measured along said Filtration lands from the Northerly side of the County Road known as Freeport Road thence along said Filtration lands North Seventy-three Degrees Two Minutes (N. 73° 2') West One Thousand Four Hundred Seventy-four and eighty-one One hundredths (1474.81) feet to an iron post on line of land now or formerly of Aspinwall-Delafield Company upon which is laid out its plan number five thence along said last mentioned line North Two Degrees Twenty-five Minutes (N. 2° 25') East One Thousand Two Hundred Eight and Eighty-three One-hundredths (1208.83) feet to an old monument (stone) thence along the same North Eighty-nine Degrees Fifty-three Minutes (N. 89° 53') West One hundred Thirty-one and Ninety-two One-hundredths (131.92) feet to an old monument stone thence along the same North Eight Degrees Fifty-three Minutes (N. 8° 53') West Eight Hundred Thirty-five and Fifty-eight One-hundredths (835.-58) feet passing through a concrete monument to the center of the County Road designated in the Aspinwall-Delafield Company's Plans as Delafield Avenue on line of Plan number four of said Aspinwall-Delafield Company thence along the center of said County Road the following eleven courses and distances North Seventy-one Degrees Eleven Minutes (N. 71° 11') East Sixty-seven and Forty-one One-hundredths (67.41) feet along said land of Aspinwall Delafield Company North Sixty-eight Degrees Thirteen Minutes (N. 68° 13') East One Hundred Ninety-five and Fifty One-hundredths (195.50) feet along same North Fifty-nine Degrees Two Minutes (N. 59° 2') East Seventy-one and Four One-hundredths (71.04) feet along same North Fifty-six Degrees Twenty-eight Minutes Thirty Seconds (N. 56° 28' 30") East Two Hundred Ninety-five and Twenty-eight One-hundredths (295.28) feet along lands or Peoples Savings and Trust Company North Sixty-one Degrees Two Minutes (N. 61° 2') East One Hundred Three and Eighty One-hundredths (103.80) feet along same North Sixty-eight Degrees Fifty-seven Minutes (N. 68° 57') East Three Hundred Ninety-eight and Sixty-two One-hundredths (398.62) feet along same North Seventy-five Degrees Three Minutes (N. 75° 3') East One Hundred Forty-eight and Forty-six One-hundredths (148.46) feet along same North Eighty-one Degrees Thirteen Minutes (N. 81° 13') East Three Hundred Fifty-seven and Forty-eight One-hundredths (357.48) feet along same South Seventy Degrees Fifty-five Minutes (S. 70° 55') East One Hundred Twenty-seven and Forty-six One-Hundredths (127.46) feet along same South Eighty-two Degrees Twenty-five Minutes (S. 82° 25') East Eighty and Eighty-two One hundredths (80.82) feet along same North Eighty-three Degrees Twenty-five Minutes (N. 83° 25') East Seventy-nine and Sixty One-hundredths (79.60) feet along same thence in part along the center of said Road along said lands of Peoples Savings and Trust Company passing through a concrete monument North Seventy-seven Degrees Thirty Minutes Thirty Seconds (N. 77° 30' 30") East Four Hundred Twenty and Twenty-three One-hundredths (420.23) feet to the center of Squaw Run thence along the center of said Run the Twelve following courses and distances along lands of Peoples Savings and Trust Company South Twelve Degrees Twenty-four Minutes Thirty Seconds (S. 12° 23' 30") East One Hundred Eight and Forty-four One-hundredths (108.44) feet South Fifty-two Degrees Six Minutes (S. 52° 6') East Two Hundred Forty-two and Twenty-One-Hundredths (242.20) feet South Five Degrees Twenty-six Minutes (S. 5° 26') East Two Hundred Twenty-five and Forty One-hundredths (225.40) feet South Thirty-five Degrees Forty-two Minutes (S. 35° 42') East One hundred Sixty-one and Ninety One-hundredths (161.90) feet South Sixteen Degrees Thirty-nine Minutes (S. 16° 33') East One Hundred Twenty-three and Sixty One-hundredths (123.60) feet South Forty Degrees Fifty-six Minutes (S. 40° 56') East Three Hundred Seventy-nine and Fifty One-hundredths (379.50) feet South Ten Degrees Forty Minutes (S. 10° 40') West One Hundred Thirty-eight and Twenty-five One-hundredths (138.25) feet South Twenty-four Degrees Thirty-two Minutes (S. 24° 32') West Three Hundred Seventy-seven (377) feet South Twenty-nine Degrees Thirty-five Minutes (S. 29° 35') West Four Hundred Sixteen and Thirty-nine One-hundredths (416.39) feet South Thirty-seven Degrees Thirty-three Minutes (S. 37° 33') West Two Hundred Twenty-two and Twenty-six One-hundredths (226.26) feet South Thirty Degrees Twenty-three Minutes (S. 30° 23') East Three Hundred Eighty-one and Eighty-three One-hundredths (381.83) feet South Twenty Degrees Fifty-nine Minutes (S. 20° 59') East Three Hundred Sixteen and Forty-two One-hundredths (316.42) feet thence along lands of Peoples Savings and Trust Company passing through a concrete monument South Sixty-five Degrees Fifty-seven Minutes (S. 65° 57') West One Thousand Seventy-one and Ninety-one One-hundredths (1071.91) feet to the concrete monument at the place of beginning CONTAINING One Hundred Forty-seven and Five Hundred Forty-three One thousandths (147.543) Acres TOGETHER with a right-of-way for a roadway on and over a strip of land of the width of Thirty (30) feet extending from the above described premises along the Easterly line of the lands of the City of Pittsburgh designated herein as the Filtration Plant out to and connecting with the public road known as the Freeport Road BEING part of the property which was conveyed to Peoples Savings and Trust Company of Pittsburgh by deed of William S. Haddock Sheriff of Allegheny County Pennsylvania dated the nineteenth day of October one thousand nine hundred and eighteen recorded in the Recorder's Office of Allegheny County Pennsylvania in Deed Book Volume one thousand nine hundred and fifty-two Page one TOGETHER with all and singular the buildings streets alleys passages ways waters water-courses rights liberties privileges hereditaments and appurtenances whatsoever thereunto belonging or in anywise appertaining and the reversions and remainders rents issues and profits thereof and all the estate right title interest use trust property possession claim and demand whatsoever of the owner or owners thereof in law equity or otherwise howsoever of in and to the same and every part thereof

Section 2 Exclusive jurisdiction over the lands so purchased is hereby ceded to the United States by the Commonwealth of Pennsylvania and said lands shall be exempt from the payment of all taxes State and local Provided That the Commonwealth of Pennsylvania shall retain a concurrent jurisdiction with the United States over the lands so acquired by the United States for the purpose of serving of all civil processes And provided further That such criminal processes as may issue under the authority of the Commonwealth against any person or persons charged with crimes committed without the area so acquired may be executed therein in the same manner as though this cession had not been granted

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1143, as follows:

An Act providing for approved electric motors and requiring attendants at ventilating fans in the anthracite mines of Pennsylvania and providing penalties for violations thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That one year after the passage of this act no electric motors shall be permitted to be used in any Anthracite mine of this Commonwealth in which locked safety lamps are used unless they bear the approval plate of the Federal Bureau of Mines and have also been approved by the Chief of the Department of Mines of Pennsylvania"

Section 2 "At every Anthracite mine where ventilating fans are in operation to supply air to the underground working and to the persons employed therein such fans shall be under the constant supervision and care of an attendant who shall regulate the speed of the ventilating fan according to the instructions of the Mine Foreman"

Section 3 "Any one who shall violate any provisions of this act or who shall hinder or delay any officer in the performance of his duty in the enforcement of this act shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less thon one hundred ($100.00) dollars nor more than two hundred ($200.00) dollars or undergo an imprisonment of not less than two months or both at the discretion of the court"

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. DeWITT. Mr. President, I move that Senate Bill No. 1143, the bill just read, be recommitted to the Committee on Mines and Mining.

Mr. LESLIE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1145, as follows:

An Act reappropriating moneys to the trustees of the State Institution for Feeble Minded of Western Pennsylvania at Polk Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty-two thousand dollars ($42,000) or so much thereof as may be necessary is hereby specifically reappropriated to the trutees of the State Institution for Feeble Minded of Western Pennsylvania at Polk Pennsylvania for the following purposes

For the erection competition and equipment of an isolating hospital for the isolation of cases of contagious diseases the sum of twenty-two thousand dollars ($22,000) heretofore appropriated by the act of July sixteenth one thousand nine hundred and nineteen (Appropriation Acts page 102) entitled "An Act making an appropriation to the trustees of the State Institution for Feeble Minded of Western Pennsylvania at Polk Pennsylvania"

For the erection and equipment of a nurses' home the unexpended balance of twenty-thousand dollars ($20,000) appropriated under the provisions of the act of May twenty-seventh one thousand nine hundred and twenty-one (Appropriation Acts page 120) entitled "An Act making an appropriation to the State Institution for Feeble Minded of Western Pennsylvania at Polk Pennsylvania"

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1147, as follows:

An Act to authorize and provide for the transfer of person or persons confined in any penitentiary under sentence of law to some other prison or institution

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the court of quarter sessions of the county wherein any penitentiary of the Commonwealth of Pennsylvania is located is hereby authorized and empowered and shall upon petition being presented to it by the Board of Inspectors of such penitentiary located within the county setting forth that the said penitentiary cannot by reason of over-crowded condition or other existing conditions furnish proper and sufficient accommodations for the care custody control and safety of the inmates thereof and that it is requested that a certain number of inmates set forth in such petition should be transferred therefrom to make an order authorizing and directing the said Board of Inspectors to transfer to another prison or institution not a penitentiary established by law for the confining of a person sentenced for crime such person or persons whom the Board of Inspectors shall specify and designate

Section 2 That said petition shall set forth the names of the persons whom the said Board of Inspectors deem it advisable to transfer the date of their commitment and the term for which they were sentenced and shall further set forth the reasons for which authority is desired to transfer the persons therein named A copy of such petition shall be sent by registered mail to the county commissioners of the county from which the prisoner was committed

Section 3 That it shall be the duty of the warden sheriff superintendent board of managers or Board of Inspectors of such institution to which transfer is desired to be made to accept and receive the person or persons named in said order of the court to be transferred and thereafter in safe custody to keep and provide for such persons transferred until the expiration of the term of imprisonment as set forth in the said commitment in accordance with law

Section 4 Such person or persons as may be so transferred shall be subject to the same term of imprisonment as that imposed upon them at the time of sentence under law as attached to sentence at the time the same was imposed either as to parole or as to commutation by reason of good behavior The expenses of keeping such prisoners so transferred shall continue to be borne by the county in which such person was convicted and the same shall be paid to the authorities having charge of the transferred prisoner by the said county from time to time as bills are rendered

Section 5 It shall be the duty of the warden or keeper of the prison or institution to which a prisoner is transferred immediately upon such transfer to give notice in writing of the transfer to the county commissioners of the county in which the prisoner was convicted and to the clerk of the courts which sentenced the convict who shall file and enter the same of record

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1148, as follows:

An Act to amend section three paragraph one of an act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws ten hundred and forty-three) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes extempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time for a "present employe" as defined in the act to elect to be covered by the retirement system and including among "present employes" those employed in certain educational institutions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in

General Assembly met and it is hereby enacted by the authority of the same That section three paragraph one of an act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws ten hundred and forty-three) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation judicial process and providing penalties" is hereby amended to read as follows

1 All present employes including employes in the Pennsylvania Institution for the Instruction of the Blind Overbrook Philadelphia Pennsylvania The Western Pennsylvania Institution for the Blind Pittsburgh Pennsylvania The Pennsylvania Institution for the Deaf and Dumb Mount Airy Philadelphia Pennsylvania and The Western Pennsylvania Institution for the Instruction of the Deaf and Dumb Wilkinsburg Pennsylvania except those specifically excluded by paragraph three of this section who by written application to the Superintendent of Public Instruction shall elect before the first day of July nineteen hundred and (nineteen) twenty-four to be covered by the retirement system Provided That such employe shall at the time of making such application pay into the employes' annuity savings fund as provided for in paragraph number six of section eight of this act an amount equal to what would have been at that date the accumulated deductions from the salary of such employe had the election to be covered by the retirement system been made prior to the first day of July nineteen hundred and nineteen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1150, as follows:

An Act making an appropriation to the Department of Public Welfare for major repairs and upkeep of plant and equipment in the several State hospitals homes and institutions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and sixty thousand dollars ($160,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Public Welfare for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-five for major repairs and upkeep of plant and equipment in the several State hospitals homes and institutions when and as authorized by the Commissioner of Public Welfare Payments from said appropriation shall be made upon requisition of the Commissioner of Public Welfare by warrant of the Auditor General upon the State Treasurer

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1151, as follows:

An Act making an appropriation to the Department of Public Welfare for capital outlay new construction alterations extensions and equipment of the several State institutions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one million five hundred thousand dollars ($1,500,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Public Welfare for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-five for capital outlay new construction alterations extensions and equipment of the several State institutions Payments from said appropriation shall be made upon requisition of the Commissioner of Public Welfare by warrant of the Auditor General upon the State Treasurer

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1152, as follows:

An Act making an appropriation to the Department of Public Welfare for administration and operation expenses and maintenance of the State institutions for mental defectives at Laurelton Polk and Spring City

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one million five hundred thousand dollars ($1,500,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Public Welfare for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-five for administration and operation expenses and maintenance of the State institutions for mental defectives at Laurelton Polk and Spring City Payments from said appropriation shall be made upon requisition of the Commissioner of Public Welfare by warrant of the Auditor General upon the State Treasurer

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1153, as follows:

An Act making an appropriation to the Department of Public Welfare for administration and operation expenses and maintenance of the State schools for the deaf

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and thirty-five thousand dollars ($135,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Public Welfare for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-five for administration and operating expenses and maintenance of the State schools for the deaf at Philadelphia and Scranton Payments from said appropriation shall be made upon requisition of the Commissioner of Public Welfare by warrant of the Auditor General upon the State Treasurer

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1154 as follows:

An Act making an appropriation to the Department of Public Welfare for administration and operation expenses and maintenance of the several State medical and surgical hospitals

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seven hundred and fifteen thousand ($715,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Department of Public Welfare for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-five for administration and operation expenses and maintenance of the several medical and surgical hospitals at Ashland Blossburg Coaldale Connellsville Hazleton Mercer Nanticoke Philipsburg Scranton and Shamokin Payments from said appropriation shall be made upon requisition of the Commissioner of Public Welfare by warrant of the Auditor General upon the State Treasurer

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1155, as follows:

An Act making an appropriation to the Department of Public Welfare for the support and expenses of the State Penal and Correctional Institutions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one million four hundred thousand dollars (1,400,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Public Welfare for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-five for administration expenses salaries of officers expenses of parole work gratuities to discharged convicts library books and periodicals instruction supplies and incidental maintenance expenses of the State penal and correctional institutions at Philadelphia Pittsburgh Rockview Muncy Huntingdon and Morganza Payments from said appropriation shall be made upon requisition of the Commissioner of Public Welfare by warrant of the Auditor General upon the State Treasurer

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

NOMINATIONS BY THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from his Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVAL OF SENATE BILLS NO. 224 AND 449.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 8, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed the following bills:

Senate Bill No. 224, entitled, "An Act providing for the filing of vacancies in the office of tax-collector in boroughs by the council of the borough and repealing certain acts inconsistent therewith."

Senate Bill No. 449, entitled, "An Act to amend so much of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution' ".

GIFFORD PINCHOT.

NOMINATIONS BY THE GOVERNOR.

JUSTICES OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 8, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate, Martin L. Walter, of Natrona, as Justice of the Peace, in and for the Township of Harrison, Allegheny County, vice Frank Rebhun resigned to serve until the last Monday in January 1924.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 8, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate, Howard G. Richley, of Monroeton, as Justice of the Peace, in and for the Borough of Monroe, Bradford County, to serve until the first Mnday in January 1924.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 9, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

R. Milo McAnulty, Pittsburgh, April 21, 1923.

TIOGA COUNTY.

Joseph S. Beard, Mansfield, May 20, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 9, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

Miss Adella Sterba, Pittsburgh.
Paul Szarvas, Pittsburgh.

GREEN COUNTY.

David F. Baldwin, Waynesburg.

LACKAWANNA COUNTY.

Miss Edith M. Scott, Scranton.

NORTHAMPTON COUNTY.

Louis Gekoski, Bethlehem.

PHILADELPHIA COUNTY.

Morris Kauffman, Phila., 3112 Westmont St.
Thomas H. Ringgold, Phila., 19 North 42nd St.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive

Session, for the purpose of acting on the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. BUCKMAN. Mr. President, I move that the Executive Session do now rise.

Mr. VARE. Mr President, I second the motion.

The motion was agreed to.

HOUSE MESSAGES.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 227.

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 9, 1923.

Resolved (if the Senate concur), That House Bill No. 227, File Folio 865, entitled "An Act to further amend the fifth section of an act entitled 'An Act relating to the organization and jurisdiction of orphans' courts and to establish a seperate orphans' court in and for counties having more than one hundred fifty-thousand inhabitants and to provide for the election of judges thereof', approved May nineteenth, Anno Domini, eighteen hundred and seventy-four (Pamphlet Laws, two hundred and six), as amended by fixing and determining the salaries of the assistant clerks of said court in counties of the first, second, third and fourth classes," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

TIME OF FINAL ADJOURNMENT RESOLUTION RETURNED WITH AMENDMENTS.

He also returned to the Senate resolution of the Senate, as follows:

In the Senate, Tuesday, April 24, 1923.

Resolved (If the House of Representatives concur), That the General Assembly of the session of one thousand nine hundred and twenty-three adjourn sine die Thursday, May (twenty-fourth) thirty-first, at twelve o'clock noon.

With the information that the House has concurred in the same with amendments.

Mr. EYRE. Mr. President, I move that the amended resolution be referred to the Committee on Finance.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 47.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate, as follows:

In the Senate, May 8, 1923.

Resolved (if the House of Representatives concur), That Senate Bill No. 47, File Folio 131, entitled "An Act to amend section eleven of the act, approved the thirteenth day of June, one thousand eight hundred and forty (Pamphlet Laws, six hundred and eighty-three), entitled 'A supplement to an act, entitled "An Act relating to the elections of this Commonwealth", passed the second day of July, Anno Domini one thousand eight hundred and thirty-nine, and for other purposes', allowing constables mileage for advertising elections and compensation for advertising elections where there is more than one polling place in a district, said mileage and compensation to be paid by counties", be recalled from the Governor for the purpose of amendment.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 540.

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 9, 1923.

Resolved (if the Senate concur), That House Bill No. 540, File Folio 1329, entitled "An Act prohibiting persons from concealing changing or destroying manufacturers' serial numbers or identification marks upon machines or apparatus or from knowingly having such machine in the possession and prescribing penalties for violation thereof," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 957.

He also presented an extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 8, 1923.

Resolved, (if the Senate concur), That House Bill No. 957, Printer's No. 563, File Folio 3963, entitled "An Act to provide for the laying out, altering and vacating roads lying partly in one county and partly in an adjoining county, forming or intended to form a continuous highway from one county to another, and providing for the location, cnstruction of a joint county bridge on said road," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 1312.

He also presented an extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 8, 1923.

Resolved, (if the Senate concur), That House Bill No. 1312, File Folio 4715, entitled "An Act to amend sections one, two, three and four of an act, approved the eighteenth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, four hundred ninety-eight), entitled 'An Act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools,'" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS SIGNED.

The PRESIDENT (Lieutenant-Governor David J. Davis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 317, entitled:

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred eight) entitled "An act prohibiting certain conditions the commutation encumbrance or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto prohibiting the attachment of such proceeds and income and authorizing life insurance companies to hold such proceeds as part of the general corporate funds" by extending the same to the proceeds and income from policies issued by both domestic and foreign companies

House Bill No. 532, entitled:

To provide for the registration and protection of artificial assumed trade or association names titles or designations

House Bill No. 774, entitled:

An Act authorizing courts of quarter sessions to commit the care of certain burial grounds to the councils of boroughs township commissioners and township supervisors of townships and requiring boroughs and townships to pay the expenses in connection therewith

House Bill No. 885, entitled:

An Act limiting the power of State banks banking companies trust companies savings banks and unincorporated banks to become surety on bonds

Whereupon,

The PRESIDENT (Lieutenant Governor David J. Davis) in the presence of the Senate signed the same.

RESOLUTION AUTHORIZING TRANSFER OF ELECTRICAL EQUIPMENT.

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives, which was twice read, as follows, considered and agreed to:

In the House of Representatives, April 30, 1923.

Whereas There is now at the Homeopathic State Hospital for the Insane at Allentown certain electrical equipment no longer of use at such institution by reason of a change from an alternating to a direct current system and

Whereas The Department of the Adjutant General can make use of said electircal equipment at the State Military Reservation at Mount Gretna therefore be it

Resolved (if the Senate concur) That the board of trustees of the Homeopathic State Hospital of Allentown is authorized to transfer to the Adjutant General of the Commonwealth for use at the State Reservation at Mount Gretna one hundred K. V. A. Motor Generator Set the switch board equipment for the same and the transformers and motors for the above equipment

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL NO. 775.

He also returned to the Senate, Senate Bill No. 775, entitled:

An act requiring supervisors and commissioners of townships to apply for county aid in the construction and maintenance of roads upon application therefor by property owners

with the information that the House has passed the same without amendment.

RECESS.

Mr. VARE. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. LESLIE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGES.

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 827, (Senate Bill No. 1177) entitled:

An Act to amend section six of the act approved the twentieth day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred and eighteen) entitled "An act relating to the appointment of persons to the police department in cities of the third class providing and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation" as amended

Which was committed to the Committee on Municipal affairs.

House Bill No. 1004, (Senate Bill No. 1178) entitled:

An Act to amend the act approved the fourth day of April one thousand eight hundred and seventy-two(Pamphlet Laws forty) entitled "An act supplemental to an act entitled 'A supplement to acts relating to inorporations by the courts of common pleas' approved on the ninth day of April Anno Domini one thousand eight hundred and fifty-six" providing for the publication of notice and the mailing of notices to stockholders in case of dissolution proceedings

Which was committed to the Committee on Corporations.

House Bill No. 1113, (Senate Bill No. 1179) entitled:

An Act to further amend section ten of an act approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may press their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rule and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation

Which was committed to the Committee on Elections.

House Bill No. 1115, (Senate Bill No. 1180), entitled:

An Act to amend section one hundred and twenty-five of an act approved the second day of July Anno Domini one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen) entitled "An Act Relating to the Elections of this Commonwealth"

Which was committed to the Committee on Elections.

House Bill No. 1117, (Senate Bill No. 1181), entitled:

An Act to further amend section seventy-four of an act as amended by section one of an act approved the sixteenth day of April Anno Domini one thousand nine hundred and three (Pamphlet Laws two hundred and seventeen) entitled "An Act Amending section seventy-four of an act Relating to the elections of this Commonwealth" approved the second day of July Anno Domini one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and nineteen)

Which was committed to the Committee on Elections.

House Bill No. 1164, (Senate Bill No. 1182), entitled:

An act amending an act entitled "An act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth" approved the 10th day of April Anno Domini one thousand eight hundred and sixty-seven (Pamphlet Laws sixty-two)

Which was committed to the Committee on Judiciary General

House Bill No. 85, (Senate Bill No. 1183), entitled:

An act making an appropriation to the Pennsylvania State Park and Harbor Commission of Erie

Which was committed to the Committee on Appropriations.

House Bill No. 86, (Senate Bill No. 1184), entitled:

An act making an appropriation to the several fire companies of the city of Harrisburg

Which was committed to the Committee on Appropriations.

House Bill No. 216, (Senate Bill No. 1185), entitled:

An act to provide for the payment of moneys by the Commonwealth to counties and townships the tax funds of which are diminished by the acquisition of lands and property by the Commonwealth for the conservation of water water and to prevent flood conditions and making an appropriation

Which was committed to the Committee on Appropriations.

House Bill No. 235, (Senate Bill No. 1186), entitled:

An act to validate certain municipal claims and municipal liens in the several boroughs of the Commonwealth providing for the filing of claims therefor and the proceedings the collection of such claims

Which was committed to the Committee on Municipal Affairs.

House Bill No. 351, (Senate Bill No. 1187), entitled:

An act to amend section forty-two of the act approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws five hundred and thirty-seven) entitled "An act relating to counties and townships and county and township officers" by making county treasurers agents of the Commonwealth in collecting and transmitting money for the Commonwealth and providing their compensation for such services

Which was committed to the Committee on New Counties and County Seats.

House Bill No. 997 (Senate Bill No. 1188), entitled:

An act authorizing and empowering the District Attorneys of each county to organize themselves into a State Association for the purpose of holding meetings and providing for the payment of the expenses thereof and of the District Attorneys attending by the several counties

Which was committed to the Committee on Judiciary General.

House Bill No. 1244, (Senate Bill No. 1189), entitled:

An Act relating to the regulation of brick work and inspection of same in cities of the (first) second third and fourth class and other municipalities within this Commonwealth wherein such work is performed and inspectors are employed providing for the appointment of inspectors and penalties for the violation of this act

Which was committed to the Committee on Judiciary Special.

House Bill No. 1287, (Senate Bill No. 1190), entitled:

An act to amend section second of an act approved the ninth day of July one thousand nine hundred and one (Pamphlet Laws six hundred fourteen) entitled "An act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" as amended

Which was committed to the Committee on Judiciary General.

House Bill No. 1173, (Senate Bill No. 1191), entitled:

An Act providing that the address of holders of second mortgages shall be noted in the margin of the record of first mortgages and that of foreclosure proceedings shall be given to such holders of second mortgages

Which was committed to the Committee on Judiciary General.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 139.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 139, entitled:

An Act to amend section ten of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendent of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line prescribing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said state highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 469.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 469, entitled:

An Act to amend section three of an act, approved the twelfth day of July, one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to national party conventions, and of certain officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," as amended.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 486.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 486, entitled:

An Act to amend section two of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and eight) entitled "An Act regulating the closing of pubic highways and providing for the locating marking and maintenance of detours necessitated by such closing" and providing penalties

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 536.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 536, entitled:

An Act to amend sections two three four five as amended seven nine and ten of the act approved the thirtieth day of March one thousand nine hundred and seventeen (Pamphlet Laws twenty-one) entitled "An Act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by the board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith"

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 837.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 837, entitled:

An Act to assure to persons within the jurisdiction of every county the equal protection of the laws by providing for their removal from the county and their trial in certain criminal cases by the Superior Court imposing penalties upon the counties and officers thereof for failure to provide proper protection and upon individuals for interfering with or obstructing the carrying out of the provisions of this act giving the Superior Court jurisdiction in all prosecutions arising out of this act

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1229.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1229, entitled:

An Act to further amend section one thousand two hundred ten as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith".

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1345.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1345, entitled:

An Act to enable an incorporated hospital association to acquire by lease or purchase any State owned hospital specially devoted to the reception care and treatment of injured persons or of any State owned general medical and surgical hospital and to provide for the regulation and management thereof

AMENDMENT TO HOUSE BILL No. 277 RECALLED FROM THE GOVERNOR.

He also presented for concurrence bill of the House of Representatives as follows:

House Bill No. 277, entitled:

To validate tax liens filed in the office of the Prothonotary of the various counties by any of the cities of this Commonwealth since the twenty-fourth day of May one thousand nine hundred and twenty-one under the provisions of an act approved the fourth day of June one thousand nine hundred and one entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefore the methods of preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales and its supplements and amendments thereto and providing for their collection

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 2, line 1, by inserting after the word "all" the word "tax".

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Daix,
Davis,
Derrick,
DeWitt,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES.

Mr. DAIX. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAIX from the Committee on Judiciary Special reported as committed, Senate Bill No. 1171, entitled:

An act to amend section eight of article seventeen of the act approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth," as amended.

Mr. JOYCE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JOYCE from the Committee on New Counties and County Seats reported as amended, Senate Bill No. 1187 (House Bill No. 351) entitled:

An act to amend section forty-two of the act approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws five hundred and thirty-seven) entitled "An act relating to counties and townships and county and township officers" by making county treasurers agents of the Commonwealth in collecting and transmitting money for the Commonwealth and providing their compensation for such services.

Mr. JONES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JONES from the Committee on Public Roads and Highways reported as committed, Senate Bill No. 1160, (House Bill No. 197), entitled:

An act to amend section two of an act approved the twenty-third day of March one thousand nine hundred and twenty-one (Pamphlet Laws forty-two) entitled "An act appropriating to the State Highway Department for the purpose of assisting in the construction maintenance improvement and repair of State highways and State-aid highways all moneys derived from registration and from license fees for the year one thousand nine hundred and twenty-one and subsequent years under the provisions of the act of assembly approved June thirtieth one thousand nine hundred and nineteen relating to and regulating motor vehicles and amendments thereto and providing for salaries and other expenses of the department.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from Committee at this time?

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN from the Committee on Corporations, re-reported as amended, Senate Bill No. 843, (House Bill No. 920) entitled:

An Act to amend section one of the act approved the fourteenth day of April, one thousand nine hundred five (P. L. 169), entitled "An act making it unlawful to trespass upon land posted as private property and providing the penalty therefor."

BILLS INTRODUCED.

Mr. MacDADE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MacDADE read in his place and presented to the Chair Senate Bill No. 1192, entitled:

An Act to further amend section eleven of article six and section fifteen of article seven of an act approved the twenty-seventh day of June, one thousand nine hundred and thirteen (P. L. 568), entitled "An act providing for the incorporation, regulation, and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating, and extending existing laws in relation thereto," by changing the salaries of councilmen and mayors.

Which was committed to the Committee on Municipal Affairs.

MOTION TO READ BILLS THE FIRST TIME.

Mr. LESLIE. Mr. President, I move that all bills reported from Committees at today's session be read the first time.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 543, (House Bill No. 610), entitled:

An Act to amend section seventy-four of the act approved the thirty-first day of March, one thousand eight hundred and sixty (P. L. 382) entitled "An act to consolidate, revise and amend the penal laws of this Commonwealth."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 665, (House Bill No. 623), entitled:

An Act to amend section five of an act approved May 19, 1874 (P. L. 206) entitled "An act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof" as amended by changing the provision for appointment of first assistant clerks so as to conform to the Constitution and giving to the Court and Register of Wills joint power to modify the salaries fixed for any assistant clerk.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 693, (House Bill No. 382), entitled:

An Act relating to the leasing of real property making it unlawful to dispossess tenants or recover leased property except after thirty days' notice prohibiting the execution of leases containing waivers of the provisions of this act and voiding certain leases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 865, (House Bill No. 1337), entitled:

An Act providing a method for deciding a tie vote in borough councils.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 869, entitled:

An act to amend section fourteen of an act approved June 20th, 1919, (P. L. 505) entitled "An act relating to and regulating the solicitation of moneys and property for charitable and patriotic purposes."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 909, (House Bill No. 18), entitled:

An Act to provide for the welfare of all persons confined (whether such persons be tried or untried prisoners) in any Penitentiary or County Prison in this Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1096, (House Bill No. 671), entitled:

An Act to amend sections one and three of the act approved July 10th, 1919, (P. L. 893) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1100, entitled:

A Supplement to the Public Service Company Law aproved July 26, A. D. 1913, requiring street railway corporations whose facilities cross or are adjacent to the facilities of street railway lines owned leased or operated by municipal corporations under certain circumstances to establish transfer points and switch or other connections at points of crossing or adjacent and through routes and service and joint rates for the conveyance of passengers over two or more lines connected at transfer points giving the Public Service Commission jurisdiction in the premises and prescribing the conditions upon which the Commission shall have jurisdiction to regulate the joint facilities services or rates of a street railway corporation and a street railway line owned leased or operated by a municipal corporation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1160, (House Bill No. 197), entitled:

An Act to amend section two of an act approved the twenty-third day of March one thousand nine hundred and twenty-one (Pamphlet Laws forty-two) entitled "An Act appropriating to the State Highway Department for the purpose of assisting in the construction maintenance improvement and repair of State highways and State-aid highways all moneys derived from registration and from license fees for the year one thousand nine hundred and twenty-one and subsequent years under the provisions of the act of assembly approved June thirtieth one thousand nine hundred and nineteen relating to and regulating motor vehicles and amendments thereto and providing for salaries and other expenses of the department."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1163, entitled:

An Act to further amend section thirteen of an act approved May 31, A. D. P. L. 468), entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners. chief Engineer, Chief Draughtsman, Superintendent of highway, and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities and towns, and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State highways, solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same, requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioier; providing for the payment of damages in taking property or otherwise in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads, and prescribing the contents of township county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act, and providing for the repeal of certain acts relating to Highway Department, and improvement of roads and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act" as amended, by providing for the deposit of bankable securities by the contractor in lieu of the surety required on said contractor's bond.

And said bill having been read at length the first time,
Ordered to be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1165, entitled:

An Act to amend section four of an act approved March 17, 1921 (P. L. 32), entitled "An Act authorizing the erection and construction by counties of memorial halls in memory of the soldiers, sailors and marines of such counties; providing for an election to determine whether such hall shall be erected; providing for the purchase and condemnation of property for such purposes; regulating the use of such halls; and providing for the maintenance and care of the same, by a board of control, at the expense of the county."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1166, entitled:

An Act fixing the salary of county commissioners in counties of the first class.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1167, entitled:

An Act to amend an act approved April 19, 1895, (P. L. 38) entitled "An act to regulate the erection of county buildings" by providing for the approval of plans of county buildings and the letting of contracts for the construction thereof by the body levying the taxes for general county purposes in certain counties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1171, entitled:

An act to amend section eight of article seventeen of the act approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth," as amended.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1187, (House Bill No. 351), entitled:

An act to amend section forty-two of the act approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws five hundred and thirty-seven) entitled "An act relating to counties and township and county and township officers" by making county treasurers agents of the Commonwealth in collecting and transmitting money for the Commonwealth and providing their compensation for such services.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

HOUSE MESSAGES.

HOUSE BILL FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives as follows:

House Bill No. 217, (Senate Bill No. 1193), entitled:

An act making an appropriation to the Superintendent of Public Instruction to carry into effect the provisions of the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand thirty-four) entitled "An act to provide for the payment of moneys to school districts the taxes of which are reduced by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions"

Which was committed to the Committee on Appropriations.

House Bill No. 93, (Senate Bill No. 1194), entitled:

An Act making an appropriation to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State Supervisor and assistants, and fixing the salaries of such State Supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties."

Which was committed to the Committee on Appropriations.

House Bill No. 99, (Senate Bill No. 1195),

An Act making an appropriation to the Commissioners of Valley Forge Park

Which was committed in the Committee on Appropriations.

House Bill No. 653, (Senate Bill No. 1196),

An Act making an appropriation to the Lake Erie and Ohio River Canal Board of Pennsylvania for the payment of expenses incurred in printing, distributing and making available for public use, reports, maps, documents and records of the board, in securing the cooperation and aid of the Government of the United States and other public authorities, in the construction of the canal or waterway authorized to be constructed by the board, for the payment of incidental office expenses, and for the payment of salaries, fees and expenses.

Which was committed to the Committee on Appropriations.

House Bill No. 1190, (Senate Bill No. 1197),

An act providing for the granting of licenses to practice denistry to certain persons who served in the army or navy of the United States or any branch or unit thereof

Which was committed in the Committee on Public Health and Sanitation.

HOUSE CONCURS IN RESOLUTION FOR JOINT SESSION TO ELECT DIRECTOR LEGISLATIVE REFERENCE BUREAU.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate, as follows:

In the Senate, May 9, 1923.

Resolved, (if the House of Representatives concur), That a joint session of the House and Senate he held in the Hall of the House on May 15, 1923, at 1 o'clock, for the purpose of electing a Director to the Legislative Reference Bureau, as provided by the act approved the seventh day of May, one thousand nine hundred and twenty-three, entitled "An act creating a Legislative Reference Bureau, providing for the election of a Director by the General Assembly, designating the officers and employees of such Bureau, defining their duties, fixing their salaries, abolishing the present Legislative Reference Bureau, and making an appropriation."

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 439.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate, as follows:

In the Senate, May 9, 1923.

Resolved (If the House of Representatives concur), That Senate Bill No. 439 entitled "An Act to amend sections one thousand one hundred five and one thousand one hundred thirty-four of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith," be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN SENATE BILL No. 798.

He also returned to the Senate, Senate Bill No. 798, entitled:

An Act to amend sections two and twenty of an act approved the seventh day of June, one thousand nine hundred and fifteen, (P. L. 888) entitled "An act regulating, through the Commissioners of Labor and industry, the business of assisting employers to obtain employes, and persons to secure employment, including the business of collecting information to the same end, and prescribing penalties."

with the information that the House has passed the same without amendment.

ADJOURNMENT.

Mr. LANIUS. Mr. President, I move that the Senate do now adjourn until Monday evening, May 14, at nine o'clock.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:43 P. M., until Monday evening May 14, 1923, at 9 o'clock.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 9, 1923.

The House met at 11:00 o'clock A. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Almighty and eternal God, Thou God of light and life, we thank Thee for the beginning of this, another new day. Be Thou with us through all its hours, give us strength for every duty, power to resist every temptation, vision to recognize every opportunity and wisdom in meeting them. Show us how we may better serve Thee and our fellowmen. May our feet not stray from the path where Thou leadest and bring us to the day's close free from conscious wrong. To this end, bless the members of this Assembly and the Speaker of the House. We ask it in the name of Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Charles B. Jones, the further reading was dispensed with and the Journal approved.

COMMUNICATIONS FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 212, 372, 678, 682 AND 928.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 8, 1923

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed the following bills:

House Bill No. 212, entitled, "An Act to amend sections fourteen and sixteen of article six chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled 'An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs' ".

House Bill No. 372, entitled, "An Act to amend section forty-five of an act aproved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws five hundred and nine) entitled 'An Act relating to county rates and levies and township rates and levies' by removing the exemption of females from arrest and imprisonment for non-payment of taxes.' "

House Bill No. 678, entitled, "An Act to amend clause three section ten article two of Chapter seven and section seven Article one of Chapter twelve of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs."

House Bill No. 682, entitled, "An Act to amend the forty-first clause of section two article one chapter five of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled 'An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs' as amended."

House Bill No. 928, entitled, "An Act providing for and regulating the public printing and binding the editing for publication and the distribution of all documents reports bulletins and other publications for the use of the Commonwealth the several departments boards commissions and other agencies engaged in the legislative judicial and administrative work of the State government the sale of waste paper the appointment of a Director and other employes and repealing inconsistent and conflicting legislation."

GIFFORD PINCHOT.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 8, 1923.

Resolved (if the House of Representatives concur), That Senate Bill No. 47, File Folio 131, entitled:

An Act to amend section eleven of the act approved June 13, 1840 (P. L. 683), entitled "A Supplement to an act entitled 'An Act, relating to the elections of this Commonwealth,' passed the second day of July, A. D. 1839, and for other purposes;" allowing constables mileage for advertising elections, and compensation for advertising elections where there is more than one polling place in a district. Said mileage and compensation to be paid by counties.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 203.

An Act relating to and regulating the speed of motor vehicles driven through cemeteries and burial grounds and providing penalties for violation thereof

HOUSE BILL No. 588.

An Act to regulate the allotting or subdividing of land in cities of the second class by requiring the recording in the office of the Recorder of Deeds of a map or plat prior to the sale, conveyance or mortgaging of any part thereof and providing penalties for the violation of the act.

HOUSE BILL No. 45.

An Act providing a system whereby persons absent from their regular polling places may cast their votes imposing certain powers and duties upon the county commissioners prothonotaries return boards of the various counties and the board of registration commissioners in cities of the first and second class in relation thereto and providing penalties

HOUSE BILL No. 1128.

An Act authorizing the State Highway Commissioner to empower certain other employees of his department to perform such official acts as he may designate

HOUSE BILL No. 448.

An Act requiring the display of the United States flag at all polling places providing for its purchase by the county commissioners and its care between elections

HOUSE BILL No. 632.

An Act to amend an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and ninety-one) entitled "An Act restricting the appointment of corporate fiduciaries by testators or by any court or register of wills to corporations fully subject to supervision and examination by the Banking Department" by exempting certain corporations from the provisions thereof

HOUSE BILL No. 882.

An Act to amend section thirteen of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating election in this Commonwealth" as amended by authorizing the members of the board of receiving computing and certifying election returns to act when a majority of the members thereof are not qualified

HOUSE BILL No. 883.

An Act to amend the fourth paragraph of section fourteen of an act approved the twelfth day of July, one thousand nine hundred and thirteen, (P. L. 719), entitled, "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," as amended.

HOUSE BILL No. 1224.

An Act regulating service of process and authorizing the service of writs of summons and other process in actions for damages for breaches of covenants of warranty in any deed or conveyance of real estate in any county of the Commonwealth

HOUSE BILL No. 1258.

An Act to amend section one hundred and six of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended

HOUSE BILL No. 980.

An Act to amend section eleven of an act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred and seventy) entitled "An Act creating a Division of Township Highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter session and providing penalties" requiring clerks of the court to certify lists of township auditors to the State Highway Commissioner

HOUSE BILL No. 639.

An Act authorizing the sale assignment disposition transfer and conveyance of the franchises and of the property real personal and mixed of any water or power water companies organized prior to the first day of April one thousand nine hundred and five to another water or water power company also organized prior to the first day of April one thousand nine hundred and five and providing the manner in which said sale and purchase shall be effected

With the information that the Senate has passed the same without amendment.

REPORT FROM COMMITTEE ON RULES.

Mr. McVICAR, from the Committee on Rules reported as amended Senate resolution as follows:

In the Senate, Tuesday, April 24, 1923.

Resolved (If the House of Representatives concur), That the General Assembly of the session of one thousand nine hundred and twenty-three adjourn sine die Thursday, May thirty-first, at twelve o'clock noon.

On the question

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk return the same to the Senate with the information that the House has adopted the same with amendment, in which the concurrence of the Senate is requested.

RESOLUTION.

RECALLING HOUSE BILL 540 FROM GOVERNOR.

Mr. GIBBON, offered a resolution, which was twice read and adopted, as follows:

In the House of Representatives, May 9, 1923.

Resolved (if the Senate concur), That House Bill No. 540, File Folio 1329, entitled "An Act prohibiting persons from concealing changing or destroying manufacturers' serial numbers or identification marks upon machines or apparatus or from knowingly having any such machine in the possession and prescribing penalties for violation thereof," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

RECALLING HOUSE BILL 227 FROM THE GOVERNOR.

Mr. GIBBON offered a resolution which was twice read and adopted as follows:

In the House of Representatives, May 9, 1923.

Resolved (if the Senate concur), That House Bill No. 227, File Folio 865, entitled "An Act to further amend the fifth section of an act entitled 'An Act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof', approved May nineteenth, Anno Domini eighteen hundred and seventy-four (Pamphlet Laws, two hundred and six), as amended by fixing and determining the salaries of the assistant clerks of said court in counties of the first, second, third and fourth classes," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORTS FROM COMMITTEES.

Mr. SOWERS, from the Committee on Judiciary General, reported as committed, House Bill No. 950, entitled:

An Act providing for the publication of the estimated cost of all public construction, repair or maintenance work, exceeding fifteen hundred dollars; providing that the proper officers or agents of the Commonwealth and of every county, city, borough, township, school district or other political sub-division of the Commonwealth, shall keep complete and accurate accounts of the costs of all such work, providing for the furnishing of certified copies of such accounts; and fixing penalties.

Mr. JOSEPH MARCUS, from the Committee on Judiciary General, reported as committed, House Bill No. 952, entitled:

An Act to carry into effect section eleven of article one of the Constitution of the Commonwealth of Pennsylvania, by designating the manner, the courts and the cases in which suits may be brought against the Commonwealth; defining the procedure in such cases and providing for the payment of judgments, interest and costs by the Commonwealth.

Mr. LUDLOW, from the Committee on Judiciary General, reported as amended, House Bill No. 1361, entitled:

An Act to prohibit the bribery of agents, employes or servants, and the giving or use of false documents with intent to deceive a principal, employer or master; to regulate evidence in such proceedings, to provide for the attendance and testimony of witnesses, production of documents and prosecution for perjury committed in so testifying, to provide immunity for certain witnesses, penalties for violation of this Act, and for other purposes.

Mr. GELDER, from the Committee on Public Roads, reported as amended House Bill No. 1179, entitled:

An act to amend an act approved the thirtieth day of June, one thousand nine hundred and nineteen, (Pamphlet Laws, six hundred and seventy-eight), entitled "An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles: requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof, and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle;" as amended, by further regulating the use of registration plates: prescribing fees for omnibuses and changing other existing fees; changing the date for the licensing year; limiting the weights of certain trailers; providing for the examination of operators; authorizing the State Highway Commissioner to publish and sell lists of registration; authorizing municipalities to enact certain ordinances; making an appropriation for refunding moneys; and providing penalties.

Mr. GORHAM, from the Committee on Counties and Townships, reported as committed House Bill No. 1487, (Senate Bill No. 639), entitled:

An Act to further amend the act approved the twenty-seventh day of April, one thousand nine hundred and nine, (P. L. 258), entitled "An Act authorizing the employment of stenographers by the district attorneys of certain counties" as amended; extending said act to counties of the fourth fifth, sixth, seventh and eighth classes; and fixing the salaries of said stenographers.

Mr. BLUMBERG, from the Committee on Judiciary General, reported as committed, House Bill No. 889, (Senate Bill No. 61), entitled:

An Act to carry into effect section eleven of article one of the Constitution of Pennsylvania by designating the manner the courts and the cases in which suits may be brought against the Commonwealth; defining the procedure in such cases and providing for the payment of judgments interest and costs by the Commonwealth.

Mr. KUNKLE, from the Committee on Judiciary General, reported as committed House Bill No. 1324, entitled:

An Act to amend an act approved the first day of May, one thousand nine hundred and nine (Pamphlet Laws three hundred and forty-six) entitled, "An act regulating, requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving-picture machines; regulating, requiring and defining certain general specifications for the use and construction of portable booths or enclosures for operating therein moving-picture machines; and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania; and providing that the provisions thereof shall not apply to cities of the first and second classes," as amended.

Mr. DAVID FOWLER, from the Committee on Labor and Industry, reported as committed House Bill No. 1263, entitled:

An act to amend an act approved May third, one thousond nine hundred and nine, entitled, "An act for the safety of persons from fire or panic in certain buildings, not in cities of the first and second classes, by providing proper exits, fire-escapes, fire extinguishers, and other preventatives of fire; by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection; and by providing proper penalties for any violation of the same", as amended; providing for the safe construction of such buildings; providing for the drafting of rules and regulations to carry out the provisions of this act; by vesting jurisdiction for the enforcement of this act in the Department of Labor and Industry.

Mr. RHODES, from the Committee on Judiciary General reported as committed House Bill No. 1504, (Senate Bill No. 1071), entitled:

An Act to validate deeds and conveyances defectively acknowledged prior to the fourth day of April, one thousand nine hundred and one.

Mr. BIDELSPACHER, from the Committee onJudiciary reported as committed, House Bill No. 1496, (Senate Bill No. 751), entitled:

An Act to amend section two hundred and eighty-six of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty) entitled, "An Act concerning townships and revising amending and consolidating the law relating thereto".

Mr. BIDELSPACHER, from the Committee on Judiciary General, reported as committed, House Bill No. 1496, (Senate Bill No 751), entitled:

An Act prohibiting the purchase sale accepting as a pledge or pawn offering for sale stealing or conversion of medals buttons insignias or decorations granted by the Government of the United States for services in the army navy marine or nurse corps.

Mr. SOWERS, from the Committee on Judiciary General, reported as committed, House Bill No. 1502, (Senate Bill No. 1063), entitled:

An Act to amend section seventeen of the act approved the twentieth day of June, one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and for property within this Commonwealth of a decedent who was a nonresident of this Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal."

Mr. JOSEPH MARCUS, from the Committee on Judiciary General reported as committed, House Bill No. 1509, (Senate Bill No. 1077), entitled:

An Act to amend section ten of an act approved the twelfth day of July, one thousand nine hundred and thirteen, (Pamphlet Laws 711), entitled "An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof, as amended.

Mr. ALEXANDER, from the Committee on Judiciary General, reported as committed, House Bill No. 1508, (Senate Bill No. 1074), entitled:

An Act to amend section three of an act approved the fifteenth day of April, one thousand eight hundred and forty-five (Pamphlet Laws 459), entitled "A Supplement to an act entitled 'An Act relating to executions' passed the sixteenth day of June Anno Domini one thousand eight hundred and thirty-six" allowing counsel fees to garnishees filing written answers in attachments in executions issued by aldermen or justices of the peace and providing for the payment thereof.

Mr. LUDLOW, from the Committee on Judiciary General, reported as committed, House Bill No. 1495, (Senate Bill No. 580), entitled:

An Act to enable city county poor ward school borough and township tax collectors their executors and administrators or their surety or sureties to collect taxes for the payment of which they have become personally liable by the expiration of the authority of their respective bonds or warrants or terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act and authorizing such taxes to be entered as municipal liens and the land on which such taxes were assessed to be sold.

LEAVES OF ABSENCE.

Mr. COLVILLE asked and obtained leave of absence for Mr. BURNS.

Mr. DRINKHOUSE asked and obtained leave of absence for Mr. CONNER.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 469.

An Act to amend section three of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 3, line 22, by striking out, after the words "on the", the following: "fourth Tuesday of April in all even-numbered years," and inserting in lieu thereof: "third Tuesday of May in all even-numbered years except in the year of the nomination of a President of the United States in which year the primary shall be held on the fourth Tuesday of April."

Amend section 1, page 3, line 25, by inserting after the words "on the" the following: "third Tuesday of May and the."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—183.

Arthur,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCaig,
McClure,
McCurdy,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Sautter,
Schaeffer,
Schilling,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,

Bromley,
Brown,
Brownmiller,
Burchinal,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J..
Flinchbaugh,
Flynn,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lauver,
Little,
Long,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 139.

An Act to amend section ten of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 8, line 18, by striking out after the word "Commissioner" the words, "upon written request of the borough or town councils shall," and inserting in lieu thereof, the word "may".

Amend section 1, page 9, line 19, by striking out after the word "Provided" the word "further".

Amend section 1, page 9, line 27, by striking out the word "thirty" and and inserting in lieu thereof "five".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Burchinal,
Burns,
Chaplin,
Clutton,
Coldsmith,
Coyne,
Craig.
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Harer,
Harter,
Haslett,
Heffernan,
Heffran,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Labar,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
Lynch,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffat,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Perry,
Pitts,
Posey,
Post,
Raymond,
Richards,
Rinn,
Rippman,
Sautter,
Schaeffer,
Schilling,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Stevens, A. J.,
Stofflet,
Storb,
Storer,
Thomas. L. D.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 486.

An Act to amend section two of an act approved the seventeenth day of May one thousand nine hundred and twenty-one, (P. L. 908) entitled, "An Act regulating the closing of public highways, and providing for the locating, marking, and maintenance of detours necessitated by such closing;" and providing penalties.

With the information that the Senate has passed the same with an amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend section 2, page 2, line 27, by striking out the word "trasurers" and inserting in lieu thereof the word "treasurers".

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Baker,
Baldi,
Beaver.
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,,
Driggs,
Drinkhouse,
Dunn,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. L.,
Fowler, D.,
Fratt.
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hoover,
Horne.
Howell,
Huber,
Irvin.
Johnson,
Jones, C. B.,
Jones, D. J..
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar.
Minehart,
Moffatt,
Moore,
Morrison
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler.
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 536.

An Act to amend sections two, three, four, five as amended, seven, eight, nine and ten of the act approved March 30, 1917 (P. L. 21) entitled "An Act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given to said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith."

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 5, page 9, line 20, by striking out the word "three" and inserting in lieu thereof the word "five".

Amend bill, page 10, by inserting after line 17, the following section:

Section 6 That section eight of said act is hereby amended to read as follows:

Section 8 All fees received by said board for examination or from any other source shall be utilized in regulating the practice of optemetry and paying the expenses of the board including necessary clerk hire as provided for in this act any surplus to be turned over to the State Treasurer at least once in each twelve months An annual audit of the books and accounts of the board shall be made by the Auditor General of the Commonwealth The treasurer of the said board shall give a bond to the Commonwealth of Pennsylvania in the sum of two thousand five hundred dollars for the faithful performance of his duties said bond to be approved by the Board of Optemetrical Education Examination and Licensure and by the Attorney General of the Commonwealth who shall be custodian of the bond

Amend section 6, page 10, line 18, by striking out the numeral "6" and inserting in lieu thereof the numeral "7".

Amend section 6, page 10, line 25, by striking out after the word "peddling" the words "or soliciting".

Amend section 6, page 10, line 27, by striking out after the word "or" the words "the employment of solicitors or".

Amend section 7, page 11, line 27, by striking out the numeral "7" and inserting in lieu thereof the numeral "8".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—193.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schwartz,
Shambach,

Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
O'Boyle,
Ogle,
Orr,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Sheridan,
Smith, G. A.
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL REURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 837.

An Act to assure to persons within the jurisdiction of every county the equal protection of the laws by providing for their removal from the county and their trial in certain criminal cases by a court of quarter sessions of the peace or oyer and terminer of another county imposing penalties upon the counties and officers thereof for failure to provide proper protection and upon individuals for interfering with or obstructing the carrying out of the provisions of this act and imposing certain duties upon the Superior Court

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 4, by inserting after the word "by" the following: "a court of quarter sessions of the peace or oyer and terminer of another county," and striking out the words "the Superior Court."

Amend title, page 1, line 8, by striking out the words, "giving the Superior Court jurisdiction in all prosecutions arising out of this act," and inserting in lieu thereof the following: "and imposing certain duties upon the Superior Court."

Amend section 4, page 3, line 24, by striking out the word "court" and inserting in lieu thereof, "said Superior Court."

Amend section 4, page 3, line 25, by inserting after the word "petition" the words, "before one of the judges thereof."

Amend section 4, page 4, line 6, by inserting after the word "protection" the words, "or committed to a proper penal institution".

Amend section 4, page 4, line 6, by inserting after the word "in" the words, "a court of quarter sessions of the peace or oyer and terminer of some other county to be selected by."

Amend section 4, page 4, line 10, by inserting after the word "court" the words, "so selected".

Amend section 4, page 4, line 12, by inserting after the word "any" the word "other."

Amend section 6, page 5, line 15, by striking out after the word "murder" the words, "and any such person may be indicted for murder and tried in the Superior Court."

Amend section 8, page 5, line 27, by inserting after the word "by" the word "which", also line 1, page 6, by striking out the following: "and shall be liable to prosecution and upon conviction to punishment thereof according to law in the Superior Court."

Amend section 9, page 6, line 11, by inserting after the word "General" the following: "in a court of common pleas of any county within the Commonwealth other than the county in which such unlawful putting to death occurred."

Amend section 9, page 6, line 12, by striking out after the word "the" the word "Superior", and by inserting in line 13, after the word "Court" the words, "in which said judgment was recovered."

Amend section 11, page 7, line 16, by striking out after the word "therefor" the words, "in the Superior Court."

Amend section 11, page 7, line 17, by striking out after the words "guilty of", the following: "an offense against the Commonwealth and shall be liable to prosecution therefor in the Superior Court"; and inserting in lieu thereof "a felony".

Amend section 12, page 8, line 3, by striking out after the words "guilty of" the words, "an offense against the Commonwealth and shall be liable to prosecution therefor in the Superior Court"; and inserting in lieu thereof "a felony".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Lafferty,
Lauver,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Mathay,
McBride,
McCann,
McClure,
McCurdy,
McDaniel,
McGowan,
McKim,
McVicar,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,

Dietz,
Dilsheimer,
Donahue,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Parkinson,
Patterson,
Peelor,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Whitehouse,
Whiteman
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 1229.

An Act to further amend section one thousand two hundred ten as amended, of an act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 12, lines 17 and 18, by striking out the following: "and ending on May thirty-first one thousand nine hundred and twenty-five."

Amend section 1, page 13, line 14, after the word "of", by striking out the words "not less" and inserting in lieu thereof the word "more."

Amend section 1, page 13, line 15, after "($50,000)", by striking out the word "nor", and inserting in lieu thereof the words "and not."

Amend section 1, page 17, line 2, after the word "May", by changing the word "first" to the word "thirty-first."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—187.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Baker,
Baldi,
Beaver,
Behney,
Bell, W. T.,
Bentley,
Berger,
Betts,
Fowler, D.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,

[illegible]
Bidelspacher,
Blair,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Edmonds,
Eshelman,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Haas,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Spangler,
Speiser,
Sprowls,
Stark,
Stavitski,
Staudenmeier,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 1345.

An Act to enable an incorporated hospital association to acquire by lease or purchase any State owned hospital specially devoted to the reception care and treatment of injured persons or of any State owned general medical and surgical hospital and to provide for the regulation and management thereof

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The Clerk read the amendments as follows:

Amend section 3, page 2, line 25, by striking out after the word "years" the word "three" and inserting in lieu thereof the word "two".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,

Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Gilchrist,
Glasgow,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCaig,
McClure,
McDaniel,
McDermott,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Patterson,
Parkinson,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 435, as follows:

An Act to amend clause forty-six of section three of article five of the act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and sixty-eight) entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" as amended giving to said cities the right to exercise the power and authority of local self-government in municipal affairs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause forty-six of section three of article five of the act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and sixty-eight) entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation therein" which was amended by the act approved the twenty-seventh day of June one thousand nine hundred and nineteen (Pamphlet Laws three hundred and ten) entitled "An act to amend and revise an act entitled 'An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto' approved the twenty-seventh day of June Anno Domini one thousand nine hundred and thirteen enlarging changing modifying and defining certain of the powers of cities of the third class" is hereby further amended to read as follows

46 To make all such ordinances by-laws rules and regulations as may be expedient or necessary for the proper management care and control of the city and its finances and the maintenance of the peace good government safety and welfare of the city and its trade commerce and manufactures and also all such ordinances by-laws and regulations as may be necessary in and to the exercise of the powers and authority of local self-government in municipal affairs

And all such ordinance by-laws rules and regulations shall have like force and effect as if the power and authority to pass the same had been given in this or any other act

Provided however That no ordinance by-law rule or regulation shall be made or passed which contravenes or violates any of the provisions of the Constitution of the United States or of this Commonwealth or of any act of Assembly heretofore or that may be hereafter passed in force in said city and the said ordinances by-laws rules and regulations to alter modify and repeal at pleasure and to enforce all ordinances by inflicting penalties upon inhabitants or other persons for violations thereof not exceeding one hundred dollars for any one offense recoverable with costs together with judgment of imprisonment not exceeding ninety days if the amount of said judgment and costs shall not be paid

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1126, as follows:

An Act to amend section one thousand four hundred and one of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand four hundred and one of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 1401 Every child being a resident of any school district in this Commonwealth between the ages of six and twenty-one years may attend the public schools in his district subject to the provisions of this act Provided nevertheless That if the parent or guardian of said child pays school taxes in more than one school district within the Commonwealth that it shall be lawful for the said child to attend any of the public schools in either of the districts in which said parent or guardian of the person of any child pays said taxes and the only person who shall choose in which district the said child shall attend shall be the parent or guardian of the person of said child Provided however That before this right may be exercised on the part of any parent or guardian of the person of any child a period of five consecutive years of school tax paying in both districts must precede the right to such choice and subsequently attendance of school by said child Provided further That if any parent or guardian shall exercise the right to have any child attend public school in any district except that of residence tuition shall be paid for such child if required but all school taxes paid for any year by said parent or guardian in such district shall be credited as part of such tuition for the same year

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1407 (Senate Bill No. 509), entitled:

An Act to require the teaching of the Constitution of the United States in the public and private schools

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

The SPEAKER. If there are no objections the Chair will take up the first reading calendar. The Chair hears none.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1303, entitled:

An Act to repeal an act entitled "An act supplementary to an act passed thirteenth of April one thousand eight hundred and fifty-nine relating to Billiard Saloons et cetera in the Counties of Chester and Delaware extending the same to Lycoming and Clinton Counties" approved the twenty-second day of March Anno Domini one thousand eight hundred and sixty as far as said act relates and extends to Lycoming County

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1170, entitled:

An Act to further amend section six of an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioners and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by the provisions of this act"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1182, entitled:

An Act to amend section five hundred and twenty-four as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the classification of real estate for purposes of taxation into two classes to wit the buildings on land and the land exclusive of buildings and by providing for the assessment of a less tax upon the buildings than upon the land exclusive of the buildings in cities of the second class

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 602, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the Veterinary School of Medicine

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1131, entitled:

An Act making an appropriation to the Board of Trustees of The Philadelphia Museum

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 107, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 817, entitled:

An Act making an appropriation to the board of trustees of the Pennsylvania Soldiers' and Sailors' Home at Erie Pennsylvania for maintenance of said home and the payment of expenses of administration including salaries of officials and clerks and providing that all moneys received from the United States Government by the Government of Pennsylvania on account of maintenance shall be paid into the State Treasury

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1171, entitled:

An Act to amend section one of an act approved the eighteenth day of July one thousand nine hundred and nineteen (Appropriation Acts 246) entitled "An act making an appropriation to the Water Supply Commission of Pennsylvania or the Department of Conservation for the purpose of cooperating with the Government of the United States in making investigations examinations and surveys and in preparing plans and estimates of cost with a view of devising and carrying into effect plans for controlling the flood waters rivers and their tributaries being either in whole or in part within this Commonwealth" saving said appropriation from lapsing

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 803, entitled:

An Act making an appropriation for the payment of the expenses required by an act approved the twenty-fifth day of May one thousand eight hundred and eighty-nine entitled "An act to provide for the continuance of the education and maintenance of the destitute orphans of deceased soldiers sailors and marines and the destitute children of permanently disabled soldiers sailors and marines of the State" also making an appropriation to carry out the provisions of an act to provide for the education and maintenance of the children admitted to the Pennsylvania Soldiers' Orphan Industrial School and the Soldiers' Orphans Schools approved May twenty-seventh one thousand eight hundred and ninety-three and its supplements

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 108, entitled:

An Act making an appropriation to the trustees of the Philadelphia School of Design for Women at Philadelphia Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 96, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1342, entitled:

An Act to restrain and regulate the manufacture furnishing traffic in alcoholic beverages made from malt or grain or any grain products by the usual methods of brewing fermentation or fotification by which malt and brewed liquors or beverages are or can be made requiring and authorizing licenses therefor and prescribing licenses fees and penalties providing for inspectors inspection and making an appropriation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1327, entitled:

An Act to restrain and regulate the manufacture sale and furnishing of intoxicating liquor for medical scientific commercial or other non-beverage use requiring and authorizing licenses therefor and prescribing license fees and penalties defining intoxicating liquor and repealing existing alcoholic liquor laws and alcoholic liquor license laws

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 929, entitled:

An Act to amend clause forty-one section three article five of an act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred sixty-eight) entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 495, entitled:

An Act making an appropriation to the State Highway Department for the payment of rewards to townships of the second class

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1489 (Senate Bill No. 736), entitled:

An Act authorizing the State Highway Commissioner to use funds appropriated for State-aid highway purposes by the act of March tenth one thousand nine hundred and twenty-one entitled "An act making an appropriation to the State Highway Department for the construction of permanent State Highways for the payment of the Commonwealth's share in the expenses of constructing State-aid highways for the maintenance and repair of State Highways within the limits of boroughs for the maintenance and repair of State-aid highways for the payment of rewards due townships of the second class for the payment of damages to property caused or occasioned in connection with the work of the State Highway Department" for the construction of State highways and to enter certain charges against the State-aid highway accounts of those counties in which State Road Bond Fund money has been used to pay State-aid highway contracts so as to reimburse accounts available heretofore for highway purposes which were used for State-aid highway purposes and making an appropriation thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1482, (Senate Bill No. 792), entitled:

An Act to amend section nine hundred six of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act establish a public school system in the Commonwealth of Pensylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended conferring sole power of supervision over certain schools and institutions wholly or partly by the State upon the Council of Education

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1478 (Senate Bill No. 789), entitled:

An act to amend the act approved the twenty-first day of May, one thousand eight hundred and eighty-one((P. L. 30), entitled "An act to enable mining, manufacturing, and trading companies to wind up their affairs, after the expiration of their charters" as amended; by extending the same to include foreign corporations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1480 (Senate Bill No. 868), entitled:

An Act authorizing poor directors of county poor districts to provide for the payment for the preparation of plans and specifications heretofore made for public buildings for such poor districts where no legal or valid contract was entered into as required by law

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1488 (Senate Bill No. 702), entitled:

An Act to amend section twelve of the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand forty-three) entitled "An Act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties as amended"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1463, (Senate Bill No. 505), entitled:

An Act to repeal an act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Appropriations Acts Page two hundred sixty-nine) entitled "An Act making appropriation to Washington and Jefferson College Washington Pennsylvania".

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1419, (Senate Bill No. 399) entitled:

An Act making an appropriation to reimburse the fund in the Mechanics Trust Company of Harrisburg standing to the credit of the Water Supply Commission for the improvement of French Creek for moneys inadvertently paid into the State treasury

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1431, (Senate Bill No. 776), entitled:

An Act making an appropriation for the restoration of buildings and property at the State hospital for the Insane of the Southeastern District of Pennsylvania located at Norristown Pennsylvania damaged and destroyed by a Cyclone

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1412, (Senate Bill No. 553), entitled:

An Act for the appointment of a commission to study conditions relating to blind persons in Pennsylvania and make recommendations and making an appropriation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1462, (Senate Bill No. 201), entitled:

An Act directing the State Librarian to cause certain old church records of this State to be translated preserved and published and making an appropriation therefor Whereas The records of the old churches of this State contain much valuable historical information which records by reason of their age and frequent handling are rapidly becoming illegible therefore

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1413, (Senate Bill No. 558), entitled:

An Act to amend section six hundred and three of an act approved the seventeenth day of May nineteen hundred and twenty-one (Pamphlet Laws six hundred and eighty-two) entitled "An Act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund and providing penalties and repealing existing laws."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1479, (Senate Bill No. 795), entitled:

An Act providing that in all suits against any county process shall be served upon and defense made by county controllers

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1484, (Senate Bill No. 393), entitled:

An Act to amend sections forty-three, forty-four, forty-five and fifty of article seventeen, chapter six of the act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled "An Act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1440, (Senate Bill No. 557), entitled:

An Act authorizing Council in cities of the first class by Ordinance to acquire the installation of standpipes and sprinkler systems in certain buildings in such cities to prescribe the kind and character thereof and regulations therefor and to provide for the enforcement of such Ordinance

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1470, (Senate Bill No. 512), entitled:

An Act to amend section one of an act approved the seventeenth day of March, one thousand nine hundred and twenty-one (P. L. 32), entitled, "An Act authorizing the erection and construction by counties of memorial halls in memory of the soldiers, sailors and marines of such counties; providing for an election to determine whether such hall shall be erected; providing for the purchase and condemnation of property for such purposes; regulating the use of such halls and providing for the maintenance and care of the same, by a board of control at the expense of the county;" by providing for second like proceeding, in certain cases and making it the duty of the county commissioners upon favorable result of a second election to erect such hall at some place designated in the question submitted on the ballot.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1437, (Senate Bill No. 476), entitled:

An Act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in alleys in cities of the first class for the establishment of lines and grades for the grading paving or repaving of said alleys and the grading of private alleys hereafter laid out and for apportioning the cost and for the filing of liens therefor

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

RESOLUTION.

ORDER OF BUSINESS ON APPROPRIATION BILLS.

Mr. McCAIG asked and obtained unanimous consent to the following resolution which was twice read, considered and adopted:

Resolved, that beginning May 14, 1923, the order of business on each day's calendar shall be appropriation bills on first, second and third reading, after which the regular order of the calendar shall be as at present

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 277 as follows:

An Act to validate tax liens filed in the office of the Prothonotary of the various counties by any of the cities of this Commonwealth since the twenty-fourth day of May one thousand nine hundred and twenty-one under the provisions of an act approved the fourth day of June one thousand nine hundred and one entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefore the methods of preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales and its supplements and amendments thereto and providing for their collection

Section 1 Be it enacted by the Senate and House of Representattives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all tax liens heretofore filed in the office of the Prothonotary of the various counties by any city of this Commonwealth after the passage of the act of assembly approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws ten hundred and eighty-nine) entitled "An Act providing when how and to what extent liens upon seated real property shall be allowed for county bridge road borough incorporated town township school district and poor taxes the procedure upon tax claims filed therefor the methods for preserving such tax liens and enforcing payment of such liens the effect of judicial sales of the property liened and the manner of distributing the proceeds of such sale" be and the same are hereby validated and made effectual as if the above said act had not been passed

All such tax liens so filed in the office of the prothonotary by any of the cities of the Commonwealth shall be collected in the manner provided in the act of assembly approved the fourth day of June one thousand nine hundred and one (Pamphlet Laws three hundred sixty-four) entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the property liened and the manner of distributing the proceeds of such sales" and its several supplements and amendments thereto and with like force and effect as if the said act of May twenty-fourth one thousand nine hundred and twenty-one (Pamphlet Laws one thousand eighty-nine) had not been passed Provided the tax liens shall in all other respects be legal and valid and provided further that this act shall not apply to any cases already adjudicated or to any suits now pending or undetermined

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186.

Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts.
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brenneman,
Brewster,
Bromley
Brown,
Brownmiller,
Burchinal,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Mangan,
Marcus, J.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr.
Parkinson,
Patterson,
Perry,
Pitts,
Sample,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,

Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lauver,
Little,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 204, as follows:

An Act directing the Governor with the assistance of a budget director and assistants to prepare and transmit to each General Assembly a budget for each of the two fiscal years next succeeding and to submit therewith a general and other appropriation and revenue bills providing for the consideration thereof by the General Assembly requiring spending agencies of the Commonwealth and the fiscal officers thereof to furnish certain information and providing for uniform systems of accounting and financial reports for control and supervision over the expenditures of the Commonwealth and for the lapsing of appropriations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That DEFINITIONS the words "fiscal year" as used in this act shall mean the period beginning on the first day of June of each year and ending on the thirty-first day of May of the year succeeding and shall be the year for which appropriations are made by the General Assembly

The words "spending agencies" as used in this act shall include the several departments and independent boards bureaus divisions and commissions comprising the executive branch of the State government the judicial branch of the State government and the several State semi-State and private institutions within the Commonwealth supported in whole or in part by or seeking assistance from the Commonwealth

Whenever any duty is imposed by this act upon any "spending agency" the same shall be performed by or under the direction of the head of the respective department board bureau division and commission and in the case of the judicial branch by the prothonotaries of the Supreme and Superior Courts and the president judges of the several courts of common pleas orphans' courts municipal courts and county courts and in the case of State semi-State and private institutions by the board of trustees board of managers or other proper authority thereof

Section 2 GOVERNOR TO PREPARE AND SUBMIT BUDGET The Governor shall in accordance with this act biennially prepare and transmit to each General Assembly a budget for each of the next two succeding fiscal years The Governor shall have power to employ clerical assistants to aid in the preparation of the budget and may expend biennially for such purposes a sum not exceeding five thousand dollars ($5,000) provisions of which shall be made by an item in the general appropriation bill

Section 3 DISTRIBUTION OF ESTIMATE BLANKS CONTENTS Not later than November first of each even-numbered year the Governor shall distribute suitable blanks for the preparation of budget estimates to each of the several spending agencies of the Commonwealth Upon request made in writing the Governor shall also furnish estimate blanks to any private institution not theretofore receiving State-aid The budget estimate blanks shall be in such form and call for such information as the Governor may require

Section 4 RETURN OF INFORMATION ON ESTIMATE BLANKS Each spending agency shall not later than December fifteenth of each even-numbered year return to the Governor the estimate blanks with the complete information required including complete information as to receipts and expenditures from special funds Such estimates shall be accompanied by a statement in writing giving facts and explanation of reasons for each item of appropriation requested

Section 5 INFORMATION FROM AUDITOR GENERAL The Auditor General shall by December fifteenth of each even-numbered year furnish to the Governor (a) a classified statement of revenues and expenditures during the two fiscal years last ended and the first six months of the current year (b) a classified statement of appropriations applicable to or available in the current fiscal year together with the amounts of such appropriations unexpended and unencumbered on December first of the current fiscal year (c) a balance sheet of the State's finances on December first of the current fiscal year (d) an itemized statement of balances in the general and special funds as of December first of the current fiscal year and (e) a classified statement of estimated revenues in the current and two next succeeding fiscal years

Section 6 INFORMATION FROM STATE TREASURER The State Treasurer shall prior to the meeting of each General Assembly and at times as may be requested by the Governor furnish to him a statement showing the amount of money required to be appropriated by the General Assembly for the two succeeding fiscal years for payment into the sinking fund of the Commonwealth to pay the interest upon the funded debt and to provide for the retirement of the same at maturity

Section 7 HEARINGS REVIEW OF APPROPRIATION REQUESTS The Governor in his discretion may take further inquiries and investigations as to any item of appropriation desired by any spending agency Before submitting his budget to the General Assembly the Governor shall hold such official hearings on the appropriation requests as he deems necessary and at least one joint public hearing thereon with the chairman of the respective appropriations and finance and ways and means committees of the Senate and House of Representatives and the Auditor General and State Treasurer The Governor's tentative budget including the tentative drafts of bills to carry into effect his recommendations shall be presented and distributed to agencies requesting appropriations and upon request to citizens and taxpayers in ample time for use at such joint public hearings Any agency requesting a State appropriation and any citizen and taxpayer shall have a right to be heard at such public hearing on any matter relating to the Governor's budget When such hearings are completed the Governor shall review all information in his possession with regard ot the probable revenues and expenditures of the Commonwealth and shall revise an appropriation requests in such manner as to keep the expenditures of the Commonwealth for the two next succeeding fiscal years within the probable revenues under laws in force or recommended by the Governor

Section 8 SUBMISSION OF BUDGET CONTENTS The Governor shall not later than the first day of March of each odd-numbered year transmit to the General Assembly a budget in printed form for each of the two next succeeding fiscal years The budget shall cover all expenditures to be made from the general fund and from all special funds and it shall contain a statement balancing appropriations recommended with revenues available or proposed and a summary statement comparing by spending agencies the appropriations recommended with the expenditures incurred in the two completed fiscal years just preceding or with the expenditures authorized in the current biennium It shall also show in itemized form (a) the amounts expended during the last two completed fiscal years and an estimate of the expenditures for the current fiscal year (b) the appropriations requested for each of the next two fiscal years (c) the Governor's recommendations thereon (d) explanation of increases and decreases and (e) an estimate of revenues available from the general and special funds in the current and two next succeeding fiscal years The itemized statement of appropriations recommended or expenditures proposed shall be classified by organization units and shall show in detail for each spending agency by objects of expenditure the purpose of each appropriation Such statement shall further indicate whether the appropriation recommended or expenditure proposed is for capital maintenance or operation purposes

Section 9 SUBMISSION OF APPROPRIATION BILLS With the budget for each of the two next succeeding fiscal years the Governor shall transmit to the Speaker of the House of Representatives and the President pro-tempore of the Senate a general appropriation bill covering the needs of the executive legislative and judicial departments of the State government interest on the public debt and for the public schools The bill shall include appropriations to departments from special funds which are devoted to particular purposes but said appropriations shall only be for purposes for which said funds were created The Governor shall also submit individual bills for all special appropriations which he deems necessary and proper

Section 10 FORM OF APPROPRIATION BILLS AND LAWS All appropriation bills submitted to the Governor or enacted by the General Assembly shall include separate appropriations for each of the two succeeding fiscal years and so far as practicable such appropriation bills shall follow the classification adopted in the Governor's budgets

All appropriation bills submitted by the Governor or enacted by the General Assembly shall state specifically the fund from which the appropriation is to be made and the purpose for which the appropriation is to be expended

In the appropriation to the spending agency or agencies having charge of the purchase of supplies and printing and binding the Governor shall in each case set forth in schedule form the amount of the total appropriation for such purpose which is set aside for each spending agency and the General Assembly shall in all appropriation bills specifically limit each such spending agency in the amount of supplies and printing and binding which it may requisition The items in the general appropriation bill and all separate appropriation bills making appropriations to spending agencies shall however also show the amounts set aside for such spending agencies in the appropriations to the spending agency or agencies having charge of the purchase of supplies and printing and binding

Salaries recommended in the Governor's appropriation bills or fixed in the appropriation bills shall be based upon a uniform schedule for employees engaged in the same character of work

Section 11 REVENUE BILLS Whenever the Governor deems it necessary to revise existing revenue laws or to provide new sources of revenue he shall submit appropriate revenue bills with his budget statements and appropriation bills All such revenue bills shall be introduced only in the House of Representatives

Section 12 CONSIDERATION OF APPROPRIATION AND REVENUE BILLS BY GENERAL ASSEMBLY ADJOURNMENT The appropriations finance and ways and means committees of the Senate and House of Representatives respectively shall not later than March fifteenth hold joint meetings and joint public hearings on the appropriation and revenue bills submitted by the Governor and other revenue bills introduced At such hearings all citizens and taxpayers shall have a reasonable opportunity to present their views on any matter relating to appropriations and revenues In the exercise of the power granted by the Constitution the General Assembly may strike out or otherwise alter any item in any appropriation bill and may add new items thereto or in any other manner amend the same or any other bill submitted by the Governor and may permit the introduction consideration and passage of any substitute or other appropriation and revenue bills

The General Assembly shall in no case adjourn until the general appropriation bills enacted by the General Assembly has been finally acted upon by the Governor or been repassed over his veto

Section 13 UNIFORM ACCOUNTS QUARTERLY REPORTS LAPSING OF APPROPRIATIONS In order that the Governor may collect reliable information to assist in the preparation of biennial budgets and correctly ascertain the financial condition of the Commonwealth it is hereby provided

(a) That the Governor shall after due investigation prescribe a uniform system for the accounts financial reports and statements of all spending agencies

(b) That no appropriations shall become available for expenditure by any spending agency until such agency shall submit to the Governor quarterly estimates of the amount required for each activity to be carried on and such estimates have been approved by the Governor and each spending agency shall keep accounts and render monthly reports of expenditures for each activity to the Governor in such form as he may prescribe

(c) That all unexpended appropriations made by the General Assembly except for constructions under way or where any contract is let shall lapse into the fund from which appropriated at the end of the fiscal year for which such appropriation was made

Section 14 PRESERVATION OF BUDGET INFORMATION The information material and data collected by the Governor shall be preserved permanently in the Governor's office and be placed at the disposal of each incoming executive

Section 15 CONSTRUCTION The provisions of this act are severable and if any of its provisions are declared unconstitutional such decision shall not affect any of the remaining provisions of this act It is hereby declared as a legislative intent that such provisions would have been enacted had such unconstitutional provisions not been included therein

Section 16 All acts and parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. EDMONDS. Mr. Speaker, not all of the amendments that have been intended for this bill have yet been introduced, and I therefore move that it be placed on the postponed calendar.

Mr. FRATT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1173, as follows:

An Act providing that the address of all mortgagees of second mortgages shall be noted on the margin of the record of the first mortgage and that notice of issuance of execution process on judgment obtained on said first mortgages or the accompanying obligation intending to sell the mortgaged property shall be given to said second mortgagees and providing for a fee for Recorder of Deeds services and method of serving such notice

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at the time of recording of any second mortgage the said second mortgagee named therein may by himself or herself or by his her or its agent endorse on the said second mortgage a certification of the said second mortgagee's name and address and the place book and page of the record of the first mortgage on the property mortgaged and therein request the Recorder of Deeds to do as herein provided for The Recorder of Deeds in compliance with such request shall note on the margin of the record of the mortgage so mentioned in said certificate the name and address of the said second mortgagee and the date of making the notation

Section 2 Before the issuance of any execution process on the judgment obtained upon said first mortgage or the accompanying bond warrant or other obligation secured by it seizing and intending to sell the real estate so mortgaged as aforesaid the said first mortgage or his assignee shall give a written notice of intention of issuing such execution process to the said second mortgagee as herein provided for

Section 3 Notice required by this act may be made by personal service of said notice on the second mortgagee if an individual if a corporation then upon one of its officers or in either case by mailing a registered letter postage prepaid to the address of the said second mortgagee as noted on the margin aforesaid

Section 4 Before any execution process mentioned above shall be issued by the clerk or prothonotary of any court an affidavit of any person setting forth the manner of said service shall be filed with the clerk or prothonotary of the court in which the said proceedings are pending The affidavit shall set forth a copy of the notice so served as herein provided for and shall be made by the person making the service and shall set forth how the service was made and show a compliance with the provisions of this act and the prothonotary or clerk shall note on the docket the said proof of service and file the same in said proceedings

Section 5 Before the said execution process shall be issued an affidavit shall be filed with the clerk or prothonotary of said court setting forth the name and address of the second mortgagee noted on the margin of the record of said first mortgage and if there be none setting forth such fact and it likewise shall be filed with said proceedings

Section 6 For making such notation the Recorder of Deeds shall charge and collect a fee of one dollar and fifty cents

Section 7 This act shall not go into effect until the first day of August one thousand nine hundred and twenty three and shall not apply to any mortgages given and executed prior to that date

On the question,

Shall the bill pass finally?

Mr. JOHN G. MARSHALL. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. SOWERS. Yes, Mr. Speaker.

Mr. JOHN G. MARSHALL. Will you please explain the purpose of this bill?

Mr. SOWERS. Mr. Speaker and members of the House, the bill atbefore you at the present time is Bill 1173. The bill has been offered by me, but it is not, however, my creation. Some gentlemen from Pittsburgh came down and offered a bill with reference to second mortgages and other liens. That bill was referred to the Judiciary Special committee and we negatived that bill, but told him that we could go along with him part way, so that the bill before you now is the result of his thought. The bill provides for a new policy in Pennsylvania. The policy in Pennsylvania heretofore has always been that when a first mortgage was placed on a property, and the first mortgage was foreclosed no notice need be given to the second mortgage holder or other liens or encumbrances, so that not invariably, but it happened on many occasions that a property was sold out and bought in by the first mortgagee and the second mortgagee lost everything, notwithstanding the fact that there was a large equity in the property. Now this bill is as toothless as it can be made. I realize that it is an entirely new policy, and I have tried to make it as simple as possible so it would not conflct with our practice of years standing. The bill provides in the first place that a second mortgagee may take advantage of the law or he may not, as he sees fit. A second mortgagee when he presents his mortgage of record may say, "The first mortgage on this property is recorded in book so and so, page so and so, and I ask you to write on the margin of the first mortgage my name and address." Then the bill next provides that should the first mortgagee foreclose or should sue out the mortgage on the accompanying bond and warrant, that before the prothonotary issues the writ directing the sheriff to sell the property the first mortgagee must send a letter to the second mortgagee, to the name and address as given on the margin of the first mortgage, and that he must file with the prothonotary an affidavit saying that he did that. Now the bill does not say that the second mortgagee must receive it. It simply puts the burden on the first mortgagee, or his lawyer, that is foreclosing it, that he must mail that nótice to the second mortgagee, to the name and address given. Now, I don't see any great burden imposed on the first mortgagee in doing that, and I don't see a great burden imposed on the lawyer to do that.

Mr. JOHN G. MARSHALL. Mr. Speaker, I desire to interrogate the sponsor further.

The SPEAKER. The gentlemen will proceed.

Mr. JOHN G. MARSHALL. Mr. Sowers, do you not have a sheriff's sale and insurance company in Philadelphia to protect the second mortgagee.

Mr. SOWERS. Mr. Speaker and members of the House, in Philadelphia we have title companies that for $5.00, or $3.00 will guarantee to the second mortgagee that they will give him notice ten days before the sale of the property mortgaged. Now, when the country members came before the Judiciary Special Committee with their bill, I said there was absolutely no necessity for this bill, that in Philadelphia for three or four dollars we could protect ourselves against this evil, and I said, cannot you do it up in your counties? What do you want to bother us with this for? And they said "No, we don't have such things. We want this." There were two or three lumber merchants appeared before the committee and they said they were now engaged in a campaign of building, and that they would furnish their lumber, that there was a shortage of dwellings, that they wanted to put up their money on second mortgages and they wanted to have some notice from the first mortgagee, and that the facilities that we enjoyed in a large city they did not enjoy in the country, and for that reason I have gone with them and favored this bill.

Mr. JOHN G. MARSHALL. Mr. Speaker and members of the House, I have no desire to oppose anything that would be of any benfit to anybody who is loaning money, but it seems to me that this bill does put an uncalled for burden on the first mortgagee. Under the law at the present time, if you loan money and have a first mortgage and come to foreclose it there are quite a lot of technical details that must be complied with before you can foreclose your mortgage. You must make an affidavit of ownership; you must make an affidavit of default and you have to watch the technical procedure all through the sale before you can get a good title. Now this bill puts a lot more requirements on the first mortgagee before he can foreclose his mortgage. He must give notice to the second mortgagee or as many of them as there are. After he gives notice he must file an affidavit as to the manner in which that notice given that must be accompanied by a copy of the form of notice, but if he fails in any of this it is a question whether his sale is valid or not. I merely call your attention to the provisions of it. Personally I do not think it is proper that we should put these additional requirements on the first mortgagee. If people are willing to take second and third mortgages, the burden should be upon them to look after their interests. The additional burden is placed upon the first mortgagee who believes his mortgage on record is absolutely clear. It seems to me that it would be a question whether we should put all this additional burden upon him in order to protect the second, third and fourth mortgagees or men who are willing to place their mortgages in that position. If these men are willing to take second mortgages the burden should be upon them to look after their own interests. It is a matter that I merely call to the attention of the members of the House, and you can use your own judgment. Personally I feel I cannot support this measure.

Mr. ALEXANDER. Mr. Speaker and members of the House, I have discussed this bill with my friend from Beaver and I agree with the sponsor of the bill. I think it is a proper and a good bill. and I will tell you why. I want to give you a certain instance at the present time. I represented, some time ago, a women who had a second mortgage on a property. She was fearful that the first mortgagee would issue an execution or a sci. fa. on the first mortgage and cause her to pay in order to protect herself, something like $125.00 extra over and above what she would have to pay. I went to the holder of the first mortgage and wrote him a letter and ask him if he wouldn't give me notice of any time when the motgagor defaulted in the payment of interest so that we could take care of that interest and save that money. He promised me he would, but the trouble is when they defaulted, he went to one of the attorneys who are anxious to collect an attorney's fee and instead of his giving me notice he issued a sci. fa. and gave me the notice afterwards. And before we could get the matter settled we went into court, and it cost that women seventy-five dollars to settle the cost of the attorney's fees before we could do that. Now, there is no reason why it shouldn't be done at all. Anybody that has a first mortgage is concerned about getting his mortgage interest and principal. Why shouldn't he, if somebody else is interested in the same property, if he has a chance to get his money; why shouldn't he give a notice to the other side and give them a chance to save themselves? The fact that he hasn't any right to loan on a second mortgage is no argument. If the property is worth it you have a right to accommodate a man if you want to and loan him a second mortgage, and I think it is no more than proper and no more than right that this should prevail.

Mr. HEFFERNAN. Mr. Speaker and members of the House, I rise to say just a few words on this bill from the standpoint of a treasurer of several building and loan associations in Philadelphia who handle very many second mortgages. When building and loan associations are organized, they sometimes are organized by men who are not always thoroughly adapted to the requirements and the rules and the regulations of building and loan associations. They hadn't that great amount of experience at all times that other officials of building and loan associations have had. They are not qualified at all times to understand the underlying principles and knowledge of building and loan association affairs that they should have had to properly conduct a loan association. I will admit that in Philadelphia with our land title and trust companies, and so forth, we are well protected, as has been said, but I believe that up in the country districts where you do not have land title and trust companies to keep you posted on these matters, that second mortgage holders should receive some protection. I can't, for the life of me, understand why there would be any great amount of burden upon anybody to write a letter to a building and loan association or to a second mortgage holder to notify them that they are about to foreclose their first mortgage, by reason of the fact that they want the money or that the interest has not been paid. I don't think that it is necessary, members of the House, to say anything further on this matter. It is simply a case of one man trying to protect another and I think we owe it to one another and I feel that if I am going to foreclose a mortgage and I know that the building and loan association holds a second mortgage made up of poor people whose money is in the building and loan association, I think that money should be protected, and it is a good way to protect it by notifying the loan associations that the first mortgagee has foreclosed, and I hope that this bill will pass on those grounds.

Mr. SOWERS. Mr. Speaker, in reply to my friend, Mr. Marshall, I want to call the attention of the House to two thoughts. My friend argues to you as though every man who took a first mortgage foreclosed on it. I don't believe that one in a thousand first mortgages are foreclosed. So, how much labor is that? Now, my friend makes another proposition that it would be a very heavy and undue burden on the first mortgagee. Now let's see what it does. It says, "notice in either case by mailing a registered letter, prepaid, to the address of the second mortgagee, as noted on the records." Now, how much work is that, buying a ten cent stamp, writing the letter, and putting it into a mail box? If any lawyer is too lazy to do that he ought to go out of business.

Mr. BLUMBERG. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Storb, Ludlow, Weimer, Vickerman, McCaig, McCann, Miss Grimes, Messrs. Glasgow, Bluett, Joseph C. Marcus, Goehring, Craig, Alexander, A. I. Fowler, Hazlett, Heffernan, Post, Bromley, Burns, Dilsheimer, Haws, Lucas, Dunn and others.

On the question,

Shall the main question be now put?

It was agreed to.

On the question recurring,

Shal the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—120.

Alexander,
Allman,
Anderson,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, W. T.,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brownmiller,
Bush,
Craig,
de Young,
Diehm,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Evans, J.,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Gallaher,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Gorham,
Greeby,
Griffith,
Grimes,
Gundy,
Haas,
Hall,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Holcombe,
Hollis,
Hoover,
Huber,
Irvin,
Keene,
Kennedy,
Kohler,
Labar,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McDermott,
McGowan,
Metcalf,
Millar,
Miller,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Ogle,
Parkinson,
Patterson,
Pitts,
Posey,
Price,
Rinn,
Rippman,
Sample,
Sautter,
Schaeffer,
Sheridan,
Smith, H. J.,
Smith H.,
Smith, J. W.,
Sowers,
Speiser,
Staudenmeier,
Stavitski,
Sterling,
Stofflet,
Storer,
Thomas, L. D.,
Van Alen,
Vickerman,
Weamer,
Wells,
Wettach,
Whitehouse,
Woner,
Wood, W. P.,
Goodnough,
Speaker.

NAYS—32.

Albert,
Armstrong,
Chaplin,
Clutton,
Colville,
Edmonds,
Evans, B. P.,
Frazier,
Himes,
Horne,
Howell,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Marshall, J. G.,
Minehart,
Moffatt,
Moore,
Peelor,
Post,
Rhodes,
Richards,
Schilling,
Schwartz,
Smith, G. A.,
Stark,
Thomas, M. G.,
Thompson,
Walker,
Williams, G. W.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1287, as follows:

An Act to amend section second of the act approved the ninth day of July one thousand nine hundred and one (Pamphlet Laws six hundred fourteen) entitled "An act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section second of the act approved the ninth day of July one thousand nine hundred and one (Pamphlet Laws six hundred fourteen) entitled "An act regulating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" which was amended by the act approved the third day of April one thousand nine hundred and three (Pamphlet Laws one hundred thirty-nine) entitled "A supplement to section second of an act entitled 'An act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs' approved the ninth day of July one thousand nine hundred and one" is hereby further amended to read as follows

Section 2 The writ of summons the writ of attachment in execution and the writ of scire facias in personal actions may be served by the sheriff upon a corporation a partnership limited or a joint stock company in the county wherein it is issued in any of the following methods

(a) By handing a true and attested copy thereof to the president secretary treasurer cashier chief clerk or other executive officer personally or

(b) By handing a true and attested copy therof to an adult member of the family of any one of said officers at his dwelling house or

(c) By handing a true and attested copy thereof at his place of residence to an adult member of the family of the person with whom any of said officers resides or

(d) By handing a true and attested copy thereof at his place of residence to the manager or clerk of the hotel inn apartment-house boarding-house or other place or lodging where any of said officers reside or

(e) By handling an attested copy thereof at any of its offices depots or places of business to its agents or persons for the time being in charge thereof if upon inquiry thereat the residence of one of said officers within the county is not ascertained or if from any cause an attempt to serve at the residence given has failed or

(f) If the corporation partnership limited or joint stock company has no office or place of business in actual operation in the county where the cause of action arose then service may be made in such county upon any members of its Board of Directors in any of the methods set forth in clauses (a) (b) (c) or (d) hereof or

(g) If the corporation partnership limited or joint stock company has no office or place of business in actual operation in the county in which the cause of action arose and no member of its board of its board of directors or other officer is a resident of the county in which the cause of action arose then service may be made in any of the methods set forth in clauses (a) (b) (c) (d) (e) or (f) hereof in any other county than that in which the writ issues by the sheriff of such other county who shall be deputized for that purpose by the sheriff of the county in which the writ issues or

(h) In the case of a registered foreign corporation partnership limited or joint stock company by serving its duly registered attorney as in case of a summons issued against him personally or by leaving a true and attested copy thereof for him at the registered place of he be not found there during the usual business hours of any business day with the person for the time being in charge of the business carried on at such place

(i) Whenever service cannot be had in any of the methods hereinabove provided the service may be made by leaving the process to be served in duplicate in the hands of the Secretary of the Commonwealth or his deputy at the Harrisburg office For the purpose of such service the Secretary of the Commonwealth is hereby constituted the attorney-in-fact for all domestic corporations and for all domestic limited partnerships and joint-stock companies required by law to be registered in the office of the Secretary of the Commonwealth One copy certified by the Secretary of the Commonwealth or his deputy as having been served on him shall be deemed sufficient evidence thereof and service upon the Secretary of the Commonwealth or his deputy as attorney-in-fact shall be deemed valid service upon the corporation limited partnership or joint-stock company When legal process is served upon the Secretary of the Commonwealth as attorney for any corporation limited partnership or joint-stock company he shall forthwith forward one of the duplicate copies of the process served on him to its president treasurer or secretary by registered mail to its principal office Where attachments are so served the Secretary of the Commonwealth shall give immediate notice thereof to the corporation limited partnership or joint-stock company by telegraph As a condition of valid and effective service and of the duty of the Secretary of the Commonwealth in the premises the plaintiff in every such process shall pay to the Secretary of the Commonwealth at the time of service thereof the sum of two dollars which the said plaintiff shall recover as taxable costs if he prevails in the suit The Secretary of the Commonwealth shall keep a record of all such processes which shall show the date and hour of service and where and by whom served

Provided That two returns of nihil habet shall be equivalent to personal service in writs of scire facias to revive judgments entered in personal actions

On the question,

Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Greene, Mr. Parkinson, permit himself to be interrogated?

Mr. PARKINSON. Mr. Speaker, I will.

Mr. ALEXANDER. Mr. Speaker, I desire to ask the gentleman, in the event the cause of action occured we will say, in the county of Philadelphia, and the man who was injured lived in Erie, is there anything in this bill to prohibit the action being brought in Erie against the man living in the city of Philadelphia?

Mr PARKINSON. Mr. Speaker, I would ask the gentleman to direct his inquiry to the gentleman from Westmoreland, Mr. Kunkle.

Mr. ALEXANDER. Mr. Speaker, I desire to ask the gentleman from Westmoreland if the cause of action arose in the city or county of Philadelphia and the person injured happened to reside in the county of Erie, will not this bill permit the resident of Erie to bring suit against a resident of Philadelphia, can he not commence the action in the county of Erie?

Mr. KUNKLE. I think not, Mr. Alexander. If you will notice the Act, it was originally made to change the words "in which the writ issues", but that has been amended by striking that out, so that the act, as it stands now, with the amendment, does not change the Act as it has been heretofore.

Mr. ALEXANDER. What is the purpose of the amendment, then?

Mr. KUNKLE. The purpose of the amendment is merely to get better service. For instance, a Pennsylvania corporation may have property, as was the case in a case in Greene County, and they maintained no office and no officer or director lives in the county where the property is located, and the purpose of this is to get same place to serve a writ and bring suit where the cause of action arose. The purpose is to give, in a case of that kind, where there is no office maintained and no director or officer can be reached, a better service in that case, and the Act has been amended so that it does not change any existing law.

Mr. ALEXANDER. The trouble is, it has been amended so often that I could not understand it, and that is the reason I am asking the question. You think the amendment is no broader than what you have stated.

Mr. KUNKLE. I am sure of that.

Mr. EDMONDS Mr. Speaker, I desire to interrogate the gentleman from Westmoreland.

The SPEAKER. Will the gentleman from Westmoreland, Mr. Kunkle, permit himself to be further interrogated?

Mr. KUNKLE. I will, Mr. Speaker.

Mr. EDMONDS. Mr. Speaker, may I not ask the gentleman if the situation he hasin mind was notcorrected dy a bill that we considered and passed a couple of weeks ago, where the defendant had realty in the county but no corporate organization.

Mr. KUNKLE. Not to my knowledge.

Mr. EDMONDS. I thought that was a bill that you introduced.

Mr. KUNKLE. No, that was a matter to obtain service when suit was brought on a general warranty deed, to bring the action in the county where the land was located, so it does not affect this, this is different. I might just add a word in case some of the members did not hear what I said. This simply amends the Service Act by adding another section to permit service on corporations in the State of Pennsylvania where they maintain no office, where the president and directors and officers are not located in the county where the property is situated, where the cause of action arose, and it permits service in that case by serving the Secretary of the Commonwealth and provides for such service. To my mind it is a good Act because the Pennsylvania corporations ought to maintain what they started out to maintain, an office, and they ought to have some place in the State to serve writs upon them, and if they do not maintain such an office then they can be served by service on the Secretary of the Commonwealth in the same way that they get service on foreign corporations. I think the bill is meritorious and should pass.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—166.

Albert,
Alexander,
Allman,
Anderson,
Arthur,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Coyne,
Craig,
de Young,
Diehm,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Frazier,
Callaher,
Gelder,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Lucas,
Ludlow,
Lynch,
MacKinney,
Malie,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDermott,
McGowan,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Peelor,
Perry,
Pitts,
Posey,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Soffel,
Sowers,
Spangler,
Speiser,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storer,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weaver,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 581, as follows:

An Act imposing a poll tax for county purposes on male and female residents over the age of twenty-one years and abolishing the occupation tax

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all persons male and female over the age of twenty-one years residing within any county of this Commonwealth shall be required to pay an annual poll tax of fifty cents for county purposes which tax shall be assessed and collected in the same manner as other county taxes All county taxes now assessed and collected on salaries and emoluments of office on offices and posts of profit professions trades and occupations by the laws of this Commonwealth are hereby abolished saving the right to counties to collect all such taxes assessed prior to the passage of this act

Section 2 This act shall take effect on the first day of September one thousand nine hundred and twenty-three

Section 3 All acts and parts of acts inconsistent with this act are hereby repealed

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. ALEXANDER. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. HEYBURN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 235, as follows:

An Act to validate certain municipal assessments municipal claims and municipal liens in the several boroughs of the Commonwealth providing for the filing of claims therefor and the proceedings for the collection of such assessments and claims

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever heretofore the council of any incorporated borough of this Commonwealth has required by ordinance and caused to be graded paved curbed or macadamized with brick stone or other suitable material or otherwise improved any public street or thoroughfare or part thereof either cartway or footwalk or has caused sewers to be constructed therein or both pursuant to such ordinance but owing to some defect in the petition action of council notice of publication or other proceeding necessary under existing laws and ordinance to give jurisdiction to such council or because of noncompliance with existing law as to publication of copies of ordinance and posting of handbills prior to the final passage of such ordinance or because the ordinance itself or the official record book containing the same has been lost mislaid or destroyed or has not been transcribed in the official record book or the time for filing said lien or making said claim has expired or claim has not been filed after notice to do so or for any other reason the cost of such improvement or a portion thereof cannot be legally assessed upon the property bounding or abutting upon the street or part thereof improved or owing to some defect in the statement of claim filed to secure the lien or the failure of the borough solicitor to file the lien in the court of common pleas or to sign the same for the cost of such improvement payment thereof cannot be enforced as was contemplated by the act or acts of the General Assembly under which the improvement was attempted to be made and statement of claim filed now by this act such improvements are made valid and binding and the council of such incorporated borough may cause the property bounding or abutting upon the street or part thereof upon which the improvement has been made or is now being made to be assessed in the manner now provided by law with such a portion of the cost of such improvement as is contemplated by the law under which the improvement was made or attempted to be made or is now being made Such assessment or other assessment heretofore regularly made shall be a lien upon the property assessed the lien shall date from the date of the filing of the same and shall remain a lien until fully paid and satisfied Provided That a writ of scire facies is issued to revive the same during every period of five years after the lien is filed as hereinafter provided

Section 2 The council of any incorporated borough of this Commonwealth entitled to a lien under this act shall file a lien therefor in the office of the prothonotary of the county within which the property lies within six months after the completion of the work where the improvement is now in progress or within six months after the approval of this act where the improvement is now completed and the same shall be entered upon record as other municipal claims such liens shall state the name of the party claimant which shall be the corporate name of the borough making the improvement name of the owner or reputed owner of the property assessed a reasonable description of the property assessed the amount or sum claimed to be due which shall include interest on the assessment from the completion of the improvement for what improvement the claim is made the date of its completion the date of the assessment from which the lien is filed such lien when so filed shall be prima facie evidence of all matters therein set forth and of the right of the borough to recover the amount therein claimed to be due together with interest from the date of the lien or completion of the improvement costs and attorney's commission of five per centum for collecting

Section 3 The claim when so filed shall be proceeded upon for collection by writ of scire facias provided That this act shall not apply to any proceeding suit or lien wherein a final order or judgment of any court of record has already been made or entered

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—179.

Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1244, as follows:

An Act relating to the regulation of brick work and inspection of same in cities of the second third and fourth class and other municipalities within the Commonwealth wherein such work is preformed and inspectors are employed providing for the appointment of inspectors and penalties for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in cities of the second class within the Commonwealth of Pennsylvania all brick work shall be performed in accordance with this act and not otherwise that all brickwork performed in and about the erection of hospitals schools dwellings apartments warehouses and other buildings wherein human beings shall be housed collected or assembled in numbers or wherein shall be placed or stored machinery and materials or both being of excessive or dangerous weight said buildings being recognized and known as "strong" durable and slushed built buildings with mortars specified by the Architects' Association of Pennsylvania

Section 2 All floors partitions and furred walls in hospitals schools dwellings apartments warehouses and other buildings where tile shall be used the tile shall be hard burnt durable and of sufficient strength to stand the necessary stress and strain required in said buildings and be laid with full bed cross joints made from good trowel motar

Section 3 That all brickwork upon such buildings shall be laid plumb level and straight and in a workmanlike manner under the supervision of practical inspectors as hereinafter provided for

Section 4 Nothing in this act shall affect the laws of this Commonwealth relative to the erection of tenement houses in cities of the first second third and fourth class and in municipalities wherein brickwork and inspectors are employed

Section 5 In cities of the second class there shall be appointed by the director of Public Works not less than two inspectors both of whom shall be competent and practical bricklayers of not less than ten years' experience having certificates of approval as competent and practical bricklayers by the Board of Examiners of the recognized bricklayers' organization of the particular district or districts in which they are appointed

Section 6 The councils of said cities shall pass the necessary ordinance or ordinances to put this Act of Assembly in force and effect to fix the salaries of inspectors when authority has been given for their appointment and to prescribe reasonable penalties for failure to comply with the provisions of the said ordinance or ordinances

Section 7 This act shall take effect on the first day of January one thousand nine hundred and twenty-four

Section 8 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas.
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy.
McDaniel,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Orr,
Parkinson,
Patterson,
Perry,
Pitts,
Posey,
Post,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Weamer,
Wells,
Wheeler,
Whitehouse,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 85, entitled:

An Act making an appropriation to the Pennsylvania State Park and Harbor Commission of Erie.

And said bill having been read at length the third time, considered and agreed to.
On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202.

Albert,
Alexander,
Allman,
Anderson,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Lauver,
Little,
Long,
Lucas,
Rippman,
Sample,
Sarig,
Sautter,

Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller.
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Thomas. L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 86, entitled:

An Act making an appropriation to the several fire companies of the city of Harrisburg.

And said bill having been read at length the third time, considered and agreed to.
On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202.

Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,

Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,

Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kunkle,
Kohler,
Kunkle,
Labar,

McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,

Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 997, entitled:

An Act authorizing and empowering the District Attorneys of each county to organize themselves into a State Association, for the purpose of holding meetings, and providing for the payment of the expenses thereof and of the District Attorneys attending by the several counties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—129.

Allman,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Brown,
Brownmiller,
Bush,
Clutton,
Coldsmith,
Colville,
Craig,
Diehm,
Dietz,
Donahue,
Drinkhouse,
Dunn,
Eaches,
Earley,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,

Fowler, A. I.,
Fowler, D.,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Gorham,
Greeby,
Grimes,
Haas,
Haines,
Harer,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,

Lauver,
Little,
Long,
Lucas,
Ludlow,
Malie,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
McBride,
McCann,
McCaig,
McKim,
McVicar,
Millar,
Miller,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Ogle,
Orr,
Parkinson,
Pitts,
Posey,
Price,
Raymond,
Richards,
Rinn,
Sarig,
Schaeffer,
Schilling,
Schwartz,

Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. J.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Whitehouse,
Whiteman,
Williams, G. W.
Woner,
Wood, N.,
Wood, W. P.,

NAYS—26.

Bell, F. A.,
Betts,
Chaplin,
Driggs,
Gallaher,
Goss,
Griffith,

Harter,
Hollis,
Hontz,
Johnson,
Labar,
Mack,
MacKinney,

Marshall, W. F.,
McCurdy,
McDermott,
Minehart,
Moore,
Peelor,
Post,

Rippman,
Wheeler,
Wright,
Zook,
Goodnough,
Speaker.

The majority required by the Constitution having voted in the affimative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 216, entitled:

An Act to provide for the payment of moneys by the Commonwealth to counties and townships, the tax funds of which was diminished by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions; and making an appropriation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Albert,
Alexander,
Allman,
Anderson,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,

Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hontz,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,

Lafferty,
Little,
Long,
Lucas,
Ludlow,
Lynch,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McDaniel,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Ogle,
Orr,
Parkinson,
Patterson,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,

Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 351, entitled:

An Act to amend section forty-two of the act approved the fifteenth day of April, one thousand eight hundred and thirty-four, (Pamphlet Laws 537), entitled "An Act relating to counties and townships, and county and township officers," by making county treasurers agents of the Commonwealth in collecting and transmitting money for the Commonwealth; and providing their compensation for such services.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Aston,
Baker,
Baldi,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kunkle,
Labar,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
Lynch,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McDaniel,
McDermott,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Orr,
Parkinson,
Patterson,
Perry,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1190, entitled:

An Act providing for the granting of licenses to practice dentistry to certain persons who served in the army or navy of the United States or any branch or unit thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
Diehm,
Dilsheimer,
Donahue
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McCurdy,
McDaniel,
McDermott,
McGowan,
McVicar,
Metcalf,
Millar,
Miller.
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
O'Boyle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—2.

Blumberg,
Nolte,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 99, entitled:

An Act making an appropriation to the Commissioners of Valley Forge Park.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202.

Albert,
Alexander,
Allman,
Flynn,
Fowler, A. I.,
Fowler, D.,
Lauver,
Little,
Long,
Rippman,
Sample,
Sarig,

Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb.
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILLS SIGNED BY SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 317.

An Act to amend section one of an act approved the seventeenth day of May, one thousand nine hundred and nineteen, (P. L. 208), entitled "An Act prohibiting, under certain conditions, the commutation, encumbrance, or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto; prohibiting the attachment of such proceeds and income; and authorizing life insurance companies to hold such proceeds as part of the general corporate funds," by extending the same to the proceeds and income from policies issued by both domestic and foreign companies.

HOUSE BILL No. 532.

An Act to provide for the registration and protection of names titles or designations of associations societies orders foundations federation organizations and corporations of the first class

HOUSE BILL No. 774.

An Act authorizing courts of quarter sessions to commit the care of certain burial grounds to the councils of boroughs, township commissioners and township supervisors of townships, and requiring boroughs and townships to pay the expenses in connection therewith.

HOUSE BILL No. 885.

An Act limiting the power of State banks banking companies trust companies savings banks and unincorporated banks to become surety on bonds

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 8, 1923.

Resolved (if the Senate concur), That House Bill No. 1312, File Folio 4715, entitled "An act to amend sections one, two, three and four of an act, approved the eighteenth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, four hundred ninety-eight), entitled 'An act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools,' " be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 8, 1923.

Resolved, (if the Senate concur), That House Bill No. 957, Printer's No. 563, File Folio 3963, entitled "An act to provide for the laying out, altering and vacating roads lying partly in one county and partly in an adjoining county, forming or intended to form a continuous highway from one county to another, and providing for the location, construction of a joint county bridge on said road," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 8, 1923.

Resolved (if the Senate concur), That House Bill No. 540, File Folio 1329, entitled "An act prohibiting persons from concealing changing or destroying manufacturers' serial numbers or identification marks upon machines or apparatus or from knowingly having any such machine in the possession and prescribing penalties for violation thereof", be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 9, 1923.

Resolved (if the Senate concur) That House Bill No. 227, File Folio 865, entitled "An Act to further amend the fifth section of an act entitled 'An act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof', approved May nineteenth, Anno Domini, eighteen hundred and seventy-four (Pamphlet Laws, two hundred and six), as amended by fixing and determining the salaries of the assistant clerks of said court in counties of the first, second, third and fourth classes," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

Resolution No. 15

Whereas There is now at the Homeopathic State Hospital for the Insane at Allentown certain electrical equipment no longer of use at such institution by reason of a change from an alternating to a direct current system and

Whereas The Department of the Adjutant General can make use of said electrical equipment at the State Military Reservation at Mount Gretna therefore be it

Resolved (if the Senate concur) That the board of trustees of the Homeopathic State Hospital of Allentown is authorized to transfer to the Adjutant General of the Commonwealth for use at the State Reservation at Mount Gretna one one hundred K. V. A. Motor Generator Set the switch board equipment for the same and the transformers and motors for the above equipment

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

JOINT SESSION TO ELECT DIRECTOR TO THE LEGISLATIVE REFERENCE BUREAU.

In the Senate, May 9, 1923.

Resolved, (if the House of Representatives concur), That a joint session of the House and Senate be held in the Hall of the House on May 15, 1923, at 1 o'clock, for the purpose of electing a Director to the Legislative Reference Bureau, as provided by the act approved the seventh day of May, one thousand nine hundred and twenty-three, entitled "An act creating a Legislative Reference Bureau, providing for the election of Director by the General Assembly, designating the officers and employees of such Bureau, defining their duties, fixing their salaries, abolishing the present Legislative Reference Bureau, and making an appropriation."

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 9, 1923.

Resolved (if the House of Representatives concur), That Senate Bill No. 439 entitled "An Act to amend sections one thousand one hundred five and one thousand one hundred thirty-four of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith,'" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 571.

An Act to amend section three hundred and twenty-five of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" changing the compensation of township auditors

HOUSE BILL No. 1080.

An Act to make reinstatements in the civil service of persons honorably released from the active military or naval service of the United States after service in any of the wars in which the United States has been engaged

HOUSE BILL No. 686.

An Act authorizing probation officers of the various counties to attend the annual State Association or Conference of Probation and Parole and providing for the payment of their expenses and membership dues by counties

HOUSE BILL No. 1058.

An Act authorizing cities and boroughs to appropriate moneys to organizations of veterans to assist in paying rent

HOUSE BILL No. 289.

An Act to amend part of section forty-one of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries, the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents"

HOUSE BILL No. 383.

An Act to repeal the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand two hundred and seventy-three) entitled "An act to authorize the compilation and publication of not less than two nor more than four volumes of Statutes at Large of Pennsylvania in addition to the sixteen volumes heretofore authorized additional volumes being necessary to connect the Statute at Large and the Pamphlet Laws of Pennsylvania in a serial and complete publication of the Laws of the Province and Commonwealth and to provide for the appointment of a Commission to control and supervise the preparation of said volumes and of a competent person to compile and edit them and making an appropriation therefor."

HOUSE BILL No. 353.

An Act to amend section eight of the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and fifty-nine) entitled "An act for the better protection of fish requiring citizens of the United States residing within this Comomnwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth or in the waters bounding or adjacent thereto and regulating the issuance of such license providing penalties for the violation of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties recovered and license fees received" by making county treasurers agents of the Commonwealth in collecting license fees and issuing licenses

HOUSE BILL No. 444.

An Act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

With the information that the Senate has passed the same with amendment.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 93, entitled:

An Act making an appropriation to carry into effect the provisions of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An Act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State Supervisor and assistants and fixing salaries of such State Supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair.
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Brown,
Bromley,
Brownmiller,
Burchinal,
Bush,
Clutton.
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan.
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes.
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Korns,
Kunkle,
Labar,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte.
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Marshall, J. G.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells.
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 653, entitled:

An act making an appropriation to the Lake Erie and Ohio River Canal Board of Pennsylvania for the payment of expenses incurred in printing distributing and making available for public use reports maps documents and records of the board in securing the co-operation and aid of the Government of the United States and other public authorities in the construction of the canal or waterway authorized to be constructed by the board for the payment of incidental office expense and for the payment of salaries fees and expenses.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—187.

Albert,
Alexander,
Allman,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Evans, J.,
Fields,
Flinchbaugh,
Flynn.
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Richards,
Rinn,
Rippman,
Sautter,
Schaeffer,
Schilling,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,

Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Moffatt,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rhodes,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Zook,
Goodnough,
Speaker.

NAYS—15.

Anderson,
Haas,
Haines,
Irvin,
Jones, E. P.,
McDermott,
Minehart,
Moore,
Munley,
Peelor,
Post,
Sample,
Sarig,
Schoener,
Wright,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 217, entitled:

An Act making an appropriation to the Superintendent of Public Instruction to carry into effect the provisions of the act approved the twentieth day of May, one thousand nine hundred and twenty-one, (P. L. 1034), entitled, "An Act to provide for the payment of moneys to school districts the taxes of which are reduced by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—198.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz.
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,

Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Sprowls,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Thomas, M. G.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1443, (Senate Bill No. 798), entitled:

An act to amend sections two and twenty of an act approved the seventh day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and eighty-eight) entitled "An act regulating through the Commissioner of Labor and Industry the business of assisting employers to obtain employes and persons to secure employment including the business of collecting information to the same end and prescribing penalties .

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—145.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Bentley,
Bell, F. A.,
Bentley,
Berger,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Fowler, A. I.,
Fowler, D.,
Gibbon,
Goehring,
Golder,
Greeby,
Griffith,
Grimes,
Gundy,
Haines,
Hall,
Harter,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hoover,
Howell,
Huber,
Irvin,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McGowan,
McVicar,
Millar,
Miller,
Minehart,
Moffatt,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Orr,
Parkinson,
Patterson,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Wells,

Chaplin,
Clutton,
Coldsmith,
Craig,
de Young,
Diehm,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Earley,
Evans, J.,
Fields,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lucas,
Ludlow,
MacKinney,
Marcus, J.,
Marcus, J. C.,
Peelor,
Perry,
Pitts,
Posey,
Post,
Raymond,
Rhodes,
Richards,
Rinn,
Sample,
Sarig,
Sautter,
Schaeffer,
Schwartz,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—2.

Eaches,
Edmonds,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

TIME EXTENDED ON BILL.

Mr. BLAIR. Mr. Speaker, I move that the time on House Bill No. 320 file folio 4703, entitled:

> An Act to prevent fraud at elections; providing a system of authenticating and marking ballots and of locking ballot boxes; providing for the purchase by counties of certain mechanical equipment, and for the use and custody thereof; providing for the appointment by the Governor of a commission to select and approve such equipment, and fixing penalties

on page 15 of today's calender, bills on third reading postponed be extended five days.

Mr. MORRISON. Mr. Speaker, I second the motion.

The motion was agreed to.

RESOLUTION RELATIVE TO HON. PETER KLINGENSMITH.

Mr. STEEDLE offered the following resolution which was read as follows:

> Whereas, this is the anniversary of the birth of Honorable Peter Klingensmith, who, in the turbulent days of the Revolution, left the old world to fight for Freedom in the new; who held the tiller of the boat which George Washington crossed the Delaware; who received at the hands of Lafayette the decoration of Chevalier of the Legion of Honor; who, at the conclusion of the war, crossed the Allegheny Mountains on foot with several trusted companions, smoothing the trail as they went so that those, who followed could travel easier;
>
> Whereas, despite the fact that the Honorable Peter Klingensmith aided materially in the growth and development of Pittsburgh, the great city of the western part of his state, where his descendants, including Representative Harry A. Little, live to this day, his achievements have received little mention in written history; therefore
>
> Be It Resolved, that when the House adjourn tonight it do so in honor of Peter Klingensmith.

The SPEAKER. This resolution is referred to the Committee on Pensions and Gratuities.

RECESS.

The SPEAKER. If there are no objections, the Chair will declare a recess until 4:00 o'clock P. M.

Whereupon, at 1:56 P. M. the House took a recess until 4:00 o'clock P. M.

AFTER RECESS.

The House reconvened at 4:00 o'clock, P. M.

The SPEAKER (C. J. Goodnough) in the Chair.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows

SENATE BILL No. 109. (HOUSE BILL No. 1510).

An Act making an appropriation to the commission constituted for the purpose of acquiring and maintaining toll bridges over the Delaware River between Pennsylvania and New Jersey.

Referred to Committee on Appropriations.

SENATE BILL No. 783. (HOUSE BILL No. 1511).

An Act to amend section one of an act approved the thirtieth day of May, one thousand eight hundred and ninety-five (Pamphlet Laws, one hundred twenty-nine), entitled "An act to provide for safety guards upon passenger elevators and providing a penalty for violation thereof.

Referred to Committee on Judiciary Special.

SENATE BILL No. 278. (HOUSE BILL No. 1512).

An Act authorizing the Governor to appoint a commission which with a similar commission of the State of New Jersey is authorized to acquire, purchase, maintain and operate ice boats on the Delaware River to keep said river open to navigation.

Referred to Committee on Appropriations.

SENATE BILL No. 320. (HOUSE BILL No. 1513).

An Act authorizing the Secretary of Agriculture separately or jointly with the county commissioners to provide for the installation of rural index maps and signs.

Referred to Committee on Appropriations.

SENATE BILL No. 394. (HOUSE BILL No. 1514.)

An Act to amend section fifteen as amended, and section seventeen of chapter six of article seven of the act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 312), entitled "An Act providing a system of government for boroughs, and revising, amending and consolidating the law relating thereto."

Referred to the Committee on Counties and Townships.

SENATE BILL No. 559. (HOUSE BILL No. 1515.)

An Act making an appropriation to the commission constituted for the purpose of acquiring and maintaining toll-bridges over the Delaware River betwen Pennsylvania and New York.

Referred to Committee on Appropriations.

SENATE BILL No. 765. (HOUSE BILL No. 1516.)

A Joint Resolution providing for the continuation of the commision appointed in accordance with the provisions of a joint resolution approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and eighty-eight) entitled "Joint Resolution providing for a commission to submit a revised penal code of Pennsylvania and making an appropriation for the expenses of the commission" providing for additional members and making an appropriation.

Referred to Committee on Appropriations.

SENATE BILL No. 777. (HOUSE BILL No. 1517.)

An Act authorizing the commissioners of Valley Forge Park to convey certain lands to an Historical Society incorporated to secure preserve and publish documents relating to the history of Valley Forge and the heroes of the United States in creating and perpetuating the republic and making appropriation of moneys received therefor.

Referred to Committee on Appropriations.

SENATE BILL No. 1058. (HOUSE BILL No. 1518).

An Act for the encouragement of unincorporated co-operative associations of agricultural and industrial workers; providing that membership therein and interest in the funds and property thereof may be made non-transferable and unlawful assignment transfer or pledge of such membership or interest.

Referred to Committee on Judiciary Special.

SENATE BILL No. 1082. (HOUSE BILL No. 1519).

An Act making an appropriation to pay for the care treatment, removal and maintenance of the indigent insane for two years ending the thirty-first day of May, one thousand nine hundred and twenty-five.

Referred to Committee on Appropriations.

SENATE BILL No. 1083. (HOUSE BILL No. 1520).

An Act making an appropriation to pay for the deficiency in the care, treatment, removal and maintenance of the indigent insane for the two years ending May thirty-first, one thousand nine hundred and twenty-three.

Referred to Committee on Appropriations.

SENATE BILL No. 1134. (HOUSE BILL No. 1521).

An Act to authorize the Department of Forestry to offer and to pay rewards for evidence sufficient to convict anyone maliciously setting forest fire and to authorize payment of such rewards to Local Forest Fire wardens under certain conditions.

Referred to Committee on Forestry.

REPORTS FROM COMMITTEES.

Mr. MILLAR, from the Committee on Appropriations, reported as amended House Bill No. 89, entitled:

An Act making an appropriation to the Board of Commossioners of Navigation for the River Delaware and its navigable tributaries for the maintenance of a nautical school, to be located at the port of Philadelphia, for two years from June first, one thousand nine hundred and twenty-three.

Mr. ALEXANDER, from the Committee on Appropriations, reported as amended House Bill No. 83, entitled:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries for two years from June first, one thousand nine hundred and twenty-three.

Mr. KELLEY, from the Committee on Elections, reported as committed House Bill No. 500, entitled:

An Act to amend section two of the act approved the fifth day of March, one thousand nine hundred and six, (P. L. 63), entitled "An Act to provide for the personal registration of electors in cities of the third class of this Commonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for violation of its provisions," as amended; changing the compensation of the registrars.

Mr. COLVILLE, from the Committee on Judiciary Special, reported as committed House Bill No. 662, entitled:

An Act to repeal an act approved the twenty-first day of April, one thousand nine hundred and fifteen, (P. L. 159), entitled "An Act relating to the competency of witnesses and to the rules of evidence in proceedings arising from the exercise of the right of eminent domain."

Mr. BAKER, from the Committee on Appropriations, reported as committed, House Bill No. 1476, (Senate Bill No. 772), entitled:

An Act to amend an act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand fifty-seven) entitled "An act to amend section one and to supplement an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and two) entitled 'An act providing for the appointment and expenses of a commission of five persons to codify and revise the law relating to banks private bankers and trust companies doing business within this Commonwealth and making an appropriation' extending the powers and duties of the commission so as to include the coddification and revision of the law relating to all corporations persons partnerships and associations under the supervision of the Banking Department and making an appropriation" extending said commission for a further period of two years and making an appropriation.

Mr. SCHAEFFER, from the Committee on Appropriations, reported as committed, House Bill No. 1375, (Senate Bill No. 58), entitled:

An Act making a deficiency appropriation to the State Hospital for Injuried Persons of the Anthracite Coal Region of Pennsylvania at Ashland Schuylkill County Pennsylvania.

Mr. McKIM, from the Committee on Appropriations, reported as committed, House Bill No. 1377, (Senate Bill No. 128), entitled:

An Act making an appropriation to the Western Pennsylvania School for the Blind located at Pittsburgh Pennsylvania to cover deficiency in maintenance and education of State pupils.

Mr. HAINES, from the Committee on Appropriations, reported as committed, House Bill No. 1492, (Senate Bill No. 638), entitled:

An Act to amend section four of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and ninety) entitled "An act authorizing the sale of certain property owned by the State the title to which is in the State Livestock Sanitary Board and providing for the use of the proceeds of such sale.

Mr. COLDSMITH, from the Committee on Appropriations, reported as committed House Bill No. 1374 (Senate Bill No. 21), entitled:

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Trevorton, Shamokin and Mount Carmel Coal Fields, Pennsylvania.

Mr. ARMSTRONG, from the Committee on Appropriations, reported as committed House Bill No. 1477 (Senate Bill No. 785), entitled:

A Supplement to the act approved the twenty-fifth day of July, one thousand nine hundred and thirteen (Pamphlet Laws, one thousand two hundred and seventy), entitled "An Act providing for the erection of a dam at the outlet of Pymatuning Swamp and the establishment of a reservoir to conserve the waters thereof; providing for the taking of land and materials necessary thereto; vesting certain powers and duties in the Water Supply Commission and making an appropriation" providing for the sale and leasing of property acquired under said act and making an appropriation of the proceeds thereof.

Mr. BLUETT, from the Committee on Judiciary Special, reported as committed House Bill No. 1439 (Senate Bill No. 551), entitled:

An Act to amend section one of the act approved the first day of July, 1919 (P. L. 710), entitled "An act relating to fires and fire prevention; imposing duties; and conferring powers heretofore exercised by the State Fire Marshal, upon the Department of State Police; authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said department, and defining their powers and duties; providing for the investigation of the cause, origin, and circumstance of fires, and the inspection of all and the removal or change of certain buildings; imposing duties on school authorities, and on certain corporations, associations, and fire rating agencies; providing for the attendance of witnesses before the department, and the enforcement of its orders; and prescribing penalties;" fixing the powers of the Department of State Police and cities, boroughs and townships relative to the erection and installation of tanks, pumps, drawing-off or measuring devices used in connection with inflammable liquids.

Mr. EDMONDS, from the Committee on Municipal Corporations, re-reported as amended House Bill No. 254, entitled:

An Act to carry into effect section one of article fifteen of the Constitution giving cities the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-governing and providing the procedure therefor imposing certain restrictions limitations and regulations imposing duties upon city councils city officers county commissioners and prothonotaries and providing for the payment of certain expenses by cities

Mr. LONG, from the Committee on Ways and Means, rereported as amended House Bill No. 521, entitled:

An Act imposing an emergency State luxury tax, providing for its collection, restricting the use of the revenue derived therefrom and fixing penalties.

Mr. ALLEN J. STEVENS, from the Committee on Elections, re-reported as amended House Bill No. 200, entitled:

An Act providing for the assistance of voters at General Municipal or Special Elections, regulating the manner and return thereof, providing penalties for the violation of the provisions of this act and for the punishment of certain offenses, provided for herein, and repealing inconsistent legislation.

Mr. HASLETT, from the Committee on Public Roads, rereported as amended House Bill No. 149, entitled:

An Act establishing a State highway in the counties of Clarion, Forest, Elk and McKean, providing for its location, construction, improvement and maintenance by the Commonwealth, and vacating certain sections of State road in the counties of Clarion, Forest and Elk.

Mr. JOSEPH MARCUS, from the Committee on Judiciary General, re-reported with a negative recommendation. House Bill No. 483, (Senate Bill No. 142), entitled:

A Supplement to the act approved June 17, 1915, (P. 1 1012), entitled "An act regulating the business of loaning money in sums of three hundred ($300) dollars or less either with or without security, to individuals pressed by lack of funds to meet immediate necessities; fixing the rates of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act," as amended by the act of June 4, 1919, (P. L. 375), entitled "An act to amend sections one, two, and three of the act, approved June 17, 1915, (P. L. 1012), entitled 'An act regulating the business of loaning money in sums of three hundred ($300) dollars or less, either with or without security, to individuals pressed by lack of funds to meet immediate necessities; fixing the rate of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act.'"

RESOLUTION

HOUSE BILL NO. 232 RECALLED FROM GOVERNOR.

Mr. WALKER offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, May 9, 1923.

Resolved (if the Senate concur), That House Bill No. 232, File Folio 5389, entitled "An Act to amend chapter eleven, article two of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred and forty), entitled 'An act concerning townships and revising, amending and consolidating the law relating thereto'", be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

HOUSE BILL NO. 1078 RECALLED FROM GOVERNOR.

Mr. STEEDLE offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, May 9, 1923.

Resolved (if the Senate concur), That House Bill No. 1078, File Folio 4007, entitled "An Act to amend section twelve of the act approved the third day of June, one thousand nine hundred and eleven, (Pamphlet Laws, six hundred and thirty-nine), entitled 'An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction; and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act; and providing for revocation or suspension of licenses given by said bureau; and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith;' providing for re-hearings in cases where licenses have been suspended or revoked and for the reinstatement of licensees in certain cases," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1384 (Senate Bill No. 435), entitled:

An act to further amend section three hundred eighty-six, clause four, of the act, approved the fourteenth day of July, one thousand nine hundred seventeen (Pamphlet Laws, eight hundred forty) entitled "An act concerning townships; and revising, amending, and consolidating the law relating thereto."

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183.

Albert,
Alexander,
Allman,
Anderson.
Armstrong,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Blair,
Bluett,
Blumberg,
Brenneman,
Bromley,
Brown,
Brownmiller,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch.
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach.
Sheridan.
Smith, G. A.
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark.
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,

Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm.
Dilsheimer,
Donahue,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Fields,
Flinchbaugh,
Flynn,
Heffran,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hontz,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Korns,
Kunkle,
Labar.
Lafferty,
Miller,
Minehart,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Rippman,
Sample,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—1.

Wood, W. P.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1457 (Senate Bill No. 657), entitled:

An Act empowering School Districts to employ a Police Force

On the question,

Will the House agree to the bill on third reading?

Mr. ALEXANDER. Mr. Speaker, I desire to know if there is anyone in the House who can explain the purpose of this bill.

BILL POSTPONED.

Mr. POSEY. Mr. Speaker, I move that House Bill No. 1457, (Senate Bill No. 657), be placed on the postponed calendar.

Mr. ALEXANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1466 (Senate Bill No. 761), entitled:

An Act to amend section two of an act approved the twenty-second day of April one thousand nine hundred and nie (Pamphlet Laws one hundred twenty-one) entitled "An Act restricting the use of the word 'trust' as part of a corporate name forbidding advertising or doing business as a trust company except by corporations under the supervision of the banking department and providing a penalty for violations thereof"

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Brown,
Brownmiller,
Burchinal,
Bush,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. L.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack.
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener.
Shambach,
Sheridan,
Smith, G. A.
Smith, H. J.
Smith, H.
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1421 (Senate Bill No. 268), entitled:

A Joint Resolution proposing an amendment to article four section eight of the Constitution of the Commonwealth of Pennsylvania prohibiting after adjournment the appointment to office of any person whose nomination the Senate failed to confirm

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LUDLOW. Mr. Speaker, I rise to inquire whether there is anyone here sufficiently familiar with the purpose of Senate Bill 268 to explain it to us.

Mr. ALEXANDER. Mr. Speaker and members of the House, the purpose of this amendment is as follows: At the present time there is nothing to hinder an appointment, or in other words, the constitution provides now that every appointment must be confirmed by the Senate. There have been instances when an appointment has been made and the Senate has refused to confirm it. Then, immediately after the Senate has adjourned the appointment has been made irrespective of the desires of the Senate. Now, the purpose here is to carry into effect the law, and make it of some account. What is the use of having a Senate to confirm if the appointive power is going to pay no attention to it and go around it. The purpose therefore is, that the Senate must confirm an appointment, and if the Senate does not confirm, then the party cannot be appointed.

Mr. EDMONDS. Mr. Speaker, I would like to ask the gentleman from Delaware, Mr. Alexander, if he does not think the language of the amendment is broader than he attempted to have. I would feel with him that where the Senate had refused to confirm that there perhaps the appointment ought not to be made in the recess. But here the language is that if the appointment was not confirmed by the Senate, that may be because the Senate has failed to take any action. Don't you think that the language ought to be limited to such case where the Senate has refused to confirm.

On the question recurring,
Shall the bill pass finally?

BILL POSTPONED.

Mr. ALEXANDER. Mr. Speaker, I move that further consideration of House Bill No. 1421, (Senate Bill No. 268) be postponed for the present.

Mr. HEYBURN. Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. JOSEPH C. MARCUS. Mr. Speaker. I move that the vote by which House Bill 1456, (Senate Bill 570), file folio 1525, entitled:

An Act providing for the merging of moneys held in certain special funds in the State Treasury with moneys in the general fund providing for the use of all moneys in the general fund for the payment of appropriations and for the payment from the general fund of moneys appropriated and dedicated for special purposes

which was defeated on Wedensday, May 2, 1923, be reconsidered.

Mr. STEEDLE. Mr. Speaker, I second the motion.

On the question,
Will the House agree to the motion?
The Speaker declared the ayes appeared to have it

Whereupon a division was called for, and 60 members having voted in the affirmative and 55 in the negative, the question was determined in the affirmative and the motion was agreed to.

On the question recurring,
Shall the bill pass finally?

BILL POSTPONED

Mr. MARCUS. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. FLYNN. Mr. Speaker, I second the motion.

On the question,
Will the House agree to the motion?

Mr. FLYNN. Mr. Speaker, may I say just a word in explanation of this bill. I am afraid there is an impresion in the House that this bill takes away special funds and diverts them from the purpose for which they were intended. That is not the case, it only provides that for fiscal purposes these funds in the State Treasury shall be merged in a general fund. I hope the members will vote to postpone the bill, and give it a fair hearing.

Mr. ARMSTRONG. Mr. Speaker, inasmuch as the gentleman from Elk has spoken, I presume I have the same right. This bill does more than that. The bill makes no provision for returning these funds to the fund from which they were taken, and until it does that, I think that it is a bad bill.

The SPEAKER. The Chair feels that this discussion at this time is hardly in order. There can be a proper discussion when the bill comes up for final passage.

On the question recurring,
Will the House agree to the motion?
The Speaker declared the ayes appeared to have it,

Whereupon a division was called for, and 78 members having voted in the affirmative and 52 in the negative, the question was determined in the affirmative and the motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1460, (Senate Bill No. 793), entitled:

An Act to repeal the act approved May tenth, one thousand eight hundred seventy-one (P. L. six hundred sixty-seven) entitled "An act to empower the school directors of Tuscarora and Spruce Hill townships, in the county of Juniata, to annex certain lands in Spruce Hill Township and Tuscarora township, in the county of Juniata, for school purposes."

On the question,
Will the House agree to the bill on third reading?
It was agreed to.

On the question,
Shall the bill pass finally?

BILL POSTPONED.

Mr. LAUVER. Mr. Speaker, I move that further consideration of House Bill No. 1460, (Senate Bill 793), be postponed for the present.

Mr. HARTER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1446, (Senate Bill No. 285), entitled:

An Act making a deficiency appropriation to the Cottage State Hospital situated in Connellsville Fayette county Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malle,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
Sample,
Sarig,
Sautter,
Schleiter,
Schilling,
Schoener,
Schwartz,
Shambach,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,

Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer.
Donahue
Driggs.
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle.
Labar,
Lafferty,
Lauver,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same, without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1430, (Senate Bill No. 770), entitled:

An Act fixing the salary of sheriffs in counties of the eighth class providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county and prescribing penalties

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Greeby,
Grimes,
Guerin,
Gundy,
Haines,
Hall,
Harer,
Harter,
Labar,
Lafferty,
Lauver,
Little,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,

Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Craig.
de Young,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
McKim,
McVicar,
Metcalf,
Millar,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Rinn,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb.
Stoner,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer.
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—2.

Hoover,
Minehart,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate for concurrence. with the information that the House has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1428, (Senate Bill No. 654), entitled:

An Act to amend sections one, two, three, and four of an act approved the eighteenth day of June, one thousand and nine hundred and nineteen, (Pamphlet Laws, four hundred ninety-eight). entitled "An act defining consolidation of schools providing for the establishment and regulation of consolidated schools; and providing for State aid for the transportation of pupils to and from consolidated schools."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YAES—181.

Albert,
Alexander,
Allman.
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bentley,
Berger.
Bidelspacher,
Bluett,
Blumberg,
Boback,
Brewster,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dilsheimer,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Sarig.
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Storb,
Stoner,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,

Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Eshelman,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Long,
Lucas,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered That the Clerk return the same to the Senate with the information that the House has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1386, (Senate Bill No. 446), entitled:

An Act fixing the salaries of the county commissioners county controller county treasurer register of wills recorder of deeds and clerk of the courts in counties of the third class.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. KUNKLE. Mr. Speaker, I move that House Bill No. 1386, Senate Bill 446, be recommitted to the Committee on Counties and Townships for a hearing,

Mr. SMITH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1442, (Senate Bill No. 769), entitled:

A Supplement to an act approved March 10, 1921 (App. Acts, page 11) entitled "An act making an appropriation to the State Highway Department for the construction of Permanent State Highways, for the payment of the Commonwealth's share in the expenses of constructing State-aid highways; for the maintenance and repair of State Highways within the limits of boroughs; for the maintenance and repair of State-aid highways; for the payment of rewards due townships of the second class; for the payment of damages to property caused or occasions in connection with the work of the State Highway Department;" by extending the date for the apportionment of State-aid appropriations made by said act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Evans, J.,
Fields,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Glasgow,
Labar,
Lafferty,
Lauver,
Little,
Long,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Sarig,
Sautter,
Schilling,
Schaeffer,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.
Smith, H. J.
Smith, H.
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Goehring,
Golder,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCaig,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
Metcalf,
Miller,
Minehart,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stoffiet,
Storer,
Stoner,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered That the Clerk return the same to the Senate with the information that the House has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1252, entitled:

An Act providing for the licensing of certain stills and other distilling apparatus imposing certain duties upon the Secretary of the Commonwealth providing for the search for and seizure and destruction of unlicensed stills and distilling apparatus and providing penalties

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. McVICAR. Mr. Speaker, I move that further consideration of House Bill No. 1252, be postponed for the present.

Mr. LUDLOW. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The Speaker declared the ayes appeared to have it,

Whereupon a division was called for, and 63 members having voted in the affirmative, and 47 in the negative, the question was determined in the affirmative and the motion was agreed to.

MR. FLYNN IN THE CHAIR.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1325, as follows:

An Act to amend section eight paragraph two of an act approved July eighteenth one thousand nine hundred seventeen (Pamphlet Laws ten forty-three) entitled "An Act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payment therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight paragraph two of an act approved July eighteen one thousand nine hundred seventeen (Pamphlet Laws ten forty-three) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" is hereby amended to read as follows

Section 2 The expense fund shall consist of such amount not to exceed forty thousand dollars ($40,000) dollars per annum as shall be set aside by the Retirement Board from the Funds hereinafter named and in such proportions from each Fund as said Board shall determine to defray the expenses of the administration of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Asbury,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Blair,
Bluett,
Blumberg,
Boback,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Haws,
Haslett,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hoover,
Horne,
Howell,
Huber,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McDermott,
McGowan,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Nolte,
O'Boyle,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Raymond,
Sarig,
Sautter,
Schilling,
Schleiter,
Schwartz,
Shambach,
Smith, G. A.
Smith, H. J.
Smith, H.
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Stoner,
Thomas, L. D..
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Weamer,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Earley,
Eshelman,
Evans, B. P.,
Fields,
Kohler,
Kunkle,
Labar,
Lafferty,
Rhodes,
Richards,
Rinn,
Rippman,
Wright,
Goodnough,
Speaker.

NAYS—9.

Brenneman,
Flinchbaugh.
Gallaher,
Hollis,
Hontz,
Irvin,
McCurdy.
Wells,
Zook,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1443, (Senate Bill No. 15), entitled:

An Act relating to the retirement of certain officers and employes of the State Government and their compensation including officers and employes heretofore retired

On the question,

Will the House agree to the bill in third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ALEXANDER. I would like to know if there is anyone in the House that can explain this bill.

BILL POSTPONED.

Mr. SOWERS. Mr. Speaker, I move that further consideration of House Bill No. 1443, (Senate Bill No. 15) be postponed for the present.

Mr. ALEXANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1451, (Senate Bill No. 629), entitled:

An Act to amend part of section three of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" by authorizing certain corporations of the first class to be incorporated by the Governor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Goehring,
Golder,
Gorham,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Mathay,
McBride,
McCann,
McCaig,
Rippman,
Sample,
Sarig,
Sautter,
Schilling,
Schaeffer,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.
Smith, H. J.
Smith, H.
Smith, J. W.,
Sowers,
Spangler,
Speiser,

Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Chaplin,
Clutton,
Coldsmith,
Colville,
Craig,
de Young,
Diehm.
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches.
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly.
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
McClure,
McCurdy,
McDaniel,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, F. M.,
Nolte,
O'Boyle,
Ogle,
Orr
Parkinson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Raymond,
Price,
Rhodes,
Rinn,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Stoffiet,
Stoner,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Walker,
Weamer.
Wells,
Wheeler,
Whitehouse,
Williams, G. W.,
Williams, J. M.,
Wood, N.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the Senate has passed the same without amentment.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 691.

Mr. D. J. JONES. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 681.

The report as agreed upon was read as follows:

To the Honorable, the Senate and House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: The Committee of Conference to which were referred the difference existing between the two houses on House Bill No. 681 entitled "An act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight) entitled 'A supplement to an act' to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three" as amended by fixing the maximum amount for maintenance weekly per capita, respectfully beg leave to submit the following amended bill as our report

An Act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight) entitled "A supplement to an act 'to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three" as amended by fixing the maximum amount for maintenance weekly per capita

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that section one of a supplement of an act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight) entitled "A supplement to an act 'to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three' as amended by an act approved the twelfth day of April one thousand nine hundred and seventeen (Pamphet Laws seventy-two) entitled "An act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine entitled 'A supplement to an act to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three' as amended by fixing the maximum amount for maintenance weekly per capita" which was last amended by an act approved the thirteenth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and thirty-two) entitled "An act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight) entitled 'A supplement to an act" to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane" approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three' as amended by fixing the maximum amount for the maintenance weekly per capita" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the expense of the care and treatment of th indigent insane in the State and semi-State hospitals for the insane is hereby fixed at the uniform rate of two dollars and fifty cents per week for each person including clothing chargeable to the respective counties or poor districts from which such insane shall come and the excess over said two dollars and fifty cents shall be paid by the State but in no case shall said excess exceed two dollars and fifty cents per week for each indigent insane person Provided however That during the period beginning June first one thousand nine hundred and twenty-three and ending May thirty-first one thousand nine hundred and twenty-five the rates aforesaid shall be increased to the sum of three dollars per week as now provided by law

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Bromley,
Brown,
Brownmiller,
Burchinal,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Gorham,
Goss,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Peelor,
Perry,
Pitts,
Posey,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schwartz,
Shambach,
Smith, G. A.
Smith, H. J.
Smith, H.
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens. A. J.,
Stevens, A. F.,
Stoffiet,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler.
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,

Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Kelly,
Kohler,
Kunkle,
Labar,
Lafferty,
Post,
Price,
Raymond,
Rhodes,
Richards,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of Conference Committee was adopted.

Ordered, that the Clerk inform the Senate accordingly.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1148, (Senate Bill No. 345), entitled:

An Act to amend section two of the act, approved the eleventh day of July, one thousand nine hundred and one, (P. L. 663) entitled "An Act to regulate and establish the fees to be charged by Sheriffs in this Commonwealth, and to provide for the taxation and collection of the same."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Greeby,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride.
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson.
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond.
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling.
Schwartz,
Shambach,
Sheridan,
Smith, G. A.
Smith, H. J.
Smith, H.
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Stoner,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1150, (Senate Bill No. 347), entitled:

An Act empowering any chief deputy appointed by deed of any sheriff in any county of this Commonwealth to perform any duty incumbent upon such sheriff, until a written revocation of such appointment be recorded, with like effect as if such official act had been done by the sheriff in person, regardless of the ability or temporary disability of such sheriff to act, while such sheriff continues in office.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178.

Albert,
Alexander,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McCaig,
McCurdy,
McDaniel,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
O'Boyle,
Ogle,
Orr,
Parkinson,
Peelor,
Pitts,
Posey,
Post,
Raymond,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—1.

Blumberg,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1149, (Senate Bill No. 346), entitled:

An Act authorizing the sheriffs of the several counties of this Commonwealth to organize themselves into a State Association for the purpose of holdiug annual meetings to secure more uniformity and co-operation in the conduct of their offices and providing for the payment of certain expenses in connection with such meetings by the various counties.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. HAINES. Mr. Speaker, I move that further consideration of House Bill No. 1149, (Senate Bill 346) be postponed for the present.

Mr. SOWERS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1467, (Senate Bill No. 764), entitled:

An Act fixing the salary of court criers in counties of the sixth class

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. HAINES. Mr. Speaker, I move that further consideration of House Bill No. 1467, (Senate Bill 764), be postponed for the present.

Mr. SOWERS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 90, entitled:

A further supplement to an act, approved the first day of April, one thousand eight hundred and sixty-three (Pamphlet Laws, two hundred and thirteen, entitled "An act to accept the grant of public lands by the United States to the several States for the endowment of agricultural colleges", and making an appropriation for carrying the same into effect.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Kennedy,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Sample,
Sautter,
Schaeffer,
Schilling,
Schwartz,
Shambach,
Sheridan,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,

Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Chaplin,
Clutton,
Coldsmith,
Colville,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Huber,
Johnson,
Jones, C. B.,
Jones, D. J.,
Keene,
Kelly,
MacKinney,
Mangan,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCann,
McCaig,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Raymond,
Richards,
Rinn,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Stoner,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook.
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 91, entitled:

An Act making an appropriation to the trustees of the Universitiy of Pittsburgh for the general maintenance of and purchase of equipment for the university and for the maintenance of teaching facilities in hospitals for students in the school of medicine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202.

Labar,
Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Rinn,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,

Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Goldsmith,
Colville,
Coyne,
Craig
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Stofflet,
Storb,
Stoner,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

SPEAKER C. J. GOODNOUGH IN THE CHAIR.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1129, as follows:

An Act to amend section twenty-four of an act approved the thirteenth day of May Anno Domini one thousand nine hundred and fifteen (P. L. No. 286) entitled "An Act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" so far as to fix responsibility upon school authorities in school districts of the first second and third classes for enforcing in such districts the provisions of the child labor law relating to street trades and to prescribe the means of such enforcement

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-four of an act approved the thirteenth day of May Anno Domini one thousand nine hundred and fifteen (P. L. No. 286) entitled "An Act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this Act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" is hereby amended to read as follows

"Section 24 It shall be the duty of the Commissioner of Labor and Industry the attendance officers of the various school districts and the police of the various cities boroughs and townships of this Commonwealth to enforce the provisions of this act Prosecutions for violations of this act may be instituted by any factory inspector attendance officer or police officer upon oath or affirmation All prosecutions for violations of this act shall be in the form of summary criminal proceedings instituted before a magistrate alderman or justice of the peace within the school district wherein the offense was committed Upon conviction after a hearing the sentence provided in this act shall be imposed All fines collected under this act shall be paid into the State Treasury for the use of the Commonwealth"

In every school district of the first second or third class authority for the enforcement of section seven of this act shall be vested also in the board of school directors thereof In every such school district the board of school directors through its attendance officers may enforce thoroughly the provisions of said section In such event the said board of school directors shall make such regulations and adopt such plans as it may deem wise or necessary for properly carrying out the provisions of said section subject to the approval in writing of the State Superintendent of Public Instruction

Section 2 This act shall take effect on the first day of July Anno Domini one thousand nine hundred and twenty-three

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
Raymond,
Rhodes,
Rinn,
Rippman,
Sample,
Sautter,
Schilling,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,

Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Chaplin,
Clutton,
Coldsmith,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
McBride,
McCann,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Perry,
Pitts,
Posey,
Price,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Storb,
Stoner,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Weamer,
Wells,
Wettach,
Whitehouse,
Williams, G. W.,
Williams, J. M.
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority requirēd by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1268, entitled:

An Act prohibiting the appointment of certain persons as police officers game protectors fish wardens and detectives

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—69.

Alexander,
Anderson,
Armstrong,
Bell, F. A.,
Bentley,
Blair,
Blumberg,
Brenneman,
Bromley,
Brown,
Clutton,
Coldsmith,
Craig,
Drinkhouse,
Eaches,
Edmonds,
Evans, B. P.,
Flinchbaugh,
Fratt,
Gallaher,
Gibbon,
Greeby,
Grimes,
Gundy,
Haas,
Haines,
Harter,
Haws,
Hetrick,
Heyburn,
Himes,
Hollis,
Hoover,
Horne,
Howell,
Huber,
Kelly,
Kennedy,
Lauver,
Long,
Lucas,
Ludlow,
Mack,
MacKinney,
Marshall, J. G.,
Marshall, W. F.,
McCurdy,
McKim,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Ogle,
Orr,
Pitts,
Posey,
Post,
Rippman,
Shambach,
Storb,
Thomas, M. G.,
Thompson,
Wells,
Wheeler,
Woner,
Zook,
Goodnough,
Speaker.

NAYS—56.

Beaver,
Behney,
Bell, W. T.,
Bidelspacher,
Bluett,
Brewster,
Burchinal,
Bush,
Chaplin,
Coyne,
Diehm,
Dilsheimer,
Driggs,
Dunn,
Earley,
Frazier,
Gelder,
Gorham,
Griffith,
Hall,
Haslett,
Henderson,
Holcombe,
Hontz,
Irvin,
Jones, C. B.,
Jones, D. J.,
Kunkle,
Little,
Marcus, J.,
Marcus, J. C.,
McBride,
McDermott,
McVicar,
Moffatt,
Parkinson,
Peelor,
Price,
Richards,
Sample,
Sautter,
Schwartz,
Sheridan,
Smith, G. A.,
Smith, J. W.,
Sowers,
Stark,
Stavitski,
Steedle,
Sterling,
Stoner,
Wettach,
Whitehouse,
Williams, G. W.
Wood, W. P.,
Wright,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 189, entitled:

An Act making an appropriation to the trustees of Temple University at Philadelphia Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

One the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Bentley,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Henderson,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stoffiet,
Storb,
Stoner,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Vickerman,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1458, (Senate Bill No. 690), entitled:

An Act authorizing and empowering counties of the second class in this Commonwealth to acquire by lease, purchase or condemnation proceedings any land within the county for the purpose of establishing and maintaining airdromes or aviation landing fields; providing for the precedure in case of condemnation and the extent of title acquired; authorizing the lease by the county of portions of said land to individuals or corporations upon such term as may be fixed and the lease thereof to the Government of the United States upon nominal rental; authorizing and empowering the county to use land now owned by it for such purposes and authorizing joint operation by said county and any city within the county of airdromes or aviation land fields where such city is authorized to establish and maintain the same.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
de Young,
Diehm,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McClure,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample.
Sarig,
Sautter,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Stoner,
Thomas, L. D.,
Thomas, M. G.
Thompson,
Vickerman,
Wells,
Wettach,
Whitehouse,
Whiteman,
Williams, G. W.
Woner,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1459, (Senate Bill No. 691), entitled:

An Act authorizing and empowering the cities of the second class in this Commonwealth to acquire by lease purchase or condemnation proceedings any land within or without the limits of said cities but within the limits of the counties in which such cities are located for the purpose of establishing and maintaining municipal airdromes or aviation landing fields providng for the procedure n cases of condemnation and the extent of title acquired authorizing the lease by the cities of portions thereof to individuals or corporations upon such terms as may be fixed and the lease thereof to the Government of the United States upon nominal rental and empowering said cities to operate and maintain fields jointly with any county within which said city is situate where the county is empowered to operate and maintain an airdrome or aviation landing field

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were eaken and were as follows, viz:

YEAS—182.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Goehring,
Golder,
Gorham,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan.
McVicar,
Metcalf,
Millar,
Minehart,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Richards,
Rinn,
Rippman,
Sample,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.
Smith, H.
Smith, J. W.,
Soffel,
Sowers,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Stoner,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

RECESS.

The SPEAKER. If there are no objections, the Chair will declare a recess until 8:30 o'clock to-night. Are there objections? The Chair hears none.

Whereupon, at 5:50 o'clock P. M., the House took a recess until 8:30 o'clock P. M.

AFTER RECESS.

The House reconvened at 8:30 o'clock P. M.

The SPEAKER (C. J. Goodnough) in the Chair.

SENATE MESSAGE.

HOUSE BILL RECALLED FROM GOVERNOR CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 277.

An Act to validate tax liens filed in the office of the Prothonotary of the various counties by any of the cities of this Commonwealth since the twenty-fourth day of May one thousand nine hundred and twenty-one, under the provisions of an act approved the fourth day of June, one thousand nine hundred and one, entitled: "An Act providing when, how, upon what property and to what extent, liens shall be allowed for taxes and for municipal improvements, and for the removal of nuisances; the procedure upon claims filed therefore; the methods of preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; and the manner of distributing the proceeds of such sales," and its supplements and amendments thereto; and providing for their collection.

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the House of Representatives and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 693.

An Act providing for the quarantine and control of the Japanese Beetle imposing certain powers and duties on the Department of Agriculture providing penalties and making an appropriation

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend page 3, after the word "Treasury," by inserting the following: "Section 4 The sum of fifty thousand dollars is hereby specifically appropriated to the Secretary of Agriculture for the purpose of control and quarantine work in carrying out the provisions of this act and for the payment of expenses incident thereto Said appropriation shall be available immediately upon the passage and approval of this act"

Amend page 3, after the word "Section," by striking out the numeral "4" and inserting in lieu thereof the numeral "5."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. HEYBURN. Mr. Speaker, I move that the House non-concur in the amendments.

Mr. CRAIG. Mr. Speaker, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

House Bill No. 1023.

An Act providing a system of employment and compensation for the inmates of county jails and prisons

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives in requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 3, page 2, line 20, after the word "or", by striking out the word "workhouse" and inserting in lieu thereof the word "prison."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186

Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Goldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Drinkhouse,
Dunn,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf
Millar,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Stoner,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

House Bill No. 813.

An Act to amend section one of an act approved the eighth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred and twenty-seven) entitled "A supplement to the act of April twentieth one thousand eight hundred and sixty-nine entitled 'An Act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge therefrom' fixing the amount of compensation to be paid to the commissioners appointed under section six of said act and declaring who shall be liable therefor and for the costs of proceedings under said section" by imposing certain duties on the lawyer member of the commission and fixing his compensation therefor

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives in requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 2, beginning on line 21 after the word "shall" by striking out the following: "be chairman of the commission and shall."

Amend section 1, page 2, line 23, after the word "papers", by inserting the word "and."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
MacKinney,
Malie,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McCann,
McCaig,
McClure,
McDaniel,
McGowan,
McKim,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schleiter,
Schilling,
Schoener,
Schwartz,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Stoner,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Whitehouse,
Whiteman,
Williams, G. W
Williams, J. M.
Woner,
Wood, W. P.,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

House Bill No. 712.

An Act to amend section six of an act approved the twenty-sixth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred and twenty-seven) entitled "An Act to provide for the incorporation of institutions of learning with power to confer degrees in art pure and applied science philosophy literature medicine law and theology and for the supervision and regulation of the same and providing a method by which institutions already incorporated may obtain the power to confer degrees and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources" as amended by prescribing additional requirements for institutions conferring degrees making certain exceptions therefrom and imposing certain duties on the State Council of Education

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives in requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 12, by inserting after the word "shall" the word "hereafter."

Amend Section 1, page 4, by striking out lines 1 to 28 inclusive, as follows:

"In administering entrance requirements exceptions shall be few and made only for reasons of great weight A college year shall include for each student not less than thirty-four weeks of academic work or the equivalent Members of the teaching staff in regular charge of classes shall have had not less than one year of graduate study and a majority of them shall have had trwaining equivalent to that presupposed by the degree of Doctor of Philosophy In all cases efficiency in teaching as well as the amount of research shall be taken into account A preponderance of the teachers who have independent charge of classes should be of professional rank The number of periods per week of teaching for eeach instructor should not exceed sixteen Salaries paid the members o the teaching staff shall be adequate The minimum shall depend upon the local cost of living as well as upon other factors The curriculum shall provide both for breadth of study and for concentration The curriculum shall have justifiable relation to the resources of the institution There shall be library and laboratory facilities adequate to the work which the institution announces and shall be kept up to their full efficiency by means of adequate annual expenditures The records of the graduates of the college in graduate and professional schools shall be satisfactory The State Council of Education shall determine the qualifications of the individual institution with due regard to the fact that an institution falling below any of the standards hereinbefore specified in cer-"

Amend Section 1, page 5, by striking out in lines 1 and 2 the following: "tain particulars may more than make good such lack by excellence in others."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184.

Albert,
Alexander,
Allman,
Anderson,
Arthur,
Asbury,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster.
Bromley,
Brown,
Brownmiller,
Bush,
Chaplin,
Clutton,
ldsmith,
Craig.
de Young,
Diehm,
Dietz,
Donahue
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Rhodes,
Richards,
Rinn,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schwartz,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Thomas, L. D.,
Thompson,
Van Alen,
Walker,
Wells,
Whitehouse,
Williams, G. W.,
Woner,
Wood, N.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE.

SENATE BILL FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 337.

An Act to amend section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenanace and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority in the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain roads and of all acts or parts of acts inconsistent herewith acts relating to Highway Department and improvement of and providing that existing contracts are not affected by provisions of this act" as amended by providing for appeals from assessments of damages

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 3, line 15, by striking out after the word "for", the following: "payment of damages for change of grades of highways and for."

Amend title, page 3, line 17, by striking out after the word "damages", the following: "and authorizing counties to incur indebtedness for the payment of such damages."

Amend section 1, page 8, line 1, by striking out after the word "width", the words "change of grade."

Amend section 1, page 8, line 2, by striking out the word "change."

Amend section 1, page 8, line 5, by striking out after the word "existing", the word "grades," and inserting in lieu thereof the word "width."

Amend section 1, page 8, line 15, by striking out after the word "property", the word "damages", and inserting in lieu thereof the word "damaged."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Albert,
Alexander,
Allman.
Anderson,
Armstrong,
Arthur,
Aston,
Baldi,
Beaver,
Bell, F. A.,
Bell, W. T.,
Bentley,
Fratt,
Frazier,
Gelder,
Gibbon,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Ludlow,
Mack,
MacKinney,
Malie,
Marcus, J.,
Marshall, J. G.,
Mathay,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
Schaeffer.
Schwartz,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,

Berger,
Betts,
Bidelspacher,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Brown,
Brownmiller,
Burchinal,
Chaplin,
Clutton,
Coldsmith,
Colville,
Craig,
de Young,
Diehm,
Dietz,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flynn,
Fowler, A. I.,
Fowler, D.,
Haas,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Stoner,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

REPORT FROM COMMITTEE

Mr. GOSS, from the Committee on Ways and Means, rereported as amended House Bill No. 972, entitled:

An Act imposing an emergency State tax in addition to the present taxes on all subjects now taxable for State purposes; providing for its collection and providing penalties.

TIME EXTENDED ON BILL.

Mr. STONER. Mr. Speaker, I move that the time on House Bill No. 855, file folio 1477, entitled:

An Act authorizing the county commissioners and sheriff of any county of the second class to organize a uniformed and mounted county police

on page 4 of today's calendar, bills on final passage postponed be extended five days.

Mr. GOEHRING. Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. MILLAR. Mr. Speaker, I move that the vote by which House Bill No. 48, file folio 6131, entitled:

An Act relating to public services companies limiting their charges to services actually rendered or furnished requiring such companies to supply all instruments and devices necessary and incidental to their service prohibiting the discontinuance of service as a means collecting charges in certain cases and prescribing penalties

was defeated on final passage on May 2, 1923, be reconsidered.

Mr. PARKINSON. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED.

Mr. HARER. I move that this bill be placed on the postponed calendar.

Mr. HAWS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1393, (Senate Bill No. 294), entitled:

An Act to amend sections two and five of the act approved the tenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, four hundred and seventy-three), entitled "An Act providing for the burial of certain persons who are have been or shall be soldiers, sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones, markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death."

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. MILLER. Mr. Speaker, I move that further consideration of House Bill No. 1393, (Senate Bill 294) be postponed for the present.

Mr. EARLEY. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL.

Mr. HUBER. Mr. Speaker, I move that the time on House Bill No. 956, file folio 6327, entitled:

An Act to amend section one of the act approved the twenty-fifth day of June one thousand eight hundred and eighty-five (Pamphlet Laws one hundred eighty-one) entitled "An act to authorize certain corporations to become sole surety for the faithful performance of any trust or duty and to authorize certain officers to approve the same" by requiring the approval thereof when the certificates issued by the Insurance Department to said corporations have been filed in the prothonotary's office

on page 4 of today's calendar, bills on final passage postponed be extended five days.

Mr. GOEHRING. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1146, (Senate Bill No. 341), entitled:

An Act fixing the mileage chargeable by sheriffs requiring its payment in advance in certain cases and providing for its taxation and collection as sheriff's costs when unpaid

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Albert,
Alexander,
Allman,
Armstrong,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Frazier,
Little,
Long,
Lucas,
Ludlow,
Rinn,
Rippman,
Sample,
Sarig,

Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Bromley,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Goss,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Lynch,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
McKim,
Metcalf,
Millar,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet.
Storb,
Stoner,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, J. M.
Woner,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—4.

Brown,
Horne,
Stark,
Williams, G. W.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the senate with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1450, (Senate Bill No. 497), entitled:

An Act relating to county bridges authorizing counties to issue and sell bonds for the erection thereof and providing for the division of the cost of construction and erection of joint county bridges and the collection of tolls thereon

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. BURCHINAL. Mr. Speaker, I move that further consideration of House Bill No. 1450, (Senate Bill 497) be postponed for the present.

Mr. HENDERSON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1147, (Senate Bill No. 343), entitled:

An Act to amend section two of an act, approved the twenty-sixth day of May, one thousand eight hundred and ninety-seven (P. L. 95), entitled "An Act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff, and claimed to belong to others than the defendant in the execution or process" as amended.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flynn,
Fowler, A. I.,
Fratt,
Gallaher,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
McVicar,
Metcalf,
Millar,
Minehart,
Moffatt,
Moore,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson
Peelor,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle.
Sterling,
Stevens, A. F.,
Storb,
Stoner,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Wright,
Weamer,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—1.

Horne,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 396, entitled:

An Act to amend route number two hundred and thirty of section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth; and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways, making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Craig,
de Young,
Diehm,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Kunkle,
Labar,
Lafferty,
Little,
Long,
Lucas,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
McVicar,
Metcalf,
Millar,
Miller.
Minehart,
Moffatt,
Moore,
Morrison,
Price,
Raymond,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schwartz,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Spangler,
Speiser,
Stark,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.
Van Alen,
Vickerman,
Weamer,
Dietz,
Dilsheimer,
Donahue
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Keene,
Kelly,
Kennedy,
Kohler,
Munley,
Myers, G. C.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Woner,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1471, (Senate Bill No. 734), entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania by adding thereto an additional section

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Eshelman,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Sheridan,
Smith, G. A.,
Smith, H. J.
Smith, J. W.,
Soffel,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Thomas, M. G.,
Vickerman,
Wettach,
Whitehouse.
Williams, G. W.
Woner,
Wood, N.,
Wood, W. P.,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1314, entitled:

An Act to give concurrent jurisdiction to the municipal court in actions for divorce in any judicial district in which such court shall exist and providing that all laws relating thereto are hereby made applicable to said court

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. COLVILLE. Mr. Speaker, I move that further consideration of House Bill No. 1314, be postponed for the present.

Mr. LAFFERTY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 88, entitled:

A further supplement to an act, approved the eighteenth day of July, one thousand nine hundred and nineteen, entitled "An act authorizing the appointment of a commission to supervise the revising, amending, consolidating, and simplifying of the laws relating to the assessment, levy, and collection of taxes for all purposes; prescribing the power and duty of such commission; imposing certain duties on the Legislative Reference Bureau; and making an appropriation": continuing the commission appointed under the provisions of said act for a further period of two years and making an appropriation.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. LUDLOW. Mr. Speaker, I move that further consideration of House Bill No. 88, file folio 6635, be postponed for the present.

Mr. HARER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 897, as follows:

An Act to amend sections nine and ten of an act approved the twenty-second day of June one thousand eight hundred and ninety-one (Pamphlet Laws three hundred and seventy-nine) entitled "An act to provide for the selection of a site and the erection of a State asylum for the chronic insane to be called the State asylum for the chronic insane of Pennsylvania and making an appropriation therefor" changing the name and purpose of said hospital

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section nine of the act approved the twenty-second day of June one thousand eight hundred and ninety-one (Pamphlet Laws three hundred and seventy-nine) entitled "An act to provide for the selection of a site and the erection of a State asylum for the chronic insane to be called the State asylum for the chronic insane of Pennsylvania and making an appropriation therefore" is hereby amended to read as follows

Section 9 The said commissoners upon the completion of said asylum shall surrender their trust to a board of trustees to consist of nine members who shall serve without compensation and be appointed by the Governor by and with the advice and consent of the Senate said trustees shall be a body politic or corporate of the name style of the (State Asylum for the Chronic Insane of Pennsylvania) Wernersville State Hospital they shall manage and direct the concerns of the institution and make all necessary by-laws and regulations not inconsistent with the Constitution and laws of the Commonwealth Of the trustees first appointed three shall serve for one year hree for two years and three for three yeass and at the expination of the respective periods the vacancies shall be filled by the Governor by the appointment for three years as hereinbefore provided and should any vacancy occur by death or resignation or otherwise of any trustee such vacancy shall be filled by appointment as aforesaid for the unexpired term of such manager

Section 2 That section fifteen of said act which was amended by the act approved April thirteenth one thousand nine hundred and twenty-one (Pamphlet Laws one hundred thirty-six) entitled "An act to further amend section fifteen of the act approved the twenty-second day of June one thousand eight hundred and ninety one (Pamphlet Laws three hundred and seventy-nine) entitled "An act to provide for the selection of a site and the erection of a State asylum for the chronic insane to be called the State Asylum for the Chronic Insane of Pennsylvania and making an appropriation therefor" as amended fixing the maximum for maintenance weekly per capita is hereby further amended to read as follows

Section 16 That the cost of the care and detention of the said chronic insane in said hospital shall not exceed the sum of five dollars per week for each patient including clothing two dollars and fifty cents thereof to be charged upon and paid by the several counties and poor districts from which the said insane are received but the State shall not be required to pay more than the remainder of the actual cost of maintenance in said institution after said payment by said counties and should any surplus remain annually after the cost of maintaining said patients as aforesaid has been ascertained the same shall be returned to the Commonwealth

And said bill having been read at leugth the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brewster,
Bromley,
Brown,
Brownmiller,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby.
Griffith,
Grimes,
Guerin.
Gundy,
Haas,
Haines,
Hall,
Harer,.
Harter,
Kunkle,
Labar,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman.
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling.
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, J. W.,
Sowers,
Sprowls,
Stark,
Stavitski.
Steedle,
Stevens. A. J.,
Stevens. A. F.,
Storer.

Burchinal,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kennedy,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 106, entitled:

An Act making an appropriation to the trustees of the University of Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffat,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storer,
Storb.
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to thethird reading and consideration of House Bill No. 1441, (Senate Bill No. 583), entitled:

An Act authorizing the annexation to cities of portions of townships not exceeding one hundred acres in area and totally surrounded by said cities and providing for the division of the assets and liabilities of said townships

On the question,

Will the House agree to the bill on third reading?

Mr. D. J. JONES. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title, page 1, line 1, by inserting after the word "cities" the following: "of the second class"

Amend section 1, page 1, line 4, by inserting after the word "city" the following: "of the second class"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to thethird reading and consideration of House Bill No. 1255, entitled:

An Act providing for the refunding of moneys erroneously paid into the State Treasury as taxes by dealers in goods wares and merchandise under the mercantile license tax law and making an appropriation for such refunding

And said bill having been read at leugth the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Asbury,
Aston,
Baker,
Beaver,
Behney,
Bell, F. A.,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,

Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flynn,
Gorham,
Goss.
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes.
Holcombe,
Hontz,
Hoover,
Howell,
Irvin,
Huber,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Labar,
Lafferty,
Lauver,
Little,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Weamer,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, W. P.,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 673, as follows:

An Act to amend section one of the act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and eighty) entitled "An Act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll-bridges over the Delaware River and making an appropriation therefor" Providing for the acquisition of municipally owned bridges over the Delaware river between the State of Pennsylvania and the State of New York

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and eighty) entitled "An Act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll-bridges over the Delaware River and making an appropriation therefor" is hereby amended to read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "bridge" wherever used in this act shall mean any bridge over the Delaware River between the Commonwealth of Pennsylvania and the State of New York which is municipally owned or to cross which toll is charged except such bridges as are used exclusively for railroad or railway purposes and shall include the actual bridge the approaches thereto and all real and personal property including the franchise belonging to the owner or owners of such bridge used in the operation and maintenance of same

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gilchrist,
Glasgow,
Goehring,
Golder,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Irvin,
Johnson,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McDaniel,
McDermott,
McGowan,
Metcalf,
Millar,
Miller,
Minehart,
Moore,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Sheridan,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrenc.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 890, (Senate Bill No. 240), entitled:

An Act to amend section six of an act approved June 20, 1917 (P. L. 618), entitled "An Act relating to the appointment of persons to the police department in cities of the third class; providing for and regulating examinations, the manner of appointments, and the manner and power of removal of employes of said department; and providing a method for fixing compensation," as amended.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. GOEHRING. Mr. Speaker, I move that House Bill 890 (Senate Bill 240) be placed on the postponed calendar.

Mr. STORER. Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. PARKINSON. Mr. Speaker, I move that the vote by which House Bill No. 1383, (Senate Bill No. 434) file folio 1011, entitled:

An Act to further amend section one of an act, approved the twelfth day of June, one thousand nine hundred and nineteen, entitled "An Act permitting counties of the Commonwealth of Pennsylvania to appropriate and expend moneys and to incur indebtedness and issue bonds and other obligations, for the improvement and maintenance of State highways and State-aid highways or any public highway in any county of the Commonwealth, and providing the method for applying for said moneys and for the approval thereof by the State Highway Department in certain cases."

was defeated on final passage on May 2, 1923, be reconsidered.

Mr. HAAS. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED.

Mr. HARER. Mr. Speaker, I move that House Bill No. 1383, (Senate Bill 434) be placed on the postponed calendar.

Mr. LUCAS. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL

Mr. JEFFERSON W. SMITH. Mr. Speaker, I move that the time on House Bill No. 345, file folio 5251, entitled:

An Act imposing a State license tax upon public slot machines used for vending weighing telephone or other service amusement entertainment or any other purpose imposing certain powers and duties upon the Auditor General prescribing penalties for the violation of the provisions of this act and providing for the confiscation of certain machines

on page 16 of today's calendar, bills on third reading postponed be extended five days.

Mr. HEYBURN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 825, as follows:

An Act for the protection of owners of electric storage batteries upon which the word "rental" or other word marked or character is printed painted stamped or attached to identify the same and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is unlawful for any person copartnership or corporation to remove or deface or alter or destroy or cause to be removed or defaced or altered or destroyed the word "rental" or any other word mark or character printed or painted or stamped upon or attached to any electric storage battery which has been so placed upon or attached to such electric storage battery to identify the same as belonging to or being the property of any person copartnership or corporation

Section 2 It is unlawful for any person copartnership or corporation to sell dispose of deliver or give or attempt to sell dispose of deliver or give to any person copartnership or corporation other than the owner thereof any electric storage battery upon which the word "rental" or any other word mark or character is printed painted or stamped or to which such word mark or character is attached for the purpose of identifying the said electric storage battery as belonging to or being the property of any person copartnership or corporation

Section 3 It is unlawful for any person copartnership or corporation engaged in buying selling or re-charging electric storage batteries to receive or retain in his their or its possession or to recharge any electric storage battery not owned by such person copartnership or corporation upon which the word "rental" or any other word mark or character is printed painted or stamped or to which word or mark or character is attached for the purpose of identifying the said electric storage battery as belonging to or being the property of any person copartnership or corporation

Section 4 It is unlawful for any person copartnership or corporation to retain in his their or its possession for a longer period than ten days without the written consent of the owner any electric storage battery upon which the word "rental" or any other word mark or character is printed or stamped or to which any such word mark or character is attached for the purpose of identifying the said electric storage battery as belonging to or being the property of any person copartnership or corporation

Section 5 Any person copartnership or corporation and the officers agents employes and members of any copartnership or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars or be imprisoned for a term not exceeding ninety days or both at the discretion of the court

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Baker,
Baldi,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Goehring,
Gorham,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
Metcalf,
Millar,
Miller,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrenc.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1429, (Senate Bill No. 746), as follows:

An Act relative to the disposition of fines and forfeitures in counties of this Commonwealth of the fourth class and authorizing the expenditure of a portion of all of said fines for the support and maintenance of a law library in said counties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all of the fines and forfeitures to which counties of the fourth class are by existing laws entitled are hereby directed to be paid at the discretion of the court imposing said fines and forfeitures to the County Treasurer of said county or to the committee hereinafter provided for the support and maintenance of a law library to be kept in or near the Court House of said county for the use of the citizens thereof

Section 2 The moneys to be used for law library purposes shall be expended for the support and maintenance of a law library under the direction of a committee of five members of the bar of said county to be appointed annually by the judge or judges of the several courts thereof who shall have power to fill any vacancies that may occur in said committee

Section 3 Said committee shall have power to adopt such rules and regulations for the management of said library as may be expedient and necessary for the proper care and preservation of the same and shall at the end of every year report to the judge or judges aforesaid the condition of said library and account for all expenditures of money made by them in relation thereto which if approved shall be filed of record in office of the prothonotary of said county

Section 4 All act or parts or acts inconsistent herewith general special or local be and the same are hereby repealed but this act shall not be construed to repeal the provisions of an act approved the eleventh day of May one thousand nine hundred and one (Pamphlet Laws one hundred sixty-five) entitled "An act relative to the purchase of a law library in counties of this Commonwealth having a population of less than one hundred and fifty thousand inhabitants and authorizing one-half of the fines and forfeitures to which said counties would under existing laws be entitled to be expended for the purchase and support of said library" and its amendments

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Eshelman,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gallaher,
Gelder,
Gilchrist,
Glasgow,
Goehring,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Harer,
Harter,
Haslett,
Heffernan,
Heffran,
Henderson,
Heyburn,
Himes,
Holcombe,
Hontz,
Hoover,
Horne,
Howell,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McClure,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sprowls,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair has no further business to lay before the House at this time.

ADJOURNMENT.

Mr. DUNN. Mr. Speaker, I move that this House do now adjourn until 10:00 o'clock tomorrow morning.

The motion was agreed to, and (at 9:45 o'clock P. M. the House adjourned until tomorrow morning at 10:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

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HOUSE OF REPRESENTATIVES

THURSDAY, MAY 10, 1923.

The House met at 10:00 o'clock A. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Almighty and eternal God, Thou source of light and life, we thank Thee that Thou hast brought us to the opening of this new day, rested in body and refreshed in mind. We pray that Thou wouldst strengthen us by Thy spirit with might and power in the inner man for the work which Thou hast called us. To this end and may Thy blessing rest upon the Speaker as well as upon the members of this House, continuously. We ask it for Christ's sake. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Craig, the further reading was dispensed with and the Journal approved.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1041, entitled:

An Act to amend sections one and two of an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand twenty-one) entitled "An Act imposing a State tax on gasoline and all other liquids containing any derivative of petroleum or natural gas produced prepared or compounded or usable for the purpose of generating power by means of internal combustion and sold in this Commonwealth except for the purpose of resale providing for the collection of such tax and for the distribution and use of the revenues derived therefrom making an appropriation and fixing penalties" by increasing the amount of said tax

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand twenty-one) entitled "An act imposing a State tax on gasoline and on all other liquids containing any derivative of petroleum or natural gas produced prepared or compounded or unable for the purpose of generating power by means of internal combustion and sold in this Commonwealth except for the purpose of resale providing for the collection of such tax and for the distribution and use of the revenues derived therefrom making an appropriation and fixing penalties" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the word "gasoline" as used in this act shall include the liquid derived from petroleum or natural gas commonly known or sold as gasoline and all other liquids by whatsoever name known or sold containing any derivative of petroleum or natural gas and produced prepared or compounded for the purpose of generating power by means of internal combustion or which may be used for such purpose A state tax of two cents a gallon or fraction thereof is hereby imposed on all gasoline sold in this Commonwealth for any purpose whatsoever except for the purpose of resale The tax hereby provided for shall be collected by the person firm association or corporation selling gasoline to purchasers who purchase for purposes other than resale and shall be paid by the said person firm association or corporation into the general fund of the State Treasury in the manner and within the time hereinafter specified

On the question,

Will the House agree to the section?

Mr. WHITEMAN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 20, by removing the brackets around the words "one cent"

Amend section 1, page 2, line 20, by striking out the words "two cents"

Amend section 1, page 2, line 25, by inserting after the word "resale" the following:

In addition to such tax, a further emergency state tax of one cent a gallon or fraction thereof is hereby imposed on all gasoline sold in this Commonwealth for any purpose whatsoever, except for the purpose of resale, during the two fiscal years commencing on the first day of June, one thousand nine hundred and twenty-three, and ending on the thirty-first day of May, one thousand nine hundred and twenty-five.

Amend section 1, page 2, line 23, by inserting ( ) around the word "tax"

Amend section 1, page 2, line 23, by inserting after the word "tax" the word taxes

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 That section two of the said act is hereby amended to read as follows

Section 2. (Fifty) Twenty-five per centum of all taxes collected under the provisions of this act shall be credited to the county where the tax was collected and shall be used only for the purpose of the construction reconstruction maintenance and repair of roads and highways and for the payment of the interest on county bonds issued for road purposes and shall be paid over to such county semi-annually on the first day of August and February of each year

On the question,
Will the House agree to the section?

Mr. WHITEMAN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 2, page 3, by inserting after line 2, the following:

"Section 2 Fifty per centum of all taxes collected under the provisions of this act, except the additional emergency tax imposed by the provisions of this amendment, shall be credited to the county where the tax was collected, and shall be used only for the purpose of the construction, reconstruction, maintenance, and repair of roads and highways, and for the payment of the interest on county bonds issued for road purposes, and shall be paid over to such county semiannually, on the first day of August and February of each year.

"The whole amount of the additional emergency tax imposed by the provisions of this amendment shall be paid into the general fund of the State Treasury for the use of the Commonwealth."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The title was read as follows:

An Act to amend sections one and two of an act approved the twentieth day of May one thousaid nine hundred and twenty-one (Pamphlet Laws one thousand twenty-one) entitled "An Act imposing a State tax on gasoline and all other liquids containig any derivative of petroleum or natural gas produced prepared or compounded or usuable for the purpose of generating power by means of internal combustion and sold in this Commonwealth except for the purpose of resale providing for the collection of such tax and for the distribution and use of the revenues derived therefrom makiug an appropriation and fixing penalties" by increasing the amount of said tax

On the question,
Will the House agree to the title?

Mr. WHITEMAN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend the title by striking out everything following the word "penalties" in the third from the last line thereof, and insert in lieu thereof "by imposing an additional emergency tax for two years"

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time, and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1303, as follows:

An Act to repeal an act entitled "An Act supplementary to an act passed thirteenth April one thousand eight hundred and fifty-nine relating to Billiard Saloons et cetera in the counties of Chester and Delaware extending the same to Lycoming and Clinton counties" approved the twenty-second day of March Anno Domini one thousand eight hundred and sixty as far as said act relates and extends to Lycoming county

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act entitled "An Act supplementary to an act passed thirteenth April one thousand eight hundred and fifty-nine and Clinton counties" approved the twenty-second day of Chester and Delaware extending the same to Lycoming and Clinton Counties" approved the twenty-second day of March Anno Domini one thousand eight hundred and sixty as far as said act relates and extends to Lycoming county be and the same is hereby repealed

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1170, as follows:

An Act to further amend section six of an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commisioner two Deputy State Highway Commissioner chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or tollroads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of townshop county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

Section 1 Be is enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section six of an act approved the thirty- first of May one thousand nine hundred eleven entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers os the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or tollroads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act which as amended by act approved the twenty-second day of July one thousand nine hundred entitled "An act to amend section six of an act approved the thirty-first day of May one thousand nine hundred and eleven entitled 'An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highawys and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining the same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or tollroads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair to township or county roads and prescribing the contents of county township borough or incorporated town petitions providing for percentage of cost of improvement of repairs to be paid by State county township borough r incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act'" and which as further amended by act approved the seventh day of June one thousand nine hundred fifteen entitled "An Act to further amend an act approved the thirty-first day of May one thousand nine hundred eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees proividing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route number as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties aid townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of townships county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of material to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act'" is hereby amended to read as follows

Route Three Hundred and Thirty-five A certain public road commencing on the boundary of the city of Scranton and running over route one hundred and sixty-eight to (Throopville School) to to Elmhurst hence by way of (Mt Cobb to) Drinker to a point on the dividing line between Lackawanna and Wayne Counties (thence over route number one hundred and seventy-two to) by way of Hollisterville and Hamlin thence over route number one hundred seventy-one to Honesdale thence over route number seven to Indian Orchard thence by way of Beech Lake and Atco to the Delaware River opposite Narrowsburg New York

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1182, entitled:

An Act to amend section five hundred and twenty-four as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the classification of real estate for purposes of taxation into two classes to wit the buildings on land and the land exclusive of buildings and by providing for the assessment of a less tax upon the buildings than upon the land exclusive of the buildings in cities of the second class

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred and twenty-four of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which was amended by an act approved the twenty-eighth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and twenty-nine) entitled "An act to amend section one thousand two hundred ten as amended and section one thousand one hundred three and section five hundred twenty-four as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' and repealing section one thousand two hundred twelve thereof" is hereby further amended to read as follows

Section 524 In all school districts of the first class the school taxes for the following fiscal year shall be levied annually by the board of school directors thereof on or after the second Monday of November and before the first Monday of December following

The board of school directors shall annually levy a tax on each dollar of the total assessment of all property assessed and certified for taxation in said district which said tax shall be ascertained determined and fixed by adding together the following

(a) An amount which with all moneys received from the Commonwealth applicable thereto shall be sufficient to pay the minimum salaries and increments of the teaching and supervisory staff thereof as fixed and provided by law and to pay the contributions of said district to the teachers' retirement system

(b) An amount sufficient to pay the interest on ond retire the principal of the indebtedness of said district at maturity

(b) An amount sufficient to pay the interest on and requirements of said school district which amount shall be equivalent to not less than two and one-half nor more than three mills on the dollar of the total assessment of all property assessed and certified for taxation therein

It shall be the duty of said board of school directors in determining the rate for the year one thousand nine hundred and twenty-four and one thousand nine hundred and twenty-five to assess a tax upon the buildings equal to nine-tenths of the highest rate of tax required for said years and for years one thousand nine hundred and twenty-six one thousand nine hundred and twenty-seven and one thousand nine hundred and twenty-eight to assess a tax upon the buildings equal to eight-tenths of the highest rate of tax required to be assessed for those years and for the years one thousand nine hundred and twenty-nine one thousand nine hundred and thirty and one thousand nine hundred and thirty-one to assess a tax upon buildings equal to seven-tenths of the highest rate of tax required to be assessed for those years and for the years one thousand nine hundred and thirty-two one thousand nine hundred and thirty-three and one thousand nine hundred and thirty-four to assess a tax upon buildings equal to six-tenths of the highest rate of tax required to be assessed for those years and for the year one thousand nine hundred and thirty-five and for each year thereafter to assess a tax upon buildings equal to five-tenths of the highest rate of tax required to be assessed for the year one thousand nine hundred and thirty-five and for each year thereafter respectively

On the question,

Will the House agree to the section?

Mr. McBRIDE. Mr. Speaker, I desire to offer the following amendment.

The Speaker. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 1, page 4, line 1, by inserting after the word "rectors" the following: "in cities of the second class."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act to amend section five hundred and twenty-four as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the classification of real estate for purposes of taxation into two classes to wit the buildings on land and the land exclusive of buildings and by providing for the assessment of a less tax upon the buildings than upon the land exclusive of the buildings in cities of the second class

On the question,

Will the House agree to the title?

Mr. McBRIDE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 13, by striking out the word "or" and inserting in lieu thereof "of."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 107, as follows:

An Act making an appropriation to the Woman's Medical College of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representativs of the Commonwealth of Pennsylvania in Assembly General met and it is hereby enacted by the authority of the same That the sum of twenty-thousand dollars ($20,000) be and the same is hereby specifically appropriated to the Woman's Medical College of Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the general maintenance of the said institution

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 817, as follows:

An Act making an appropriation to the board of trustees of the Pennsylvania Soldiers' and Sailors' Home at Erie Pennsylvania for maintenance of said home and the payment of expenses of administration including salaries of officials and clerks and providing that all moneys received from the United States Government by the Governor of Pennsylvania on account of maintenance shall be paid into the State Treasury

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two hundred and ten thousand dollars ($210,000) or so much thereof as may be necessary is hereby specifically appropriated to the board of trustees of the Pennsylvania Soldiers' and Sailors' Home at Erie Pennsylvania for the purpose of maintaining the said home and paying expenses of administration including salaries of officials and clerks for the two fiscal years beginning June first one thousand nine hundred and twenty-three

Section 2 All moneys received from the United States Government by the Government by the Governor of Pennsylvania on account of maintenance of honorably discharged soldiers sailors or marines in the Pennsylvania Soldiers' and Sailors' Home at Erie Pennsylvania shall be paid into the State Treasury

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 803, as follows:

An Act making an appropriation for the payment of the expenses required by an act approved the twenty-fifth of May one thousand eight hundred and eighty-nine entitled "An act to provide for the continuance of the education and maintenance of the destitute orphans of deceased soldiers sailors and marines and the destitute children of permanently disabled soldiers sailors and marines of the State" also making an appropriation to carry out the provisions of an act to provide for the education and maintenance of the children admitted to the Pennsylvania Soldiers' Orphan Industrial School and the Soldiers' Orphans Schools approved May twenty-seventh one thousand eight hundred and ninety-three and its supplements

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following sums or so much thereof as may be necessary be and the same are hereby specifically appropriated to the Commission of Soldiers' Orphans Schools for the several objects hereinafter named for the two fiscal years beginning June first one thousand nine hundred and twenty-three

For the payment of the salaries of the clerks for two years the sum of seven thousand dollars ($7,000) or so much thereof as may be necessary

For the payment of postage telegrams expressage transferring of pupils funeral expenses relief and expenses of the Commission for two years the sum of three thousand dollars ($3,000) or so much thereof as may be necessary

For the education and maintenance including a complete line of clothing for the two fiscal years of the destitute orphans of the deceased soldiers sailors and marines and the destitute children of permanently disabled soldiers sailors and marines of the State admitted to the Soldiers' Orphans Industrial School and the necessary repairs to the Soldiers' Orphan Industrial School the sum of two hundred and thirty thousand dollars ($230,000) or so much thereof as may be necessary

For repairs to driveways on the schools property also for repairs on sewage field and for a green-house for the propagation of seeds and plants for our farm and gardens the sum of ten thousand dollars ($10,000) or so much thereof be necessary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 108, as follows:

An Act making an appropriation to the trustees of the Philadelphia School of Design for Women at Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby specifically appropriated to the Philadelphia School of Design for Women of Philadelphia for the two fiscal years beginning June first one thousand nine hundred and twenty-three for general maintenance provided that in such school there shall be maintained a free scholarship for one pupil of each county in the State to be filled by appointment of the Governor of the Commonwealth except that for counties having more than one Senator as many scholarships shall be provided as there are senatorial districts in such counties and in the case of the failure of any county to be properly represented by an appointee or appointees at the opening of any school year October first then the Governor shall have the power to fill such vacancy or vacancies by the appointment of applicents from other counties of the State In each quarterly statement furnished by the board of directors of the said institution to the Auditor General there shall be included a statement of the names and residences of all pupils filling free scholarships as provided by this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 96, as follows:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred twelve thousand five hundred dollars ($112,500) is hereby specifically appropriated to the Pennsylvania Museum and School of Industrial Art for the two fiscal years beginning June first one thousand nine hundred and twenty-three for maintenance and the purchase of apparatus supplies and equipment provided that in said school there shall be maintained a free scholarship for one pupil from each senatorial district in the State to be filled by appointment by the Governor of the Commonwealth and if any senatorial district is not properly represented by an appointee at the opening of any school year on October first the Governor may fill such vacancy by appointment of a pupil from any other part of the State In each quarterly report of the school to the Auditor General there shall be included a statement of the names and residences of all pupils holding free scholarships as provided by this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No 929, as follows:

An Act to amend clause forty-one section three article five of an act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and sixty-eight) entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause forty-one section three article five of an act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and sixty-eight) entitled 'An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" is hereby amended to read as follows

41 To provide for and regulate the lighting of streets with gas or electric light or light by other means and upon petition of the majority of the property owners in number or interest abutting on any street or section thereof may install ornamental lighting systems and assess the costs of installation maintenance or operation entirely upon the city or entirely upon the abutting property owners or partly upon the abutting property owners and to require and regulate the numbering of houses

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1489, (Senate Bill No. 736), entitled:

An Act authorizing the State Highway Commissioner to use funds appropriated for State-aid highway purposes by the Act of March tenth, one thousand nine hundred and twenty-one, entitled "An Act making an appropriation to the State Highway Department for the construction of permanent State Highways; for the payment of the Commonwealth's share in the expenses of constructing State-aid highways; for the maintenance and repair of State Highways within the limits of boroughs; for the maintenance and repair of State-aid highways; for the payment of rewards due townships of the second class; for the payment of damages to property caused or occasioned in connection with the work of the State Highway Department"; for the construction or reconstruction of State highways, and to enter certain charges against the State-aid highway accounts of those counties in which State Road Bond Fund money has been used to pay State-aid highway contracts, so as to reimburse accounts available heretofore for highway purposes which were used for State-aid highway purposes and making an appropriation thereof.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1482, (Senate Bill No. 792), entitled:

An Act to amend section nine hundred six of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended conferring sole power of supervision over certain schools and institutions wholly or partly by the State upon the Council of Education

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1478, (Senate Bill No. 789), entitled:

An Act to amend the act approved the twenty-first day of May one thousand eight hundred and eighty-one (Pamphlet Laws thirty) entitled "An Act to enable mining manufacturing and trading companies to wind up their affairs after the expiration of their charters" as amended by extending the same to include foreign corporations

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1480, (Senate Bill No. 868), entitled:

An Act authorizing poor directors of ounty poor districts to provide for the payment for the preparation of plans and specifications heretofore made for public buildings for such poor districts where no legal or valid contract was entered into as required by law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1488, (Senate Bill No. 702), entitled:

An Act to amend section twelve of the act approved the eighteenth day of July, one thousand nine hundred and seventeen, (P. L. 1043), entitled "An Act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds: imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," as amended.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1463, (Senate Bill No. 505), entitled:

An Act to repeal an act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Appropriation Acts Page two hundred sixty-nine) entitled "An act making an appropriation to the Washington and Jefferson College Washington Pennsylvania"

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1419, (Senate Bill No. 399), entitled:

An Act making an appropriation to reimburse the fund in the Mechanics Trust Company of Harrisburg standing to the credit of the Water Supply Commission for the improvement of French Creek for moneys inadvertently paid into the State treasury

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1431, (Senate Bill No. 776), entitled:

An Act making an appropriation for the restoration of buildings and property at the State Hospital for the Insane of the Southeastern District of Pennsylvania located at Norristown Pennsylvania damaged and destroyed by a Cyclone

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1412, (Senate Bill No. 553), entitled:

An Act for the appointment of a commission to study conditions relating to blind persons in Pennsylvania and make recommendation and making an appropriation

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1462, (Senate Bil No. 201), entitled:

An Act directing the State Librarian to cause certain old church records of this State to be translated, preserved and published, and making an appropriation therefor.

Whereas The records of the old churches of this State contain much valuable historical information which records by reason of their age and frequent handling are rapidly becoming illegible therefore

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1413, (Senate Bill No. 558), entitled:

An Act to amend section six hundred and three of an Act approved the seventeenth day of May nineteen hundred and twenty-one (Pamphlet Laws six hundred and eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws."

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1479 (Senate Bill No. 795), entitled:

An Act providing that in all suits against any county process shall be served upon and defense made by the county controllers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter when any suit shall be brought against any county of this Commonwealth process shall be served upon and defense made by the county controller of the county if such office exists in such county in the same manner as is now provided for county commissioners

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1484, (Senate Bill No. 393), entitled:

An Act to amend sections forty-three forty-four forty-five an fifty of article seventeen chapter six of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs"

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1440, (Senate Bill No. 557), entitled:

An Act authorizing Council in cities of the first class by Ordinance to require the installation of standpipes and sprinkler systems in certain buildings in such cities to prescribe the kind and character thereof and character thereof and regulations therefor and to provide for the enforcement of such Ordinance

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1470, (Senate Bill No. 512), entitled:

An Act to amend section one of an act approved the seventeenth day of March one thousand nine hundred and twenty-one (Pamphlet Laws thirty-two) entitled "An Act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county" by providing for second like proceeding, in certain cases and making it the duty of the county commissioners upon favorable result of a second election to erect such hall at some place designated in the question submitted on the ballot

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1437, (Senate Bill No. 476), entitled:

An Act providing for the abatement of nuisances caused by the improper grading or defective paving or encroaching fences in alleys in cities of the first class for the establishment of liens and grades for and the grading paving or repaving of said alleys and the grading of private alleys hereafter laid out and for apportioning the cost and for the filing of liens therefor

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

The SPEAKER. If there are no objections the Chair will take up the first reading calendar. Are there objections? The Chair hears none.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 950, entitled:

An Act providing for the publication of the estimated cost of all public construction repair or maintenance work exceeding fifteen hundred dollars providing that the proper officers or agents of the Commonwealth and of every county city borough township school district or other political subdivision of the Commonwealth shall keep complete and accurate accounts of the cost of all such work providing for the furnishing of certified copies of such accounts and fixing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 952, entitled:

An Act to carry into effect section eleven of article one of the Constitution of the Commonwealth of Pennsylvania by designating the manner the courts and the cases in which suits may be brought against the Commonwealth defining the procedure in such cases and providing for the payment of judgments interest and costs by the Commonwealth,

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1361, entitled:

An Act to prohibit the bribery of agents employes or servants and the giving or use of false documents with intent to deceive a principal employer or master to regulate evidence in such proceedings to provide for the attendance and testimony of witnesses production of documents and prosecution for perjury committed in so testifying to provide immunity for certain witnesses penalties for violation of this Act and for other purposes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1179, entitled:

An Act to amend an act approved the thirtieth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred and seventy-eight) entitled "An Act relating to and regulating the use and operation of motor vehicles and vehicles propelled by or trailing after motor vehicles requiring the registration of the same and the licensing of all operators thereof providing the fees therefor and the disposition of such fees prohibiting the unauthorized use of and tampering with motor vehicles limiting and defining the powers of cities boroughs incorporated towns townships and counties as to the regulation of the use and equipment of motor vehicles and the taxing registration or licensing thereof imposing certain duties on the State Highway Commissioner and on proprietors of public garages providing procedure and penalties or violations thereof and the disposition of fines collected and regulating the serving of process and proceedings in actions for damages arising from the use of any motor vehicle" as amended by further regulatig the use of registration plates prescribing fees for omnibuses and changing other existing fees changing the date for the licensing year limiting the weights of certain trailers providiug for the examination of operators authorizing the State Highway Commissioner to publish and sell lists of registrations authorizing municipalities to enact certain ordinances making an appropriation for refunding moneys and providing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1324, entitled:

An Act to amend an act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred and forty-six) entitled "An act regulating requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving-picture machines regulating requiring and defining certain general specifications for the use and construction of portable booths or enclosures for operating therein moving picture machines and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania and providing that the provisions thereof shall not apply to cities of the first and second classes" as amended

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1263, entitled:

To amend an act approved May third one thousand nine hundred and nine entitled "An act for the safety of persons from fire or panic in certain buildings not in cities of the first and second classes by providing proper exits fire-escapes fire-extinguishers and other preventatives of fire by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection and by providing proper penalties for any violation of the same" as amended providing for the drafting of rules and regulations to carry out the provisions of this act by vesting jurisdiction for the enforcement of this act in the Department of Labor and Industry

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 89, entitled:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries for the maintenance of a nautical school to be located at the port of Philadelphia for the two years from June first one thousand nine hundred and twenty-three

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 83, entitled:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries for the two years from June first one thousand nine hundred and twenty-three

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 500, entitled:

An Act to amend section two of the act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions" as amended changing the compensation of the registrars

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 662, entitled:

An Act to repeal an act approved the twenty-first day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred fifty-nine) entitled "An act relating to the competency of witnesses and to rules of evidence in proceedings arising from the exercise of the right of eminent domain"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1487 (Senate Bill No. 639), entitled:

An Act to further amend the act approved the twenty-seventh day of April one thousand nine hundred and nine (Pamphlet Laws two hundred and fifty-eight) entitled "An act authorizing the employment of stenographers by the district attorneys of certain counties" as amended extending said act to counties of the fourth class and fixing the salaries of said stenographers

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 889 (Senate Bill No. 61), entitled:

An Act to carry into effect section eleven of article one of the Constitution of Pennsylvania by designating the manner the courts and the cases in which suits may be brought against the Commonwealth defining the procedure in such cases and providing for the payment of judgments interest and costs by the Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1504, (Senate Bill No. 1071), entitled:

An Act to validate deeds and conveyances defectively acknowledged prior to the fourth day of April one thousand nine hundred and one

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1496 (Senate Bill No. 751), entitled:

An act to amend section two hundred and eighty-six of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1497 (Senate Bill No. 977), entitled:

An Act prohibiting the purchase sale accepting as a pledge or pawn offering for sale stealing or conversion of medals buttons insignias or decorations granted by the Government of the United States for service in the army navy marine or nurses corps

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1502 (Senate Bill No. 1063), entitled:

An Act to amend section seventeen of the act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of this Commonewalth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1509, (Senate Bill No. 1077), entitled:

An Act to amend section ten of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred eleven) entitled "An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as amended

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1508 (Senate Bill No. 1074), entitled:

An act to amend section three of an act approved the fifteenth day of April one thousand eight hundred and forty-five (Pamphlet Laws four hundred fifty-nine) entitled "A supplement to an act entitled 'An act relating to executions' passed the sixteenth day of June Anno Domini one thousand eight hundred and thirty-six" allowing counsel fees to garnishees filing written answers in attachments in executions issued by aldermen or justices of the peace and providing for the payment thereof

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1495, (Senate Bill No. 580), entitled:

An Act to enable city county poor ward school borough and township tax collectors their executors and administrators or their surety or sureties to collect taxes for the payment of which they have become personally liable by the expiration of the authority of their respective bonds or warrants or terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act and authorizing such taxes to be entered as municipal liens and the land on which such taxes were assessed to be sold

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1476 (Senate Bill No. 772), entitled:

An Act to amend an act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand fifty-seven) entitled "An act to amend section one and to supplement an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and two) entitled 'An act providing for the appointment and expenses of a commission of five persons to codify and revise the law relating to banks private bankers and trust companies doing business within this Commonwealth and making an appropriation extending the powers and duties of the commission so as to include the codefication and revision of the law relating to all corporations persons partnerships and associations under tht supervision of the Banking Department and making an appropriation" extending said commission for a further period of two years and making an appropriation

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1375 (Senate Bill No. 58), entitled:

An Act making a deficiency appropriation to the State Hospital for Injured persons of the Anthracite Coal Region of Pennsylvania at Ashland Schuylkill County Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1377 (Senate Bill No. 128), entitled:

An Act making an appropriation to the Western Pennsylvania School for the Blind located at Pittsburgh Pennsylvania to cover deficieny in maintenance and education of State pupils

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1492 (Senate Bill No. 638), entitled:

An Act to amend section four of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and ninety) entitled "An act authorizing the sale of certain property owned by the State the title to which is in the State Livestock Sanitary Board and providing for the use of the proceeds of such sale"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1374 (Senate Bill No. 21), entitled:

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Treverton Shamokin and Mount Carmel Coal Field Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1477, (Senate Bill No. 785), entitled:

A supplement to the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand two hundred and seventy) entitled "An act providing for the erection of a dam at the outlet of Pymatuning Swamp and the establishment of a reservoir to conserve the waters thereof providing for the taking of land and materials necessary thereto vesting certain powers and duties in the Wat r Supply Commission and making an appropriation providing for the sale and leasing of property acquired under said act and making an appropriation of the proceeds thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1439, (Senate Bill No. 551), entitled:

An Act to amend section one of the act approved the first day of July, 1919 (P. L. 710), entitled "An Act relating to fires and fire prevention; imposing duties; and conferring powers heretofore exercised by the State Fire Marshall, upon the Department of State Police; authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said department, and defining their powers and duties; providing for the investigation of the cause, origin, and circumstance of fires, and the inspection of all and the removal or change of certain buildings; imposing duties on school authorities, and on certain corporations associations, and fire rating agencies; providing for the attendance of witnesses before the department, and the enforcment of its orders; and prescribing penalties;" fixing the powers of the Department of State Police and cities, boroughs and townships relative to the erection and installation of tanks, pumps, drawing off or measuring devices used in connection with inflammable liquids.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES.

Mr. BROMLEY, from the Committee on Banks and Banking, reported as amended, House Bill No. 1461, (Senate Bill No. 163), entitled:

An Act relating to the organization, maintenance and operation of the Banking Department and the scope of its supervision and control over corporations, partnerships, unincorporated associations and individuals and the assets and liabilities thereof; providing penalties for the enforcement of its provisions and repealing the Banking Department Act of nineteen hundred and nineteen with table of contents.

Mr. EACHES, from the Committee on Forestry, reported as committed, House Bill No. 1521, (Senate Bill No. 1134), entitled:

An Act to authorize the Department of Forestry to offer and to pay rewards for evidence sufficient to convict anyone maliciously setting forest fire and to authorize payment of such rewards to Local Forest Fire Wardens under certain conditions.

BILL ON FIRST READING.

Mr. BROMLEY asked and obtained unanimous consent to have the following bill read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1461 (Senate Bill No. 163), entitled:

An Act relating to the organization, maintenance and operation of the Banking Department, and the scope of its supervision and control over corporations, partnerships, unincorporated associations and individuals, and the assets and liabilities thereof; providing penalties for the enforcement of its provisions; and repealing the Banking Department Act of 1919; with table of contents.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

RESOLUTION EXTENDING SYMPATHY OF HOUSE TO SERGEANTS AT ARMS.

Mr. DUNN asked and obtained unanimous consent to offer the following resolution, which was twice read, considered and adopted:

In the House of Representatives, May 10, 1923.

Resolved, That when this House adjourns today, it adjourns out of sympathy to the three sergeants at arms of this House, who sustained serious financial loss by the destruction of their automobiles by fire, last evening

HOUSE BILL No. 1041. MADE A SPECIAL ORDER.

Mr. WONER. Mr. Speaker, I move that House Bill No. 1041 file folio 6693, entitled:

An Act to amend sections one and two of an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand twenty-one) entitled "An Act imposing a State tax on gasoline and all other liquids containing any derivative of petroleum or natural gas produced prepared or compounded or usable for the purpose of generating power by means of internal combustion and sold in this Commonwealth except for the purpose of resale providing for the collection of such tax and for the distribution and use of the revenues derived therefrom making an appropriation and fixing penalties" by increasing the amount of said tax

be made a special order of business on Third reading and final passage Monday, May 14th, at 9:30 o'clock, P. M.

Mr. WHITEMAN. Mr. Speaker, I second the motion.
The motion was agreed to.

HOUSE BILL No. 972 MADE A SPECIAL ORDER.

Mr. WONER. Mr. Speaker, I move that House Bill No. 972 file folio 7035, entitled:

An Act imposing an emergency State tax in addition to the present taxes on certain subjects now taxable for State purposes providing for its collection and providing penalties

be made a special order of business on Third reading and final passage Monday, May 14th, at 10:00 o'clock, P. M.

Mr. WHITEMAN: Mr. Speaker, I second the motion.
The motion was agreed to.

HOUSE BILL No. 521. MADE A SPECIAL ORDER.

Mr. WONER. Mr. Speaker, I move that House Bill No. 521 file folio 6945, entitled:

An Act imposing an emergency State luxury tax providing for its collection restricting the use of the revenue derived therefrom and fixing penalties

be made a special order of business on Third reading and final passage Monday, May 14, at 10:30 o'clock, P. M.
Mr. WHITEMAN. Mr. Speaker, I second the motion.
The motion was agreed to.

RESOLUTION RELATIVE TO CONDITION OF HIGHWAYS AND STREETS.

Mr. HORNE asked and obtained unanimous consent to offer a resolution, which was read as follows:

Whereas, many City Streets and Highways are breaking down under Heavy Motor Vehicle Traffic, because they were never constructed to carry such weights as are now permitted by the laws of the State of Pennsylvania.

Whereas, unless the weights which trucks can legally haul over our City Highway is fixed at a less amount than the present Motor Vehicle Laws permit, great loss and damages will be suffered by the taxpayers of our City, therefore,

Be It Resolved, by the Mayor and Council of the City of Johnstown Pennsylvania.

That they join in a petition to the Legislature and to the Governor to have the present Motor Vehicle laws amended so as to reduce the weights that may be legally hauled by Motor Vehicles over Public Highways of our Cities, and

Be It Further Resolved, that a copy of this resolution be sent to the Senator and each Member of the House of Repre-

sentatives, at Harrisburg, of the City of Johnstown and the County of Cambria.
Adopted in Council April 17, 1923.

Jos. Cauffiel,
Mayor.

Attest:
Jno. W. Cramer,
City Clerk.

PROTESTING AGAINST REPEAL OF ENGINEER'S LICENSE LAW.

The CHAIR laid before the House a telegram which was read as follows:

Norfolk, Va., May 9, 1923.

The Speaker of the House of Representatives, Harrisburg, Pennsylvania.

Whereas the health and safety of the public require the safeguards which result from a proper engineer's registration law, and

Whereas, the legislature of Pennsylvania has before it a bill for repealing its engineer registration act which has not had a proper trial to determine its value to public,

Therefore be it resolved, that the American Association of Engineers, in convention assembled, urges with the strongest emphasis that the State maintain its forward stand and retain this law on its statute books.

American Association of Engineers,
A. N. Johnson, President.

Which was referred to the Committee on Judiciary General.

REPORTS FROM COMMITTEES.

Mr. McCAIG, from the Committee on Appropriations, reported as amended, House Bill No. 3, entitled

An Act making an appropriation to the trustees of the Milliken Hospital, Pottsville, Pennsylvania.

Mr. DUNN, from the Committee on Appropriations, reported as amended, House Bill No. 4, entitled

An act making an appropriation to the Pottsville Hospital, Pottsville, Pennsylvania.

Mr. VICKERMAN, from the Committee on Appropriations, reported as amended, House Bill No. 39, entitled

An Act making an appropriation to the Mary M. Packer Hospital, Sunbury, Pennsylvania.

Mr. McCAIG, from the Committee on Appropriations, reported as amended, House Bill No. 47, entitled

An Act making an appropriation to the Coatesville Hospital, Coatesville, Pennsylvania.

Mr. McCAIG, from the Committee on Appropriations, reported as amended, House Bill No. 56, entitled

An Act making an appropriation to the Charleroi-Monessen Hospital, at Charleroi, Pennsylvania.

Mr. McCAIG, from the Committee on Appropriations, reported as amended, House Bill No. 78, entitled

An Act making an appropriation to the Hahnemann Hospital in the city of Scranton, Pennsylvania

Mr. SPANGLER, from the Committee on Appropriations, reported as amended, House Bill No. 173, entitled

An Act making an appropriation to the Taylor Hospital Association, of the borough of Taylor, Lackawanna County Pennsylvania.

Mr. SPANGLER, from the Committee on Appropriations, reported as amended, House Bill No. 198, entitled

An Act making an appropriation to the Wayne County Memorial Hospital, at Honesdale, Pennsylvania.

Mr. SPANGLER, from the Committee on Appropriations, reported as amended House Bill No. 223, entitled

An Act making an appropriation to the Citizens General Hospital, of New Kingston, Pennsylvania.

Mr. SPANGLER, from the Committee on Appropriations, reported as amended House Bill No. 264, entitled

An Act making an appropriation to the Westmoreland Hospital Association, of Greensburg, Pennsylvania.

Mr. SPANGLER, from the Committee on Appropriations, reported as amended House Bill No. 270, entitled

An Act making an appropriation to the Chester Hospital in the City of Chester.

Mr. DUNN, from the Committee on Appropriations, reported as amended House Bill No. 284, entitled

An Act making an appropriation to the Women's Medical College, of Philadelphia, Pennsylvania for hospital maintenance.

Mr. DUNN, from the Committee on Appropriations, reported as amended House Bill No. 300, entitled

An Act making an appropriation to the Shenango Valley Hospital, of New Castle, Pennsylvania.

Mr. DUNN, from the Committee on Appropriations, reported as amended House Bill No. 305, entitled

An Act making an appropriation to the Carbondale Emergency Hospital, Carbondale, Pennsylvania.

Mr. CONNER, from the Committee on Appropriations, reported as amended House Bill No. 308, entitled

An Act making an appropriation to the Mid-Valley Hospital Association at Blakely, Pennsylvania.

Mr. VICKERMAN, from the Committee on Appropriations, reported as amended House Bill No. 315, entitled

An Act making an appropriation to the Simon H. Barnes Memorial Hospital, of Susquehanna, Pennsylvania.

Mr. VICKERMAN, from the Committee on Appropriations, reported as amended House Bill No. 322, entitled

An Act making an appropriation to The Jefferson Medical College of Philadelphia.

Mr. CONNER, from the Committee on Appropriations, reported as amended House Bill No. 335, entitled

An Act making an appropriation to the Williams Valley Hospital, of Williamstown, Pennsylvania.

Mr. LAFFERTY, from the Committee on Appropriations, reported as amended House Bill No. 338, entitled

An Act making an appropriation to the Harrisburg Hospital of Harrsiburg, Pennsylvania.

Mr. LAFFERTY, from the Committee on Appropriations, reported as amended House Bill No. 341, entitled

An Act making an appropriation to the Harrisburg Polyclinic Hospital, of Harrisburg, Pennsylvania.

Mr. CONNER, from the Committee on Appropriations, reported as amended House Bill No. 349, entitled

An Act making an appropriation to the Trustees of the Samaritan Hospital, Philadelphia, Pennsylvania.

Mr. LAFFERTY, from the Committee on Appropriations, reported as amended House Bill No. 356, entitled

An Act making an appropriation to the Frankford Hospital located at Frankford, Philadelphia.

Mr. CONNER, from the Committee on Appropriations, reported as amended House Bill No. 360, entitled

An Act making an appropriation to the Indian Hospital of Indiana County, Pennsylvania.

Mr. LAFFERTY, from the Committee on Appropriations, reported as amended House Bill No. 367, entitled

An Act making an appropriation to the Children's Hospital of Pittsburgh, in the city of Pittsburgh, Pennsylvania.

Mr. LAFFERTY, from the Committee on Appropriations, reported as amended House Bill No. 369, entitled

An Act making an appropriation to the West side Hospital Association, of Scranton, Lackawanna County, Pennsylvania.

Mr. VICKERMAN, from the Committee on Appropriations, reported as amended House Bill No. 385, entitled

An Act making an Appropriation to the Washington Hospital, Washington, Pennsylvania, or its successor.

Mr. CONNER, from the Committee on Appropriations, reported as amended House Bill No. 386, entitled

An Act making an appropriation to the Ellwood City Hospital, Elwood City, Pennsylvania.

Mr. DUNN, from the Committee on Appropriations, reported as amended House Bill No. 391, entitled

An Act making an appropriation to the Mercy Hospital of Altoona, Pennsylvania.

Mr. STARK, from the Committee on Appropriations, reported as amended House Bill No. 392, entitled

An Act making an appropriation to the Altoona Hospital, Altoona, Pennsylvania.

Mr. PERRY, from the Committee on Appropriations, reported as amended House Bill No. 393, entitled

An Act making an appropriation to the Ohio Valley General Hospital, at McKees Rocks, Pennsylvania.

Mr. PERRY from the Committee on Appropriations, reported as amended, House Bill No. 407, entitled:

An Act making an appropriation to the Women's Homeopathic Hospital of Philadelphia.

Mr. SCHAEFFER from the Committee on Appropriations, reported as amended, House Bill No. 408, entitled:

An Act to make an appropriation to the Maple Avenue Hospital Association, of DuBois, Clearfield County, Pennsylvania.

Mr. PERRY from the committee on Appropriations, reported as amended, House Bill No. 418, entitled:

An Act making an appropriations to the Trustees of the Garretson Hospital, Philadelphia, Pennsylvania.

Mr. PERRY from the Committee on Appropriations, reported as amended,, House Bill No. 419, entitled:

An Act making an appropriation to the Diagnostic Hospital of the City of Philadelphia, Philadelphia, Pennsylvania.

Mr. STARK from the Committee on Appropriations, reported as amended, House Bill No. 424, entitled:

An Act making an appropriation to the Punxsutawney Hospital Association, of Punxsutawney, Jefferson County, Pennsylvania.

Mr. STARK from the Committee on Appropriations, reported as amended House Bill No. 429, entitled:

An Act making an appropriation to the Homestead Hospital, Homestead, Pennsylvania.

Mr. STARK from the Committee on Appropriations, reported as amended, House Bill No. 430, entitled:

An Act making an appropriations to the Carlisle Hospital, Carlisle, Pennsylvania.

Mr. SCHAEFFER from the Committee on Appropriations, reported as amended, House Bill No. 439, entitled:

An Act making an appropriation to Saint Luke's Homeopathic Hospital of Philadelphia.

Mr. STARK from the Committee on Appropriations, reported as amended, House Bill No. 442, entitled:

An Act making an appropriation to the Greenville Hospital, Greeville, Pennsylvania.

Mr. SCHAEFFER from the Committee on Appropriations, reported as amended, House Bill No. 443. entitled:

An Act making an appropriation to the Christian H. Buhl Hospital, of Sharon, Pennsylvania.

Mr. HEFFERNAN from the Committee on Appropriations, reported as amended, House Bill No. 453, entitled:

An Act making an appropriation to the Lying-in-Charity Hospital Philadelphia.

Mr. HEFFERNAN from the Committee on Appropriations, reported as amended, House Bill No. 455, entitled:

An Act making an appropriation to the Woman's Hospital of Philadelphia, two thousand one hundred and thirty-seven, North College Avenue.

Mr. HEFFERNAN from the Committee on Appropriations, reported as amended, House Bill No. 491, entitled:

An Act making an appropriation to the Northeastern Hospital of Philadelphia, Philadelphia, Pennsylvania.

Mr. WHITEMAN from the Committeee on Appropriations reported as amended, House Bill No. 492, entitled:

An Act making an appropriation to the Pottstown Hospital, Pottstown, Pennsylvania.

Mr. SCHAEFFER from the Committee on Appropriations, reported as amended, House Bill No. 493, entitled:

An Act making an appropriation to the Pottstown Homeopathic Hospital, Pottstown, Pennsylvania.

Mr. PERRY from the Committee on Appropriations, reported as amended, House Bill No. 499, entitled:

An Act making an appropriation to the Wilkes-Barre City, Hospital, Wilkes-Barre, Pennsylvania.

Mr. STARK from the Committee on Appropriations, reported as amended House Bill No. 513, entitled:

An Act making an appropriation to the Memorial Hospital, at Roxborough, Philadelphia, Pennsylvania.

Mr. CLUTTON, from the Committee on Appropriations, reported as amended House Bill No. 517, entitled:

An Act making an appropriation to the J. C. Blair Memorial Hospital, of Huntingdon, Pennsylvania.

Mr. POSEY, from the Committee on Appropriations, reported as amended House Bill No. 518, entitled:

An Act making an appropriation to the Mercey Hospital at Wilkes-Barre Pennsylvania.

Mr. POSEY, from the Committee on Appropriations, reported as amended House Bill No. 533, entitled:

An Act making an appropriation to the Wyoming Valley Homeopathic Hospital, at Wilkes-Barre, Pennsylvania.

Mr. POSEY, from the Committee on Appropriations, reported as amended House Bill No. 550, entitled:

An Act making an appropriation to the Waynesburg Hospital, of Waynesburg, Pennsylvania.

Mr. WELLS, from the Committee on Appropriations, reported as amended House Bill No. 553 entitled:

An Act making an appropriation to the Chambersburg Hospital, at Chambersburg, Pennsylvania.

Mr. WELLS, from the Committee on Appropriations, reported as amended House Bill No. 564, entitled:

An Act making an appropriation to the Nason Hospital Association, of Roaring Spring, Blair County, Pennsylvania.

Mr. WELLS, from the Committee on Appropriations, reported as amended House Bill No. 567, entitled:

An Act making an appropriation to the Robert Packer Hospital.

Mr. WILLISTON P. WOOD, from the Committee on Appropriations, reported as amended, House Bill No. 589, entitled:

An Act making an appropriation to Saint Francis Hospital of Pittsburgh.

Mr. HARER, from the Committee on Appropriations, reported as amended, House Bill No. 599, entitled:

An Act making an appropriation to the Pittston Hospital, Association, of the City of Pittston, Pennsylvania.

Mr. CLUTTON, from the Committee on Appropriations, reported as amended, House Bill No. 613, entitled:

An Act making an appropriation to Kane Summit Hospital Association of Kane, McKean County, Pennsylvania.

Mr. CLUTTON, from the Committee on Appropriations, reported as amended, House Bill No. 614, entitled::

An Act making an appropriation to the Bradford Hospital, of the city of Bradford.

Mr. LONG, from the Committee on Appropriations, reported as amended, House Bill No. 621, entitled:

An Act making an appropriation to Saint John's General Hospital, of Pittsburgh, Pennsylvania.

Mr. LONG, from the Committee on Appropriations, reported as amended, House Bill No. 622, entitled:

An Act making an appropriation to the Northwestern General Hospital, of Philadelphia, Pennsylvania.

Mr. LONG, from the Committee on Appropriations, reported as amended, House Bill No. 628, entitled:

An Act making an appropriations to the Latrobe Hospital, Latrobe, Pennsylvania.

Mr. LONG, from the Committee on Appropriations, reported as amended, House Bill No. 634, entitled:

An Act making an appropriation to the Good Samaritan Hospital, at Westfield, Tioga County, Pennsylvania.

Mr. LONG, from the Committee on Appropriations, reported as amended, House Bill No. 648, entitled:

An Act making an appropriation to the Spencer Hospital, Medville, Pennsylvania.

Mr. HAINES, from the Committee on Appropriations, reported as amended House Bill No. 649, entitled

An Act making an appropriation to the Titusville Hospital, at Titusville, Pennsylvania.

Mr. HAINES, from the Committee on Appropriations, reported as amended House Bill No. 651, entitled:

An Act making an appropriation to the Meadville City Hospital, Meadville, Pennsylvania.

Mr. HAINES, from the Committee on Appropriations, reported as amended House Bill No. 655, entitled:

An Act making an appropriation to the Roosevelt Hospital, of Philadelphia, Pennsylvania.

Mr. HAINES, from the Committee on Appropriations, reported as amended House Bill No. 656, entitled:

An Act making an appropriation to the Allegheny Valley Hospital, at Tarentum, Pennsylvania.

Mr. FREDERICK A. BELL, from the Committee on Appropriations, reported as amended House Bill No. 658, entitled:

An Act making an appropriation to the Grove City Hospital, in the Borough of Grove City, Pennsylvania.

Mr. FREDERICK A. BELL, from the Committee on Appropriations, reported as amended House Bill No. 672, entitled:

An Act making an appropriation to the Coudersport General Hospital, at Coudersport, Pennsylvania.

Mr. FREDERICK A. BELL, from the Committee on Appropriations, reported as amended House Bill No. 699, entitled:

An Act making an appropriation to the Eye and Ear Hospital, of Pittsburgh, Pennsylvania.

Mr. BAKER, from the Committee on Appropriations, reported as amended House Bill No. 703, entitled:

An Act making an appropriation to the Bellefonte Hospital, Bellefonte, Pennsylvania.

Mr. DRINKHOUSE, from the Committee on Appropriations, reported as amended House Bill No. 734, entitled:

An Act making an appropriation to the Mount Sinai Hospital, of Philadelphia, Pennsylvania.

Mr. DRINKHOUSE, from the Committee on Appropriations, reported as amended House Bill No. 765, entitled:

An Act making an appropriation to the Beaver Valley, General Hospital, at New Brighton, Pennsylvania.

Mr. DRINKHOUSE, from the Committee on Appropriations, reported as amended House Bill No. 766, entitled:

An Act making an appropriation to the Rochester General Hospital, at Rochester, Beaver County, Pennsylvania.

Mr. DRINKHOUSE, from the Committee on Appropriations, reported as amended House Bill No. 767, entitled:

An Act making an appropriation to the Good Samaritan Hospital, of Lebanon, Pennsylvania.

Mr. ALEXANDER, from the Committee on Appropriations, reported as amended House Bill No. 778, entitled:

An Act making an appropriation to the Kittanning General Hospital, Kittanning, Pennsylvania.

Mr. ALEXANDER, from the Committee on Appropriations, reported as amended House Bill No. 779, entitled:

An Act making an appropriation to the Rush Hospital for Consumption and Allied Diseases, of Philadelphia.

Mr. ALEXANDER, from the Committee on Appropriations, reported as amended House Bill No. 780, entitled:

An Act making an appropriation to the Memorial Hospital at Mount Pleasant, Pennsylvania.

Mr ALEXANDER, from the Committee on Appropriations, reported as amended House Bill No. 807, entitled:

An Act making an appropriation to the Miner's Hospital of Northern Cambria, at Spangler, Cambria County, Pennsylvania.

Mr. GOLDER, from the Committee on Appropriations, reported as amended House Bill No. 816, entitled:

An Act making an appropriation to the Warren General Hospital, of Warren, Pennsylvania.

Mr. GOLDER, from the Committee on Appropriations, reported as amended House Bill No. 829, entitled:

An Act making an appropriation to the Pennsylvania Epileptic Hospital and Colony Farm, Chester County, Pennsylvania.

Mr. GOLDER, from the Committee on Appropriations, reported as amended House Bill No. 834, entitled:

An Act making an appropriation to the National Stomach Hospital, of Philadelphia, Pennsylvania.

Mr. GOLDER, from the Committee on Appropriations, reported as amended House Bill No. 838, entitled:

An Act making an appropriation to the Conemaugh Valley Memorial Hospital, at Johnstown, Pennsylvania.

Mr. GOLDER, from the Committee on Appropriations, reported as amended House Bill No. 841, entitled:

An Act making an appropriation to the Brookville Hospital, Brookville, Pennsylvania.

Mr. BAKER, from the Committee on Appropriations, reported as amended House Bill No. 842, entitled:

An Act making an appropriation to the Adrian Hospital Association, of Punxsutawney, Jefferson County, Pennsylvania.

Mr. BAKER, from the Committee on Appropriations, reported as amended House Bill No. 845, entitled:

An Act making an appropriation to the Suburban General Hospital, of Bellevue, Allegheny County, Pennsylvania.

Mr. DAVID FOWLER, from the Committee on Appropriations, reported as amended, House Bill No. 867, entitled:

An Act making an appropriation to the Memorial Hospital Association, of Monongahela City, Washington County Pennsylvania.

Mr. DAVID FOWLER, from the Committee on Appropriations, reported as amended, House Bill No. 872, entitled:

An Act making an appropriation to the Uniontown Hospital, Uniontown, Pennsylvania.

Mr. BEAVER, from the Committee on Appropriations, reported as amended, House Bill No. 907, entitled:

An Act making an appropriation to the Woman's Southern Homoeopathic Hospital of Philadelphia, Pennsylvania.

Mr. BEAVER, from the Committee on Appropriations, reported as amended, House Bill No. 934, entitled:

An Act making an appropriation to the Oil City Hospital, Oil City, Pennsylvania.

Mr. BEAVER, from the Committee on Appropriations, reported as amended, House Bill No. 960, entitled:

An Act making an appropriation to the Canonsburg General Hospital Association, at Canonsburg, Pennsylvania.

Mr. GEORGE W. WILLIAMS, from the Committee on Appropriations reported as amended, House Bill No. 981, entitled:

An Act making an appropriation to the Lewistown Hospital, of Lewistown, Pennsylvania.

Mr. GEORGE W. WILLIAMS, from the Committee on Appropriations, reported as amended, House Bill No. 988, entitled:

An Act making an appropriation to the York Hospital, West College Avenue, York, Pennsylvania.

Mr. GEORGE W. WILLIAMS, from the Committee on Appropriations, reported as amended, House Bill No. 1021, entitled:

An Act making an appropriation to the Brownsville General Hospital, Brownsville, Pennsylvania.

Mr. BALDI, from the Committee on Appropriations, reported as amended House Bill No. 1038, entitled:

An Act making an appropriation to the Community Hospital of the borough of Somerset, in the County of Somerset.

Mr. BALDI, from the Committee on Appropriations, reported as amended House Bill No. 1048, entitled:

An Act making an appropriation to the Hamot Hospital Association, of Erie, Pennsylvania.

Mr. BALDI, from the Committee on Appropriations, reported as amended House Bill No. 1064, entitled:

An Act making an appropriation to the Germantown Dispensary and Hospital, Germantown, Philadelphia, Pennsylvania.

Mr. WONER, from the Committee on Appropriations, reported as amended House Bill No. 1068, entitled:

An Act making an appropriation to the Maternity Hospital, in the City of Philadelphia, Pennsylvania.

Mr. WONER, from the Committee on Appropriations, reported as amended House Bill No. 1072, entitled:

An Act making an appropriation to the Howard Hospital, of Philadelphia, Pennsylvania.

Mr. WETTACH, from the Committee on Appropriations, reported as amended House Bill No. 1102, entitled:

An Act making an appropriation to the Lock Haven Hospital, Lock Haven, Pennsylvania.

Mr. WONER, from the Committee on Appropriations, reported as amended House Bill No. 1116, entitled:

An Act making an appropriation to the Renova Hospital.

Mr. WETTACH, from the Committee on Appropriations, reported as amended House Bill No. 1124, entitled:

An Act making an appropriation to the Providence General Hospital, of Philadelphia, Philadelphia County. Pennsylvania.

Mr. WETTACH, from the Committee on Appropriations, reported as amended House Bill No. 1154, entitled:

An Act making an appropriation to the Braddock General Hospital, Braddock, Pennsylvania.

Mr. SPROWLS, from the Committee on Appropriations, reported as amended House Bill No. 1160, entitled:

An Act making an appropriation to the Elk County General Hospital, of Ridgeway, Pennsylvania.

Mr. SPROWLS, from the Committee on Appropriations, reported as amended House Bill No. 1161, entitled:

An Act making an appropriation to the General Hospital East Stroudsburg, Monroe County, Pennsylvania.

Mr. SPROWLS, from the Committee on Appropriations, reported as amended House Bill No. 1166, entitled:

An Act making an appropriation to Montgomery Hospital at Norristown, in the county of Montgomery.

Mr. SPROWLS, from the Committee on Appropriations, reported as amended House Bill No. 1192, entitled:

An Act making an appropriation to the Women's Homeopathic Hospital, of Philadelphia.

Mr. WHITEMAN, from the Committee on Appropriations, reported as amended House Bill No. 1210, entitled:

An Act making an appropriation to the Corry Hospital Association, of Corry, Pennsylvania.

Mr. WHITEMAN, from the Committee on Appropriations, reported as amended, House Bill No. 1213, entitled:

An Act making an appropriation to the Williamsport Hospital, of the City of Williamsport, Pennsylvania.

Mr. DILSHEIMER, from the Committee on Appropriations, reported as amended, House Bill No. 1245, entitled:

An Act making an appropriation to the Chester County Hospital, West Chester, Pennsylvania.

Mr. DILSHEIMER, from the Committee on Appropriations, reported as amended, House Bill No. 1247, entitled:

An Act making an appropriation to the Phoenixville Hospital, Phoenixville, Pennsylvania, Chester County.

Mr. DILSHEIMER, from the Committee on Appropriations, reported as amended, House Bill No.. 1248, entitled:

An Act making an appropriation to the Homeopathic Hospital, West Chestr, Chester County, Pennsylvania.

Mr. WILLISTON P. WOOD, from the Committee on Appropriations, reported as amended, House Bill No. 1317, entitled:

An Act making an appropriation to the Kensington Hospital for Women, of Philadelphia, Pennsylvania.

ADJOURNMENT.

Mr. DUNN. Mr. Speaker, in accordance with the resolution adopted by the House, I move that this House do now adjourn until Monday evening, May 14, 1923, at 9:00 o'clock.

The motion was agreed to, and (at 10:50 o'clock A. M.) the House adjourned until Monday evening, May 14, 1923, at 9:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

Session 1923 125th of the General Assembly

Vol. 7. HARRISBURG, PA., MONDAY, MAY 14, 1923. No. 56.

SENATE

MONDAY, MAY 14, 1923.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor David J. Davis) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Almighty God: We are very thankful that we are acquainted with Thee. Thou art not only the Creator, the King, the Lawgiver and the Judge, but Thou art our Heavenly Father. Thou dost invite us to come to Thee as a child comes to an earthly parent, with our joys and sorrows, our hopes and fears, our burdens and troubles, and to tell Thee everything. We fear Thee but we are not afraid of Thee, for we trust Thee and we love Thee; and we know that Thou wilt do for us far more exceedingly than we can either think or ask. We commit ourselves and all our interests to Thy protecting care. Keep us in perfect safety till "the day break and the shadows flee away." For the sake of Jesus Christ. Amen.

JOURNAL APPROVED.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES.

SENATE BILL No. 685 RETURNED WITH AMENDMENTS.

The Clerk of the House of Representatives being introduced returned to the Senate, Senate Bill No. 685, entitled:

An Act to amend sections one, two, three, five and seven, as amended of the act approved **May 1, 1909 (P. L. 321)** entitled "An Act to provide for State registration of nurses, to establish a State Board of Examiners in connection therewith, and to provide penalties for the violation of certain provisions regarding such registration;" by providing for a change in membership of the Board, for a change in salary of the secretary, treasurer, educational director and of the members of the Board

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, twice read, as follows:

Amend section, page 9, line 22, by striking out the following: "is hereby amended to read as follows"; also section 3, page 1, line 16, by striking out the word "which"; also section 3, line 27, by striking out the word "three" and inserting in lieu thereof "Three."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield.
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare.
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMUNICATIONS FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which were read as follows:

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 439.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 9, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 439, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF SENATE BILL No. 439, RECALLED FROM THE GOVERNOR.

Mr. BARR. Mr. President, I move to reconsider the vote by which the bill passed finally.

The PRESIDENT. How did the Senator vote?

Mr. BARR. Mr. President, I voted "aye".

Mr. WEAVER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WEAVER. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. BARR. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. BARR. Mr. President, I voted "aye".

Mr. WEAVER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WEAVER. Mr. President, I voted "aye".

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. BARR. Mr. President, I ask unanimous consent to amend the bill by adding the word "Monday" after the word "first" in line 23 on page 2, and by striking out the word "day" in line 24 of page 2, and by adding after the word "following" in line 24 of page 2 the following: "Provided, That on the Second Tuesday of April, one thousand nine hundred and twenty-six (1926) county superintendents shall be elected as herein provided to serve from the first Monday of May one thousand nine hundred and twenty-six (1926) until the first Monday of July one thousand nine hundred and thirty (1930).

Also by adding the word "Monday" after the word "first" in line eighteen on page 3, and by striking out the word "day" in line 18 on page 3, and by adding after the word "election" in line 19 on page 3 the following: Provided, That on the second Tuesday of April, one thousand nine hundred and twenty-six (1926) such district superintendents shall be elected as herein provided to serve from the first Monday of May, one thousand nine hundred and twenty-six (1926) until the first Monday of July, one thousand nine hundred and thirty (1930).

The PRESIDENT. Is there obection. The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

VETO OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 472.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 11, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith. without my approval, concurrent Resolution introduced in the Senate May 7, 1923, which reads as follows:

"Resolved (if the House of Representatives concur), That Senate Bill No. 472, File Folio 1153, entitled 'An Act to amend Section one of an act, approved the eighteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand and seventy-two), entitled "An Act providing a method of establishing title to land acquired at a sale for unpaid taxes, "Extending the provisions of said Act to all such sales,' be recalled from the Governor for the purpose of amendment."

Said Senate Bill was signed by me before the Resolution recalling the Bill reached my office or came to my attention. It seems, however, that after the introduction of this concurrent Resolution it was found by conference between the sponsor of the Bill and the Attorney General's office that there is no occasion to recall the Bill for amendment because the Bill is good both in form and substance.

For these reasons the resolution is not approved.

GIFFORD PINCHOT.

On the question,

Will the Senate agree to the resolution, the objections of the Governor to the contrary notwithstanding?

Mr. PHIPPS. Mr. President, I move that the question together with the further consideration of the resolution be postponed for the present.

Mr. CRAIG. Mr. President, I second the motion.

The motion was agreed to?

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 47.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 9, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 47, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF SENATE BILL No. 47. RECALLED FROM THE GOVERNOR.

Mr. SCHANTZ. Mr President, I move to reconsider the vote by which the bill passed finally.

The PRESIDENT. How did the Senator vote?

Mr. SCHANTZ. Mr. President, I voted "aye".

Mr. DAIX. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. DAIX. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. SCHANTZ. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. SCHANTZ. Mr. President, I voted "aye".

Mr. DAIX. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. DAIX. Mr. President, I voted"aye".

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. SCHANTZ. Mr. President, I ask unanimous consent to amend Section 1, page 2, line 21, by inserting after the word "elections" the following: "but not more than fifteen dollars ($15.00) for this purpose for any one election."

The PRESIDENT. Is there objection. The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

VETO OF SENATE BILL No. 645.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 9, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval, Senate Bill No. 645, entitled "A Supplement to an act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Appropriation Acts page one hundred and forty-two) entitled "An Act making an appropriation to the State Industrial Home for Women at Muncy" reappropriating certain appropriations heretofore made to the State Industrial Home for Women at Muncy."

On account of insufficient State Revenue, this bill is not approved.

GIFFORD PINCHOT.

On the question,

Shall the bill pass, the objections of the Governor to the contrary notwithstanding?

Mr. SONES. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. DeWITT. Mr. President, I second the motion.

The motion was agreed to.

VETO OF SENATE BILL No. 297.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 11, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I return herewith, without my approval, Senate Bill No. 297, entitled "An Act to quiet the title to real estate and to enable citizens of the United States and corporations authorized to hold real estate within this Commonwealth to hold and convey title to real estate which has formerly been held or conveyed by, to or for corporations not authorized by law to hold the same".

This Bill carries the same title as House Bill No. 233, which was approved March 20, 1923, Act No. 17. While the wording of the Bill itself is slightly different from Act No. 17, the same purposes would be accomplished under either Bill. Being a duplication, I see no reason for its enactment.

For this reason the Bill is not approved.

GIFFORD PINCHOT.

On the question,

Shall the bill pass, the objection of the Governor to the contrary notwithstanding?

Mr. JOYCE. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. BROWN. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGES.

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 90, (Senate Bill No. 1198), entitled:

A further supplement to an act approved the first day of April one thousand eight hundred and sixty-three (Pamphlet Laws two hundred and thirteen entitled "An act to accept the grant of public lands by the United States to the several States for the endowment of agricultural colleges" and making an appropriation for carrying the same into effect

Which was committed to the Committee on Appropriations.

House Bill No. 91, (Senate Bill No. 1199), entitled:

An Act making an appropriation to the trustees of the University of Pittsburgh for the general maintenance of and purchase of equipment for the university and f r the maintenance of teaching facilities in hospitals for students in the school of medicine

Which was committed to the Committee on Appropriations.

House Bill No. 106, (Senate Bill No. 1200), entitled:

An Act making an appropriation to the trustees of the University of Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 189, (Senate Bill No. 1201), entitled:

An Act making an appropriation to the trustees of Temple University at Philadelphia Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 396, (Senate Bill No. 1202), entitled:

An Act to amend route number two hundred and thirty of section six of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships of counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissjooner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions prviding for percentage of cost of improvement or repairs to be paid by the State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for the payment of cost or improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and provisions that existing contracts are not affected by provisions of this act"

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 673, (Senate Bill No. 1203) entitled:

An Act to amend section two of an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws eleven hundred eighty) entitled "An Act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll-bridges over the Delaware River and making an appropriation therefor"

Which was committed to the Committee on Appropriations.

House Bill No. 825, (Senate Bill No. 1204), entitled:

An act for the protection of owners of electric storage batteries upon which the word "rental" or any word mark or character is printed painted stamped or attached to identify the same and providing penalties

Which was committed to the Committee on Judiciary Special.

House Bill No. 897, (Senate Bill No. 1205), entitled:

An Act to amend sections nine and ten of an act approved the twenty-second day of June one thousand eight hundred and ninety-one (Pamphlet Laws 379) entitled "An act to provide for the selection of a site and the erection of a State Asylum for the chronic insane to be called the State Asylum for the chronic insane of Pennsylvania and making an appropriation therefor" changing the name and purpose of said hospital and repealing sections eleven and fifteen of said act

Which was committed to the Committee on Appropriations.

House Bill No. 1129, (Senate Bill No. 1206), entitled:

An Act to amend section twenty-four of an act approved the thirteenth day of May, Anno Domini, one thousand nine hundred and fifteen, entitled, "An Act to provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officer of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," so far as to fix responsibility upon school authorities in school districts of the first, second and third classes for enforcing, in such districts, the provisions of the child labor law relating to street trades, and to prescribe the means of such enforcement.

Which was committed to the Committee on Education.

House Bill No. 1255, (Senate Bill No. 1207), entitled:

An Act providing for the refunding of moneys erroneously paid into the State Treasury as taxes by dealers in goods wares and merchandise under the mercantile license tax law and making an appropriation for such refunding

Which was committed to the Committee on Judiciary Special.

House Bill No. 1325, (Senate Bill No. 1208), entitled:

An Act to amend section eight, paragraph two of an Act approved July eighteenth, one thousand one hundred seventeen (Pamphlet Laws, ten forty-three), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties."

Which was committed to the Committee on Education.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 681.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses in relation to House Bill No. 681.

The report was read as follows:

To the Honorable, the Senate and House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: The Committee of Conference to which were referred the differences existing betwen the two houses on House Bill No. 681 entitled "An act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundred eighty nine (Pamphlet Laws two hundred fifty eight) entitled 'A supplement to an act' to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane' approved the thirteenth day of June Anno Domini, one thousand eight hundred and eighty-three" as amended by fixing the maximum amount for maintenance weekly per capita, respectfully beg leave to submit the following amended bill as our report.

D. J. JONES,
F. T. GELDER,
MAXWELL J. MOORE,
Committee on the part of the House of Representatives.
HORACE W. SCHANTZ,
F. E. BALDWIN,
C. W. SONES,
Committee on the part of the Senate.

An Act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight) entitled "A supplement to an act 'to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three" as amended by fixing the maximum amount for maintenance weekly per capita

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of a supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight) entitled "A supplement to an act 'to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three" as amended by an act approved the twelfth day of April one thousand nine hundred and seventeen (Pamphlet Laws seventy-two) entitled "An act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine entitled 'A supplement to an act to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three' as amended by fixing the maximum amount for maintenance weekly per capita" which was last amended by an act approved the thirteenth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and thirty-two) entitled "An act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight) entitled 'A supplement to an act" to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane" approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three' as amended by fixing the maximum amount for the maintenance weekly per capita" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the expense of the care and treatment of the indigent insane in the State and semi-State hospitals for the insane is hereby fixed at the uniform rate of two dollars and fifty cents per week for each person including clothing chargeable to the respective counties or poor districts from which such insane shall come and the excess over said two dollars and fifty cents shall be paid by the State but in no case shall said excess exceed two dollars and fifty cents per week for each indigent insane person Provided however That during the period beginning June first one thousand nine hundred and twenty-three and ending May thirty-first one thousand nine hundred and twenty-five the rates aforesaid shall be increased to the sum of three dollars per week as now provided by law to the several State and Semi-State hospitals on requisition of the Commissioner of Public Welfare

On the question,
Will the Senate agree to the same?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGES.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE HOUSE BILL No. 693.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has non-curred in the amendments made by the Senate to House Bill No. 693, entitled:

An Act provideing for the quarantine and control of the Japanese Beetle imposing certain powers and duties on the Department of Agriculture and providing penalties

SENATE INSISTS UPON ITS AMENDMENTS TO HOUSE BILL NO. 693.

Mr. SCHANTZ. Mr. President, I move that the Senate insist upon its amendments to the foregoing bill, non-curred in by the House.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 435, RETURNED WITH AMENDMENTS.

The Clerk of the House of Representatives being introduced returned to the Senate, Senate Bill No. 435, entitled:

An Act to amend clause forty-six of section three of article five of the act approved the tweney-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred sixty-eight) entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" as amended giving to said cities the right to exercise the power and authority of local self-government in municipal affairs

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, twice read, as follows:

Amend section 1, page 3, line 6, by striking out after the word "reads" the following "of brick concrete or other permanent paving materials"; Also by striking out lines 8 to 13, inclusive, and inserting in lieu thererof the following:

"All contracts for the construction of bridges and for the construction reconstruction and improvement of roads and for the purchase of materials used in such work and for the purchase of equipment and machinery costing in excess of two hundred dollars ($200.00) shall be submitted to the State Highway Department for approval or disapproval before such contracts are actually entered into and no such contract shall be valid unless it shall have this approval

No final payment for work done under a contract for the construction reconstruction and improvement of roads or bridges shall be made until the final estimate of the work done has been made and submitted to the State Highway Department for its approval or disapproval"

On the question,
Will the Senate concur in the same?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

NAYS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

YEAS—0.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 712.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 712, entitled:

An Act to amend section six of an act approved the twenty-sixth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred and twenty-seven) entitled "An act to provide for the incorporation of institutions of learning with power to confer degrees in art pure and applied science philosophy literature medicine law and theology and for the supervision and regulation of the same and providing a method by which institutions already incorporated may obtain the power to confer degrees and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources" as amended by prescribing additional requirements for institutions conferring degrees making certain exceptions therefrom and imposing certain duties on the State Council of Education

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 813.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 813, entitled:

An Act to amend section one of an act approved the eighth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred twenty-seven) entitled "A supplement to the act of April twentieth one thousand eight hundred and sixty-nine entitled 'An act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge therefrom' fixing the amount of compensation to be paid to the commissioners appointed under section six of said act and declaring who shall be liable therefor and for the costs of proceedings under said section" by imposing certain duties on the lawyer member of the commission and fixing his compensation therefor

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1023.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1023, entitled:

An Act providing a system of employment and compensation for the inmates of county jails and prisons

SENATE BILL No. 341, RETURNED WITH AMENDMENTS.

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 341, entitled:

An Act fixing the mileage chargable by sheriffs requiring its payment in advance in certain cases and providing for its taxation and collection as sheriff's costs when unpaid

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution were twice read, as follows:

Amend title line 1 by striking out "milage" and inserting in lieu thereof the word "mileage"; also section 1, page 1, line 5, by striking out "milage", and inserting in lieu thereof the word "mileage".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culberston,
Daix,
Davis
Derrick,
DeWitt.
Einstein,
Eyre,
Heaton.
Homsher,
Huffman,
Jones,
Joyce.
Krause,
Kutz,
Lanius,
Leslie,
Long.
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps.
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 343 RETURNED WITH AMENDMENTS.

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 343, entitled:

An Act to amend section two of an act approved the twenty-sixth day of May one thousand eight hundred and ninety-seven (Pamphlet Laws ninety-five) entitled "An Act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff and claimed to belong to others than the defendant in the execution or process" as amended

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution were twice read, as follows:

Amend section 1, page 2, line 15, by striking out the following: "or before such return day if such parties filed a stipulation agreeing to an interpleader".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt.
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long.
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 769, RETURNED WITH AMENDMENTS.

The Clerk of the House of Representatives being introduced returned to the Senate, Senate Bill No. 769, entitled:

A Supplement to an act approved March 10, 1921 (App. Acts, page 11) entitled "An act making an appropriation to the State Highway Department for the construction of permanent State Highway for the payment of the Commonwealth's share in the expenses of constructing State-aid highways; for the maintenance and repair of State Highway within the limits of boroughs; for the maintenance and repair of State-aid highways; for the payment of rewards due townships of the second class; for the payment of damages to property caused or occasioned in connection with the work of the State Highway Department;" by extending the date for the apportionment of State-aid appropriations made by said act.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, twice read, as follows:

Amend section 1, page 2, line 1, striking out the word "June" and inserting in lieu thereof the words "December thirty"; also line 26 by inserting after the word "said" the word "thirty" also by striking out the word "June" and inserting in lieu thereof the word "December".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL NO. 337, RECALLED FROM THE GOVERNOR.

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 337, entitled:

An act to amend section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended by providing for payment of damages for change of grades of highways and for appeals from assessments of damages and authorizing counties to incur indebtedness for the payment of such damages

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

SENATE BILL NO. 746, RETURNED WITH AMENDMENTS.

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 746, entitled:

An Act relative to the disposition of fines and forfeitures in counties of this Commonwealth of the Fourth class and authorizing the expenditure of a portion of all of said fines for the support and maintenance of a law library in said counties

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution were twice read, as follows:

Amend section 1, page 1, line 5 by inserting after the word "existing" the words "or future"; also line 7 by inserting after the word "forfeitures" the following: "in such proportion as said court may direct".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward.

NAYS—0.

A majority of the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL NO. 285.

He also returned to the Senate, Senate Bill No. 285, entitled:

An Act making a deficiency appropriation to the Cottage State Hospital situated in Connellsville Fayette County Pennsylvania

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 345.

He also returned to the Senate, Senate Bill No. 345, entitled:

An Act to amend section two of the act approved the eleventh day of July one thousand nine hundred and one (Pamphlet Laws six hundred and sixty-three) entitled "An Act to regulate and establish the fees to be charged by Sheriffs in this Commonwealth and to provide for the taxation and collection of the same"

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 347.

He also returned to the Senate, Senate Bill No. 347, entitled:

An Act empowering any chief deputy appointed by deed of any sheriff in any county of this Commonwealth to perform any duty incumbent upon such sheriff until a written revocation of such appointment be recorded with like effect as if such official act had been done by the sheriff in person regardless of the ability or temporary disability of such sheriff to act while such sheriff continues in office

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 629.

He also returned to the Senate, Senate Bill No. 629, entitled:

An Act to amend part of section three of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" by authorizing certain corporations of the first class to be incorporated by the Governor

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 654.

He also returned to the Senate, Senate Bill No. 654, entitled:

An act to amend sections one two three and four of an act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools"

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 690.

He also returned to the Senate, Senate Bill No. 690, entitled:

An Act authorizing and empowering counties of the second class in this Commonwealth to acquire by lease purchase or condemnation proceedings any land within the county for the purpose of establishing and maintaining airdromes or aviation landing fields providing for the procedure in case of condemnation and the extent of the title ecquired authorizing the lease by the county of portion of said land to individuals or corporations upon such teams as may be fixed and the lease thereof to the Government of the United States upon nominal rental authorizing and empowering the county to use land now owned by it for such purposes and authorizing joint operation by said county and any city within the county of airdromes or aviation landing fields where such city is authorized to establish and maintain the same.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 691.

He also returned to the Senate, Senate Bill No. 691, entitled:

An Act authorizing and empowering the cities of the second class in this Commonwealth to acquire by lease purchase or condemnation proceedings any lands within or without the limits of said cities for the purpose of establishing and maintaining municipal airdromes or aviation landing fields providing for the procedure in cases of condemnation and the extent of title acquired authorizing the lease by the cities of portions thereof to individuals or corporations upon such terms as may be fixed and the lease thereof to the Government of the United States upon nominal rental and empowering said cities to operate and maintain said fields jointly with any county within which said city is situate where the county is empowered to operate and maintain an airdrome or aviation landing field

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENTE BILL NO. 734.

He also returned to the Senate, Senate Bill No. 734, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania by adding thereto an additional section

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 761.

He also returned to the Senate, Senate Bill No. 761, entitled:

An act to amend section two of an act approved the twenty-second day of April one thousand nine hundred and nine (Pamphlet Laws one hundred twenty-one) entitled "An Act restricting the use of the word 'trust' as part of a corporate name forbidding advertising or doing business as a trust company except by corporations under the supervision of the banking department and providing a penalty for violations thereof"

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 770.

He also returned to the Senate, Senate Bill No. 770, entitled:

An Act fixing the salary of sheriffs in counties of the eighth class providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county and prescribing penalties

with the information that the House has passed the same without amendment.

BILLS SIGNED.

The PRESIDENT (Lieutenant-Governor David J. Davis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 45, entitled:

An act providing a system whereby persons absent from their regular polling places may cast their votes imposing certain powers and duties upon the county commissioners prothonotaries return boards of the various counties and the board of registration commissions in cities of the first and second class in relation thereto and providing penalties

HOUSE BILL No. 139, entitled:

An act to amend section ten of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendent of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line prescribing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said state highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended

HOUSE BILL No. 203, entitled:

An Act relating to and regulating the speed of motor vehicles driven through cemeteries and burial grounds and providing penalties for violation thereof

House Bill No. 277, entitled:

To validate tax liens filed in the office of the Prothonotary of the various counties by any of the cities of this Commonwealth since the twenty-fourth day of May one thousand nine hundred and twenty-one under the provisions of an act approved the fourth day of June one thousand nine hundred and one entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefore the methods of preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales and its supplements and amendments thereto and providing for their collection

House Bill No. 289, entitled:

An Act to amend part of section forty-one of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries, the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents"

House Bill No. 353, entitled:

An Act to amend section eight of the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred fifty-nine) entitled "An Act for the better protection of fish requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth or in the waters bounding or adjacent thereto and regulating the issuance of such license providing penalties for the violation of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties recovered and license fees received" by making county treasurers agents of the Commonwealth in collecting license fees and issuing licenses

House Bill No. 383, entitled:

An Act to repeal the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand two hundred and seventy-three) entitled "An act to authorize the compilation and publication of not less than two nor more than four volumes of Statutes at Large of Pennsylvania in addition to the sixteen volumes heretofore authorized additional volumes being necessary to connect the Statutes at Large and the Pamphlet Laws of Pennsylvania in a serial complete publication of the Laws of the Province and Commonwealth and to provide for the appointment of a Commission to control and supervise the preparation of said volumes and of a competent person to compile and edit them and making an appropriation therefor"

House Bill No. 444, entitled:

An Act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

House Bill No. 448, entitled:

An Act requiring the display of the United States flag at all polling places providing for its purchase by the county commissioners and its care between elections

House Bill No. 469, entitled:

An Act to amend section three of an act, approved the twelfth day of July, one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen), entitled "An act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to national party conventions, and of certain officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," as amended.

House Bill No. 486, entitled:

An Act to amend section two of an act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and eight) entitled "An act regulating the closing of public highways and providing for the locating marking and maintenance of detours necessitated by such closing" and providing penalties

House Bill No. 536, entitled:

An Act to amend sections two, three, four, five as amended, seven, eight, nine and ten of the act approved March 30, 1917 (P. L. 21) entitled "An Act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given to said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith."

House Bill No. 571, entitled:

An Act to amend section three hundred and twenty-five of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto" changing the compensation of township auditors

House Bill No. 588, entitled:

An Act to regulate the alloting or subdividing of land in cities of the second class by requiring the recording in the office of the Recorder of Deeds of a map or plat prior to the sale conveyance or mortgaging of any part thereof and providing penalties for the violation of the act

House Bill No. 632, entitled:

An Act to amend an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and ninety-one) entitled "An act restricting the appointment of corporate fiduciaries by testators or by any court or register of wills to corporations fully subject to supervision and examination by the Banking Department" by exempting certain corporations from the provisions thereof

House Bill No. 639, entitled:

An Act authorizing the sale assignment disposition transfer and conveyance of the franchises and of the property real personal and mixed of any water or power water companies organized prior to the first day of April one thousand nine hundred and five to another water or water power company also organized prior to the first day of April one thousand nine hundred and five and providing the manner in which said sale and purchase shall be effected

House Bill No. 686, entitled:

An Act authorizing probation officers of the various counties to attend the annual State Association or Conference of Probation and Parole and providing for the payment of their expenses and membership dues by counties

House Bill No. 712, entitled:

An Act to amend section six of an act approved the twenty-sixth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred twenty-seven) entitled "An act to provide for the incorporation of institutions of learning with power to confer degrees in art pure and applied science philosophy literature medicine law and theology and for the supervision and regulation of the same and providing a method by which institutions already incorporated may obtain the power to confer degrees and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources" as amended by prescribing additional requirements for institutions conferring degrees making certain exceptions therefrom and imposing certain duties on the State Council of Education

House Bill No. 813, entitled:

An Act to amend section one of an act approved the eighth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred twenty-seven) entitled "A supplement to the act of April twentieth one thousand eight hundred and sixty-nine entitled 'An act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge therefrom' fixing the amount of compensation to be paid to the commissioners appointed under section six of said act and declaring who shall be liable therefor and for the costs of proceedings under said section" by imposing certain duties on the lawyer member of the commission and fixing his compensation therefor

House Bill No. 837, entitled:

An Act to assure to persons within the jurisdiction of every county the equal protection of the laws by providing for their removal from the county and their trial in certain criminal cases by the Superior Court imposing penalties upon the counties and officers thereof for failure to provide proper protection and upon individuals for interfering with or obstructing the carrying out of the provisions of this act giving the Superior Court jurisdiction in all prosecutions arising out of this act

House Bill No. 882, entitled:

An Act to amend section thirteen of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating election in this Commonwealth" as amended by authorizing the members of the board of receiving computing and certifying election returns to act when a majority of the members thereof are not qualified

House Bill No. 883, entitled:

An Act to amend the fourth paragraph of section fourteen of an act approved the twelfth day of July, one thousand nine hundred and thirteen, (P. L. 719), entitled, "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and the payment by the several counties, and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke, rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," as amended.

House Bill No. 980, entitled:

An Act to amend section eleven of an act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred seventy) entitled "An Act creating a Division of Township Highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of Clerks of the courts of quarter session and providing penalties" requiring clerks of the court to certify lists of township auditors to the State Highway Commissioner

House Bill No. 1023, entitled:

An Act providing a system of employment and compensation for the inmates of county jails and prisons

House Bill No. 1058, entitled:

An Act authorizing cities and boroughs to appropriate moneys to organizations of veterans to assist in paying rent

House Bill No. 1080, entitled:

An Act to make reinstatements in the civil service of persons honorably released from the active military or naval service of the United States after service in any of the wars in which the United States has been engaged

House Bill No. 1128, entitled:

An Act authorizing the State Highway Commissioner to empower certain other employees of his department to perform such official acts as he may designate

House Bill No. 1224, entitled:

An Act regulating service of process and authorizing the service of writs of summons and other process in actions for damages for breaches of covenants of warranty in any deed or conveyance of real estate in any county of the Commonwealth

House Bill No. 1229, entitled:

An Act to further amend section one thousand two hundred ten as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

House Bill No. 1258, entitled:

An Act to amend section one hundred and six of an act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended.

House Bill No. 1345, entitled:

An Act to enable an incorporated hospital association to acquire by lease or purchase any State owned hospital specially devoted to the reception care and treatment of injured persons or of any State owned general medical and surgical hospital and to provide for the regulation and management thereof

Whereupon,

The PRESIDENT (Lieutenant-Governor David J. Davis) in the presence of the Senate signed the same.

COMMUNICATIONS FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate communications in writing from His Execllency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which were read as follows:

APPROVAL OF SENATE BILLS NOS. 598 AND 634.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 9, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed the following:

Senate Bill No. 598, entitled, "An act authorizing cities of the third class to sell certain estates and prescribing the procedure to be followed".

Senate Bill No. 634, entitled, "An Act to amend section one of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and three) entitled 'An act regulating the fees of notaries public' ".

GIFFORD PINCHOT.

APPROVAL OF SENATE BILLS NOS. 584 AND 587.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 9, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed the following:

Senate Bill No. 584, entitled, "An act extending and enlarging the powers and rights of Trust Companies and Banks organized and incorporated under the laws of the Commonwealth of Pennsylvania".

Senate Bill No. 587, entitled, "An act prescribing the effect of the merger of a trust company or a banking company possessed of trust company powers with another trust company or banking company possessed of trust company powers on the estate and property real and personal held by either of such merging corporations in any trust or fiduciary capacity".

GIFFORD PINCHOT.

APPROVAL OF SENATE BILLS NOS. 589 AND 640.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 10, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed the following:

Senate Bill No. 589, entitled, "An Act authorizing sheriffs in counties of the fourth class to appoint a solicitor prescribing the duties of said solicitor and fixing his salary."

Senate Bill No. 640, entitled, "An Act to amend section three of an act approved the twenty-fifth day of July one thousand inne hundred and seventeen (Pamphlet Laws one thousand two hundred and nine) entitled 'An Act to authorize the acquisition by purchase or condemnation of lands for a park and the erection of a monument commemorative of Washington crossing the river Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act".

GIFFORD PINCHOT.

APPROVAL OF SENATE BILL NO. 153.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 10, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 153, entitled, "An Act providing for and regulating subject to certain restrictions limitations and liabilities assistance to certain aged persons and providing for their burial creating an Old Age Assistance Commission of this Commonwealth and an Old Age Assistance Board in each county defining their powers and duties providing for the appointment and fixing the compensation of an Old Age Assistance Superintendent and Assistants and investigators making counties liable for certain expenses providing penalties and making an appropriation".

GIFFORD PINCHOT.

APPROVAL OF SENATE BILL NO. 500.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 10, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 500, entitled, "An Act to amend section one of the act approved the twenty-second day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and sixty-seven) entitled 'An Act authorizing the Commissioner of Labor and Industry to appoint additional officers and employes in the Department of Labor and Industry fixing their duties and salaries and increasing the salaries of the chief medical inspector chief of the bureau of statistics and information and the chief clerk' by providing for additional supervising inspectors".

GIFFORD PINCHOT.

APPROVAL OF SENATE BILL NO. 472.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 9, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 472, entitled, "An Act to amend section one of an act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand and seventy-two) entitled 'An Act providing a method of establishing title to land acquired at a sale for unpaid taxes' extending the provisions of said act to all such sales".

GIFFORD PINCHOT.

APPROVAL OF SENATE BILLS NOS. 649 AND 781.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 11, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 649, entitled, "An Act to repeal the act approved the sixth day of June one thousand eight hundred and seventy-three (one thousand eight hundred and seventy-four Pamphlet Laws four hundred and ten) entitled 'An act to provide for the creation of a board of examiners and the appointment of an inspector of steam engines and steam boilers for the county of Allegheny' ".

Also, Senate Bill No. 781, entitled, "An Act authorizing the State Highway Commissioner to combine certain State Highways or any part or sections thereof into a route under a common letter name number or other marker or designation or any combination thereof for the purpose of informing and assisting the traveling public in and through the State."

GIFFORD PINCHOT.

APPROVAL OF SENATE BILL NO. 30.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 11, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 30, entitled: "An Act to amend an act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred seventy-nine) entitled, 'An act to amend an act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand and fifty-nine) entitled "An act extending the powers of judges of courts of quarter sessions and of oyer and terminer in relation to releasing prisoners in jails and workhouses on parole by extending said act to include house of correction conferring similar powers on other courts of record and providing that the powers of parole shall extend for a period not to exceed the maximum sentences as provided by law' providing the procedure in cases of parole conferring power to parole upon the several courts instead of judges thereof and fixing the time when petitions for parole may be first presented".

GIFFORD PINCHOT.

APPROVAL OF SENATE BILL NO. 46.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 11, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed Senate Bill No. 46, entitled, "An Act making an appropriation to carry into effect the provisions of an act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and fourteen) entitled 'An act providing for the erection and construction by the Commonwealth of Pennsylvania and the State of New Jersey of a bridge over the Delaware River connecting the city of Philadelphia and the city of Camden and the approaches thereto providing for a joint commission for that purpose and defining its powers and duties providing for an independent commission in this Commonwealth in relation thereto and defining its powers and duties providing for the payment of a part of the cost thereof by the city of Philadelphia and providing for the acquiring taking and condemnation of the real estate for the site and approaches thereof providing for the turning over of said bridge upon its completion and making an appropriation for the purposes of this act' and its amendments".

GIFFORD PINCHOT.

NOMINATIONS BY THE GOVERNOR

JUSTICES OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 14, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby nominate for the advice and consent of the Senate J. Felix Sanders, of New Oxford, as Justice of the Peace, in and for the Borough of New Oxford, Adams County, vice Albert A. Sanders, deceased, to serve until the first Monday in January 1924.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 14, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate John S. Hagerty, of Belle Vernon, as Justice of the Peace, in and for the Borough of Belle Vernon, Fayette County, to serve until the first Monday in January 1924.

GIFFORD PINCHOT.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 14, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

E. O. Ramsey, Pittsburgh, April 1, 1923.
Clarence Rehn, Pittsburgh, May 27, 1923.
R. Clyde Roth, Pittsburgh, May 26, 1923.

BEAVER COUNTY.

W. W. Piper, Beaver Falls, May 26, 1923.

BERKS COUNTY.

Miss Ada M. Wilson, Reading, May 27, 1923.

BUCKS COUNTY.

Charles H. Ortt, Quakertown, May 26, 1923.

CAMBRIA COUNTY.

P. R. Westover, Frugality, May 27, 1923.

GREENE COUNTY.

L. L. Long, E. Waynesburg, May 26, 1923.

LACKAWANNA COUNTY.

Miss Emma E. Mayer, Scranton, May 26, 1923.

LAWRENCE COUNTY.

E. F. G. Harper, New Castle, May 20, 1923.

MERCER COUNTY.

C. G. Harshaw, Grove City, May 26, 1923.

PHILADELPHIA COUNTY.

John Eckstein Beatty, Philadelphia, May 27, 1923.
Thomas M. Brower, Philadelphia, May 27, 1923.
Stuart Claghorn, Philadelphia, May 26, 1923.
Chas. J. MacGuffin, Philadelphia, April 1, 1923.
Charles W. McMahon, Philadelphia, May 26, 1923.
John I. Potku, Philadelphia, May 26, 1923.

WASHINGTON COUNTY.

D. Leslie Riffle Washington, May 26, 1923.

WESTMORELAND COUNTY.

James R. Mowry Derry, May 26, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 14, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute form the date of confirmation:

ALLEGHENY COUNTY.

R. Bayard Baldridge, Pittsburgh.
Mrs. Edith B. Daylander, Pittsburgh.
Marcus C. Noonan, Pittsburgh.
Miss Fannie M. Shepard, Pittsburgh,

BEAVER COUNTY.

Chester A. Lewis, Beaver Falls.
John W. Orr, New Sheffield.

FAYETTE COUNTY.

Frank Ribarich, Uniontown.

GREENE COUNTY.

Chas. B. Church, Waynesburg.

LEHIGH COUNTY.

A. J. Trump, Allentown.

PHILADELPHIA COUNTY.

Miss Rose C. Ferguson, Phila., 607 17th St.
E. B. Hull, Phila., 4663 Oakland St.
R. C. Martin, Phila., N. E. Cor. 34th & Cumbd. Sts.
Thos. F. McTear, Phila., 1440 N. 2d St.
Mrs. Mabel S. Overholtzer, Phila., 722 W. Layafette St., Norristown.
Stanley C. Rzopski, Phila., 3173 Richmond St.,
Fred R. Scherer, Phila., 4844 N. Carlisle St.,
Charles E. Smith, Phila., 55th & Schuylkill River.
Wm. M. Watson, Phila., 23 S. 2nd St.
Geo. P. Wilson, Phila., 315 E. Ridley Ave., Ridley Park.

SCHUYLKILL COUNTY.

Harry E. Bashore, Hegins.

YORK COUNTY.

Robert R. Hamn, Broadbecks.

GIFFORD PINCHOT.

PROTHONOTARY.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 14, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas F. Furry of Lionville, Chester County, to be Prothonotary in and for the County of Chester, vice Fred A. Talbot, resigned, to serve until the first Monday of January 1924.

GIFFORD PINCHOT.

DIRECTOR OF PUBLICATION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 14, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, A. Nevin Detrich, of Mt. Airy, Philadelphia County, to be Director of Publications for a term of four years, to compute from May 9, 1923.

GIFFORD PINCHOT.

Mr. EYRE. Mr. President, I move that the Executive Session do now rise.

Mr. BUCKMAN. Mr. President, I second the motion.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. EYRE,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to,

Whereupon,

A motion was made by Mr. EYRE,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—46.

Aron.
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culberston.
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

Two thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. EYRE. Mr. President, I move that the Executive Session do now rise.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES.

Mr. DAVIS, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 1046, (House Bill No. 1306), entitled:

An Act to amend section seven of an act entitled "An Act to establish a Department of Mines in Pennsylvania defining its purposes and authority, providing for the appointment of a Chief of said Department and assistants and fixing their salaries and expenses" approved April 14, A. D. 1903 (P. L. 180) increasing fees paid by applicants for certificates of qualifications as mine foreman and assistant mine foremen in the Anthracite mines providing for the disposition of fees received and providing for copies of lost or destroyed certificates.

Also from the Committee on Mines and Mining, reported as committed, Senate Bill No. 1048, (House Bill No. 1309), entitled:

An Act to amend rule thirty-four of article twenty-five of an act approved June 9th, 1911, (P. L. 766) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by requiring mine operators to pay the Department of Mines for certain report and record books.

Mr. ARON, from the Committee on Municipal Affairs reported as committed, Senate Bill No. 1144, entitled:

An Act providing for the collection of city and school taxes in third class cities by the city treasurer, and fixing and providing for the payment of his salary and expenses, and the salaries of his assistants and clerks.

Also from the Committee on Municipal Affairs, re-reported as committed, Senate Bill No. 266, entitled:

An Act providing for only one assessment of all property for taxation in cities of the third class within this Commonwealth directing said assessment to be made by the city assessors of said cities and said city assessors in addition to their duties as such assessors, to perform all other duties now performed by the county assessors in said cities and requiring said cities to furnish copies of said assessment to each of the boards of school directors in said cities to each of the boards of county commissioners of the respective counties wherein said cities are located and to all other boards or authorities levying and collecting taxes in said cities and all taxes, city, school, county, poor and other taxes to be levied on said assessment.

Mr. NORTON, from the Committee on Legislative Apportionment, re-reported as amended, Senate Bill No. 521, (House Bill No. 262), entitled:

An Act to amend part of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution."

Mr. BUCKMAN, from the Committee on Finance, reported as amended, Senate Bill No. 911, (House Bill No. 112), entitled,

An Act to amend section five of the act approved June 17, 1913, (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property, providing for the assessment and collection of the same, providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" providing for the assesment of property and the collection of taxes. interest and penalties in cases of the refusal or failure of taxables to make return and in the case of false or incomplete returns.

Mr. CULBERTSON, from the Committee on New Counties and County Seats, re-reported as committed, Senate Bill No. 316, entitled:

An Act to amend chapter seven of an act approved May 14, 1915. (P. L. 312) entitled "An act providing a system of government for boroughs, and revising, amending and consolidating the law relating to boroughs "by creating a Borough Planning Department, defining its jurisdiction, and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the borough, and for three miles beyond the borough limits; and to regulate the making and use of certain public improvements until said plans are approved by said department, and authorizing the exercise of the powers herein provided by a park or other municipal commission.

Also from the Committee on Finance re-reported as committed, Senate Bill No. 573, entitled:

A Joint Resolution proposing an amendment to section twelve of article three of the Constitution of Pennsylvania.

Mr. SMITH, from the Committee on Finance, reported as committed, Senate Bill No. 607, entitled:

An Act to amend sections one and two as amended, and sections three, five, six, eight, nine and ten of the act approved May 18, 1919 (P. L. 1049), entitled "An Act authorizing the Board of Commissioners of Public Grounds and Buildings to erect a Soldiers' and Sailors' Memorial Bridge with the approaches thereto and memorial pylons, in the city of Harrisburg, to commemorate the services of the soldiers and sailors of the Commonwealth: providing for the letting of contracts therefor; providing for a portion of the cost to be paid by the city of Harrisburg, and public service corporations using or affected by the building of said bridge; providing for acquiring any property necessary by eminent domain; giving the Board of Commssioners of Public Grounds and Buildings the right to sell a portion of the land to the Pennsylvania Railroad Company to conform to the plans of the architect; providing for the maintenance of said bridge; and making appropriation to carry out the provisions of this act," by transferring to the Secretary of Highways the powers and duties granted to and imposed on the Board of Commissioners of Public Grounds and Buildings by said act.

Mr. WOODWARD, from the Committee on Elections, reported as committed, Senate Bill No. 561, entitled:

An Act to amend sections one two and three of an act entitled "A further supplement to the act regulating elections in this Commonwealth" approved the thirtieth day of January A. D. 1874, as amended so as to abolish the December assessment of voters.

Mr. STINEMAN, from the Committee on New Counties and County Seats, re-reported as committed, Senate Bill No. 745, entitled:

An Act relating to depositories of county funds in counties of the second third fourth fifth sixth seventh and eighth classes providing for the selection thereof by the county treasurer county commissioners and controller if any there be and for the payment of interest on county funds for the use of the county imposing certain expenses upon counties in connection therewith and providing penalties.

Mr. JOYCE, from the Committee on Elections, re-reported as committed, Senate Bill No. 80, entitled:

An Act to repeal the act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions" and the amendments and supplements thereto.

Also from the Committee on Elections, re-reported as amended, Senate Bill No. 81, entitled:

An Act to amend sections two, three, four and six of the act approved the twenty-fifth day of July, one thousand nine hundred and thirteen, (P. L. 1043), entitled "An act to provide for the registration and enrollment of the voters of the State according to their respective party preferences; fixing the compensation of assessors and registry assessors for making said registration and enrollment; and prescribing penalties for false registration or enrollment, and for voters voting or attempting to vote, and for the election officers wilfully permitting or conspiring to permit them to vote, at a primary, by or on any other than their own party ticket;" providing for the enrollment of electors in cities of the third class by assessors and registry assessors.

Mr. MacDADE, from the Committee on Judiciary General, reported as committed, Senate Bill No. 947, (House Bill No. 1025), entitled:

An Act to provide a method of relieving real estate of the charge of a life interest imposed thereon by any order judgment or decree of any court in this Commonwealth in any partition proceedings.

Mr. BARR, from the Committee on Banks and Building and Loan Associations, re-reported as committed, Senate Bill No. 663, (House Bill No. 461), entitled:

An Act to better secure all bonds stocks mortgages or other securities deposited with the State Treasurer by providing for their inspection examination and verification and the verification of the books containing a record of such bonds stocks mortgages or other securities by the Auditor General or his agents.

Mr. WEAVER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1172, entitled:

An Act validating certain elections of school districts of the third class held pursuant to the provisions of an act approved April 20, 1874 (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same, and to impose penalties for the illegal increase thereof;" and the amendments thereto; and validating bonds issued or authorized to be issued in pursuance of such elections.

Mr. SCHANTZ, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 101, entitled:

An Act for the registration and regulation of certain individuals and entities selling offering for sale or delivery soliciting subscriptions to or orders for or undertaking to dispose of inviting offers for or inquiries about or dealing in any manner in securities defined herein conferring powers and imposing duties on the Commissioner of Banking and otherwise providing for the administration of this act prescribing penalties and making an appropriation.

Also from the Committee on Appropriations re-reported as amended, Senate Bill No. 358, (House Bill No. 390), entitled:

A Joint Resolution constituting a commission to examine the tax laws of the Commonwealth and of other states and countries and to prepare and submit bills to carry into effect its recommendations prescribing the powers and duties of said commission and making an appropriation.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 370, entitled:

A Supplement to an act approved the 13th day of April, 1921 (P. L. 136) entitled "An Act providing for the appointment and expenses of a commission of three persons to codify and revise the laws relating to poor districts and the care of the poor, and making an appropriation:" continuing the commission appointed under the provisions of said act for the further period of two years, and making an appropriation.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 994, entitled:

An Act making an appropriation to the Saint Mary's Hospital of Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1085, entitled:

An Act making an appropriation to the Saint Joseph's Hospital, of Reading, Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1133, entitled:

A Joint Resolution making an appropriation to the Auditor General for the purpose of adjusting and paying certain outstanding bills contracted by the commission appointed under the provisions of the act approved July 25, 1913, (P. L. 1306) entitled "An Act to provide for the selection of a site and the erection of a State institution for the detention, care and treatment of inebriates, or persons habitually addicted to the use of alcoholic drink or intoxicating drugs, to be called the State Institution for Inebriates, and making an appropriation therefor."

Also form the Committee on Appropriations, reported as committed, Senate Bill No. 1158, (House Bill No. 84), entitled:

An Act making an appropriation to the Washington Crossing Park Commission for the purpose of the acquisition of land and property and the making of improvements in accordance with the provisions of the act of July 25, 1917, (P. L. 1209) entitled "An Act to authorize the acquisition by purchase or condemnation of land for a park and the erection of a monument commemorative of Washington Crossing the River Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purposes of this act."

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1183, (House Bill No. 85), entitled:

An Act making an appropriation to the Pennsylvania State Park and Harbor Commission of Erie.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1184, (House Bill No. 86), entitled:

An Act making an appropriation to the several fire companies of the city of Harrisburg.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1185, (House Bill No. 216), entitled:

An Act to provide for the payment of moneys by the Commonwealth to counties and townships the tax funds of which are diminished by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions and making an appropriation.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1193, (House Bill No. 217), entitled:

An Act making an appropriation to the Superintendent of Public Instruction to carry into effect the provisions of the act approved the twentieth day of May, 1921 (P. L. 134) entitled "An Act to provide for the payment of moneys to school districts the taxes of which are reduced by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions."

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1194, (House Bill No. 93), entitled:

An Act making an appropriation to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State Supervisor and assistants, and fixing the salaries of such State Supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties."

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1195, (House Bill No. 99), entitled:

An Act making an appropriation to the Commissioners of Valley Forge Park.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1196, (House Bill No. 653), entitled:

An Act making an appropriation to the Lake Erie and Ohio River Canal Board of Pennsylvania for the payment of expenses incurred in printing, distributing and making available for public use, reports, maps, documents and records of the board, in securing the cooperation and aid of the Government of the United States and other public authorities, in the construction of the canal or waterway authorized to be constructed by the board, for the payment of incidental office expenses, and for the payment of salaries, fees and expenses.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 65, entitled:

An Act making an appropriation to the Sewickley Valley Hospital Association, Incorporated, of Allegheny County, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 93, entitled:

An Act making an appropriation to the Frederick Douglass Memorial and Training School of Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 103 entitled:

An Act making an appropriation to the North Pennsylvania General Hospital and Sanatorium at Austin, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 110, entitled:

An Act making an appropriation to the Grand View Hospital, located near Sellersville, Bucks County, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 114, entitled:

An Act making an appropriation to the Allentown Hospital, Allentown, Lehigh County, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 116, entitled:

An Act making an appropriation to the Saint Lukes Hospital, located at Bethlehem, Lehigh County, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 121, entitled:

An Act making an appropriation to the Taylor Hospital, Ridley Park, Delaware County, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 187, entitled:

An Act making an appropriation to the Saint Vincent's hospital Association, of the city of Erie, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 189, entitled:

An Act making an appropriation to the Butler County General Hospital, at Butler, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 204, entitled:

An Act making an appropriation to the West Philadelphia Hospital for Women, in the City of Philadelphia.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 219, entitled:

An Act making an appropriation to the Franklin City Hospital, Franklin, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 236, entitled:

An Act making an appropriation to the South Side Hospital of Pittsburgh, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 244, entitled:

An Act making an appropriation to the Western Pennsylvania Hospital.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 245, entitled:

An Act making an appropriation to the Homeopathic Medical and Surgical Hospital and Dispensary of Pittsburgh.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 251, entitled:

An Act making an appropriation to the Mercy Hospital of Philadelphia.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 279, entitled:

An Act making an appropriation to the Children's Homeopathic Hospital, of Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 280, entitled:

An Act making an appropriation to the Reading Hospital, of Reading, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 288, entitled:

An Act making an appropriation to the Berwick Hospital, Berwick, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 290, entitled:

An Act making an appropriation to the Bloomsburg Hospital, Bloomsburg, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 298, entitled:

An Act making an appropriation to the Lancaster General Hospital, Lancaster, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 304, entitled:

An Act making an appropriation to the Polyclinic Hospital of the University of Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 305, entitled:

An Act making an appropriation to the Medico Chirugical Hospital of the University of Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 306, entitled:

An Act making an appropriation to the Hospital of the University of Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 336, entitled:

An Act making an appropriation to the Annie M. Warner Hospital, Gettysburg, Adams County, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 361, entitled:

An Act making an appropriation to the McKeesport Hospital, McKeesport, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 371, entitled:

An Act making an appropriation to the Hospital of the Hanemann Medical College and Hospital.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 372, entitled:

An Act making an appropriation to the Wills Hospital for the relief of the indigent, blind and lame, Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 428, entitled:

An Act making an appropriation to the Easton Hospital, at Easton, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 431, entitled:

An Act making an appropriation to the Clearfield Hospital.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 443, entitled:

An Act making an appropriation to the Allegheny General Hospital.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 478, entitled:

An Act making an appropriation to Eagleville Sanatorium for Consumptives, located at Eagleville, Montgomery County.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 480, entitled:

An Act making an appropriation to the Homeopathic Medical and Surgical Hospital of Reading, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 591, entitled:

An Act making an appropriation to the Stetson Hospital of Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 625, entitled:

An Act making an appropriation to the American Hospital for Diseases of the Stomach, of Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 647, entitled:

An Act making an appropriation to the Bonair Sanatorium, Bells Camp, McKean County, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 658, entitled:

An Act making an appropriation to the Philadelphia Orthopaedic Hospital and Infirmary for Nervous Diseases.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 659, entitled:

An Act making an appropriation to the Gynecean Hospital, Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 682, entitled:

An Act making an appropriation to the Saint Christopher's Hospital for Children, Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 928, (House Bill No. 700), entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania providing for a budget system.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 875, entitled:

An Act making an appropriation to the Nesbit West Side Hospital, Dorrancetown, Luzerne County, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 876, entitled:

An Act making an appropriation to the Columbia Hospital, at Columbia, Lancaster County, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 982, entitled:

An Act making an appropriation to the Misericordia Hospital of the Sisters of Mercy of Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 986, entitled:

An Act making an appropriation to the Saint Joseph's Hospital of Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 989, entitled:

An Act making an appropriation to Mercy Hospital of Johnstown, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 991, entitled:

An Act making an appropriation to the Saint Agnes Hospital of Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 996, entitled:

An Act making an appropriation to the Pittsburgh Hospital Association of Pittsburgh, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 997, entitled:

An Act making an appropriation to the DuBois Hospital of Dubois, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 1002, entitled:

An Act making an appropriation to the Mercy Hospital of Pittsburgh, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 1004, entitled:

An Act making an appropriation to the Jewish Hospital Association of Philadelphia.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 1064, entitled:

An Act making an appropriation to the Saint Joseph's Hospital and Dispensary, of Pittsburgh, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 1168, entitled:

An Act making an appropriation to the Presbyterian Hospital, at Pittsburgh, Pennsylvania.

Also from the Committee on Appropriations, re-reported as amended, Senate Bill No. 750, entitled:

An act providing for the refunding of moneys erroneously paid into the State Treasury as taxes on inheritances or transfers of inheritances and making an appropriation.

BILLS INTRODUCED.

Mr. SMITH read in his place and presented to the Chair Senate Bill No. 1209, entitled:

An Act making a deficiency appropriation for the payment of salaries of the officers and employes of the Senate for the session of one thousand nine hundred and twenty-three.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 1210, entitled:

A supplement to the Act, approved the 16th day of June, 1919, (P. L. 482), entitled "An act creating a Board of Commissioners of Public Grounds and Buildings; providing for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers and employes, and fixing their salaries; defining the powers and duties of the board and the superintendents with regard to contracts for and the furnishing of furniture, furnishings, stationery, supplies, paper, and fuel for the executive and legislative branches of the State Government and the Executive Mansion, the supervision of the Capitol grounds and buildings, the State Arsenal, and Executive Mansion, and repairs, alteration and improvements thereto, and to other buildings, land and property of the State, the disposal of unserviceable personal property of the Commonwealth, the renting of office rooms outside of the Capitol, the bonding of officers and employes of the Commonwealth, and the supervision of the erection of, and repair and additions to, State institutions, and the expenditure of funds therefor; and repealing supplied and inconsistent laws"; authorizing the said Board to agree with municipalities upon the terms and conditions and the amount of compensation for which lands and property of the Commonwealth may be taken or used for municipal purposes; to receive such compensation and to release the municipality.

Which was committed to the Committee on Public Grounds and Buildings.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 1211, entitled:

An act providing for the rebuilding of county bridges over two hundred feet in length on improved primary State highway routes in counties of the seventh and eighth classes by the State Highway Department at the expense of the Commonwealth.

Which was committed to the Committee on Public Roads and Highways.

Mr. CRAIG read in his place and presented to the Chair Senate Bill No. 1212, entitled:

An act to amend clauses (b) and (c) of section fifty-six of an act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates, including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians and trustees herein designated as fiduciaries, the administration and distribution of the estates of presumed decedents widow's and children's exemptions, debts of decedents, rents of real estates as assets for payment thereof, the lien thereof, sales and mortgages of real estate, for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof, contracts of decedents, for the sale or purchase of real estate legacies, including legacies charged on land, the discharge of residuary estates, and of real estate from the lien of legacies and other charges, the appraisement of real estate devised at a valuation, the ascertainment of the curtilage of dwelling houses or other buildings devised, the abatement and survival of actions, and the substitution of executors and administrators therein and suits against fiduciaries, investments by fiduciaries, the organization of corporations to carry on the business of decedents, the audit and review of accounts of fiduciaries refunding bonds, transcripts to the court of common pleas of balances due by fiduciaries, the rights, powers and liabilities of non-resident and foreign fiduciaries, the appointment, bonds rights, powers, duties and liabilities of trustees durante absentia the recording and registration of decrees, reports and other proceedings, and the fees therefor, appeals in certain cases, and also generally dealing with the jurisdiction, powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," so as to permit the orphans' court in its discretion to permit a bank or trust company authorized to act as executor, administrator, or trustee under the laws of the Commonwealth of Pennsylvania appointed as trustee in the place of an executor or executors, trustee or trustees dying, renouncing, resigning, dismissed or refusing to act, to give its own bond without surety.

Which was committed to the Committee on Banks and Buildings and Loan Associations.

Mr. QUIGLEY read in his place and presented to the Chair Senate Bill No. 1213, entitled:

An Act to amend an act approved the first day of June, one thousand nine hundred and fifteen, (P. L. 661), entitled "An act relating to the maintenance of insane, feeble-minded and other persons confined in the various institutions of the Commonwealth; fixing liability for their support; providing for the collection of the moneys due the Commonwealth thereof and for proceedings relating thereto."

Which was committed to the Committee on Judiciary General.

Mr. PHIPPS read in his place and presented to the Chair Senate Bill No. 1214, entitled:

An Act to amend sections five and six of an act approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 473), entitled "An act providing for the burial of certain persons who are, have been, or shall be soldiers, sailors or marines, designated as 'deceased service men'; defining the term 'deceased service man'; and authorizing county commissioners to provide headstones, markers, and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death," as amended; authorizing the purchase of headstones of deceased service men buried in the county; and regulating the purchase of markers.

Which was referred to the Committee on Military Affairs.

Also read in his place and presented to the Chair Senate Bill No. 1215, entitled:

An Act fixing the number and providing for the election of aldermen in third class cities by districts apportioned by the court of common pleas; fixing the salary of such aldermen and providing for the payment of all fees and emoluments earned into the city treasury; and providing penalties.

Which was referred to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 1216, entitled:

An Act making incurable insanity a cause for divorce, and providing procedure in such cases.

Which was committed to the Committee on Judiciary General.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 1217, entitled:

A Supplement to the act approved the ninth day of July, one thousand nine hundred and nineteen, (P. L. 814), entitled "An act providing for the erection and construction by the Commonwealth of Pennsylvania and the State of New Jersey of a bridge over the Delaware River connecting the city of Philadelphia and the city of Camden and the approaches thereto; providing for a joint commission for that purpose, and defining its powers and duties; providing for an independent commission in this Commonwealth in relation thereto, and defining its powers and duties; providing for the payment of a part of the cost thereof by the city of Philadelphia; and providing for the acquiring, taking, and condemnation of the real estate for the site and approaches thereof; providing for the turning over of said bridge upon its completion; and making an appropriation for the purposes of this act," as amended by an act approved the twenty-sixth day of April, one thousand nine hundred and twenty-one (P. L. 287); extending the power and authority of the Delaware River Bridge Joint Commission and its successors to provide for equipment of the Delaware River Bridge with facilities for railway, railroad, motor bus, vehicles, or other means of transportation; also for telegraph, telephone, electric or other public service facilities; authorizing operation, maintenance and leasing thereof; providing for the fixing and collection of charges, rates, rentals or tolls therefor; and authorizing the making of contracts or leases for use and occupation of property acquired.

Which was committed to the Committee on Municipal Affairs.

Also read in his place and presented to the Chair Senate Bill No. 1218, entitled:

An Act to amend section three of article eighteen of the act approved the twenty-fifth day of June, one thousand nine hundred and nineteen, (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth;" providing that when indebtedness made by council is assumed, funded or refunded with the assent of the electors, said indebtedness shall thereafter be excluded in computing the amount incurred by council without the assent of electors.

Which was committed to the Committee on Municipal Affairs.

Mr. MANSFIELD read in his place and presented to the Chair Senate Bill No. 1219, entitled:

An Act regulating the selection of jurors for service in the several courts, civil and criminal, of the counties of the second class; creating a Board of Judges from the court of common pleas of said counties for this purpose; and prescribing the powers and duties of such Board; imposing the entire cost and expense of maintaining and operating such Board upon said counties; requiring the county commissioners of said county to provide suitable office quarters, equipment and supplies for said Board, authorizing the employment of the necessary clerks, assistants, deputies and other employees; abolishing the existing office of jury commissioners in said counties; and providing that the present jury commissioners shall become clerks of said Board until the expiration of their term of office; requiring other county officers and boards to furnish information to said board; and prescribing punishments for violation of the provisions hereof.

Which was committed to the Committee on Judiciary General.

Mr. STINEMAN read in his place and presented to the Chair Senate Bill No. 1220, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts and other incorporated districts or municipalities had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four, (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance to such proceedings and elections.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 1221, entitled:

An Act to amend section twenty-five of an act approved the twenty-eighth day of July, one thousand nine hundred and seventeen, (P. L. 1215), entitled "An act to revise, amend, and consolidate the law relating to fish, and providing penalties," as amended.

Which was committed to the Committee on Game and Fisheries.

Mr. SCHANTZ read in his place and presented to the Chair Senate Bill No. 1222, entitled:

An Act making an appropriation to the Sacred Heart Hospital of Allentown, Lehigh County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 1223, entitled:

An Act appropriating to the Department of Publications the unexpended balances of appropriations heretofore made to the Department of Public Printing and Binding, including the Division of Documents.

Which was committed to the Committee on Appropriations.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 1224, entitled:

An Act to amend sections two and three of an act approved the eighth day of July, one thousand nine hundred and nineteen (P. L. 764), entitled "An act to provide instruction in citizenship and the principles of the government of the United States of America and of this Commonwealth to foreign born residents of the State of Pennsylvania, in the several counties thereof, who are not required to attend the public schools of this Commonwealth; providing for the appointment of instructors and interpreters; and providing for their compensation, payable by the several counties; and defining the powers and duties of such instructors and the county superintendents of schools."

Which was committed to the Committee on Education.

Mr. DERRICK, read in his place and presented to the Chair Senate Bill No. 1225, entitled:

An Act to establish as a State Highway a certain section of public road in the counties of Bedford and Fulton.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 1226, entitled:

An Act authorizing courts of common pleas of the several counties of the eighth class to order moneys, received from fines, penalties and forfeited recognizances and dedicated by law to law library purposes, in excess of the amount required to be paid into the county treasury for the use of the county.

Which was committed to the Committee on Judiciary General.

REPORTS FROM COMMITTEES.

Mr. MacDADE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair heras none.

Mr. MacDADE from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 1212, entitled:

An Act to amend clauses (b) and (c) of section fifty-six of an act approved June 7, 1917, (P. L. 447) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates, including the appointments, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians and trustees herein designated as fiduciaries, the administration and distribution of the estates of presumed decedents widow's and children's exemptions, debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate, for payment thereof, judgments, and executions therefor, and the discharge of real estate from the lien thereof, contracts of decedents for the sale or purchase of real estate legacies, including legacies charged on land the discharge of residuary estates and of real estate devised at a valuation, the ascertainment of the curtilage of dwelling houses or other buildings devised, the abatement and survival of actions, and·the substitution of executors and administrators therein and suits against fiduciaries, investments by fiduciaries, the organization of corporations to carry on the business of decedents, the audit and review of accounts of fiduciaries refunding bonds, transcripts to the court of common pleas of balances due by fiduciaries, the rights, powers and liabilities of non-resident and foreign fiduciaries, the appointment, bonds, rights, powers, duties and liabilities of trustees durante absentia, the recording and registration of decrees, reports and other proceedings and the fees therefor, appeals in certain cases, and also generally dealing with the jurisdiction, powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," so as to permit the orphans' court in its discretion to permit a bank or trust company authorized to act as executor, administrator or trustee under the laws of the Commonwealth of Pennsylvania appointed as trustee in the place of an executor or executors, trustee or trustees dying, renouncing, resigning, dismissed or refusing to act, to give its own bond without surety.

Mr. SCHANTZ. Mr. President, I ask unanimous consent to make report from Committee at this time?

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCHANTZ, from the Committee on Appropriations, reported as commited, Senate Bill No. 1209, entitled:

An Act making a deficiency appropriation for the paymetn of salaries of the officers and employes of the Senate for the session of one thousand nine hundred and twenty-three.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1222, entitled:

An Act making an appropriation to the Sacred Heart Hospital of Allentown, Lehigh County, Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1223, entitled:

An Act appropriating to the Department of Publications the unexpended balances of appropriation heretofore made to the Department of Public Printing and Binding, including the Division of Documents.

RESOLUTION URGING GOVERNMENT TO PROVIDE HOSPITAL ACCOMMODATIONS FOR EX-SERVICE MEN NEAR PHILADELPHIA.

Mr. VARE offered the following resolution, which was twice read, considered and agreed to.

Whereas The United States Government has, on short notice, closed U. S. Veterans hospital No. 49 in Philadelphia, and transferred more than 200 patients, all ex-service men, to Washington, D. C. and Perryville, Md. and

Whereas A majority of these patients, whose infirmities are the result of their service in the World War, are residents of Philadelphia and near-by towns and are thus removed far from their homes and families, and

Whereas both these unfortunate men and their families are entitled to all the consideration a grateful government can give them,

Therefore be it resolved That the Senate of Pennsylvania hereby urges the United States government to provide proper hospital accommodations for these patients in or adjacent to Philadelphia.

Resolved That a copy of this resolution be forwarded by the Secretary of the Senate to the proper government officials.

BILL OVER IN ORDER.

Mr. MANSFIELD. Mr. President, I ask that Senate Bill No. 162, on final passage, entitled:

An Act to amend section one of the act approved June 17, 1913, (P. L. 507), entitled "An Act to provide revenue for State and County purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 782, as follows:

An Act to amend section nineteen of an act approved the second day of May one thousand nine hundred and five (Pamphlet Laws three hundred and fifty-two) entitled "An act to regulate the employment in all kinds of industrial establishments of women and children employed at wages or salary by regulating the age at which minors can be employed and the mode of certifying the same and by fixing the hours of labor for women and minors to provide for the safety of all employes in all industrial establishments and of men women and children in school-houses academies seminaries colleges hotels hospitals store-houses office buildings public halls and places of amusements in which proper fire-escapes exits and extiguishers are required to provide for the health of all employes and of men women and children in all such establishments storehouses and buildings by proper sanitary appliances and to provide for the appointment of inspectors office clerks and others who with the Chief Factory Inspector shall constitute the Department of Factory Inspection to enforce the same and providing penalties for violations of the provisions thereof fixing the term and salaries of the Chief Factory Inspector and his appointees" by providing for inspection of boilers by the Department of Labor and Industry for examination and certification of boiler inspectors and a fee therefor for issuance of certificates of operation and a fee therefor and for the use of the fees collected

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section nineteen of an act approved the second day of May one thousand nine hundred and five (Pamphlet Laws three hundred and fifty-two) entitled "An act to regulate the employment in all kinds of industrial establishments of women and children employed at wages or salary by regulating the age at which minors can be employed and the mode of certifying the same and by fixing the hours of labor for women and minors to provide for the safety of all employes in all industrial establishments and of men women and children in schoolhouses academies seminaries colleges hotels hospitals store-houses which proper fire-escapes exits and extinguishers are re- office buildings public halls and places of amusements in quired to provide for the health of all employes and of men women and children in all establishments storehouses and buildings by proper sanitary appliances and to provide for the appointment of inspectors office clerks and others who with the Chief Factory Inspector shall constitute the Department of Factory Inspection to enforce the same and providing penalties for violations of the provisions thereof fixing the term and salaries of the Chief Factory Inspector and his appointees" as amended by the act approved the twelfth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and twenty-four) is hereby further amended to read as follows

Every boiler used for generating steam or heat in any establishment as defined in section one of this act shall be constructed installed and operated in accordance with the rules and regulations of the Department of Labor and Industry and shall be inspected as provided in this section by a boiler inspector who holds a commission as a boiler inspector under the rules and regulations of said Department If such boiler is insured in a company authorized to insure in this Commonwealth against loss from the explosion of steam boilers such inspector shall be in the employ of said Company and the only fee collectible for inspection of such insured boiler shall be the certificate fee of one dollar hereinafter provided for in this section

If such boiler is not so insured and is located in a city having a boiler inspection department now established by ordinance such inspector shall be the duly appointed city boiler inspector of such city or if it is not so located such inspector shall be a salaried employee of said Department of Labor and Industry Every such boiler shall be inspected internally and externally while not under pressure at least once in every twelve months by an inspector described in this section and shall also be inspected by such an inspector at least once in every twelve months while it is under operating conditions The fee for each annual internal and external inspection while not under pressure when made by an inspector in the employ of the Department of Labor and Industry shall be six dollars and fifty cents and the fee for each inspection under operating conditions made by an inspector in the employ of said Department shall be two dollars and fifty cents Provided That the fees for any one boiler inspected by an inspector in the employ of said Department shall not exceed ten dollars for any one year and the fee for the inspection of a miniature boiler by an inspector in the employ of said Department shall not exceed two dollars Every inspector described in this section within thirty days after his annual internal and external inspection while not under pressure of a boiler that is not located in a city having a boiler inspection department now established by ordinance shall send a full report of his inspection to the Department of Labor and Industry and if the report shows that said boiler is not unsafe to operate at the pressure limit named in said report the Department shall issue a certificate permitting the operation of such boiler at a pressure not exceeding that stated in the report for not more than thirteen months from the date of said inspection unless such certificate is earlier revoked because the boiler is found to be unsafe The Department of Labor and Industry shall collect from the owner or operator of said boiler a fee of one dollar for its said annual certificate All fees provided for by this act shall be paid to the Commissioner of the Department of Labor and Industry who shall transmit the same to the State Treasury and all such moneys shall be accounted for in a special fund Nothing contained in this section shall apply to boilers subject to Federal inspection and control (including marine boilers boilers of steam locomotives and other self-propelled railroad apparatus) nor to boilers on automobiles boilers of steam fire engines brought into this Commonwealth for temporary use in times of emergency for the purpose of checking conflagration nor to boilers used exclusively in connection with the operation of an oil well nor to boilers carrying a pressure of less than fifteen pounds per square inch which are equipped with safety devices approved by the Department of Labor and Industry A commission as a boiler inspector shall not be granted to any person by the Department of Labor and Industry unless such person has passed satisfactorily a written examination of uniform standard under the rules and regulations of said Department for the Administration of the Boiler Code Every applicant for such examination shall upon the filing of his application pay to the Commissioner of Labor and Industry a fee of ten dollars

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Clark,
Craig,
Culbertson,
Daix,
Davis.
Derrick,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz.
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 242, as follows:

An Act to amend sections ten eleven twelve and fourteen of and to add sections eleven (a) and eleven (b) to an act entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" approved the nineteenth day of March one thousand nine hundred and nine (Pamphlet Laws forty-six) changing the preliminary educational requirements creating a board to examine and license osteopathic physicians to practice operative surgery providing for such examination and licensing regulating the practice of the same and requiring additional qualifications therefor defining osteopathy and providing for the effect of reports and certificates made by osteopathic physicians and granting additional powers to the Board of Osteopathic Examiners to revoke licenses.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of an act approved the nineteenth day of March one thousand nine hundred and nine (Pamphlet Laws forty-six) entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing osteopaths in this State and to provide penalties for the violation of this act" which was last amended by section two of the act approved the seventeenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and twenty-nine) entitled "An act amending sections eight and ten of an act approved the nineteenth day of March one thousand nine hundred nine entitled 'An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act' as amended by providing for the extension of time necessary for graduation by revising the fee for reciprocity licenses and by further regulating the preliminary educational requirements for matriculation into colleges" is hereby amended to read as follows

Section 10 Applicants examined and licensed by the State Boards of Osteopathic Examiners of other States on the payment of a fee of fifty dollars to the State Board of Osteopathic Examiners and filing in the office of the State Board of Osteopathic Examiners a copy of said license certified by the affidavit of the president or secretary of such board showing also that the standard of requirements adopted by said board of examiners is substantially the same as is provided by section eight of this act shall without further examination receive a license conferring on the holder thereof all the rights and privileges provided by section eleven of this act

Candidates for license to practice osteopathy in this State who present their applications and undergo examination after the first day of January Anno Domini one thousand nine hundred and twelve shall be obliged to present to the State Board of Osteopathic Examiners one of the following credentials satisfactory to the said board covering their preliminary education prior to their beginning the study of osteopathy in some legally incorporated reputable osteopathic college to wit A diploma of graduation from a reputable college or university granting the degree of bachelor of arts or science or equivalent degree or a diploma of graduation from an educational institution maintaining a four years' course of study equivalent to a standard four year high school course that is a State Normal School or a high school a seminary an academy or a college preparatory school or a certificate of having passed examination for admission to the freshman class of a reputable literary or scientific college or university or a certificate of having passed an equivalent examination conducted by the Bureau of Professional Education Nothing herein shall be construed as being incompatible with the following additional requirement namely That the preliminary education shall include one year's credits in physics chemistry and biology as approved by the Bureau of Professional Education

After the first day of July one thousand nine hundred and twenty-eight applicants for licensure under the provisions of this act shall furnish prior to any examination by the State Board of Osteopathic Examiners satisfactory proof that he or she has had a general education of not less than a standard four years' high school course or its equivalent and not less than one year of college credits in chemistry biology and physics all of which have been received before admission to osteopathic study On said date the provisions of the foregoing paragraph of this section are hereby repealed

Section 2 That section eleven of said act be and the same is hereby amended to read as follows

Section 11 Every license to practice as an osteopathic physician issued by the State Board of Osteopathic Examiners shall authorize the holder thereof to practice osteopathy in all its branches including minor surgery and obstetrics without restrictions as the same is herein defined and taught and practiced in the legally incorporated reputable colleges of osteopathy but it shall not authorize the holder thereof to practice operative surgery without obtaining an additional license to practice such surgery as provided in section eleven (b) of this act Any use or practice by osteopathic physicians of the agencies or means hereinafter named as embraced within the fundamentals of the principles and practice of the system of osteopathy when used for the purposes in the manner and to the extent as taught and practiced in the legally incorporated reputable colleges of osteopathy shall not be construed the practice of medicine or deemed to be in violation of or contrary to any of the laws of this Commonwealth relating to the practice of medicine or regulating the public health

The word "osteopathy" as used in this act means a complete and independent scientific system for the preservation of health and the relief and cure of bodily disorders embracing a distinct etiology prophylaxis and therapeutics applicable to all types and conditions of disease which in its practice deals with the human body as an intricate machine holding as its foremost fundamental (a) that the body when in perfect structural alignment will function correctly and health ensue (b) that disease is the effect of anatomical abnormalities producing physiological discord emphasizing malposed part or parts of the spinal column its appendages and attachments as the chief predisposing and producing cause of disease to cure which the abnormal part or parts must be adjusted to the normal that Pathogenic Bacteria are secondary to the predisposing anatomical cause and (c) which regards and uses non-drug adjunctive measures as palliatives (d) Embraces obstetrics subscribes to sanitation and hygiene and to surgery when indicated and practiced from an osteopathic view point (e) employs antiseptics anaesthetics and germicides in case of necessity and antidotes in case of poisoning and (f) opposes the introduction of drugs into the body organism as curative agencies

Section 3 Said act is hereby amended by adding thereto the following sections to be sections eleven (a) and eleven (b)

Section 11 (a) For the purpose of licensing osteopathic physicians to practice operative surgery until other provisions are made by the General Assembly there is hereby created in the Department of Public Instruction a special examining board to be known as the Osteopathic Surgeons' Examining Board Such board shall consist of the director of the Pre-Professional and Professional Credentials Bureau of the Department of Public Instruction who shall be a member ex-officio and four other members who shall be appointed by the Governor Two of such members shall be appointed from four persons nominated by the Bureau of Medical Education and Licensure of the Department of Public Instruction who at the time of their appointment are licensed and quailfied to practice medicine and surgery and have practiced the same in this Commonwealth for a period of not less than ten years immediately prior to their appointment and two from four persons nominated by the Board of Osteopathic Examiners who at the time of their appointment are licensed and qualified to practice osteopathy and have practiced the same in this Commonwealth for a period of not less than ten yers and who have practiced surgery for a period of not less than five years immediately prior to their appointment The members of the board shall receive fifteen dollars each for each day of actual service and railroad and hotel expenses All clerical work of the board shall be furnished by the Department of Public Instruction

All fees for the examination and licensing of osteopathic surgeons shall be paid to the Director of the Pre-Professional and Profesional Credentials Bureau and by him be paid into the State Treasury All expenses of the Osteopathic Surgeon's Examining Board shall be paid out of appropriations made to the Department of Public Instruction

Section 11 (b) Any person licensed to practice osteopathy in this State and desiring to enter upon the practice of operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy may deliver to the Director of the Pre-Professional and Professional Credentials Bureau of the Department of Public Instruction upon the payment of a fee of twenty-five dollars a written application for license together with satisfactory proof in such form as may be required by the Osteopathic Surgeons' Examining Board that the applicant has served for a period of not less than two years as an interne or assistant surgeon in an approved osteopathic hospital which shall have at least ten beds per interne devoted to the treatment of diseases shall maintain a thoroughly equipped modern pathological and clinical laboratory proportionate to the necessities of the hospital and shall maintain a department of anaethesia consisting of one or more anaesthetists who shall have supervision over all the anaesthesia given in the institution and whose duty it shall be to instruct all internes in the administration of anaesthetics Provided That any person duly licensed as an Osteopath who has had at least three years of actual practice as a surgeon may be examined by the Board without being required to prove that he has had two years experience as an interne or assistant surgeon in a hospital as hereinbefore provided

Thereupon the Osteopathic Surgeons Examining Board if satisfied with said proof shall admit said applicant to examination as to his or her qualifications for the practice of operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopthy Such examination shall include the subjects of surgical diagnosis and operative surgery and such other subjects as the said Board may deem necessary to test the qualification of the applicants The Osteopathic Surgeons' Examining Board shall issue forthwith to each applicant who shall have obtained a general average of not less than seventy-five per centum and who shall have been adjudged by the said Board of Examiners to be duly qualified for the practice of operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy a license to practice such operative surgery in the State of Pennsylvania Such license shall be issued and recorded in the same manner as licenses to practice osteopathy are now issued by the State Board of Osteopathic Examiners under the provisions of this act Provided however That no such license shall be issued if any objection thereto is filed by the State Board of Osteopathic Examiners

Each person to whom a license is issued to practice operative surgery by the Osteopathic Surgeons' Examining

Board shall likewise register in the office of the prothonotary of the court of common pleas of the county or counties in which he or she desires to practice by exhibiting to the prothonotary of said county or counties a license duly granted to him or her as hereinbefore provided whereupon he or she shall be entitled upon the payment of one dollar to be duly registered in the office of the prothonotary of the court of common pleas of said county or counties as an osteopathi surgeon

Every license issued by said board to practice surgery shall authorize the holder thereof to practice major or operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy and the use of anaesthetics antiseptics narcotics and germicides when used for the purposes in the manner and to the extent only as taught and practiced under surgical procedure in the legally incorporated reputable colleges of osteopathy shall not be considered the practice of medicine or in violation of any of the laws relating to the practice of medicine or regulating the public health

Any osteopathic physician who has been practicing operative sergery for a period of not less than five years shall not be required to take the examinations required by this section and shall be eligible to appointment as a members of the Osteopathic Surgeons' Examining Board

Section 4 That section twelve of said act be and the same is hereby amended to read as follows

Section 12 Osteopathic physicians and osteopathic surgeons shall observe and be subject to all State and municipal regulations relating to the control of contagious diseases the reporting and certifying of births and deaths and all matters pertaining to public health the same as physicians of other schools and all such reports and certificates when made or issued by osteopthic physicians licensed under laws of the Commonwealth shall be accepted by the persons partnerships corporations officers boards bureaus or departments to whom the same are made with the same force and effect as reports or certificates issued by physicians of other schools and such osteopathic physicians shall be entitled to the same fees and compensation as is provided by law for physicians of any other school Provided That no report or certificate made under the provisions of this section in connection with a case involving operative surgery shall be valid unless the same is made by an Osteopathic Surgeon duly licensed to practice operative surgery under the provisions of this act

Section 5 That section fourteen of said act be and the same is hereby amended to read as follows

Section 14 On and after the approval of this act the State Board of Osteopathic Examiners shall refuse to grant a license to an applicant to practice osteopathy in this State and is empowered to revoke a license conferring on a person the right to practice osteopthy upon the presentation to said State Board of Osteopathic Examiners of a court record showing the conviction in due course of law of said person for procuring aiding or abetting in producing a criminal abortion or miscarriage by any means whatsoever The State Board of Osteopathic Examiners upon such evidence and proof cause the name of said convicted licentiate to be removed from the record in the office of any prothonotary in the State The State Board of Osteopathic Examiners may refuse revoke or suspend the right to practice osteopathy in this State upon any or all the following reasons to wit The conviction of a crime involving moral turpitude habitual intemperance in the use of ardent spirits or stimulants narance of professional duties the violation of the practice of the principles of the system osteopathy as defined in this act Any person who is a licentiate under this act or who is an cotics or any other substance which impairs intellection and judgment to such an extent as to incapacitate the performapplicant for examination for licensure to practice osteopathy in this State against whom any of the foregoing charges are preferred for causing the revocation or suspension of license or for causing the refusal of the right to be examined for licensure shall be furnished by the State Board of Osteopathic Examiners with a copy of the complaint and shall have a hearing before said board in person or by attorney and witnesses may be examined by said board respecting the guilt or innocence of said accused The suspension of license of any licentiate under this act shall be removed when said narcotic or vicious habit hereinbefore specified shall have been adjudged by the proper authorities to be cured or overcome and said suspended licentiate deemed again capable of practicing the healing art

Section 6 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. MILLER. Mr. President, I ask unanimous consent to amend section 11-B, page 8, line 16, after the word "hospital" by inserting the following: "approved by the Osteopathic Surgeons' Examining Board;" also page 10, line 20, after the word "years" by inserting the following: "prior to the passage of this Act."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

RECONSIDERATION OF SENATE BILL No. 889.

Mr. BARR. Mr. President, I move to reconsider the vote by which Senate Bill No. 889, (House Bill No. 1), entitled:

An Act fixing the pay of election officers and clerks in cities of the first class

was defeated.

The PRESIDENT. How did the Senator vote?

Mr. BARR. Mr. President, I voted "no".

Mr. VARE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. VARE. Mr. President, I voted "no".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. VARE. Mr. President, this bill failed of a constitutional majority last week, due to a misunderstanding of the question involved. The facts of the case are these: That the House had amended the bill making the pay of the judge of election covering the period of three days, increasing the pay from $15.00 to $20.00, which was an increase of $5.00 on the three days. The Senator from Allegheny County had misunderstood the purport of the bill and as a result the bill failed to receive a constitutional majority. My understanding of the matter is that the bill only affected Philadelphia, is entirely satisfactory and I hope the bill will pass.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Aron,
Baldwin,
Barr,
Brown,
Buckman,
Clark,
Craig,
Daix,
Davis,
Einstein,
Eyre,
Heaton,
Homsher,
Jones,
Joyce,
Krause,
Leslie,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Steele,
Stineman,
Stites,
Vare,
Weaver,

NAYS—8.

Betts,
Derrick,
DeWitt,
Huffman,
Kutz,
Lanius,
Sones,
Sprowls,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 527, (House Bill No. 403), entitled:

An act to enable city county poor ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties if the surety or surieties have paid the taxes to collect taxes for the payment of which they become personally liable without having collected the same by the expiration of the authority of their respective bonds or by the expiration of the authority of their reserve warrants or by the expiration of their terms office and to extend the time for the collection of the same for a period of two years from the passage of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. STITES. Mr. President, I ask that Senate Bill No. 536, (House Bill No. 551) on third reading, entitled:

An Act to amend an act approved May 14, 1915, (P. L 312) entitled "An act providing a system of government for boroughs and revising, amending and consolidating the law relating to boroughs" by adding additional subsection to section nine of article seven of chapter six thereof to empower boroughs without petition of property owners to grade, pave, curb, macadamize or otherwise improve public streets or parts thereof and assess the entire cost thereof against the owners of the property abutting thereon when said streets or parts thereof do not exceed one thousand feet in length and connect two streets theretofor paved and improved.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 671, (House Bill No. 719), entitled:

An Act to amend sections two three and thirteen and to repeal section eleven of the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred nine) entitled "An act prescribing the powers and duties of the Bureau of Markets in the Department of Agriculture providing for co-operation with the Bureau of Standards of the Department of Internal Affairs to establish standard receptacles for farm products and to promulgate regulations for the enforcement thereof and prescribing penalties for violations of the provisions of this act" by clarifying certain provisions extending said act to cover the manufacture of standard receptacles for farm products and providing that violations be prosecuted by summary proceeding

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

REQUEST THAT BILL GO OVER IN ORDER

Mr. STINEMAN. Mr. President, I ask that Senate Bill No. 742, on third reading, entitled:

An Act concerning the domicile of a married woman

go over in its order.

The PRESIDENT. Is there objection?

Mr. MacDADE. Mr. President I object.

The PRESIDENT. The Chair hears objection.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 742, entitled:

An Act concerning the domicile of a married woman

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Derrick,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,

Culberston,
Daix,
Davis,
Krause,
Kutz,
Leslie,
Phipps,
Quigley,
Schantz,
Weaver,
Woodward,

NAYS—3.

Lanius,
Joyce,
Salus,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 743, entitled:

An act to further amend clause three of section one of an act approved the eighth day of May one thousand eight hundred and fifty-four (Pamphlet Laws 644) entitled "An act concerning divorces" as amended making the degree of cruelty as a ground for divorce the same for husband and wife

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. MacDADE. Hr. President, I ask unanimous consent to amend title page 1, line 4, by striking out the words "An Act concerning divorces" and inserting in lieu thereof: "A further supplement to the Act, entitled 'An Act concerning divorces'" Also in Section 1, page 1, lines 6 and 7, by striking out the words "An Act concerning divorces" and inserting in lieu thereof "A further supplement to the Act, entitled 'An Act concerning divorces'"

Mr. PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 744, entitled:

An Act to amend section one of an act approved the fifteenth day of March one thousand eight hundred and fifteen (Pamphlet Laws one hundred fifty) entitled "An act concerning divorces" making the degree of cruelty as a ground for divorce the same for husband and wife and to repeal section ten of the said act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culbertson,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Daix,
Davis,
Derrick,
Kutz,
Lanius,
Leslie,
Quigley,
Salus,
Weaver,
Woodward.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 758, entitled:

An Act to amend section eight clause (a) of an act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred three) entitled "An Act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor" by giving to the sole surviving parent the right to appoint a testamentary guardian for his or her minor child

And said bill having been read at length the third time,

On the question,

Will the Senate agree ta the bill?

Mr. STITES. Mr. President, I ask unanimous consent to amend section 1, page 2, line 15, by inserting after the word "Provided" the following: "(That such testimentary guardian shall not be entitled to the custody of the person of such child unless the mother or adopting mother, if surviving, shall relinquish such custody, or unless the best interests of the child shall require that such surviving mother or adopting mother should not retain the custody of the person of such child.)"

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 784, entitled:

An Act to amend section twelve of an act approved May second one thousand nine hundred and five (Pamphlet Laws three hundred fifty-two) entitled "An Act to regulate the employment in all kinds of industrial establishments of women and children employed at wages or salary by regulating the age at which minors can be employed and the mode of certifying the same and by fixing the hours of labor for women and minors to provide for the safety of all employes in all industrial establishments and of men women and children in school-houses academies seminaries colleges hotels hospitals storehouses office buildings public halls and places of amusements in which proper fire-escapes exits and extinguishers are required to provide for the health of all employes and of men women and children in all such establishments storehouses and buildings by proper sanitary appliances and to provide for the appointment of inspectors office clerks and others who with the Chief Factory Inspector shall constitute the Department of Factory Inspection to enforce the same and providing penalties for violation of the provisions thereof fixing the term and salaries of the Chief

Factory Inspector and his appointees" by providing for inspection of elevators by the Department of Labcr and Industry for examination and certification of elevator inspectors for an examination fee for issuance of certificates of operation and a fee therefor and for the use of the fees collected

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr.
Betts,
Brown,
Buckman,
Clark,
Craig,
Culbertson,
Daix.
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton.
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 841, (House Bill No. 906), entitled:

An Act to amend section twenty-one of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws four hundred and eighty-three) entitled "An Act relating to practice in the courts of common pleas in actions of assumpsit and trespass except action for libel and slander prescribing the pleadings and procedure to be observed therein and giving the courts power to enforce its provisions" by requiring objections to the form of any pleading to be filed and served upon the opposite party within ten days after the service of such objectionable pleading

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz.
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with the information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER.

Mr. VARE. Mr. President, I ask that Senate Bill No. 843, (House Bill No. 920), on third reading entitled:

An Act to amend section one of the act approved the fourteenth day of April one thousand nine hundred five (Pamphlet Laws one hundred and sixty-nine) entitled "An Act making it unlawful to trespass upon land posted as private property and providing the penalty therefor

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 895, (House Bill No. 1086), entitled:

An Act providing for the public health safety and welfare requiring owners and operators of coal mines and operations to furnish and sell fuel coal at current or market prices to and for the use of hospitals poor houses or other charitable institutions schools churches and buildings of municipal or quasi municipal character and providing penalties for the violation of this act

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. DAVIS. Mr. President, I ask unanimous consent to amend title, page 1, line 6 by striking out the word "school" and inserting in lieu thereof the word "schools".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 901, (House Bill No. 975), as follows:

An Act to amend section six as amended and section eight of the act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and sixty-five) entitled "An act defining commodities regulating the sale thereof and providing penalties for violations hereof" changing the legal weight of certain commodities and providing for the disposition of certain fines

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and sixty-five) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation thereof" which was amended by the act approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred and fifty-three) entitled "An act to amend section six of an act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred sixty-five) entitled 'An act defining commodities regulating the sale thereof and providing penalties for violation hereof' as amended" is hereby further amended to read as follows

Section 6 Whenever any commodity named in this section shall be sold by the bushel the bushel shall consist of the number of pounds herein stated and wherever sold in the subdivisions of the bushel the number of pounds shall consist of the fractional part of the number of pounds as are herein set forth for the bushel namely

Alfalfa seed sixty pounds
Apples (forty-five) forty-eight pounds
Apples dried twenty-five pounds
Barley (forty-seven) forty-eight pounds
Beans dried sixty pounds
Beans castor (shelled) forty-six pounds
Beets fifty-six pounds
Blue-grass seed fourteen pounds
Bran twenty pounds
Broom-corn seed fifty pounds
Buckwheat forty-eight pounds
Cabbage fifty pounds
Carrots fifty pounds
Cement one hundred pounds
Charcoal twenty pounds
Cherries with stems fifty-six pounds
Cherries stemmed sixty-four pounds
Chestnuts hulled fifty pounds
Clover-seed sixty pounds
Coal anthracite seventy-five pounds
Coal bituminous seventy-six pounds
Coal stone eighty pounds
Coke forty pounds
Corn shelled fifty-six pounds
Corn ear (husked) seventy pounds
Corn-meal fifty pounds
Cranberries (forty) thirty-two pounds
Cucumbers (fifty) forty-eight pounds
Currants forty pounds
Flaxseed fifty-six pounds
Gooseberries forty pounds
Grapes forty-eight pounds
Hair (plastering) eight pounds
Hemp-seed forty-four pounds
Herd's grass forty-five pounds
Hickory-nuts fifty pounds
Hominy sixty pounds
Horseradish fifty pounds
Hungarian grass seed fifty pounds
Kaffir corn fifty-six pounds
Lentils sixty pounds
Lime eighty pounds
Linseed fifty-six pounds
Malt thirty-eight pounds
Millet fifty pounds
Oats thirty-two pounds
Onions fifty pounds
Onion sets twenty-eight pounds
Orchard grass seed fourteen pounds
Parsnips fifty pounds
Peaches forty-eight pounds
Peaches dried (peeled) thirty-eight pounds
Peaches dried (unpeeled) thirty-three pounds
Peanuts twenty-two pounds
Pears fifty pounds
Peas green (unshelled) (fifty-six) twenty-eight pounds
Peas dried sixty pounds
Plums sixty-four pounds
Potatoes sixty pounds
Potatoes sweet fifty-four pounds
Quinces forty-eight pounds
Raspberries forty-eight pounds
Rape-seed fifty pounds
Redtop grass seed fourteen pounds
Rice rough forty-five pounds
Rutabagas sixty pounds
Rye fifty-six pounds
Rye-meal fifty pounds
Salt (coarse) eighty-five pounds
Salt (ground) sixty-two pounds
Sand one hundred pounds
Shorts twenty pounds
Sorghum-seed fifty pounds
Spelt forty pounds
Spinach twelve pounds
Strawberries forty-eight pounds
Timothy-grass seed forty-five pounds
Tomatoes (sixty) fifty-six pounds
Turnips (sixty) fifty-six pounds
Walnuts (common) fifty pounds
Wheat sixty pounds

Provided That when any fruits or vegetables named in this section are sold in Pennsylvania standard containers which are the original packages and are filled in accordance with good commercial practices such fruits and vegetables shall be exempt from the provisions of this section

Section 2 That section eight of said act is hereby amended to read as follows

Section 8 Each person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace of the proper county for first offense shall be fined not more than twenty-five dollars upon conviction for the second offense such person firm or corporation shall be fined not less than twenty-five dollars nor more than one hundred dollars and upon conviction for the third and each subsequent offense such person firm or corporation shall be fined not less than one hundred dollars nor more than two hundred and fifty dollars All fines collected under the provisions of this act shall be paid to the treasurer of the respective city or county in which the offense was committed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with the information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 903, (House Bill No. 1305), entitled:

An Act to confer upon the courts of Quarter Sessions of the several counties of the Commonwealth jurisdiction and power to authorize the removal of the remains of the dead from private burial grounds which have or shall become unsightly and unsuitable places for interment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
DeWitt,
Einstein,
Long,
MacDade,
Schantz,
Smith,

Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with the information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 905, (House Bill No. 820), entitled:

An Act authorizing the sale of real estate held by entireties by husband and wife when an order of support has been secured against the husband who has neglected to comply with the same or whose whereabouts is unknown or who has absented himself from this Commonwealth prescribing the procedure to be followed permitting husband and wife to testify providing for the disposition of the proceeds of such sale and granting a divorce woman the same rights under this act as a wife

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with the information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 908, (House Bill No. 1012), entitled:

An Act validating ordinances and proceedings by councils in boroughs for the paving and curbing of public highways and validating municipal liens therefor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
DeWitt,
Einstein,
Eyre,
Long,
MacDade,
Mansfield,
Schantz,
Smith,
Snyder,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with the information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 917, (House Bill No. 366), entitled:

An Act to amend section two of an act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred seventy-nine) entitled "An Act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purpose of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with the information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 930, (House Bill No. 818), entitled:

An Act to amend an act approved the twentieth day of July, one thousand nine hundred and seventeen, (P. L. 1143) entitled, "An Act relating to free, public, non-sectarian libraries and branch libraries within this Commonwealth; providing for their establishment, maintenance, and regulation of such free, public, nonsectarian libraries as may have been already established by the several counties, cities, boroughs, towns, and townships; and providing that all library property, and all gifts, devises, grants, or endowments for library purposes, shall be exempt from taxation; and providing that the several counties, cities, boroughs, towns, and townships may levy taxes, condemn private property, and borrow money for library purposes; and imposing penalties for injuring library property and for violations of library regulations; and repealing existing laws in relation to the above subjects."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with the information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 952, (House Bill No. 1095), entitled:

An Act relating to debts of municipalities

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark.
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Vare,
Weaver,
Woodward,

NAYS—2.

Long,
Stites,

A majority of the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 958, (House Bill No. 1216), entitled:

An Act authorizing certain corporations to authorize create and issue capital stock of any class or kind without nominal or par value and to change or convert their authorized or outstanding capital stock of any class or kind into shares of any class or kind either with or without nominal or par value and validating the creations and issues of stock heretofore made by corporations in accordance with the provisions hereof

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. BUCKMAN. Mr. President, I ask unanimous consent to amend title page 1, line 1, by inserting after the word "to" the word: "authorize"; also by inserting after the word "issue" the following: "capital stock of any class or kind without nominal or par value"; also line 2, by inserting before the word "convert" the words: "to change or"; also by inserting after the word "stock" the following: "of any class or kind"; also section 1, page 1, line 8, by inserting after the word "time' the following: "authorize, create and issue capital stock of any class or kind with or without nominal or par value and"; also line 10, by inserting after the word "stock" the words: "or both"; also page 2, lines 3 and 4, by striking out the words "by a majority vote of the outstanding common capital stock;" also line 5, by inserting after the word "manner" the following: "and by the same stock vote;" also section 2, page 3, line 8 by striking out the word "this" and inserting in lieu thereof the word "the."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 975, entitled:

An Act forbidding the use or shooting of live pigeons or other birds in any contest exhibition or practice of marksmanship relating to the renting or use of buildings and premises for such purposes and prescribing penalties for violations

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culbertson,
Daix.
Derrick,
DeWitt,
Einstein,
Eyre,
Homsher,
Huffman,
Jones,
Joyce,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Schantz,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—6.

Davis,
Heaton,
Krause,
Kutz,
Lanius,
McNichol,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. LONG. Mr. President, I ask that Senate Bill No. 985, on third reading, entitled:

> An Act to amend section three hundred and twenty-nine as amended and section five hundred and fifty-four of an act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenues to establish and maintain the same and the method of collecting such revenue and repeailng all laws general special or local or any parts thereof that are or may be inconsistent therewith"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 998, entitled:

> An Act to repeal the act approved the fourteenth day of February one thousand eight hundred and sixty-seven (Pamphlet Laws two hundred five) entitled "A supplement to an act passed the thirteenth day of April Anno Domini one thousand eight hundred and fifty-nine relating to billiard saloons et cetera, in the counties of Chester and Delaware extending the same to the county of Bradford"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER.

Mr. BARR. Mr. President, I ask that Senate Bill No. 1018, on third reading, entitled:

> A Joint Resolution proposing an amendment to section seven of article three of the Constitution of Pennsylvania

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MacDADE. Mr. President, I ask that Senate Bill No. 1037, (House Bill No. 428), on third reading, entitled:

> An Act to amend section one of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred and sixty-eight) entitled "An act relating to police pension funds in cities of the third class and directing such cities to appropriate certain moneys thereto"

go over in its order.

The PRESIDENT. Is there objection?

Mr. JOYCE. Mr. President, I would like to interrogate the Senator from Delaware.

The PRESIDENT. Will the Senator from Delaware, Mr. MacDade, permit himself to be interrogated?

Mr. MacDADE. Mr. President, I will.

Mr. JOYCE. Mr. President for what reason does the Senator from Delaware wish this bill to go over?

Mr. MacDADE. Mr. President, this matter came before the last session. I was consulted about the measure and at that time the Governor of the Commonwealth was opposed to the signing of bills granting pensions to a policeman, using the phraseology then in the bill before the Senate. Upon investigation it was found that it required the councilmanic body of the third class cities, in a mandatory way, to appropriate so much money to the pension fund, at least one percent of the tax received, and that was found to be a burdensome proposition so far as the third class cities were concerned, and the bill was amended to read, "not to exceed one percent." The gentlemen who were interested in the bill, as they ar now, were very well satisfied to employ the phraseology of the Act of 1921. At this time it is mandatory, so far as this bill is concerned, that at least one half of one percent of the taxes shall be appropriated to the police pension fund. Personally, I am not opposed to a police pension fund, but I think it ought to be left to the municipal authorities to determine for themselves as to how much money, up to one percent, that they desire to appropriate to that fund. I have asked that it go over in its order so that we may confer with those Senators who have third class cities in their districts and see if this bill cannot be amended so as to be satisfactory to all of us.

Mr. JOYCE. Mr. President, I am satisfied.

The PRESIDENT. The Chair hears no objection.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1045, (House Bill No. 1264), entitled:

> An act providing for the depositing of money as a forfeit for the appearance of persons arrested for certain offenses for hearing before a mayor or chief burgess and providing for the forfeiture and payment of the same into the city or borough treasury in case of non-appearance of person arrested

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward;

NAYS—1.

Mansfield,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. STEELE. Mr. President, I ask that Senate Bill No. 1051, (House Bill No. 148), on third reading, entitled:

> An Act authorizing cities boroughs incorporated town and townships of the first class to require and permit the laying and constructing of gas mains or pipes water mains or pipes and all other maines and pipes and sanitary sewers and sewer pipes outside the cartway and the curblines thereof in all streets and highways and prescribing the uses thereof and providing for the assessment of the costs and expenses of any such sewer against the abutting property in the front of which the said sewer is laid

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 1056, on third reading, entitled:

> An Act making an appropriation to the Home for the Training in Speech of Deaf Children before they are of school age at Belmont Avenue and Monument Road Philadelphia

be recommitted to the Committee on Appropriations.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. HUFFMAN. Mr. President, I move that Senate Bill No. 1069, on third reading, entitled:

> An Act construing and confirming the powers of the Public Service Commission with respect to rates service and facilities of Public Service Companies including the furnishing of street paving and street paving repairs

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 1079. on third reading, entitled:

> An Act making an appropriation to the Prison Labor Commission

be recommitted to the Committee on Appropriations.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1092, (House Bill No. 1234), entitled:

> An act authorizing the creation of a commission to negotiate with the duly constituted agents of the states of New York and New Jersey for the regulation of the flow of the Delaware River the conservation apportionment and utilization of the water resources thereof providing the method for ratification of such compact by this Commonwealth and prescribing the conditions of its being in full force and effect

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1093, (House Bill No. 1235), entitled:

> An act authorizing the Department of Forestry to grant on terms conditions and stipulations rights to occupy and use any portions of the State Forestry for dams reservoirs canals pipe lines and other water conduits for water supply purposes and providing for forfeiture and other remedies for breach of such terms conditions and stipulations

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. DAIX. Mr. President, I ask unanimous consent to amend Section 1, at the end of line 8, on page 1, by inserting the following words: "the main purpose of storing or cooling, or both, water for steam raising or steam condensation, or both, in the generation of electric energy for use in public service;" also by striking out at the beginning of line 9, the words "steam condensation;" also Section 2, on page 2, in line 6, by inserting after the word "hereafter" the following words: "by law;" also lines 8 and 9, by striking out the wards "revoking for violation of its terms any permit issued hereunder or for the purpose of;" also line 12, inserting after the word "or" the words "of the terms, conditions, or stipulations of any grant made or of;" also line 13, by inserting after the word "hereunder" the following: "In the event of the failure of any grantee hereunder to comply with the requirements of any final decree in any such proceedings, the Attorney General may institute proceedings for the purpose of revoking the grant;" also line 17, by striking out the word "law" and inserting in lieu thereof the word "lawful;" also page 3, line 2, by striking out the word "permittee" and inserting in lieu thereof the word "grantee."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amneded be printed for the use of the Senate.

BILL RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 1094, (House Bill No. 1236), on third reading, entitled:

An act providing for a giant power survey creating a Giant Power Survey Board defining the powers and duties thereof requiring officers departments commissioners and other agencies of the Commonwealth to give information thereto and making an appropriation

be recommitted to the Committee on Appropriations.

Mr. VARE. Mr. President I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1095, (House Bill No. 1238), entitled:

An act authorizing the Department of Forestry to lease for periods of not more than fifty years on terms conditions and stipulations expressed in each lease any portions of the State forests for dams reservoirs canal pipe lines and other water conduits power houses and transmission lines for the development of water power for steam raising and condensation and for the generation and transmission of electric energy

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. DAIX. Mr. President, I ask unanimous consent to amend section 1 on page 2 by inserting at the end of line 18 the following words: "by which is meant a complete unit of improvement or development, consisting of a power house and appurtenant works, all water conduits, all dams and works appurtenant thereto, which are a part of said unit, and all storagem diverting or forebay reservoirs directly connected therewith, the primary line or lines transmitting power from the power house to the point of junction with the distribution system or with an interconnected primary transmission system, all miscellaneous structures used and useful in connection with such unit, or any part thereof, and all water rights, rights-of-way, ditches, dams, reservoirs, lands or interest in lands, the use and occupancy of which are necessary or appropriate in the maintenance and operation of such unit."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1099, (House Bill No. 1319), entitled:

An act to amend section one article four chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" as amended

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—45.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—1.

Lanius,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1118, (House Bill No. 1084), entitled:

A Supplement to an act approved the twenty-third day of June, one thousand nine hundred eleven, Pamphlet Laws one thousand one hundred twenty-three, entitled "An act establishing in each county a Board of Viewers, prescribing their duties, providing for their appointment as viewers road juries, juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" as the same was amended and supplemented by subsequent acts, by providing for the compensation to be paid to the members of the Board of Viewers in counties of the second class.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Aron,
Baldwin,
Brown,
Buckman,
Clark,
Craig,
Culberston,
Daix,
Davis,
Einstein,
Eyre,
Heaton,
Homsher,
Jones,
Joyce,
Krause,
Leslie,
MacDade,
McClintock,
McNichol,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Vare,
Weaver,
Woodward,

NAYS—16.

Barr,
Betts,
Derrick,
DeWitt,
Huffman,
Lanius,
Long,
Mansfield,
Miller,
Norton,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1120, (House Bill No. 142), entitled:

An act making an appropriation to the County of Philadelphia for the payment of a judgment obtained by the said county against the Commonwealth of Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1130, (House Bill No. 1338), entitled:

An Act providing a means whereby the individual Justice of the Peace may inform himself as to the law changes in the law and decision of the Courts on the law of this Commonwealth

And said bill having been read at length the third time, and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. CLARK. Mr. President, I ask that Senate Bill No. 1135, on third reading, entitled:

An Act to amend section one, paragraph three, of an act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, eight hundred thirty-one), entitled "An Act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth; prescribing the qualifications, defining the powers and duties, and fixing the compensation of such examiners; providing for the appointment and removal of inspectors of anthracite mines, prescribing their qualifications and regulating their salaries and term of office; and abolishing the terms of office of the present mine inspectors of the anthracite mines;" authorizing the Chief of the Department of Mines to determine the maximum number of days for which the members of the Anthracite Mine Inspectors' Examining Board shall receive compensation.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1136, entitled:

An Act to amend section eleven of an act, approved the seventeenth day of May, one thousand nine hundred twenty-one (Pamphlet Laws, eight hundred thirty-one), entitled "An Act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth; prescribing the qualifications, defining the powers and duties, and fixing the compensation of such examiners; providing for the appointment and removal of inspectors of anthracite mines, prescribing their qualifications, and regulating their salaries and term of office; and abolishing the terms of office of the present mine inspectors of the anthracite mines."

And said bill having been read at length the third time,

On the question,
Will the Senate agree to the bill?

Mr. CLARK. Mr. President, I ask unanimous consent to amend title, page 1, line 12, by striking out the word "term" after the word "the" and inserting in lieu thereof the word "terms;" also section 1, page 2, line 8, by striking out the word "term" after the word "the" and inserting in lieu thereof the word "terms"; also line 17, by inserting after the word "discharge" the word "his".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,
Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1137, entitled:

An Act to amend section one, paragraph two, of an act approved the ninth day of June, one thousand nine hundred and eleven (Pamphlet Laws, page seven hundred fifty-six), entitled "An Act to provide for the health and safety of persons employed in and about bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith;" authorizing the Chief of the Department of Mines to determine the maximum number of days for which the members of the Bituminous Mine Inspectors' Examining Board shall receive compensation.

And said bill having been read at length the third time,

On the question,
Will the Senate agree to the bill?

Mr. CLARK. Mr. President, I ask unanimous consent to amend title, page 1, line 1, by striking out the words "section one, paagraph two" and inserting in lieu thereof the words "paragraph two, section one of article nineteen"; also section 1, line 4, by striking out the words "section one, paragraph two" and inserting in lieu thereof the words "paragraph two, section one of article nineteen".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL OVER IN ORDER.

Mr. CLARK. Mr. President, I ask that Senate Bill No. 1138, on third reading, entitled:

An Act to amend section nine of article nineteen of an act, approved the ninth day of June, one thousand nine hundred eleven (Pamphlet Laws, seven hundred fifty-six), entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1140, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania the purchase by the United States of about one hundred and forty-seven and five hundred and forty-three thousandths acres of land in O'Hara Township, Allegheny County, Pennsylvania, for use in the care and treatment of discharged sick and disabled soldiers and ceding jurisdiction over such land; and also providing for the retention of a concurrent jurisdiction by the Commonwealth of Pennsylvania with the United States on such land for the service of legal process thereupon.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. BARR. Mr. President, I ask unanimous consent to amend title, at the end of line 7, by inserting after the word "soldiers" the following words "or for other uses of the United States"; also section 1, page 2 at the end of line 2 by inserting after the word "soldiers" the following words "or for other uses of the United States".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1145, entitled:

An act reappropriating moneys to the trustees of the State Institution for Feeble Minded of Western Pennsylvania at Polk Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. DAIX. Mr. President, I ask that Senate Bill No. 1147, on third reading, entitled:

An Act to authorize and provide for the transfer of person or persons confined in any penitentiary under sentence of law to some other prison or institution

go over in its order.

The PRESIDENT, Is there objection? The Chair hears none.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1148, entitled:

An Act to amend section three, paragraph one, of an act, approved the eighteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, ten hundred and forty-three), entitled "An Act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contribution by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and proivding for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties", by extending the time for a "present employe", as defined in the act, to elect to be covered by the retirement system, and including among "present employes" those employed in certain educational institutions.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. BARR. Mr. President, I ask unanimous consent to amend section 1, page 2, line 16, by inserting after the word "taxation" the word "and"

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS RECOMMITTED.

Mr. SCHANTZ. Mr. President, I move that Senate Bill No. 1150, on third reading, entitled:

An act making an appropriation to the Department of Public Welfare for major repairs and upkeep of plant and equipment in the several State hospitals homes and institutions.

Senate Bill No. 1151, on third reading, entitled:

An act making an appropriation to the Department of Public Welfare for capital outlay new construction alterations extensions and equipment of the several State institutions.

Senate Bill No. 1152, one third reading, entitled:

An act making an appropriation to the Department of Public Welfare for administration and operation expenses and maintenance of the State institutions for mental defectives at Laurelton Polk and Spring City.

Senate Bill No. 1153, on third reading, entitled:

An act making an appropriation to the Department of Public Welfare for administration and operation expenses and maintenance of the State schools for the deaf

Senate Bill No. 1154, on third reading, entitled:

An act making an appropriation to the Department of Public Welfare for administration and operation expenses and maintenance of the several State medical and surgical hospitals

Senate Bill No. 1155, on third reading, entitled:

An act making an appropriation to the Department of Public Welfare for the support and expenses of the State Penal and Correctional Institutions

be recommitted to the Committee an Appropriations.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Mr. SCHANTZ. Mr. President, I move that the Senate do now proceed to the third reading and consideration of Senate Bill No. 516, on third reading postponed for the present, entitled:

An act providing for the appointment and election of assistant assessors for election purposes in certain wards in cities of the third class fixing their terms of office and providing for their compensation

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 516, entitled:

An act providing for the appointment and election of assistant assessors for election purposes in certain wards in cities of the third class fixing their terms of office and providing for their compensation

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SCHANTZ. Mr. President, I ask unanimous consent to amend section 4, page 2, line 12 by striking out the word "to" and inserting in lieu thereof the word "or".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Mr. STITES. Mr. President, I move that the Senate do now proceed to the third reading and consideration of Senate Bill No. 923, (House Bill No. 598), on third reading postponed for the present, entitled:

An Act declaring the construction to be given deeds wills and other instruments in writing in which real and personal property is donated granted devised or bequeathed either directly or in trust for the benefit of one or more persons for years or for life or upon condition with remainder over to the heirs or next of kin or to the persons thereunto entitled under the intestate laws or order similar or equivalent phrase

Mr. LONG. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 923, (House Bill No. 598), entitled:

An Act declaring the construction to be given deeds wills and other instruments in writing in which real and personal property is donated granted devised or bequeathed either directly or in trust for the benefit of one or more persons for years or for life or upon condition with remainder over to the heirs or next of kin or to the persons thereunto entitled under the intestate laws or other similar or equivalent phrase

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with the information that the Senate has passed the same without amendments.

RECONSIDERATION OF VOTE SUSPENDING RULE 21 FOR BALANCE OF SESSION.

Mr. STITES. Mr. President, In the Legislative Journal of May 2, page 2425, the Senate took action on Rule 21 and passed a motion to suspend Rule 21 for the balance of the session. For the information of the Senate, Rule 21 reads as follows:

"That the vote on concurring in bills amended by the House or on adopting reports of committees of conference, shall not be taken until said bills and reports have been placed on the files of Senators, and particularly referred to on their calendars".

I call the attention of the Senate to the fact that we are now coming to the closing days of the session, when business is more or less congested and, it seems to me, that these

Conference reports should be laid on the desks of the members in order to be voted on intelligently, and I move, therefore, that the vote by which Rule 21 was suspended be reconsidered.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the original motion?

It was not agreed to.

REPORTS FROM COMMITTEES.

Mr. MacDADE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair heras none.

Mr. MacDADE from the Committee on Municipal affairs reported as committed, Senate Bill No. 1192, entitled:

An Act to further amend section eleven of article six and section fifteen of article seven of an act approved June 27, 1913 (P. L. 568) entitled "An Act providing for the incorporation, regulation, and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating and extending existing laws in relation thereto," by changing the salaries of councilmen and mayors.

Mr. JONES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JONES from the Committee on Public Roads and Highways reported as committed, Senate Bill No. 1211, entitled:

An Act providing for the rebuilding of county bridges over two hundred feet in length on improved prima State Highway routes in counties of the seventh and eighth classes by the State Highway Department at the expense of the Commonwealth

BILLS ON THIRD READING AND FINAL PASSAGE.

Mr. VARE. Mr. President, I move that the Senate do now proceed to the third reading and consideration of Senate Bill No. 843, (House Bill No. 920), on third reading, entitled:

An Act to amend section one of the act approved the fourteenth day of April one thousand nine hundred five (Pamphlet Laws one hundred and sixty-nine) entitled "An Act making it unlawful to trespass upon land posted as private property and providing the penalty therefor

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 843, (House Bill No. 920), entitled:

An Act to amend section one of the act approved the fourteenth day of April one thousand nine hundred five (Pamphlet Laws one hundred and sixty-nine) entitled "An Act making it unlawful to trespass upon land posted as private property and providing the penalty therefor

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with the information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 543, (House Bill No. 610), entitled:

An Act to amend section seventy-four of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 665, (House Bill No. 623), entitled:

An Act to amend section five of an act approved the nineteenth day of May one thousand eight hundred seventy-four (Pamphlet Laws two hundred six) entitled "An act relating to the organization and jurisdiction or orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof" as amended by changing the provisions for appointment of first assistant clerks so as to conform to the Constitution and giving to the Court and Register of Wills power to modify the salaries fixed for any assistant clerk

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 693, (House Bill No. 382), on second reading, entitled:

An Act relating to the leasing of real property making it unlawful to dispossess tenants or recover leased property except after thirty days' notice prohibiting the execution of leases containing waivers of the provisions of this act and voiding certain leases

be recommitted to the Committee on Judiciary General.

Mr. PHIPPS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 814, (House Bill No. 440), entitled:

An Act to provide for the licensing of transient retail merchants in cities boroughs and townships and providing a penalty for the failure to obtain such license

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 865, (House Bill No. 1337), entitled:

An Act providing a method for deciding a tie vote : borough councils

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 869, as follows:

An Act to amend section fourteen of an act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and five) entitled "An Act relating to and regulating the solicitation of moneys and property for charitable and patriotic purposes"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section fourteen of an act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and five) entitled "An Act relating to and regulating the solicitation of moneys and property for charitable and patriotic purposes" is hereby amended to read as follows

Section 14 This act shall not apply to any fraternal organization incorporated under the laws of the Commonwealth nor to any religious organization or any college school or university located within the Commonwealth nor to any labor union or municipality or municipal subdivision or community organization of the Commonwealth nor to any charitable institution or agency required by the provisions of existing law to file reports with the Department of Public Welfare or with any other department or offices of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 909, (House Bill No. 18), entitled:

An Act to provide for the welfare of all persons confined (Whether such persons be tried or untried prisoners) in any penitentiary or county prison in this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1096, (House Bill No. 671), entitled:

An Act to amend sections one and three of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. STITES. Mr. President, I move that Senate Bill No. 1100, on second reading, entitled:

A Supplement to the Public Service Company Law approved July twenty-six Anno Domini one thousand nine hundred and thirteen requiring street railway corporations whose facilities cross or are adjacent to the facilities of street railway lines owned leased or operated by municipal corporations under certain circumstances to establish transfer points and switch or other connections at points of crossing or adjacency and through routes and service and joint rates for the conveyance of passengers over two or more lines connected at transfer points giving the Public Service Commission jurisdiction in the premises and prescribing the condition upon which the Commission shall have jurisdiction to regulate the joint facilities services or rates of a street railway corporation and a street railway line owned leased or operated by a municipal corporation

be recommitted to the Committee on Judiciary General.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1160, (House Bill No. 197), entitled:

An Act to amend section two of an act approved the twenty-third day of March one thousand nine hundred and twenty-one (Pamphlet Laws forty-two) entitled "An act appropriating to the State Highway Department for the purpose of assisting in the construction maintenance improvement and repair of State highways and State-aid highways all moneys derived from registrations and from license fees for the year one thousand nine hundred and twenty-one and subsequent years under the provisions of the act of Assembly approved June thirtieth one thousand nine hundred and nineteen relating to and regulating motor vehicles and amendments thereto and providing for salaries and other expenses of the department"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1163, as follows:

An Act to further amend section thirteen of an act approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendent of highway and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonweatlh providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of autnority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended by providing for the deposit of bankable securities by the contractor in lieu of the surety required on said contractor's bond

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the thirteenth section of an act approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State Highway to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as last amended by an act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and fifty) entitled "An act to further amend section thirteen of an act approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled 'An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing the salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority upon the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contacts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kinds of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act' as amended" be and the same is hereby amended to read as follows

Section 13 All work of construction building or rebuilding of highways excepting that of repairing and maintenance done under the provisions of this act may be by contract and shall be according to plans and specifications to be prepared in every case by the State Highway Department and in awarding any contract the work shall be given to the lowest responsible bidder with the option on the part of the State Highway Commissioner to reject any or all bids if the prices named for the work or materials to be used are higher than the estimated cost or for any other reason appearing to said commissioner Every person firm or corporation before being awarded any contract for the construction or improvement of any State highway or State-aid highway under the provisions of this act shall furnish a bond with sufficient surety or sureties acceptable to the State Highway Commissioner in a sum equal to fifty per centum of the contract price of the work conditioned that the contractor shall well and truly and in a manner satisfactory to the State Highway Commissioner complete the work contracted for and shall save harmless the Commonwealth of Pennsylvania from any expense incurred through the failure of said contractor to complete the work as specified or from any damages growing out of the carelessness of said contractor or his or its servants and shall well and truly pay for all material furnished and labor performed in and about the construction of said highway and any person firm or corporation who has furnished labor or materials used in the construction or improvement of any State highway or of any State-aid highway under the provisions of this act and payment for which has not been made shall have the right to intervene and be made a party to any action instituted by the Commonwealth of Pennsylvania on the bond of the contractor and to have their rights and claims adjudicated in such action and judgment rendered thereon subject however to the priority of the claim and judgment of the Commonwealth of Pennsylvania If the amount of the liability of the surety on said bond is insufficient to pay the full amount of said claims and demands then after paying the full amount due the Commonwealth of Pennsylvania the remainder shall be distributed pro rata among said interveners If no suit should be brought by the Commonwealth of Pennsylvania within (six) three months from the completion of said contract and final settlement with the Commonwealth then the person or persons supplying the contractor with labor and materials shall upon application therefor and furnishing affidavit to the State Highway Department that labor and materials for the prosecution of such work have been supplied by him or them and that payment for the same has not been made be furnished with a certified copy of said contract and bond upon which he or they shall have a right of action and shall be and are hereby authorized to bring suit in the name of the Commonwealth of Pennsylvania for his or their use and benefit against said contractor and his sureties and to prosecute the same to final judgment and execution Where suit is instituted by any of such creditors on the bond of the contractor it shall not be commenced until after the complete performance of said contract and final settlement thereof with the Commonwealth and shall be commenced within (one year) six months after the performance and said final settlement of said contract and not later Where suit is so instituted by a creditor or creditors no other action shall be brought by any other creditor but any other creditor may file his claim in the action first brought and be made party thereto within (one year) six months from the completion of the work under said contract and not later If two or more actions be brought on the same day the action in which the largest claim is demanded shall be regarded as the first action Any creditor who has brought an action within (one year) six months as aforesaid but after suit brought by another creditor or on the same day may intervene in the suit first brought within the (year) six months notwithstanding the fact that the intervention in such case be after the expiration of the (year) six months provided said intervention be made within thirty days after the expiration of the (year) six months If the recovery on the bond should be inadequate to pay the amounts found due to all of said creditors judgment shall be given to each creditor pro rata of the amount of the recovery The surety on said bond may pay into court for distribution among said claimants and creditors the full amount of the surety's liability to wit the penalty named in the bond less any amount which said surety may have had to pay to the Commonwealth of Pennsylvania by reason of the execution of said bond and upon so doing the surety will be relieved from further liability In all suits instituted under the provisions of this act such personal notice of the pendency of such suits informing them of their rights to intervene as the court may order shall be given to all known creditors and in addition thereto notice shall be given by publication in some newspaper of general circulation published in the county or town where the contract was performed once a week for at least three successive weeks Provided however That when such suit has been begun within three weeks of the end of the (year) six months within which suit may be brought said notice by publication shall be only for the period intervening between the time instituting such suit and the end of the (year) six months

Provided That in lieu of the surety or sureties to the contractor's bond as hereinbefore provided bonds of the United States of America or of the Commonwealth of Pennsylvania or of any county city borough school district or other municipal sub-division of this Commonwealth or such bonds as are authorized as legal investments for Savings Institutions in Pennsylvania the ready market value of which shall in the discretion of the State Highway Commissioner and Commissioner of Banking be equal to the total obligation of such bond may be deposited with the State Highway Commissioner as collateral security for the performance of the terms and conditions of said contractor's bond The State Highway Commissioner shall have the power to require the contractor to substitute other bonds for bonds pledged or to deposit additional security in order that the ready market value of the securities pledged shall at all times equal the amount of the obligation under the bond

All securities when deposited must be payable to or run in favor of or be transferred to the State Highway Commissioner All interest dividends and other income on such securities shall until disposed of as hereinafter provided be payable when received to the contractor upon demand made by him but the State Highway Commissioner shall not be subject to any liability for failure to collect the same

Upon the entry of any judgment on said contractor's bond the State Highway Commissioner may forthwith sell at public or private sale without advertisement or other notice thereof the securities so deposited with him or such amount thereof as is necessary for the purpose of paying all such judgments principal costs and interest including judgments rendered as aforesaid in favor of the Commonwealth material men or labor and shall apply the proceeds of such sale to the satisfaction of said judgments in the order of priority of payment as hereinabove set forth

When the estimates paid to the contractor on any such contract equal twenty-five per centum of the contract price the obligation of the bond accompanying such contract shall be automatically reduced twenty-five per centum and the State Highway Commissioner may upon demand of the contractor return to him twenty-five per centum of the securities deposited with said bond

Corresponding reductions in the obligation shall and corresponding returns of the deposited securities may be made when the estimates paid to the contractor equal fifty per centum and seventy-five per centum respectively of the said contract price

Upon the final release of the said contractor's bond the State Highway Commissioner shall return to the contractor all such deposited securities remaining in his possession after deduction of the amount used in satisfying judgment as aforesaid unless notice in writing shall have been given to the State Highway Commissioner of the entry of any suit upon said contractor's bond in which case said deposited securities shall be held to await the outcome of said suit and subject to any liability on account of any judgment entered thereon

The State Highway Commissioner however is hereby authorized and empowered in his discretion to construct build or rebuild by the agents servants and employes of the State Highway Department any highway or highways for the construction building or rebuilding of which he may contract under the provisions of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1165, entitled:

An Act to amend section four of an act approved March seventeenth (Pamphlet Laws thirty-two) entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county"

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of the act approved the seventeenth day of March one thousand nine hundred and twenty-one (Pamphlet Laws thirty-two) entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such halls be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county" is hereby amended to read as follows

Section 4 Such memorial hall shall be in honor of the soldiers sailors and marines from said county who served in the Army and Navy of the United States in the War of the Rebellion the Spanish-American War the Philipine Insurrection the War with Germany and Austria and all other wars in which the United States has been or may hereafter be engaged Such memorial halls shall each contain in addition to other rooms one large assembly room or auditorium for public meetings of the soldiers sailors and marines of such county which may be used also for other public meetings and patriotic gatherings by the consent of the board of control herein provided for Such memorial hall shall also contain rooms for meetings of posts of the Grand Army of the Republic encampments of the Union Veteran Legion commanderies of the Loyal Legion camps of Sons of Veterans Women's Relief Corps Ladies of the Grand Army of the Republic chapters of the Daughters of the Revolution organizations of the Spanish-American War and Phillipine Insurrection the American Legion and organizations of veterans of all other wars in which the United States has been or may be engaged and also rooms (for the county historical society and) for such committees of public defense and welfare as may be created by the State or as may be approved by the board of control hereinafter provided for Except in counties of the first class such memorial hall shall also include a room or rooms for the county historical society Such memorial halls shall also provide room for the display and preservation of relics and trophies of all wars in which the United States has been or may be engaged photographs paintings and portraits busts and statues of the soldiers sailors and marines of the said counties and mural tablets upon which shall be inscribed the names of such soldiers sailors and marines Such memorial halls shall also contain waiting and rest rooms with lavatories attached

On the question,

Will the Senate agree to the section?

Mr. WOODWARD. Mr. President, I move to amend section 1, page 2, line 4, by inserting after the word "halls" the word: "shall"

Mr. CRAIG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act to amend section four of an act approved March seventeenth (Pamphlet Laws thirty-two) entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county"

And said bill having been read at length the second time, and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1166, as follows:

An Act fixing the salary of county commissioners in counties of the first class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the annual salary of the county commissioners in counties of the first class shall be eight thousand dollars

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall take effect on the first Monday of January one thousand nine hundred and twenty-four

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1167, entitled:

An Act to amend an act approved April nineteenth one thousand eight hundred ninety-five (Pamphlet Laws thirty-eight) entitled "An act to regulate the erection of county buildings" by providing for the approval of plans of county buildings and the letting of contracts for the construction thereof by the body levying the taxes for general county purposes in certain counties

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the nineteenth day of April one thousand eight hundred and ninety-five (Pamphlet Laws) entitled "An act to regulate the erection of county buildings" is hereby amended so as to read as follows

Section 1 Be it enacted et cetera That the Secretary of Internal Affairs be and he is hereby authorized and empowered to employ two additional draughtsmen for the purpose of copying the old surveys and other old and valuable records now on file in the Department of Internal Affairs as required by the act approved the sixteenth day of February one thousand eight hundred and thirty-three and each of said draughtsmen shall receive a salary of fourteen hundred dollars per annum to be paid to them in the same manner as salaries are now paid to other employes of said Department

In any county in which the Board of Commissioners does not levy the taxes for general county purposes the plans and specifications shall be submitted to and approved by and the contract or contracts shall be let subject to the approval of the body which levies the taxes for general county purposes and submission to or approval by the court of common pleas shall not be required

On the question,

Will the Senate agree to the section?

Mr. WOODWARD. Mr. President, I move to amend section 1, pages 1 and 2, by striking out all of said section beginning with the word "be" in line 9, page 1, to and including the word "Department" on page 2, line 8, and inserting in lieu thereof the following: "Section 1 Be it enacted &c., That whenever the commissioners of any county are authorized and required to erect a court house, jail or other county building, they shall submit the plans and specifications adopted by them to the judges of the court of common pleas of the proper county for their approval, and when it is obtained they shall let the work by contract to the lowest and best bidder, after three weeks' public notice in two newspapers published in the county, which contract or contracts shall be made subject to the approval of the said judges."

Mr. CRAIG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act to amend an act approved April nineteenth one thousand eight hundred ninety-five (Pamphlet Laws thirty-eight) entitled "An act to regulate the erection of county buildings" by providing for the approval of plans of county buildings and the letting of contracts for the construction thereof by the body levying the taxes for general county purposes in certain counties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1187, (House Bill No. 351), as follows:

An Act to amend section forty-two of the act approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws five hundred and thirty-seven) entitled "An act relating to counties and townships and county and township officers" by making county treasurer agents of the Commonwealth in collecting and transmitting money for the Commonwealth and providing their compensation for such services

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section forty-two of the act approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws five hundred and thirty-seven) entitled "An act relating to counties and townships and county and township officers" which reads as follows

"Section 42 Each county treasurer shall be entitled to deduct from the gross amount of money received by him for the use of the Commonwealth on each separate account he is required to keep and settle a commission in the following proportions namely where the whole sum accounted for and paid into the State Treasury or otherwise for the use of the Commonwealth as directed by law arising from either of the accounts specified in this act does not exceed one thousand dollars at the rate of five per centum when it exceeds that sum and does not exceed two thousand dollars one per centum for such excess over the one thousand dollars and on all beyond the sum of two thousand dollars one-half of one per centum Provided That no commission shall be allowed to any county treasurer unless the amount due to the Commonwealth and received by him be paid over within the times hereinbefore specified and unless his accounts shall be transmitted and settled on or before the second Tuesday of December in each and every year"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1171, entitled:

An Act to amend section eight of article seventeen of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred eighty-one) entitled "An act for the better government of cities of the first class of this Commonwealth" as amended

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight of Article seventeen of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and eighty-one) entitled "An act for the better government of cities of the first class of this Commonwealth" which was amended by the act approved the seventeenth day of March one thousand nine hundred and twenty-one (Pamphlet Laws thirty) entitled "An act to amend section eight of article seventeen of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and eighty-one) entitled "An act for the better government of cities of the first class of this Commonwealth' " is hereby further amended to read as follows

Section 8 It shall be lawful for such city to borrow money or incur debt in accordance with the terms of existing law for the purpose of acquiring property erecting buildings bridges or other structures (but not for the repair of the same) paving and repaving streets (but not repairing the same) or for any other improvements of a permanent or a temporary kind or for capital outlay of any kind Provided however That it shall be lawful for any such city to borrow money or incur debt in accordance with the terms of the existing law for any public exposition celebrating the Sesqui-Centenial anniversary and that such debt may be incurred for permanent or temporary purposes but only directly in connection with the celebration of the Sesqui-Centennial anniversary and for no other purpose and that repayment thereof shall be made within five years after any such money shall be borrowed for this purpose Provided That all of such proposed expenditures or for repaving or improvements of a temporary kind are certified to the council by the city controller to the capital expenditures as distinguished from current expenses prior to the authorization of such debt And provided further That in case of loans for repaving and improvements of a temporary kind the estimated or guaranteed life to the city of such repaving or such improvements of a temporary kind for which the money is proposed to be borrowed shall also be certified by the city controller The certificate of the city controller shall be final and conclusive as to the character of the proposed expenditures and as to the estimated or guaranteed life to the city of such repaving or improvements of a temporary kind It shall be unlawful for the city to borrow money or incur debt for any purposes other than above specified except in the case of loans for periods not to exceed one year as provided in this act Provided however That if during the preceding year current funds have been used for purposes for which it would have been lawful to borrow money as herein provided and the city controller shall so certify the current funds may be reimbursed out of loan funds borrowed for that purpose And provided further That all money borrowed and all debts otherwise incurred under the provisions of this section for repaving or improvements of a temporary kind shall be payable within the estimated or guaranteed life to the city of such repaving or such improvements as certified to the council by the city controller Provided further That this amendment shall in no wise affect or pertain to loans outhorized or issued before the passage thereof

On the question,
Will the Senate agree to the section?

Mr. DAIX. Mr. President, I move to amend section 1, page 2, line 24, by striking out the word "the" and inserting in lieu thereof the word "be" also line 26 by striking out the word "case" and inserting in lieu thereof the word "cases."

Mr. SMITH. Mr. President, I second the motion.

On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

The title of the bill was read as follows and agreed to.

An Act to amend section eight of article seventeen of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred eighty-one) entitled "An act for the better government of cities of the first class of this Commonwealth" as amended

And said bill having been read at length the second time, and agreed to,
Ordered, To be transcribed for a third reading.

REPORTS FROM COMMITTEES.

Mr. DAIX. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAIX. from the Committee on Finance reported as committed, Senate Bill No. 606, entitled:

An Act providing for the rebuilding by the Commonwealth through the Department of Highways of certain county bridges, the procedure therefor, the payment of a portion of the cost thereof in certain cases by counties, cities and railroads, and the maintenance thereof when completed by the counties.

Mr. SALUS. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS from the Committee on Municipal Affairs reported as committed, Senate Bill No. 1217, entitled:

A Supplement to the act approved July 9, 1919 (P. L. 814) entitled "An act providing for the erection and construction by the Commonwealth of Pennsylvania and the State of New Jersey of a bridge over the Delaware River connecting the city of Philadelphia and the city of Camden and the approaches thereto; providing for a joint commission for that purpose, and defining its powers and duties; providing for an independent commission in this Commonwealth in relation thereto, and defining its powers and duties; providing for the payment of a part of the cost thereof by the city of Philadelphia, and providing for the acquiring, taking, and condemnation of the real estate for the site and approaches thereof; providing for the turning over of said bridges upon its completion; and making an appropriation for the purposes of this act," as amended by an act approved the twenty-sixth day of April, one thousand nine hundred and twenty-one (P. L. 287) entending the power and authority of the Delaware River Bridge Joint Commission and its successors to provide for equipment of the Delaware River Bridge with facilities for railway, railroad, motor bus, vehicles, or other means of transportation; also for telegraph, telephone, electric or other public service facilities; authorizing operation, maintenance and leasing thereof; providing for the fixing and collection of charges, rates, rentals or tolls therefor; and authorizing the making of contracts or leases for use and occupation of property acquired.

Also from the Committee on Municipal Affairs reported as committed, Senate Bill No. 1218, entitled:

An Act to amend section three of Article eighteen of the act approved June 25, 1919, (P. L. 581) entitled "An act for the better government of cities of the first lass of this Commonwealth," providing that when indebtedness made by council is assumed, funded, or refunded with the assent of the electors, said indebtedness shall thereafter be excluded in computition the amount incurred by council without the assent of electors.

MOTION TO READ BILLS THE FIRST TIME.

Mr. LESLIE. Mr. President, I move that all bills reported from Committees at to-day's session be read the first time.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 65, entitled:

An Act making an appropriation to the Sewickley Valley Hospital Association, Incorporated, of Allegheny County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 93, entitled:

An Act making an appropriation to the Frederick Douglass Memorial Hospital and Training School of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 103, entitled:

An Act making an appropriation to the North Pennsylvania General Hospital and Sanatorium, at Austin, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 110, entitled:

An Act making an appropriation to the Grand View Hospital, located near Sellersville, Bucks County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 114 entitled:

An Act making an appropriation to the Allentown Hospital, Allentown, Lehigh County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 116, entitled:

An Act making an appropriation to the Saint Lukes Hospital, located at Bethlehem, Lehigh County, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 121, entitled:

An Act making an appropriation to the Taylor Hospital, Ridley Park, Delaware County, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 187, entitled:

An Act making an appropriation to the Saint Vincent's Hospital Association, of the city of Erie, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 189, entitled:

An Act making an appropriation to the Butler County General Hospital, at Butler, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 204, entitled:

An Act making an appropriation to the West Philadelphia Hospital for Women, in the City of Philadelphia.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 219, entitled:

An Act making an appropriation to the Franklin City Hospital, Franklin, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 236, entitled:

An Act making an appropriation to the South Side Hospital of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 244, entitled:

An Act making an appropriation to the Western Pennsylvania Hospital.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 245, entitled:

An Act making an appropriation to the Homeopathic Medical and Surgical Hospital and Dispensary of Pittsburgh.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 251, entitled:

An Act making an appropriation to the Mercy Hospital of Philadelphia.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 279, entitled:

An Act making an appropriation to the Children's Homeopathic Hospital, of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 280, entitled:

An Act making an appropriation to the Reading Hospital, of Reading, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 288, entitled:

An Act making an appropriation to the Berwick Hospital, Berwick, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 290, entitled:

An Act making an appropriation to the Bloomsburg Hospital, Bloomsburg, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 298, entitled:

An Act making an appropriation to the Lancaster General Hospital, Lancaster, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 304, entitled:

An Act making an appropriation to the Polyclinic Hospital of the University of Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 305, entitled:

An Act making an appropriation to Medico Chirurgical Hospital of the University of Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 306, entitled:

An Act making an appropriation to the Hospital of the University of Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 336, entitled:

An Act making an appropriation to the Annie M. Warner Hospital, Gettysburg, Adams County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 361, entitled:

An Act making an appropriation to the McKeesport Hospital, McKeesport, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 370, entitled:

A Supplement to an act approved the 13th day of April, 1921 (P. L. 136) entitled "An act providing for the appointment and expenses of a commission of three persons to codify and revise the laws relating to poor districts and the care of the poor, and making an appropriation;" continuing the commission appointed under the provisions of said act for the further period of two years, and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 371, entitled:

An act making an appropriation to the Hospital of the Hahnemann Medical College and Hospital

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 372, entitled:

An Act making an appropriation to the Wills Hospital for the relief of the indigent, blind and lame, Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 428, entitled:

An Act making an appropriation to the Easton Hospital, at Easton, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 431, entitled:

An Act making an appropriation to the Clearfield Hospital.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 443, entitled:

An Act making an appropriation to the Allegheny General Hospital.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 478, entitled:

An Act making an appropriation to Eagleville Sanatorium for Consumptives, located at Eagleville, Montgomery County.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 480, entitled:

An Act making an appropriation to the Homeopathic Medical and Surgical Hospital of Reading, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 561, entitled:

An Act to amend sections one, two and three of an act, entitled "A further supplement to the act regulating elections in this Commonwealth," approved the thirtieth day of January, A. D., 1874, as amended, so as to abolish the December assessment of voters.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 591, entitled:

An Act making an appropriation to the Stetson Hospital, of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 606, entitled:

An Act providing for the rebuilding by the Commonwealth through the Department of Highways of certain county bridges, the procedure therefor, the payment of a portion of the cost thereof in certain cases by counties, cities and railroads, and the maintenance thereof when completed by the counties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 607, entitled:

An Act to amend sections one and two as amended, and sections three, five, six eight nine and ten of the act approved July 18, 1919, (P. L. 1049) entitled "An act authorizing the Board of Commissioners of Public Grounds and Buildings to erect a Soldiers' and Sailors' Memorial Bridge with the approaches thereto and memorial pylons, in the city of Harrisburg, to commemorate the service of the soldiers and sailors of the Commonwealth; providing for the letting of contracts therefor; providing for a proportion of the cost to be paid by the city of Harrisburg, and public service corporations using or affected by the building of said bridge; providing for acquiring any property necessary by eminent domain; giving the Board of Commissioners of Public Grounds and Buildings the right to sell a portion of the land to the Pennsylvania Railroad Company to conform to the plans of the architect; providing the maintenance of said bridge; and making an appropriation to carry out the provisions of this act," by transferring to the Secretary of Highways the powers and duties granted to and imposed on the Board of Commissioners of Public Grounds and Buildings by said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 625, entitled:

An Act making an appropriation to the American Hospital for Diseases of the Stomach of Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 647, entitled:

An Act making an appropriation to the Bonair Sanatorium, Bells Camp, McKean County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 658, entitled:

An Act making an appropriation to the Philadelphia Orthopaedic Hospital and Infirmary for Nervous Diseases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 659, entitled:

An Act making an appropriation to the Gynecean Hospital, Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 682, entitled:

An Act making an appropriation to the Saint Christopher's Hospital for Children, Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 875, entitled:

An Act making an appropriation to the Nesbit West Side Hospital, Dorranceton, Luzerne County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 876, entitled:

An Act making an appropriation to the Columbia Hospital, at Columbia, Lancaster County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 911, (House Bill No. 112), entitled:

An Act to amend section five of the act approved June 17, 1913, (P. L. 507) entitled "An act to provide revenue for State and County purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property, providing for the assessment and collection of the same, providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes providing for the assessment of property and the collection of taxes, interest and penalties in cases of the refusal or failure of taxables to make return and in the case of false or incomplete returns.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 928, (House Bill No. 700), entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania providing for a budget system.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 947, (House Bill No. 1025, entitled:

An Act to provide a method of relieving real estate of the charge of a life interest imposed thereon by any order judgment or decree of any court in this Commonwealth in any partition proceedings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 982, entitled:

An Act making an appropriation to the Misericordia Hospital of the Sisters of Mercy of Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 986, entitled:

An Act making an appropriation to the Saint Joseph's Hospital of Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 989, entitled:

An Act making an appropriation to the Mercy Hospital of Johnstown, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 991, entitled:

An Act making an appropriation to the Saint Agnes Hospital of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 994, entitled:

An Act making an appropriation to the Saint Mary's Hospital of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 996, entitled:

An Act making an appropriation to the Pittsburgh Hospital Association of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 997, entitled:

An Act making an appropriation to the DuBois Hospital of DuBois, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1002, entitled:

An Act making an appropriation to the Mercy Hospital of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1004, entitled:

An Act making an appropriation to the Jewish Hospital Association of Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1046, (House Bill No. 1306), entitled:

An Act to amend section seven of an act entitled "An Act to establish a Department of Mines in Pennsylvania defining its purposes and authority, providing for the appointment of a Chief of said Department and assistants and fixing their salaries and expenses" approved April 14, A. D. 1903 (P. L. 180) increasing fees paid by applicants for certificates of qualifications as mine foreman and assistant mine foremen in the Anthracite mines providing for the disposition of fees received and providing for copies of lost or destroyed certificates.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1048, (House Bill No. 1309), entitled:

An Act to amend rule thirty-four of article twenty-five of an act approved June 9th 1911, (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by requiring mine operators to pay the Department of Mines for certain report and record books.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1064, entitled:

An Act making an appropriation to the Saint Joseph's Hospital and Dispensary, of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1085, entitled:

An Act making an appropriation to the Saint Joseph's Hospital, of Reading, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1133, entitled:

A joint resolution making an appropriation to the Auditor General for the purpose of adjusting and paying certain outstanding bills contracted by the commission appointed under the provisions of the act approved the twenty-fifth day of July, one thousand nine hundred and thirteen, (P. L. 1306), entitled "An Act to provide for the selection of a site and the erection of a State institution for the detention, care and treatment of inebriates, or persons habitually addicted to the use of alcoholic drink or intoxicating drugs, to be called the State Institution for Inebriates, and making an appropriation therefor."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1144, entitled:

An Act providing for the collection of city and school taxes in third class cities by the city treasurer, and fixing and providing for the payment of his salary and expenses, and the salaries of his assistants and clerks.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1158, (House Bill No. 84), entitled:

An Act making an appropriation to the Washington Crossing Park Commission for the purpose of the acquisition of land and property and the making of improvements in accordance with the provisions of the act of July twenty-fifth, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand two hundred and nine), entitled "An act to authorize the acquisition by purchase or condemnation of land for a park and the erection of a monument commemorative of Washington Crossing the River Delaware and for the appointment of a commission to acquire said lands and erect such monument, and making an appropriation for the purposes of this act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1168, entitled:

An Act making an appropriation to the Presbyterian Hospital, at Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1172, entitled:

An Act validating certain elections of school districts of the third class held pursuant to the provisions of an act approved April 20, 1874 (P. L. 65), entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof;" and the amendments thereto; and validating bonds issued or authorized to be issued in pursuance of such elections.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1183, (House Bill No. 85), entitled:

An Act making an appropriation to the Pennsylvania State Park and Harbor Commission of Erie.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1184, (House Bill No. 86), entitled:

An Act making an appropriation to the several fire companies of the city of Harrisburg.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1185, (House Bill No. 216), entitled:

An Act to provide for the payment of moneys by the Commonwealth to counties and townships the tax funds of which are diminished by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1192, entitled:

An Act to further amend section eleven of article six and section fifteen of article seven of an act approved June 27, 1913 (P. L. 568) entitled "An Act providing for the incorporation, regulation, and government of cities of the third class; regulating nomination and election of municipal officers therein; and repealing, consolidating and extending existing laws in relation thereto," by changing the salaries of councilmen and mayors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1193, (House Bill No. 217), entitled:

An Act making an appropriation to the Superintendent of Public Instruction to carry into effect the provisions of the act approved the twentieth day of May, 1921 (P. L. 134) entitled "An Act to provide for the payment of moneys to school districts the taxes of which are reduced by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1194, (House Bill No. 93), entitled:

An Act making an appropriation to carry into effect the provisions of an act approved July 10, 1919 (P. L. 895) entitled "An Act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State Supervisor and assistants and fixing the salaries of such State Supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1195, (House Bill No. 99), entitled:

An Act making an appropriation to the Commissioners of Valley Forge Park.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1196, (House Bill No. 653), entitled:

An Act making an appropriation to the Lake Erie and Ohio River Canal Board of Pennsylvania for the payment of expenses incurred in printing distributing and making available for public use reports, maps, documents and records of the board in securing the co-operation and aid of the Government of the United States and other public authorities in the construction of the canal or waterway authorized to be constructed by the board for the payment of incidental office expense and for the payment of salaries, fees and expenses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1209, entitled:

An Act making a deficiency appropriation for the payment of salaries of the officers and employes of the Senate for the session of one thousand nine hundred and twenty-three.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1211, entitled:

An Act providing for the rebuilding of county bridges over two hundred feet in length on improved primar State Highway routes in counties of the seventh and eighth classes by the State Highway Department at the expense of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1212, entitled:

An Act to amend clauses (b) and (c) of section fifty-six of an act approved June 7, 1917, (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates, including the appointments, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians and trustees herein designated as fiduciaries, the administration and distribution of the estates of presumed decedents widow's and children's exemptions, debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate, for the payment thereof, judgments, and executions therefor, and the discharge of real estate from the lien thereof, contracts of decedents for the sale or purchase of real estate legacies, including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges, the appraisement of real estate devised at a valuation, the ascertainment of the curtilage of dwelling houses or other buildings devised, the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries, investments by fiduciaries, the organization of corporations to carry on the business of decedents, the audit and review of accounts of fiduciaries refunding bonds, transcripts to the court of common pleas of balances due by fiduciaries, the rights, powers and liabilities of non-resident and foreign fiduciaries, the appointment, bonds, rights, powers, duties and liabilities of trustees durante absentia, the recording and registration of decrees, reports and other proceedings and the fees therefor, appeals in certain cases, and also generally dealing with the jurisdiction, powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," so as to permit the orphans' court in its discretion to permit a bank or trust company authorized to act as executor, administrator or trustee under the laws of the Commonwealth of Pennsylvania appointed as trustee in the place of an executor or executors, trustee or trustees dying, renouncing resigning, dismissed or refusing to act, to give its own bond without surety.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1217, entitled:

A Supplement to the act approved July 9, 1919 (P. L. 814) entitled "An act providing for the erection and construction by the Commonwealth of Pennsylvania and the State of New Jersey of a bridge over the Delaware River connecting the city of Philadelphia and the city of Camden and the approaches thereto; providing for a joint commission for that purpose, and defining its powers and duties; providing for an independent commission in this Commonwealth in relation thereto, and defining its powers and duties; providing for the payment of a part of the cost thereof by the city of Philadelphia, and providing for the acquiring, taking, and condemnation of the real estate for the site and approaches thereof; providing for the turning over of said bridges upon its completion; and making an appropriation for the purposes of this act," as amended by an act approved the twenty-sixth day of April, one thousand nine hundred and twenty-one (P. L. 287) extending the power and authority of the Delaware River Bridge Joint Commission and its successors to provide for equipment of the Delaware Bridge with facilities for railway, railroad, motor bus, vehicles, or other means of transportation; also for telegraph, telephone, electric or other public service facilities; authorizing operation, maintenance and leasing thereof; providing for the fixing and collection of charges rates, rentals or tolls therefor; and authorizing the making of contracts or leases for use and occupation of property acquired.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1218, entitled:

An Act to amend section three of Article eighteen of the act approved June 25, 1919, (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth;" providing that when indebtedness made by council is assumed, funded or refunded with the assent of the electors, said indebtedness shall thereafter be excluded in computing the amount incurred by council without the assent of electors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1222, entitled:

An Act making an appropriation to the Sacred Heart Hospital of Allentown, Lehigh County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1223, entitled:

An Act appropriating to the Department of Publications the unexpended balances appropriation heretofore made to the Department of Public Printing and Binding, including the Division of Documents.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. LESLIE. Mr. President, I move that the Senate do now adjourn until tomorrow morning, at 11 o'clock.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:29 P. M., until Tuesday morning, May 15, 1923, at eleven o'clock.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 14, 1923.

The House met at 9:00 o'clock P. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Almighty and eternal God, ruler of heaven and earth, we would pause a moment in the mad rush of life ere we take up the duties of the hour that lies just before us, and lift our hearts and our voices to Thee as we silently stand still in Thy presence, that we may hear Thee speak. Give to each a hearing heart, the disposition of will and purpose to do Thy will. O Lord, God, grant that Thy spirit may guide and direct in all the affairs of this hour. To this end, bless the Speaker of this House, the Governor of the Commonwealth and the members of this Assembly. We ask it in the name of Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of the proceedings of Thursday, May 10, 1923.

The Clerk proceeded to read the Journal of the proceedings of Thursday, May 10, 1923, when, on motion of Mr. Berger, the further reading was dispensed with and the Journal approved.

REPORTS FROM COMMITTEES.

Mr. McCAIG, from the Committee on Appropriations, reported as amended, House Bill No. 226, entitled:

An Act making an appropriation to the American Oncologic Hospital at Philadelphia.

Mr. McCAIG, from the Committee on Appropriations, reported as amended, House Bill No. 608, entitled:

An Act making an appropriation to the Tuberculosis League of Pittsburgh.

Mr. McCAIG, from the Committee on Appropriations, reported as amended, House Bill No. 826, entitled:

An Act making an appropriation to the West Philadelphia General Homeopathic Hospital, Philadelphia, Pennsylvania.

Mr. McCAIG, from the Committee on Appropriations, reported as amended, House Bill No. 935, entitled:

An Act making an appropriation to the Grand View Institution for the Care and Treatment of Poor Consumptives, Oil City, Pennsylvania.

Mr. McCAIG, from the Committee on Appropriations, reported as committed, House Bill No. 1348, entitled:

An Act providing for the puchase of the copywright and property interest therein of Smull's Legislative Hand Book and Manual; providing for the future editing, compilation and distribution thereof, and making an appropriation for such puchase.

BILL ON FIRST READING.

Mr. McCAIG asked and obtained unanimous consent to have House Bill No. 1348 read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1348, entitled:

An Act providing for the purchase of the copywright and property interest therein of Smull's Legislative Hand Book and Manual; providing for the future editing, compilation and distribution thereof, and making an appropriation for such purchase.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

LEAVE OF ABSENCE.

The SPEAKER asked and obtained leave of absence for Mr. Betts on account of illness.

MOTION TO DISCHARGE COMMITTEE.

Mr. ARMSTRONG. Mr. Speaker, I move that the committee on Ways and Means be discharged from further consideration of House Bill No. 466, file folio 6043, entitled:

An Act to amend an act approved the first day of June one thousand eight hundred and eighty-nine (Pamphlet Laws four hundred and twenty) entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" imposing a tax on individuals copartnerships corporations limited partnerships and joint-stock associations organized for or engaged in laundering and manufacturing

Mr. ZOOK. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

MOTION POSTPONED.

Mr. FLYNN. Mr. Speaker, I move that the motion to discharge the Ways and Means committee from further consideration of House Bill No. 466, be indefinitely postponed.

Mr. McCAIG. Mr. Speaker, I second the motion.

On the question,

The yeas and nays were required by Mr. Flynn and Mr. George H. Williams, were as follows:

Mr. ZOOK. Mr. Speaker, I ask for a verification of the roll.

The roll was verified as follows:

YEAS—103.

Albert,
Alexander,
Allman,
Arthur,
Baldi,
Bluett,
Blumberg,
Brenneman,
Bromley,
Brown,
Burns,
Chaplin,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dilsheimer,
Drinkhouse,
Dunn,
Earley,
Evans, B. P.,
Evans, J.,
Fields,
Flynn,
Fowler, A. I.,
Frazier,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Goss,
Greeby,
Grimes,
Guerin,
Haas,
Hall,
Haws,
Heffernan,
Heyburn,
Huber,
Johnson,
Keene,
Kelly,
Kohler,
Lafferty,
Long,
Lucas,
Lynch,
Malie,
Mangan,
Marcus, J.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Perry,
Pitts,
Posey,
Rinn,
Rippman,
Sample,
Sautter,
Schilling,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stoffiet,
Sprowls,
Sterling,
Stevens, A. F.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Vickerman,
Walker,
Weamer,
Wheeler,
Williams, J. M.,
Woner,
Wood, W. P.,
Goodnough,
Speaker.

NAYS—75.

Anderson,
Armstrong,
Baker,
Beaver,
Bell, F. A.,
Bentley,
Berger,
Bidelspacher,
Brewster,
Brownmiller,
Bush,
Clutton,
Coldsmith,
Dietz,
Driggs,
Eaches,
Eshelman,
Flinchbaugh,
Gallaher,
Gelder,
Gorham,
Griffith,
Gundy,
Harer,
Haslett,
Heffran,
Henderson,
Hetrick,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kunkle,
Labar,
Lauver,
Ludlow,
Mack,
MacKinney,
McCurdy,
Moffatt,
Moore,
Morrison,
Munley,
O'Boyle,
Ogle,
Price,
Raymond,
Rhodes,
Sarig,
Richards,
Schaeffer,
Schoener,
Schwartz,
Shambach,
Sheridan,
Stark,
Staudenmeier,
Stavitski,
Stevens, A. J.,
Thomas, M. G.,
Wells,
Whitehouse,
Whiteman,
Williams, G. W.,
Wright,
Zook,

So the question was determined in the affirmative, and the motion was agreed to.

APPROPRIATION BILLS ON FIRST READING.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 3, entitled:

An Act making an appropriation to the trustees of the Milliken Hospital Pottsville Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 4, entitled:

An Act making an appropriation to the Pottsville Hospital Pottsville Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 39, entitled:

An Act making an appropriation to the Mary M. Packer Hospital Sunbury Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 47, entitled:

An Act making an appropriation to the Coatesville Hospital Coatesville Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 56, entitled:

An Act making an appropriation to the Charleroi-Monessen Hospital at Charleroi Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 78, enttiled:

An Act making an appropriation to the Hahnemann Hospital in city of Scranton Pennsylvania

Ordered, To be laid aside for second reading.
And said bill having been read at length the first time,

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 173, entitled:

An Act making an appropriation to the Taylor Hospital Association of the borough of Taylor Lackawanna County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 198, entitled:

An Act making an appropriation to the Wayne County Memorial Hospital at Honesdale Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 223, entitled:

An Act making an appropriation to the Citizens General Hospital of New Kensington Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 264, entitled:

An Act making an appropriation to the Westmoreland Hospital Association of Greensburg Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 270, entitled:

An Act making an appropriation to the Chester Hospital in the city of Chester

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 284, entitled:

An Act making an appropriation to the Women's Medical College of Philadelphia Pennsylvania for hospital maintenance

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 300, entitled:

An Act making an appropriation to the Shenango Valley Hospital of New Castle Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 305, entitled:

An Act making an appropriation to the Mid-Valley Hospital Associotion at Blakely Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 308, entitled:

An Act making an appropriation to the Mid-Valley Hospital Association at Blekely Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 315, entitled:

An Act making an appropriation to the Simon H. Barnes Memorial Hospital of Susquehanna Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 322, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 335, entitled:

An Act making an appropriation to the Williams Valley Hospital of Williamstown Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 338, entitled:

An Act making an appropriation to the Harrisburg Hospital of Harrisburg Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 341, entitled:

An Act making an appropriation to the Harrisburg Polyclinic Hospital of Harrisburg Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 349, entitled:

An Act making an appropriation to the Trustees of the Samaritan Hospital Philadelphia Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 356, entitled:

An Act making an appropriation to the Frankford Hospital located at Frankford Philadelphia

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 360, entitled:

An Act making an appropriation to the Indiana Hospital of Indiana County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 367, entitled:

An Act making an appropriation to the Children's Hospital of Pittsburgh in the city of Pittsburgh Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 369, entitled:

An Act making an appropriation to the West Side Hospital Association of Scranton Lackawanna County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 385, entitled:

An Act making an appropriation to the Washington Hospital Washington Pennsylvania or its successors

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 386, entitled:

An Act making an apropriation to the Ellwood City Hospital Ellwood City Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 391, entitled:

An Act making an appropriation to the Mercy Hospital of Altoona Pennasylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 392, entitled:

An Act making an appropriation to the Altoona Hospital Altoona Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 393, entitled:

An Act making an appropriation to the Ohio Valley General Hospital at McKees Rocks Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 407, entitled:

An Act making an apropriation to the Women's Homeopathic Hospital of Philadelphia

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 408, entitled:

An Act making an appropriation to the Maple Avenue Hospital Association of DuBois Clearfield County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 418, entitled:

An Act making an appropriation to the Trustees of the Garretson Hospital Philadelphia Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 419, entitled:

An Act making an appropriation to the Diagnostic Hospital of the City of Philadelphia Philadelphia Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 424, entitled:

An Act making an appropriation to the Punxsutawney Hospital Association of Punxsutawney Jefferson County Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 429, entitled:

An Act making an appropriation to the Homestead Hospital Homestead Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 430, entitled:

An Act making an appropriation to the Carlisle Hospital Carlisle Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 439, entitled:

An Act making an appropriation to the Saint Luke's Homeopathic Hospital of Philadelphia

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 442, entitled:

An Act making an appropriation to the Greenville Hospital Greenville Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 443, entitled:

An Act making an appropriation to the Christian H. Buhl Hospital of Sharon Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 453, entitled:

An Act making an appropriation to the Lying-in-Charity Hospital Philadelphia

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 455, entitled:

An Act making an appropriation to the Women's Hospital of Philadelphia two thousand one hundred and thirty-seven North College Avenue

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 491, entitled:

An Act making an appropriation to the Northeastern Hospital of Philadelphia Philadelphia Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 492, entitled:

An Act making an appropriation to the Pottstown Hospital Pottstown Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 493, entitled:

An Act making an appropriation to the Pottstown Homeopathic Hospital Pottstown Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 499, entitled:

An Act making an appropriation to the Wilkes-Barre City Hospital Wilkes-Barre Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 513, entitled:

An Act making an appropriation to the Memorial Hospital at Roxborough Philadelphia Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 517, entitled:

An Act making an appropriation to the J. C. Blair Memorial Hospital of Huntingdon Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 518, entitled:

An Act making an appropriation to the Mercy Hospital at Wilkes-Barre Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 533, entitled:

An Act making an appropriation to the Wyoming Valley Homeopathic Hospital at Wilkes-Barre Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 550, entitled:

An Act making an appropriation to the Waynesburg Hospital of Waynesburg Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 553, entitled:

An Act making an appropriation to the Chambersburg Hospital at Chambersburg Pennsylvania:

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 564, entitled:

An Act making an appropriation to the Nason Hospital Association of Roaring Springs Blair County Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 567, entitled:

An Act making an appropriation to the Robert Packer Hospital

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 589, entitled:

An Act making an appropriation to the Saint Francis' Hospital of Pittsburgh Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 599, entitled:

An Act making an appropriation to the Pittston Hospital Association of the city of Pittston Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 613, entitled:

An Act making an appropriation to the Kane Summit Hospital Association of Kane McKean County Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 614, entitled:

An Act making an appropriation to the Bradford Hospital of the city of Bradford

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 621, entitled:

An Act making an appropriation to the Saint John's General Hospital of Pittsburgh Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 622, entitled:

An Act making an appropriation to the Northwestern General Hospital of Philadelphia Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 628, entitled:

An Act making an appropriation to the Latrobe Hospital Latrobe Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 634, entitled:

An Act making an appropriation to the Good Samaritan Hospital at Westfield Tioga County Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 648, entitled:

An Act making an appropriation to the Spencer Hospital Meadville Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 649, entitled:

An Act making an appropriation to the Titusville Hospital Meadville Hospital Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 651, entitled:

An Act making an appropriation to the Meadville Hospital Meadville Hospital Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 655, entitled:

An Act making an appropriation to the Roosevelt Hospital of Philadelphia Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 656, entitled:

An Act making an appropriation to the Allegheny Valley Hospital at Tarentum Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 658, entitled:

An Act making an appropriation to the Grove City Hospital in the Borough of Grove City Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 672, entitled:

An Act making an appropriation to the Coudersport General Hospital at Coudersport Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 699 entitled:

An Act making an appropriation to the Eye and Ear Hospital of Pittsburgh Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 703, entitled:

An Act making an appropriation to the Bellefonte Hospital Bellefonte Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 734, entitled:

An Act making an appropriation to the Mount Sinai Hospital of Philadelphia Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 765, entitled:

An Act making an appropriation to the Beaver Valley General Hospital at New Brighton Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 766, entitled:

An Act making an appropriation to the Rochester General Hospital at Rochester Beaver County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 767, entitled:

An Act making an appropriation to the Good Samaritan Hospital of Lebanon Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 778, entitled:

An Act making an appropriation to the Kittanning General Hospital Kittanning Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 779, entitled:

An Act making an appropriation to the Rush Hospital for Consumption and Allied Diseases of Philadelphia

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 780, entitled:

An Act making an appropriation to the Memorial Hospital at Mount Pleasant Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 807, entitled:

An Act making an appropriation to the Miner's Hospital of Northern Cambria at Spangler Cambria County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 816, entitled:

An Act making an appropriation to the Warren General Hospital of Warren Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 829, entitled:

An Act making an appropriation to the Pennsylvania Epileptic Hospital and Colony Farm Chester County Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 834, entitled:

An Act making an appropriation to the National Stomach Hospital of Philadelphia Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 838, entitled:

An Act making an appropriation to the Conemaugh Valley Memorial Hospital at Johnstown Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 841, entitled:

An Act making an appropriation to the Brookville Hospital Brookville Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 842, entitled:

An Act making an appropriation to the Adrian Hospital Association of Punxsutawney Jefferson County Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 845, entitled:

An Act making an appropriation to the Suburban General Hospital of Bellevue Allegheny County Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 867, entitled:

An Act making an appropriation to the Memorial Hospital Association of Monongahela City Washington County Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 872, entitled:

An Act making an appropriation to the Uniontown Hospital Uniontown Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 907, entitled:

An Act making an appropriation to the Women's Southern Homeopathic Hospital of Philadelphia Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 934, entitled:

An Act making an appropriation to the Oil City Hospital Oil City Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 960, entitled:

An Act making an appropriation to the Canonsburg General Hospital Association at Canonsburg Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 981, entitled:

An Act making an appropriation to the Lewistown Hospital of Lewistown Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 988, entitled:

An Act making an appropriation to the York Hospital West College Avenue York Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1021, entitled:

An Act making an appropriation to the Brownsville General Hospital Brownsville Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1038, entitled:

An Act making an appropriation to the Community Hospital of the borough of Somerset in the County of Somerset

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1048, entitled:

An Act making an appropriation to the Hamot Hospital Association of Erie Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1064, entitled:

An Act making an appropriation to the Germantown Dispensary and Hospital Germantown Philadelphia Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1068, entitled:

An Act making an appropriation to the Maternity Hospital in the City of Philadelphia Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1072, entitled:

An Act making an appropriation to the Howard Hospital of Philadelphia Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1102, entitled:

An Act making an appropriation to the Lock Haven Hospital Lock Haven Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1116, entitled:

An Act making an appropriation to the Renova Hospital

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1124, entitled:

An Act making an appropriation to the Providence General Hospital of Philadelphia Philadelphia County Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1154, entitled:

An Act making an appropriation to the Braddock General Hospital Braddock Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1160, entitled:

An Act making an appropriation to the Elk County General Hospital of Ridgway Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1161, entitled:

An Act making an appropriation to the General Hospital East Stroudsburg Monroe County Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1166, entitled:

An Act making an appropriation to Montgomery Hospital at Norristown in the county of Montgomery

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1192, entitled:

An Act making an appropriation to the Women's Homeopathic Hospital of Philadelphia

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1210, entitled:

An Act making an appropriation to the Corry Hospital Association of Corry Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1213, entitled:

An Act making an appropriation to the Williamsport Hospital of the City of Williamsport Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1245, entitled:

An Act making an appropriation to the Chester County Hospital West Chester Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1247, entitled:

An Act making an appropriation to the Phoenixville Hospital Phoenixville Pennsylvania Chester County

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1248, entitled:

An Act making an appropriation to the Homeopathic Hospital West Chester Chester County Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1317, entitled:

An Act making an appropriation to the Kensington Hospital for women of Philadelphia Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1521 (Senate Bill No. 1134), entitled:

An Act to authorize the Department of Forestry to offer and to pay rewards for evidence sufficient to convict anyone maliciously setting forest fire and to authorize payment of such rewards to Local Forest Fire Wardens under certain conditions

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON THIRD READING.

(SPECIAL ORDER)

Mr. WHITEMAN. Mr. Speaker, I call for the order of the day.

The SPEAKER. The special order of the day having been called for the Chair lays before the House the special order of the day at this time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1041, as follows:

An Act to amend sections one and two of an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand twenty-one) entitled "An act imposing a State tax on gasoline and all other liquids containing any derivative of petroleum or natural gas produced prepared or compounded or usable for the purpose of generating power by means of internal combustion and sold in this Commonwealth except for the purpose of resale providing for the collection of such tax and for the distribution and use of the revenues derived therefrom making an appropriation and fixing penalties" by imposing an additional emergency tax for two years

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand twenty-one) entitled "An act imposing a State tax on gasoline and on all other liquids containing any derivative of petroleum or natural gas produced prepared or compounded or usable for the purpose of generating power by means of internal combustion and sold in this Commonwealth except for the purpose of resale providing for the collection of such tax and for the distribution and use of the revenues derived therefrom making an appropriation and fixing penalties" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the word "gasoline" as used in this act shall include the liquid derived from petroleum or natural gas commonly known or sold as gasoline and all other liquids by whatsoever name known or sold containing any derivative of petroleum or natural gas and produced prepared or compounded for the purpose of generating power by means of internal combustion or which may be used for such purpose A state tax of one cent a gallon or fraction thereof is hereby imposed on all gasoline sold in this Commonwealth for any purpose whatsoever except for the purpose of resale In addition to such tax a further emergency State tax of one cent a gallon or fraction thereof is hereby imposed on all gasoline sold in this Commonwealth for any purpose whatsoever except for the purpose of resale during the two fiscal years commencing on the first day of June one thousand nine hundred and twenty-three and ending on the thirty-first day of May one thousand nine hundred and twenty-five The (tax) taxes hereby provided for shall be collected by the person firm association or corporation selling gasoline to purchasers who purchase for purposes other than resale and shall be paid by the said person firm association or corporation into the general fund of the State Treasury in the manner and within the time hereinafter specified

Section 2 That section two of the said act is hereby amended to read as follows

Section 2 Fifty per centum of all taxes collected under the provisions of this act except the additional emergency tax imposed by the provisions of this amendment shall be credited to the county where the tax was collected and shall be used only for the purpose of the construction reconstruction maintenance and repair of roads and highways and for the payment of the interest on county bonds issued for road purposes and shall be paid over to such county semiannually on the first day of August and February of each year

The whole amount of the additional emergency tax imposed by the provisions of this amendment shall be paid into the general fund of the State Treasury for the use of the Commonwealth

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WONER. Mr. Speaker, if the members of the House will give me their attention for a few minutes, I will endeavor to clear up somewhat the fog that seems to surround the financial question of the State, especially with respect to this program which is presented to you raising revenues, which has been reported from the Ways and Means committee. There are two things that seem to be very much misunderstood. The first question is whether or not the $29,206,000.00 deficiency and appropriation liability can be extended over a period of four years; and the second is as to whether or not we actually do need any new revenues, as to whether we need the $20,000,000.00 which the Ways and Means Committee by its program arranges to raise.

All of us who have thought this thing thru are ready to agree that the Governor's position against extending the $29,200,000. deficit and appropriation liability, by any proposal whatever, over a period of four years, is entirely sound. To attempt to thus temporize with the State's serious financial situation would certainly mean these very unwelcome results:

1. Continuing the fiscal mess of nearly $15,000,000 overdue debts, consisting of warrants piled up on the desk in the Treasurer's office and of requisitions held in the departments or in transit to the Treasurer's office.
2. Greatly crippling, if not all but destroying, a vital part of the road program for the next two years.
3. Throwing a large deficit in the Teacher's subsidy fund, in the last part of the biennium, upon the School Districts of the State to be carried in borrowed money at Banks on which the Districts must pay interest, until the 1925 Assembly provides for a possible deficit.
4. Neglecting, in an unpardonable way, the care of our poor, our sick, our injured and our defectives and unfortunates.
5. Weakening the arm of the law in dealing with offenders against laws enacted to support the Constitution and in maintaining law and order.
6. Breaking faith with the folks living on some eighty thousand miles of dirt road who are promised State rewards by law, or refusing State aid to counties, six millions of which has been unpaid four years.

It is high time that the people of this great Commonwealth came to a full understanding that the far greater proportion of the $29,200,000 is debts due, debts overdue on promises and pledges of Acts of Assembly to school districts, counties, townships, State Institutions and needed public projects and enterprises. Because the State forcibly withholds from these people, and thus borrows from them without paying interest, many millions in money, there is a great injustice done. There is little wonder many people of the Commonwealth are even inclined to lose faith in the fiscal pledges of this Assembly.

There should be no argument needed to show that, to clean up the fiscal mess, and enable all activities of the State to function properly, at least twenty millions in new revenues are needed.

We are cutting to the bone, on the Governor's plan, in every essential State activity. We are preparing to enable the Governor to save public money to the uttermost in his re-organization program. We are about to retrench until it hurts. We are going to see that the Governor has a chance to provide that the people's money is well and honestly spent to get the best results in building highways, educating our children, taking care of the poor, the halt and the blind, and keeping up in a proper way public service of every sort.

But even after we have done this, the Governor cannot clean the slate on present estimated revenues of $115,000,000 or even on the devoutly hoped for $120,000,000 which many believe will be collected under the present levies in the next biennium.

Our inherited deficit and liability of $29,200,000 must be entirely wiped out now because—

1. On June 1st, $15,660,000 of this liability will be plain matter-of-fact debt as we have pointed out.

By reason of these deferred payments it is estimated that Colleges receiving State support, local school and road officials, and trustees of State and semi-State Institutions, have been compelled to borrow and pay interest to banks on over $6,000,000. The interest paid by school districts alone, thus forced to become bankers for this rich Commonwealth, will reach $360,000 a year.

State Institutions, unable to pay cash for purchases or take discounts, because of deferred payments from the State, suffer a loss of at least $200,000 a year, and this does not count the loss to merchants who are bound to carry large accounts of these institutions for long periods without interest.

The State's Sinking Fund alone lost $85,000 in interest because the State appropriation to this fund has not been paid. The State owes this fund $1,026,590.

Reports made by the State Treasurer May 1st, 1923, showed that the State was then forcibly borrowing from its creditors, $11,100,000. Of this amount $8,679,000 was due and payable to school districts on Teachers' salaries, and all of it was three months overdue. Just when payment of this sum will be completed, no one can tell. Does anyone want this wrong fastened upon us for another four years?

2. But, it is urged, why not lapse the entire $13,542,000 of the unexpended appropriations which form the balance of the $29,200,000 liability.

The ready answer is that of this sum $11,980,000 belongs to the Highway Department and all of it either has a contractural or moral obligation attached to it. It may not be disturbed without either breaking faith with the people who have planned on it or been pledged it for new construction, state aid, or dirt road reward money, or, seriously hampering the road program and possibly causing the loss to the State of the $5,000,000 offered by the Federal Government on condition that the State provide at least $10,000,000 for new road work.

The $1,562,000 balance of the unexpended appropriations (or the difference between the total of $13,542,000 and $11,980,000 highway department money) is to the credit of some twenty odd projects, representing needed capital improvements in state institutions and developement and memorial enterprises. Nearly all of these projects can and will be refered, but the Governor has already calculated on this and wil use the money or needs under the budget.

Beyond all doubt, the most ardent advocate of spreading the $29,000,000 over the four year period must give it up in utter despair.

Let us pay our debts and speedily get ready to pay-as-we-go.

Added reasons for new revenues now are found that in the next biennium, we shall pay $12,883,000.00 more to local school districts under the Edmond's Act than was paid under this Act in the present biennium. Add to this the $7,528,000.00 which is the sum we are preparing to pay out of the general fund for roads in excess of what was paid for the same purpose in this biennium, and we have a total of $20,431,000.00. This represents a burden we are preparing to carry, for exactly the same purposes, in excess of the burden for roads and schools carried in the present biennium.

This sum of $20,431,000.00 is even in excess of the amount of new revenues and another interesting fact is that it represents about $9,000,000 less than we shall actually be able to save to the State in the next two years under the Governor's budget plans and Administrative Code by which, it is expected real economy and efficiency will be introduced into the conduct of the State Government. The remaining $9,000,000.00 I estimate to be in the form of postponement of necessary buiudings and other capital improvements.

But we must pay the price of real retrenchment and sacrifice just as the Governor has started out to do. It is not our inference that he $29,000,000.00 of possible saving to the State in the next two years will result entirely from less costly administering of the Government, but we all know that about $20,000,000.00 will thus be a real matter-of-fact saving. We must frankly admit however that some of the saving will be made up by deferred capital improvements in our institutions and by the laying aside of all except strictly essential and sorely needed State activities and enterprises.

While the hope is held out that revenues from present rates of levy may run much in excess of $115,000,000.00 in two years, we have no official word on this hoped for increase and should it reach $120,000,000.00 we must take note of the fact that in estimating the need of $20,000,000.00 new revenues we have actually calculated upon an estimate of $119,000,000.00 rather than $115,000,000.00. This is because our total estimated sum needed is found by adding the $29,000,000.00 deficit to the $90,000,000.00 named in the Governor's budget, and adding to this the $20,000,000.00 needed new revenue, giving us a total of $139,000,000.00.

While we are considering this, we must also reckon with a prospective increase in appropriation for our poor, our sick, and our injured. None of us want to see our Hospitals stinted, but unless we provide more funds than the $20,000,000.00 this result is possible.

Should we refuse to raise any new revenues it will assuredly not mean that our schools will not be taken care of under the Edmond's Act, for, under an Act passed by this Assembly, the State is liable for $38,806,000.00 in two years, whether the cash is set aside or not. If complete appropriation is not made it would simply mean a deficit would have to be taken care of in 1925, or money would have to be taken from the road and other funds, thus robbing these funds of needed cash.

Our need of revenues now is clearly EMERGENCY.

We need new revenues only because we have liabilities handed down to us. If we had no deficit and liability now we would be able to carry all expenditures and have $9,000,000.00 or $10,000,000.00 left.

Hence our revenue program is, as a matter of course, self-repealing June 1, 1925. Each of the Bills 1041, 521 and 972, is for two years only.

In selecting subjects for taxation we have adhered strictly to the policy of choosing such as will logically fit into this program. We regard levies not suited for emergency purposes as not only unfair, but unwise at this time.

Besides we should levy nothing except an emergency tax at this time, because it is generally agreed that we shall provide for a study of our revenue system the next two years, with a view of making needed changes. A Revenue's Commission should by all means be created by this Assembly.

Mr. SARIG. Mr. Speaker, ladies and gentleman of the House, I realize that practically every member of this House has made up his or her mind as to how they are going to vote on this question, and I shall not take up a great deal of your time in discussing it, but when we go into the thorough consideration of these tax problems, we ought to know the principle that has been followed in suggesting these taxes. I feel that there should be at least some underlying principle by which we are guided in distributing the burden of taxation in this Commonwealth. If the Chairman of the Ways and Means Committee has been correctly quoted last week, he has said before an audience of women here in Harrisburg that here in Pennsylvania we pluck the goose that produces the least amount of squawk. Now I want to know, ladies and gentlemen of this House, whether we are going to agree, whether this House stands willing and ready to place itself on record before the people of Pennsylvania as saying that we are going to tax only the fellow who is helpless, who is not organized, and who is unable to fight off taxation, regardless of whether it is equitable or whether it is just or whether it is fair. I believe to relieve this distribution of the burdens of taxation, we should consider first the equity of it, we should consider the fairness of it, we should be guided by some fundamental principle. I cannot believe, moreover, that this House is ready and willing to place itself on record by simply saying, "We are going to place the tax here," or, "We are going to place it there, because that is the line of least resistance," and not because the tax is equitable and because it is fair and because it is just. Now, let us see how this tax affects the people of Pennsylvania. We collect for school and local purposes about $300,000,000 a year in Pennsylvania. Of that $300,000,000, about $235,000,000 are collected by local taxation. In other words, those $235,000,000 now rest on the real estate of Pennsylvania. In our farming districts, the tax rate has gone up to as high as thirty, forty, fifty, and in some cases seventy, and in a very few cases, eighty to eighty-five mills on the dollars. Now this tax again places a large part of the burden back on the farmer and on the rural districts. It taxes his gasoline, not only for his automobile and for his truck, but the farmer uses gasoline also for tractors; he uses it for his stationary engine, for threshing and for other farm work. In other words, for the running of his farm machinery. Now, are we going to still increase the taxes on our farmers? There is not one man here, especially from the rural districts, who does not realize the situation as it exists today among our farming population. We all realize that Pennsylvania is a great industrial and commercial State, and we all realize that the industrial and the commercial interests have been so strongly organized that they have been able to dictate, practically, much of the legislation that has been enacted here on the Hill. Now, are we going to say that we are still further going to place the burden back on the farmer and on the rural districts and exempt the rich industrial and commercial interests who have so long escaped their just share of taxation? Today, all but about $65,000,000 of the money that is collected in Pennsylvania is collected from real estate, and much of that falls back on the home owner. Now, we come here and we say that the farmer doesn't squawk. He has taken the burden so often that we say, "We have plucked him in the past and we are going to pluck him again, because he doesn't squawk." He doesn't resist, he isn't organized, he isn't able to fight off this taxation the same as the other big interests are able to fight it off. Only a few minutes ago, this House tabled a motion to bring before this Body the manufactures' tax. Now, we all know that the manufactures of this State are among the most properous class in the Commonwealth, and if anybody can pay this tax and carry this burden without any sacrifice, it is the manufactures of Pennsylvania. In the levying of taxes, I feel that this matter of sacrifice should be the guiding or the fundamental principle. During the war, we always looked upon the question of patriotism as a question of sacrifice, and I say to you that the men who can pay this tax with the least amount of sacrifice are the ones who should bear this burden. We know that the manufactures and the big commercial interests have been cared for and aided by the high tariff. We all understand that they have been favored at one end and they have been favored at the other. They have been given this protection through tariff and they have been favored at the other end by exemption from taxation. The farmer has gotten it in the neck at both ends, while the manufactures have been exempted at both ends; and now you come again and ask for this additional revenue, and you say you are going to exempt the interests that have so long escaped taxation and you are going to put the burden back on the farmer. I realize that you have already made up your minds how you are going to vote on this bill, but I ask you seriously are we going to put ourselves on record as saying that this House has no higher principle in levying taxes than the principle of plucking the goose that squawks the least, or that produces the least, or that produces the least amount of squawk? Have we no higher principle than that in the Legislature of Pennsylvania? Or are we going to stand up and say we are going to distribute this burden according to the rule of justice, according to the rule of fair play, and according to the higher patriotic Principle which says that those who can bear this burden with the least amount of sacrifice are the ones who should bear it. I leave this question with you, but I cannot believe, ladies and gentlemen, that we should go to work at this hour and say to the farmer and to those who have been proposed, here that we are going to tax them simply because they are not organized, and because we are not afraid of them, and then we turn around and say we are afraid of the big commercial interests, and we are afraid of the big industrial interest, but we are not afraid of the little fellow who is unable to protect himself, and who is unable to speak for himself on the floor of this House. I believe that this tax bill should be defeated, and I don't propose to be one of those who will be goaded into voting for any measure of this kind. In the same way as we were goaded into voting for the inheritance tax in the 1917. I remember in the year 1917 when the tax measures were before this House, every tax measure practically was defeated.

Every tax measure which would have placed a tax on the big interests went down to defeat and then they came to us with the plea and said, "Vote for this direct inheritance tax, or go home without any money for your schools and your hospitals." I was one of those who voted to take the last penny from the poor widows and orphans under that direct inheritance tax, and I have been ashamed of it ever since. I believe there is time enough here now, to decide on a tax system that is fair, that is just and that is equitable, and that we should not at this time in this way permit ourselves to be goaded, to be driven into voting for a system of taxation simply because other systems have been defeated and the club held above our heads saying, "You must vote for this or go home and be empty handed for your schools, be empty-handed for your roads, be empty-handed for your hospitals." I believe that we should vote down this bill and agree on some system that is more just, more fair, and more equitable to the people of Pennsylvania.

Mr. WHITEMAN. Mr. Speaker and members of the House, I rise with no desire to dissuade any member in this House from voting for this bill, neither is it my desire to criticize the wisdom of the Ways and Means committee for its action in having amended it so completely. I do think, however, Mr. Speaker, in fairness to myself as sponsor of this measure, it is due me to say that many of the thoughts, the important thoughts, which I had in mind when I introduced this bill have been eliminated from it and have been changed. I don't intend to go into those changes, or to explain the thoughts which I had in mind, that is water that has gone over the dam. I simply ask you to give me the privilege of expressing my great regret that my thoughts could not have been incorporated into this bill and voted upon tonight, and yet, notwithstanding this, Mr. Speaker, I have made up my mind that I am going to vote for this measure as a means to an end. It will mean for this Commonwealth between five and six millions of dollars in additional revenue, and it will mean that amount of revenue collected from men and women in this State owning and driving automobiles, men and women in this State for whom this Commonwealth, through its Highway Department, expects to expend $56,000,000 during the next two years. The bill is a means to an end, it means revenue and it means a tax in direct proportion to the extent to which people make use of the roads which this State plans to keep up and further improve.

Mr. CHAPLIN. Mr. Speaker, and ladies and gentlemen of the House, during the recent primary and general elections I have no doubt but that the majority of the members of this House ran on a platform of economy. I remember very distinctly of hearing the story out in Cambria County, that ten years ago the appropriations in Pennsylvania were about $65,000,000, and at that time we had twelve departments and commissions in our Commonwealth. At the close of the 1921 session, of which I was a member, we had ninety-two departments and the appropriations were $116,000,000. My constituents in Cambria County object seriously to any additional taxation. The taxes in Pennsylvania at this time are unbearable and I want to go home to the people and be able to look them in the eyes and feel certain that I at least endeavored to economize. It seems as though all along, the law-making bodies of the United States, from the council to the Congress of the United States think of nothing else except raising money and spending it like a bunch of drunken sailors. I, for one, will not vote for any new revenue measures, and I hope the members of this House will defeat them all.

Mr. RHODES. Mr. Speaker, may I interrogate the gentleman from Butler, Mr. Woner?

The SPEAKER. Will the gentleman from Butler, Mr. Woner, permit himself to be interrogated?

Mr. WONER. I will, Mr. Speaker.

Mr. RHODES. Did I understand you to say that it was impossible to apportion this deficiency or appropriation liability over a period of four years?

Mr. WONER. It would not be impossible, but it is absolutely unwise, and I gave my specific reasons therefor. For instance, if you owed me ten thousand dollars, and would come to me and say "Now, Mr. Woner, I will pay you one-half of that in six months and the other half in three or four years," without paying me any interest, I doubt whether I would be interested in your proposal.

Mr. RHODES. Is it not true that the appropriation liabilities of other periods have been just as great as the appropriation liabilities of this period?

Mr. WONER. It may be so; in 1921 the appropriation liability and deficit was $23,000,000, but I do say that we should not continue a situation by which we would be unable to pay our bills.

Mr. RHODES. Mr. Speaker and members of the House, of course we all realize that the imposition of new tax levies is a very unpopular proposition, but I think we likewise all recognize the fact that both candidates for governor as well as practically every member of this House went out and campaigned last year on the platform of economy, efficiency and no new taxation. At least that was true in my district, and I am glad to hear it was true in the district of the gentleman from Cambria. If I recall rightly, on January 2, 1923, former Governor Sproul made a speech to this House, wherein he said that the appropriation liabilities at the end of the fiscal period would not be any greater than it had been in many appropriation periods heretofore, and that the entire deficiency could be eliminated if the House so desired, by lessening appropriations, but then he thought it was unwise to do so, because the State was to be considered as a going concern, and therefore we can conclude from what Governor Sproul said that if he had continued to be Governor during this period we would be asked for no new taxation measures. It seems to me that he knew something about what he was talking about, because he had the figures and the data, and so far as I am concerned there has been great confusion in my mind as to the necessity of any new taxes. We were first told that new tax measures were required for educational purposes. Now the Governor comes along and says that taxes must be raised, not for educational purposes, but to pay for the joy rides of the previous administration. And now we are told that the appropriation liabilities to take care of the highways must be met and that we must have new taxation for that purpose. It seems to me that under the present confusion no man here is justified, no member of this House is justified, in voting for new tax measures, because there is such great confusion in our minds as to the real necessity for them, from the Governor down, and we have gotten nothing concrete and nothing tangible as to how this money is required or as to where it is going to go. This appropriation liability, in my mind, is not as real as it may seem to some. It is more or less imaginary, and that is what Governor Sproul's attitude, to my mind, was. Therefore, so far as I am concerned, I am not only opposed to this tax measure, but I am opposed to every other one that may be presented to this House.

Mr. GOLDER. Mr. Speaker I desire to interrogate the chairman of the Ways and Means committee, Mr. Woner.

The SPEAKER. Will the gentleman from Butler, Mr. Woner, permit himself to be interrogated?

Mr. WONER. Yes sir, Mr. Speaker.

Mr. GOLDER. Mr. Speaker, may I inquire of the chairman of the Ways and Means committee whether the present

Chief Executive has asked for these taxes or has expressed any desire for them to be passed.

Mr. WONER. The Governor of this Commonwealth has said distinctly, expressly, explicitly, and repeatedly, that there would be required at least $20,000,000.00 in order that all the activities of this state might properly function for the next two years.

Mr. GOLDER. Does the gentleman whom I am addressing know whether that statement is consistent with the statement which was made by the chief executive at the outset of his administration, or whether I misunderstood the statement which he made at that time or the statement which he is now expressing?

Mr. WONER. I cannot read the mind of the Governor of the state of Pennsylvania, I don't know what position he takes now, as compared with a former position. I don't believe that you can read in any of his addresses and direct statements that no new revenues were necessary, but what he said was this: That he could take care of the executive departments on the $90,000,000.00 which he had in his budget, and that he found $21,000,000.00 to take care of the Edmond's Act. Afterwards we passed an act through this assembly and through the Senate which allowed under the Edmond's Act $38,806,000.00 for expenditures for the next biennium, with the result that $17,800,000.00 has to be raised under the Edmond's Act in order that the school districts may be paid within the next two years.

Mr. GOLDER. Mr. Speaker I desire to interrogate the gentleman further. Does the Chairman of the committee on Ways and Means know whether the tax program which is indicated in the three bills which were set for special order for tonight will take care of the hospitals in the manner indicated by the committee on Appropriations.

Mr. WONER. Mr. Speaker, as chairman of the Ways and Means committee I have been fairly soliticious concerning the very matter which my good colleague, Mr. Golder, from Philadelphia expresses. In my opinion there is no object for which this state can spend money which is so worthy, and so needful as the caring of the poor, the caring of the unfortunate and the sick and the injured. I believe that if the $20,000,000.00 is raised that there will be ample funds to take care of the needed additions to the Governor's budget in his appropriation calculation for the hospitals of the state.

Mr. GOLDER. I thank you.

Mr. Speaker and members of the House, I wish that my mind was definitely set along the lines I would like to speak to you tonight. I have given this question a great deal of consideration, so much in fact, that it is like reading a newspaper which is very close to your nose, it is difficult indeed to make out the print. I am in favor of increased taxation, and I will not run from an increase tax, whether the newspapers of this State like it, or whether they don't like it, whether the newspapers print our position here honestly or dishonestly, whether they try to give their readers the true facts as they exist on State Capital Hill, or whether they try, for the purpose of increasing their circulation or other reasons to lie to their constituents, to lie to their readers and give the facts distorted and not in accordance with the true facts, but I would like further to know for what I am voting in increased taxation. I am not satisfied in my own mind and my conscience is not entirely at rest. If I voted for a tax which makes it harder upon any industry in this Commonwealth I would not be satisfied in my own mind if I voted for a tax on tobacco because as I come through from Philadelphia and pass through those beautiful fields of Lancaster, and I have seen the fields in York and Schuylkill and Bucks counties and those workers in the fields of tobacco, I would not be satisfied, because I am not satisfied in my own mind, that I know just how much money is needed, and for what it is going to be used. I agree with the chairman of the Committee on Ways and Means that there is no more laudible objects which should be framed in our work here than to take care of the sick and the needy. I was very much supprised on last Saturday when I read in the public press of this state statements by the Commissioner of Public Health, that the politicians are robbing the State Treasury to take care of their pet hobbies and their pet charities, mind you members, a doctor appointed by the chief executive of this commonwealth coming out in public print, and saying that you and I, people like Miss Bentley, men and women in this House, introduce bills for the care of the sick and the needy, if you please, men like Adam Schaeffer. Men there are that work and toil in the mines of Pennsylvania, and Mr. Schaeffer told me that last week when there was an explosion up in his county there was not room up in that state hospital to take care of the men who were burned, who were dying and who were suffering, and then the commissioner of Public Welfare tells you that we are robbing the state to take care of the step chldren and to take care of institutions which are not ours. Can you men, as much as you wish, vote for further taxation, assuming that we believe it is absolutely necessary to vote for taxation, can we vote for more taxation if we don't know that the money for which we are voting is going to be devoted to the purposes in which we are interested. I would vote for this bill, I would not vote for the other two, but I would vote for this bill, and I would vote for a bill which would increase the license for motor vehicles. I say to you members in the outlying district if that bill was so amended, irrespective of what happens tonight, I would say to you members, in all fairness to yourselves vote for that bill. I speak only for myself, I speak only from my own experience, and I submit that if Philadelphia should come to you men, on tomorrow, we will say, you men of other counties, you men of Berks county, you men from rural districts and say, "We don't ask you to vote for a tax on tobacco, we don't ask you to vote for a luxury tax, which might possibly interfere with your dairy interests, which is turned into ice cream and chocolate, we don't want to interfere with you, but if we in Philadelphia who have more automobiles than any other district in the state, if Philadelphia that has more automobiles than every body else put together, if we come to you and say we are willing to carry the greater part of this burden, we know that this money has to be used for the sick and the helpless, the crippled and the blind and the lame, won't you men and women be fair enough to go along with us, and knowing that any tax bill is unpopular, they never have been popular, would you men in the goodness of your hearts, the dignity of your position and the honesty of your motives, whether you be members of the Republican party or the Democratic party, if we are willing to assume the greater part of that burden, and assuming that we are, would you not go along and play fair with Pennsylvania?" I believe you would. I don't believe that the tax program which is laid out for us tonight, and I say it with due respect to the committee on Ways and Means, I don't believe we can take one bill away from the other bills and have them stand or fall as a whole tonight. I would like to see action on these bills deferred, all of these bills, and while we are deferring action on these bills, let us pass our appropriations bills, let us see what will be done for the hospitals, let us pass these bills to the Senate and see how the Senate will treat our institutions, let us, if necessary, see how the chief executive will treat our hospitals let us get the knowledge, let us be sure and as sure as we can be that the money for which we are voting will be used for the purposes that we want, the hospitals. I am not against the chief executive on this proposition. I am glad he finally came out and stated that he needed more taxes I was always under the impression, and so were many people that his inaugural address meant that he had enough money, I am genuinely, honestly and sincerely glad that the chief executive has come out and is willing to assume part of the responsibility at least for a tax program. But let us be sure that it is a tax program that is fair, that it is reasonable, and above all a tax program which will take care of your hospital and my hospital, and when we do that, I will vote for it, and I believe that you men, Mr. Sarig, I believe just as sure as I am here, that if a sensible, reasonable program is put here, and the money is to be used honestly for hospitals, that we are not to be considered robbers for taking care of the blind, the deaf and the dumb and the insane, that you and your friends will vote for it and I and my friends will vote for it, and we will have enough money. Let us analysize and see why the $29,000,000.00 cannot be spread over a period of years. For years and years Pennsylvania has been passing a deficiency over a period of years, and I never met anybody who was not satisfied to do business with Pennsylvania.

Members of the House and Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. McCAIG. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Golder.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Golder, permit himself to be interrogated?

Mr. GOLDER. Yes sir, Mr. Speaker.

Mr. GEORGE W. WILLIAMS. Do I understand, in the spirit of fairness, that it is the purpose of the gentelman to make a similar motion, if this motion prevails for the other two bills?

Mr. GOLDER. Yes, and I might say further, in the same spirit of fairness, that not only will I vote for these motions, but I will vote for the motion to take any one of these bills or combination of these bills on the calendar and vote for them just as soon as I am satisfied, and I want to be satisfied, and I am anxious to be satisfied, that these taxes will be used for the purpose that the members of this House desire them to be used for.

Mr. GEORGE W. WILLIAMS. I would like to ask the gentleman from Philadelphia, how he would feel regarding other bills that are in the Ways and Means Committee, revenue measures?

Mr. GOLDER. Mr. Speaker, I would be very glad to vote for any bill which I feel will do the greatest good to the greatest number with the least harm to the greatest number. I don't wish to confine myself to any one or all three of these bills, but any bill which is in the Committee on Ways and Means which will meet the purposes that I desire, I shall vote for.

Mr. WHITEMAN. Mr. Speaker, I should like to interrogate the gentleman from Philadelphia, Mr. Golder.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Golder, permit himself to be interrogated?

Mr. GOLDER. Gladly, Mr. Speaker.

Mr. WHITEMAN. I should like to ask the gentleman from Philadelphia, if it is his intention to await action on all revenue measures until the Governor has signed, or approved, or vetoed the hospital bills?

Mr. GOLDER. I would say to the gentleman from Westmoreland that is my real desire, but I shall accede to the wishes of the members of the House in carrying that out. I should very much like to have every one of those hospital bills, go to the Governor, let him sign them in full, or reduce or veto them, I should very much like to do so and if that be done, if in the opinion of the House it should be done, we could be positive that the money which we are raising would be used for the purpose for which we vote for it to be used.

Mr. WHITEMAN. I should like to ask the gentleman how long a time that would take in his estimation?

Mr. GOLDER. It may, Mr. Speaker, possibly take two or three weeks, perhaps one-twentieth or one-sixteenth of the time it has taken the committe on Ways and Means to report these bills out.

Mr. WHITEMAN. If the gentleman will permit a personal question, I should like to ask it, and that is, upon what authority do you base your reflection on the Welfare Department?

Mr. GOLDER. May I take the pleasure of reading from the public press of Philadelphia.

Mr. WHITEMAN. Now, Mr. Speaker, that is all that is necessary. I simply would like to ask the gentleman, next week, when he gets the record of the House, to read there what he had to say about the newspapers in general before he makes the reflection.

Mr. ALEXANDER. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Golder.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Golder, permit himself to be interrogated.

Mr. GOLDER. Yes sir, Mr. Speaker.

Mr. ALEXANDER. I would like to ask the gentleman if he thinks it is a business proposition to appropriate money that has not been raised by this House.

Mr. GOLDER. Mr. Speaker, ordinarily, I woud say not, but in a case of this kind, Mr. Speaker, when I don't have confidence in those people who are going to spend the money which I am going to raise, I shoud like so far as possible to see that the money will be used for the purposes that I most desire, that could be carried out to the fullest possible extent as I said before If I could carry out my own wish an suggested by Mr. Whiteman.

Mr. ALEXANDER. Don't this House have control of these appropriations if they go to the Senate and they amend them, or cut out some of the appropriations which we have already placed in them, we still have control of it when it comes back?

Mr. GOLDER. My good friend and colleague from Delaware knows that I have no apprehension as to what will happen to the bills that go in that direction, but when they go in that direction I have.

Mr. EDMONDS. Mr. Speaker, there was placed in my hands this afternoon a letter which I would like to read for the comfort of my colleague from Philadelphia, who has just taken his seat.

"My dear Mr. Edmonds: I saw in one of the morning newspapers quotations attributed to me which were not mine and I am enclosing you certain carbons which may be of interest to you. One rather hates to be misrepresented at a time like this when good feeling needs to be cultivated rather than destroyed. Very sincerely yours, Ellen C. Potter."

The letter is as follows: "Mr. David E. Smiley, Executive Editor, Public Ledger, Philadelphia, Pennsylvania. My dear Mr. Smiley: It has been called to my attention that in the morning Ledger I was quoted as saying 'The State is starving its own to feed its step children.......it is wrong to rob State institutions in order to fatten treasuries of private charities...... We are forced to pare down so closely in order to keep up some politicians' pet charities, etc."

These quotations I am sure are unintentionally inaccurate. I did not say nor do I consider private charities "step children" of the State. Long customs has made them children of the State by adoption and they must be cared for in order that hardships may not result; the State's first obligation is, however, to State-owned institutions and care must be exercised that an undue proportion of the State budget does not go to the support of private charity while the State's own child is not properly cared for.

No treasury of a private charity has ever "fattened" on State appropriations. Large as appropriations may have been the amount was rarely enough to cover the service rendered.

I did give the historical background of State appropriations going back long before the Civil War and did show that one of the reasons which brought about the revision of the State Constitution in 1874 was the abuse by the politicians of that day of the State subsidy system and also attempted to show that the lump sum appropriation with compensation on a per diem rate for service rendered would eliminate the risks of unfair favoritism and would take care of adequately the State's adopted children,—the private charities.

Very often a turn of a phrase is quite enough to cause great irritation and do serious damage when a precise quotation would not in any sense cause offense and I am sure you will be glad to correct any misunderstanding. Very truly yours, Ellen C. Potter, M. D., Commissioner of Public Welfare."

With the reading of these two letters, I hope that the apprehensions to which my friend has given voice are somewhat allayed. As I take it, this is a clear cut business proposition. My friend from Philadelphia thinks we ought to pass the appropriation bills and have the Governor sign them before he knows what the revenue is going to be. I confess I cannot imagine a more absurd course of action for a legislative assembly than just that. The appropriations must of course come within the revenue, and obviously it is the duty of the Legislature to provide the revenue as it is its duty to appropriate it. It seems to me that realizing the unpopularity of the taxing question, we are tempted sometimes to postpone what we must inevitably regard as an unpleasant duty, and yet if it is a duty, we must face it. To my mind it is clear from the action of this Legislature that the decisions of the Legislature have been that we stand by the program of advancement in the State. Call it public schools if you will, the public school bill passed the House unanimously. Call it highway if you will, I have not heard a word in criticism of suporting the State system of public roads, and I rejoice in the information from the Ways and Means Committee that the plans of the State involve the spending of $56,000,000 in the next biennium on the State roads. Call it, if you will, the proper care of the poor and indigent, those treated in the State institutions and those treated in private institutions, but for which the State pays, call it any of these, I have not heard a word of protest of that kind. It seems to be recognized that our State program is a consistent, honorable program, honorable to the State and to those taking part in it. That being so, if the program is to continue as it is, is there not a duty upon us to provide the funds? I take it, the question will not be any more pleasant to vote on two weeks hence than it is now, and therefore, I am prepared to vote for the measure tonight and to vote against the motion to postpone the bill.

POINT OF ORDER.

Mr. HARER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. HARER. My point of order is, that a motion to postpone is not debatable.

The SPEAKER. The Chair rules that the point of order is well taken.

On the question recurring,

Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker and members of the House, we pride ourselves as being the representatives of a great Commonwealth, and I have no doubt that every member, during their campaign, while they are candidates, are placing that before the people continally, that we belong to one of the greatest states and commonwealths in the United States. And as such, we today, should straighten up our backbone a little bit and take our responsibilities as they come, not flinching when a responsibility meets us, but as men and women, face that responsibility as we should face it. When I take into consideration what has been said here tonight about the raising of taxes, and I look to our sister state, the great state of New York, and I see the action of their legislature and then compare it with us here tonight, I confess that I am almost ashamed of myself. The great state of New York not only appropriated $158,000,000 for one year, but they have, like men and women, raised that $158,000,000 and weren't afraid of that responsibility. And here we are, hesitating at the present time upon raising $140,000,000 for two years instead of one. Now let our differences go. I agree with a great deal of what my friend from Philadelphia has said when he told us that the waters have been muddied and muddied much by the actions of the newspapers who pretend to be friends to the Administration, and instead of befriending the Governor, they are placing him into a hole, perhaps, where he should not be placed, and if those newspapers want to be a benefit to not only the Administration but also to this grand Commonwealth of ours, they had better change their tactics and as they should be, not vilifiers but upholders of the truth and the cause which is right. I have no word here for them, but I say, as men and women, that we should meet our responsibilities and vote for tax raisers when we see that they should be raised. It has already been said that our schools need money, our charitable institutions need money, and there is no use in talking about the appropriations. As has been said by our friend from Monroe, at first we heard that all we needed money for was education. I believe that the Chief Executive stills says that, and that is for the reason the $29,500,000 he proposes to pay in two years is a deficiency of the past administrations, for which you and I are not responsible; but he proposes to pay that deficiet out of the revenues as we get them, and then to make up for our present needs, he proposes these taxes for the educational program. I don't see that it makes any difference whether this money is raised for education or to pay a deficiency. You will notices that on the bill here, of which I am sponsor, it contains the earmarks of a loan for deficiencies, and I think this bill and all other emergency bills should be for deficiencies. So, let us earmark them so that the people will know that it is not your fault nor my fault that this deficiency was here, but let me say, too, in defending past administrations, that it wasn't altogether as the newspapers would have you believe it was, for taking care of some friend in office. No, but it was because the Legislatures in the past haven't met the issue, have been afraid to perform their duties and raise extra revenues, and there haven't been enough revenues, as has already been stated, to take care of our poor and our sick and our hospitals. Now, don't let us be mean and miserly; let us represent the great Commonwealth of Pennsylvania as we should, and let us, all of us, be great in our representation as well as the State which we represent. Now, there has been something said about this unfair tax. I don't suppose there is a man in this House that will pay more gasoline tax, perhaps, than I will if this goes on, and I want to show you the fairness of this tax on automobiles which my friend stressed awhile ago. Let us take two men who own automobiles, with thirty horsepower motors. Each of them pays $13.60 for their licenses, and I have in mind two instances: A friend of mine has an automobile that he runs one hundred miles a month. During three months of the year, the winter months, he doesn't use it. I use an automobile an average of one thousand miles a month the year around. As I burn up the road and use the gasoline, so I will pay the tax, and my idea is that this is one of the fairest taxes that can be placed on the automobile, and I say the man that can own an automobile ought to be ashamed of himself to come here and say that he is not in favor of helping to pay the burden. I say there isn't a spark of patriotism in that man, and he is the last man in the world who should object. I was speaking today to a gentleman who says he is here representing the physicians, a number of physicians in this State and he says that they are oposing it. They ought to be the last men in the world to opose it. They are the men who are more interested today in the hospitals of this State than any other men living. And think of it, the institutions in which they have the greatest interest are the ones that will be cut first if we don't get the revenue, and we received letters day after day from the physicians in these hospitals asking you to appropriate money to this hospital or the other, and how are we going to appropriate it if we don't have the money? I say again, in closing, "Let us be real men and women, let us be the big men and women representing the big Commonwealth of Pennsylvania, and vote for all of these tax measurers."

Mr. CHAPLIN. Mr. Speaker, I would like to interrogate the gentleman from Delaware, Mr. Alexander.

The SPEAKER. Will the gentleman from Delaware, Mr. Alexander, permit himself to be interrogated?

Mr. ALEXANDER. I will, Mr. Speaker.

Mr. CHAPLIN. Mr. Speaker, I would like to ask the gentleman if he thinks the affairs of the State can be arranged so that they can function on the present revenues.

Mr. ALEXANDER. Mr. Speaker, I am told by those men who know better than I profess to know that it cannot. I might say, however, in further answer to the gentleman from Cambria, that if we had the $2,500,000 that he voted to do away with, that it might help us to save this taxation.

Mr. STOFFLET. Mr. Speaker and members of the House, the members can keep quiet while the chaplain is praying. I distinctly remember in 1922 when certain politicians came into my district and made certain statements, statements which I am not likely for awhile to forget. When I announced myself as a candidate for this office I had 2000 cards printed, and every card had this sentence on it, "I am opposed to any and all increases in taxation." I had 333 votes more at the primaries than any other man in the field. That held good at the primaries, it held good at the election, and it holds good now if this House should stay in session until the crack of doom. I shall not vote for any measure increasing the taxes of the people. When a call for new taxes is made, it is assumed to be due to actual need or for new projects or for a deficiency then existing, but so far as I can learn, there is no deficit existing. If there is, I would like someone to come and tell me just where this deficit is. No new projects have been attempted, and no deficit seems to exist. This state ought not to resort to additional taxation for a deficit, whether real or imaginery, until every other means has been tried. Now what means have been tried? We are talking manufacturers tax, and that is the most unfair of them all. It has been said here on the floor of this House this evening that the manufacturing interests should be compelled to bear their share of the taxation. I do not know what conditions are in the districts of some of the other members, but in my district we have a very active secretary in our chamber of commerce, and whenever he heard that somewhere in some other state someone had gotten sufficient funds together to incorporate to go into the manufacturing business, he was Johnny on the Spot and brought them to Easton and showed them the locations and the railroad facilities and the clever people there that he might employ at reasonable wages, and then the big inducement was that in the State of Pennsylvania there is no tax on the capital stock of manufacturing corporations. Now while it might appear that there are many corporations in the state of Pennsylvania that are rolling in wealth, let me tell you that I know from personal experience that there are hundred of corporations in the state that are today skating on mighty thin financial ice. There is an old saying that he whom the gods would destroy, they first make mad, and I believe it. Here is a man who has been Governor of the state of Pennsylvania for five months, has been preaching economy month in and month out before election, and what has he done to curtail the expenses of our state government? If what he had done is called economy, it is a mighty peculiar brand, one I have never yet come across. The great state of Pennsylvania has been heralded all over this broad land as having a mess on its hands, when it has the funds to meet its obligations, it is held up to ridicule by a reformer, by an iconoclast, who is not a native of Pennsylvania, but a man who came into this State and raises the hammer of destruction to smite the ideals of the people. Assuming there is upwards of $20,000,000 for State purposes, together with the increase in State taxes as a result of better business conditions, will not this wipe out this mess? Most undoubtedly it will. There is today somewhere in the State Treasury $18,000,000. Cannot that amount be applied to wipe out this mess? And then all of this comes from a man who himself, as Forester, sat at the very mess table. One word more about the newspapers: The tendency the world over it to decrease taxes instead of increasing them. Now, there is an old saying of Sir Edmund Burke, who said that "if you still the hand of the tax collector, you can take the coat off an Englishman's back, the bread out of his basket." Now you gentlemen think that if we put a tax on tobacco or a tax on gasoline, that the manufacturer is going to pay it. Is the man who runs a ten thousand dollar palace car going to pay it? Who pays for it, in the last analysis? It must be apparent to every member of this House that there are only two taxpayers, the one the man who works and lives in rent, and the other is the man who works and lives in his own house. He owns no other, for the minute a man owns two houses he rents one and fixes the rental charges on the other at a sufficient figure that it pays the taxes on both. I said not over two weeks ago that in this country it was the popular pastime to pass the buck.

If we increase the tax on tobacco, who will pay that tax? Today the poor man in his package of chewing tobacco gets one and one-third ounces. You put a tax on tobacco, and what is he going to get? He will get one ounce. He pays that tax, and if you put a tax on gasoline, who pays the tax? Not the man that operates the car, but in the last analysis the man who never rode in one pays for it. Take for instance, that I am in the grocery business and have several delivery cars and a pleasure car. I add to the price of my goods a sum sufficient to pay that tax. There was a time in the history of this government when it was believed that the aim of the government was the good of all, but today it seems as though the aim of the government, State and national, was no longer the good of all but the goods of all. Get it. Now, one more word about the newspapers. The North American reported me not long ago, in a recent issue, as the funny man of this House. The more I read the newspapers of the North American type, the more convinced I am that when Thomas Jefferson said in his day, that the newspapers were a disgrace to civilization, the more I believe that he was right, but heaven knows that in the days of Thomas Jefferson, the newspapers were prayer books and Holy Bible compared with sheets like the North American. The vilest trash of Cassanova, the most salacious writings of Boccacio and of Flaubert and Guy de Maupassant are Holy Writs compared with the public press of today. Newspapers like the North American are the servile tools of the manufacturers of great wealth, and the supreme corrupters of public morals. Whenever the police of Philadelphia make a raid, whenever a raid is ordered in Philadelphia of gambling houses and bawdy houses, that paper comes out with the most disgraceful details, every single feature of it is vividly portrayed. The more I read the papers of that type, the more I am convinced that the editors of those papers are nothing more or less than the yellow vessels of dishonor, who discharge their filth in the daily slop jar called the daily press, and spill the nauseating mess of slimy contents like the vomit of a dog. The sooner the people stop reading trash of that kind, the sooner we begin not to believe that trash published in subsidized newspapers, whether it be on these taxation measures, or whether it be on coal bills, no matter what it is, the better we are off. I thank you.

Mr. LUCAS. Mr. Speaker, I move the previous question.

The motion was seconded by the following members: Messrs. Dunn, Heyburn, Craig, Baker, Hetrick, Earley, Eaches, Haws, Orr, Burd P. Evans, Lafferty, Joshua Evans, Howard Smith, Disheimer, Ludlow, McDaniels, Henderson, Edmonds, Connor, Bromley, and others.

The SPEAKER. More than 20 members having joined in moving the previous question,

On the question,

Shall the main question now be put?

It was agreed to.

BILL ON THIRD READING.
(SPECIAL ORDER)

The SPEAKER. The Chair lays before the House, the special order set for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 972, as follows:

An Act imposing an emergency State tax in addition to the present taxes on certain subjcets now taxible for State purposes providing for its collection and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an emergency tax for State purposes in addition to the present taxes is hereby imposed on the subjects of taxation hereinafter designated now taxable for State purposes Such tax except as otherwise provided in section six of this act shall be equal to ten per centum (10%) of the total amount of the tax imposed under the provisions of existing law Such tax shall be assessed and collected in the manner and during the periods hereinafter provided The Whole amount of such additional tax shall be paid into the the general fund of the State Treasury for the use of the Commonwealth notwithstanding the provisions of any law requiring any part of the money derived from the original tax to be distributed in any other manner

Section 2 The additional tax imposed by the provisions of this act shall be paid on the following subjects of taxation by the corporations joint-stock associations limited partnerships copartnerships companies and persons liable for such taxes under the provisions of existing laws namely

(a) On the actual value of the capital stock of corporations joint-stock associations limited partnerships and companies except on all of the capital stock of corporations joint-stock associations limited partnerships and companies doing business as common carriers

(b) On all script bonds and certificates of indebtedness issued or assumed by private corporations

(c) On the value of the shares of stock of banks and saving institutions having capital stock

(d) On the gross amount of the premiums and assessments received from business transacted within this Commonwealth by insurance companies and associations

(c) On the aggregate amount of gross receipts of private bankers

(f) On the gross premiums of insurance companies of other states and foreign governments received from business done within this Commonwealth

(g) A bonus tax on the amount of the authorized capital stock or authorized increase thereof of corporations limited partnerships and joint-stock associations

Section 3 In the case of all subjects of taxation whereon the additional tax is imposed under the provisions of this act the Auditor General and State Treasurer in setting all accounts for such taxes payable by the parties liable therefor into the State Treasury on reports required to be made annually semi-annually or at any other stated periods shall add ten per centum (10%) of the amount of such tax to all such accounts settled on all reports required under the provisions of existing law to be made at any time during the two fiscal years commencing on the first day of June one thousand nine hundred and twenty-three and ending on the thirty-first of May one thousand nine hundred and twenty-five and shall collect the same together with the tax imposed under the provisions of existing law in the same manner and subject to the same liabilities and penalties as such taxes are now collected

Section 4 In the case of all such taxes not paid directly into the State Treasury by the parties liable therefor the individual or the public or corporate officer or agent charged under the provisions of existing law with the duty of collecting the same shall in addition to the tax now required an amount equal to ten per centum (10%) thereof on all taxes payable during the two fiscal years commencing on the first day of June one thousand nine hundred and twenty-three and ending on the thirty-first day of May one thousand nine hundred and twenty-five The individual or the public or corporate officer or agent collecting such tax pay the same into the State Treasury at the same time and in the same manner as provided by existing law for each of the taxes so collected

Section 5 All corporations incorporating increasing their capital stock merging or consolidating under any of the laws of this Commonwealth and all foreign corporations limited partnerships and joint stock associations (except foreign fire insurance companies) chartered or created or increasing their capital employed within this Commonwealth and all partnership associations formed or increasing their capital stock under any of the laws of this Commonwealth at any time during the two fiscal years commencing on the first day of June one thousand nine hundred and twenty-three and ending on the thirty-first day of May one thousand nine hundred and twenty-five and which are required under the provisions of existing law to pay a bonus tax on their capital stock and the increases thereof shall in addition to such bonus tax pay to the State Treasurer a bonus equal to ten per centum (10%) of the amount of the bonus required under the provisions of the existing law

Section 6 In the case of the additional tax on so much of the actual value of the capital stock of corporations joint-stock associations companies and limited partnerships engaged in manufacturing or laundering which is not used exclusively for manufacturing or laundering purposes such tax shall be equal to twenty-five percentum of the total amount of the tax imposed under the provisions of existing law The Auditor General and State Treasurer in settling all accounts for taxes on such capital stock under the provisions of existing law shall add thereto twenty-five per centum of the amount of the original tax levied on all reports required to be made at any time during the two fiscal years commencing on the first day of June one thousand nine hundred and twenty-three and ending on the thirty-first day of May one thousand nine hundred and twenty-five

Section 7 In collecting the tax imposed by the provisions of this act the Auditor General and State Treasurer shall have all the powers and shall perform all the duties conferred and imposed on them in the collection of taxes under existing laws All persons copartnerships associations and corporations liable for any such tax shall be subject to the same liabilities and penalties for failure to pay the same as is provided in the case of the original tax The procedure for the assessment and collection of such tax shall be the same as prescribed by the provisions of existing law for the corresponding tax now imposed

Section 8 In the event that any of the provisions of any existing law relating to taxation for State purposes is altered or amended by any law enacted by the General Assembly of one thousand nine hundred and twenty-three whether such acts were adopted prior to the passage of this act or shall be adopted subsequent to the passage of this act such change or amendment shall also be effective as to the provisions of this act In the event that any new tax for State purposes is imposed by any such law so enacted an additional tax amounting to twelve and one-half per centum (12½%) of the amount of such tax is hereby imposed during the first two years such tax shall be in force Such additional tax shall be assessed and collected in the manner and subject to the regulations and penalties provided for by such law

Section 9 This act shall remain in effect as to each tax hereby imposed until the date herein specified for each and no longer The expiration of this act as to any of such taxes shall not affect or impair the lieu of any taxes assessed due owing or payable before such expiration or any remedies for the collection of the same nor shall it surrender any remedies powers rights or privileges acquired by the Commonwealth under this act or relieve any person association copartnership or corporation from any tax or penalty imposed by this or any other act of asembly

Section 10 The provisions of this act shall be independent of each other and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act nor prevent the collection of any of the taxes imposed by this act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 11 The provisions of this act shall be independent of each other and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act nor prevent the collection of the tax imposed by this act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WHEELER. Mr. Speaker and members of the House, I have been requested as a member of the sub-committee of the Ways and Means Committee, which had something to do with this bill, to explain it. I shall therefore confine my remarks to a statement of fact, omitting exhortations. This bill in the first place represents the honest effort of the Ways and Means Committee to distribute the burden of emergency taxation, so it would not fall solely upon one class of subjects. When the bill was considered further it was discovered that the original idea of placing any surtax—which is a misnomer, it should be an increased levy on certain subjects of taxation, it was found that that put certain inequalities in our system of state taxation. It would hardly be fair to apply the additional levy to all those subjects, there being also questions such as the opposition at this time of those corporations engaged in transportation. The final result was the bill that you have before you, amended in line with the suggestion of my friend from Philadelphia, to do the least harm to the least number. In other words, it represents an attempt at least to recognize the ability to pay, that question being one of the cardinal principals which should govern any taxation measure. The bill at present selects several classes of taxable subjects and increases the levy on those taxable subjects, a process with which you are familiar in local taxation. It amounts to an increase in millage. The bill before you tonight, due to a certain amount of haste in meeting the requirements of a special order for tonight, was not thoroughly uniform. Therefore amendments have been prepared, which, if the unexpected should happen and this bill passed, would then be inserted in the Senate. I shall therefore, in my explanation, assume the passage of the bill and the amendments, which are as follows: Now under the provisions of the capital stock tax, the common carrier is at present exempt entirely, and that includes the railroads, electric railroads and other common carriers, in the broad sense of the term, telegraph and telephone companies, express companies, pipe line companies and one or two others, the increased levy would not be 10 percent, but 25 percent. Under the second clause of corporate loans, common carriers would be exempt again and the tax would fall upon manufacturing corporations and would amount to a 25 percent increase, and on all corporations except common carriers 10 percent. In the third clause on bank stock, the increase would be 10 percent; and the two clauses affecting insurance would be stricken out, (d) and (f). Clause (c) on the values of the shares of stock of banks, there would be an increase of 10 percent, and on the bonuses of charters the increase to manufacturing companies would be 25 percent, and to all other corporations, ten percent. The result would be a revenue of $4,510,340, based on the figures of the Auditor General for 1920-22. Of this amount of $4,510,000. the manufacturing corporations would be paying $1,873,500. In addition to what they already pay, they would then be paying in state taxes slightly over $8,000,000. coming next then to the railroads as payers of state taxes. Now that would amount to over $4,000,000 and it was merely taken up by the Ways and Means Committee in conjunction with these other two bills before us. $4,000.000 would provide for a great many hospitals, probably all the hospital program, and I would only like to say to the House that to avoid the issue now would be merely to re-enact the drama of which the Ways and Means Committee has already been accused, probably with justice, the drama showing an inability or unwillingness to face the problem of new taxes, which we are informed are necessary. To pass any appropriation measure without sufficient taxes is simply an empty gesture.

Mr. MILLER. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Dunn, Lucas, Heyburn, Spangler, Diehm, Haslett, Stark, Whitehouse, George W. Williams, Eaches, Armstrong, Himes, Connor, Howard Smith, Orr, Burd P. Evans, Joshua Evans, Bromley, Dilsheimer, Golder, and others.

The SPEAKER. More than twenty members having joined in moving the previous question,

On the question,

Shall the main question now be put?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—21.

Alexander,
Bentley,
Blair,
Edmonds,
Flynn,
Goss,
Henderson,
Kelly,
MacKinney,
McDaniel,
McKim,
McVicar,
Moffatt,
Price,
Spangler,
Thomas, M. G.,
Vickerman,
Walker,
Wheeler,
Woner,
Goodnough, Speaker.

NAYS—175.

Albert,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Berger,
Bidelspacher,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Hetrick,
Heyburn,
Himes.
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Huber,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Malie,
Marcus, J.,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDermott,
McGowan,
Metcalf,
Millar,
Miller,
Minehart,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thompson,
Van Alen,
Wells,
Wettach,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Wright,
Zook,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL ON THIRD READING.
(SPECIAL ORDER)

The SPEAKER. The Chair lays before the House the special order set for this time.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 521, as follows:

An Act imposing an emergency State luxury tax providing for its collection restricting the use of the revenue derived therefrom and fixing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an emergency State tax is hereby imposed on the articles hereinafter named sold in this Commonwealth for any purpose whatsoever except for the purpose of re-sale The tax hereby provided for shall be paid by the person association co-partnership or corporation selling any such article to purchasers who purchase for purposes other than re-sale and shall be paid in the manner hereinafter specified

Section 2 All money derived from the tax hereby imposed shall be applied to the payment of appropriations made prior to the first day of June one thousand nine hundred and twenty-one and for the payment of appropriations for deficiencies existing prior to the first day of June one thousand nine hundred and twenty-three Any balance remaining may be applied to any other deficiencies or may be expended for such other purposes as the General Assembly may prescribe

Section 3 There shall be paid upon the following articles sold or leased except for the purpose of re-sale a tax equivalent to the following per centum of the price for which so sold or leased

Cigars and cigarettes five per centum

Plug tobacco smoking tobacco cigarette paper snuff and other tobacco products three per centum

Chewing gum five per centum

Payment of the tax imposed upon any article by the provisions of this act shall be evidenced by an adhesive stamp attached to the package box or container in which or from which the article is sold or if not sold in or from a package box or container then to the article itself Such stamps shall be purchased from the Auditor General of the Commonwealth or any of his duly appointed agents and shall be attached to the package box or container or to the article sold by the person making the sale before the article leaves the possession of the seller except in the cause of cigars sold separately from a box or container where the stamp shall be attached to the box or container when the same is placed on sale and at that time a stamp equal to the tax as ascertained by the value of the cigars in such box or container when sold shall be attached thereto in such manner that when the box or container is opened the stamp will be defaced The seller shall also in the case of cigars cancel such stamp when the same is attached by writing across the face thereof his initials and the date the stamp was attached In all other cases stamps shall be defaced by writing or otherwise in such manner that the same cannot again be used

The Auditor General shall prepare and place on sale at his office or any agency by him appointed adhesive stamps of such denomination as shall be deemed necessary to evidence the payment of the tax herein imposed and such stamp shall plainly show the value thereof which shall be the amount paid therefor as a tax to the Commonwealth

Whenever the Auditor General shall appoint an agent for the sale of stamps for the purpose of paying the State tax herein provided and shall sell consign or deliver to such agent any such stamps for sale or use such agent shall be entitled to receive as compensation for his services and expenses as agent and to retain out of the moneys to be paid by him for such stamps a commission of one percentum of the par value thereof and the Auditor General and State Treasurer are hereby directed and required to allow such commission or compensation in the settlement of the accounts of such agent

Section 5 The Auditor General or any agent appointed in writing by him is hereby authorized to examine the books papers and effects of any person association co-partnership or corporation pertaining to the business made taxable by this act to verify the accuracy of the payments of taxes by the purchase and use of stamps under the provisions of this act and in the collection of said tax the Auditor General and State Treasurer shall have all the powers now vested in them by the laws of the Commonwealth for the collection of State taxes but any information gained by the Auditor General or any other person as a result of the reports investigations or verifications herein required to be made shall be confidential and any person divulging such information shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than one thousand dollars ($1,000) or to undergo an imprisonment of not more than one year or both

Section 6 Any person association co-partnership or corporation or the officers directors trustees or members of any association co-partnership or corporation who refuses to permit the Auditor General or any agent appointed by him in writing to examine the books papers or effects of such person association co-partnership or corporation pertaining to the business made taxable by this act or who fails or refuses to attach any adhesive stamp to any article package box or container required to be stamped by this act or attaches any false or fraudulent stamp or who fails to cancel any stamps as required by this act or who does or attempts to do anything whatsoever to avoid a full disclosure of the amount of business done or to avoid the payment of the whole or any part of the tax due shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) or in the case of an individual to undergo imprisonment not exceeding six months or both

Section 7 All fines collected under this act shall be paid to the State Treasurer and by him credited and paid as provided in section two hereof

Section 8 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of the act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 9 This act shall remain in effect until the first day of June one thousand nine hundred and twenty-five and no longer The expiration of this act shall not relieve any person association co-partnership or corporation from any tax or penalty imposed by this act

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

MOTION TO POSTPONE.

Mr. ALEXANDER. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. SPANGLER, Mr. Speaker, I move to amend the motion of the gentleman from Delaware by moving that this bill be dropped from the calendar.

Mr. DILSHEIMER. Mr. Speaker, I second the motion.

The SPEAKER. The motion of the gentleman from Delaware not having been seconded, the motion is not in order and cannot be amended.

Mr. ALEXANDER. Mr. Speaker, I call for the order of the day.

The SPEAKER. The Chair rules that the order of the day is this bill, and in support of this ruling will read the decision of a former speaker. On Page 1307, of the 1921-22 edition of Smull's handbook, in the session of 1909, "the consideration of a House Bill was resumed on second reading, as a special order of business. The point of order was raised that the special hour of eight-thirty fixed for the consideration of this bill, having passed, there is now nothing in order but the regular order of business. The Speaker decided the point of order not well taken." The Chair rules that the point of order raised by the gentleman from Delaware, Mr. Alexander, is not well taken.

On the question recurring,

Mr. ALEXANDER. Mr. Speaker, on the question of the bill then, if the House will not agree to postpone this bill and place us in a position where in the future we might at least have something to hang to, I appeal to the members that in all fairness to this bill we ought to vote for it. I was in hopes that the motion to postpone might prevail. I recognized the fact that the gentleman from York and the gentleman who seconded his motion awhile ago to drop it from the calendar come from two counties in this state, which, I understand manufacture 5 cent cigars and are very much interested in this bill. Practically the only opposition to this bill comes from those two counties. I was in hopes, however, until this House came to some understanding with itself and got down from the frivolous to the real, got down from the comic side to reality, we might be able to put this bill on the postponed calendar and thereby save something that we might have in the future, a bill which we might pass in order to get some revenue. I do not understand how this House can take away from the needy, can take away from the hospitals and schools the money which is needed for these purposes. I cannot understand for the life of me what we are thinking about tonight. In the appropriations Committee at any time when the appropriation bills were voted upon I believe that there were not less than 40 members present. They were all asking for appropriations more than had been recommended, yet at the same time I do not know of anyone who was asking for more than was absolutely necessary, because I do not believe there has been sufficient money recommended, but how are we going to pay unless we raise revenue, I cannot see that there is anything left for us to do if we defeat all of these revenue raisers except to vote down the appropriation bills, because it surely is not good business, it surely does not show a sensible mind to appropriate $140,000,000 and at the same time can only show $112,000,000 with which to pay it. That surely is not what your constituents ask you to do, that surely is not what they elected you to do. It is all right to talk about economy but at the same time we ought to talk a little common sense with it. I, therefore, move you that this bill be placed on the postponed calendar for the present.

Mr. CRAIG. Mr. Speaker I second the motion.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. Alexander and Mr. Craig and were as follows:

YEAS—35.

Alexander,
Aston,
Bidelspacher,
Craig,
Edmonds,
Flynn,
Gelder,
Golder,
Goss,
Griffith,
Hall,
Harer,
Henderson,
Heyburn,
Hollis,
Irvin,
Kelly,
Long,
Ludlow,
MacKinney,
McBride,
McClure,
Metcalf,
Moffatt,
Steedle,
Stoner,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Vickerman,
Walker,
Wheeler,
Whiteman,
Woner,
Goodnough,
Speaker.

NAYS—149.

Albert,
Allman,
Anderson,
Armstrong,
Arthur,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bentley,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Brown,
Brownmiller,
Burns,
Chaplin,
Clutten,
Coldsmith,
Colville,
Conner,
Coyne,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Evans, J.,
Fields,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Gorham,
Greeby,
Grimes,
Guerin;
Gundy,
Haas,
Haslett,
Haws,
Henderson,
Heffran,
Hetrick,
Himes,
Holcombe,
Hontz,
Hoover,
Horne,
Howell,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Lafferty,
Lauver,
Lucas,
Lynch,
Mack,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McCann,
McCaig,
McCurdy,
McDaniel,
McDermott,
McGowan,
Millar,
Miller,
Minehart,
Moore,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Parkinson,
Peelor,
Perry,
Pitts,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sneridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Van Alen,
Weamer,
Wells,
Wettach,

Dunn,
Eaches,
Earley,
Eshelman,
Evans, B. P.,
Keene,
Kennedy,
Korns,
Kunkle,
Labar,
Posey,
Post,
Raymond,
Rhodes,
Richards,
Williams, G. W.,
Williams, J. M.
Wood, N.,
Wood, W. P.,
Wright,
Zook,

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

BILL DROPPED FROM THE CALENDAR.

Mr. SPANGLER. Mr. Speaker and members of the House, this perhaps is the most objectionable of any of the tax measures we have to consider this evening, because if this bill is passed it will very materially affect one section of the state including York county, Lancaster county and Philadelphia county, I feel that the House is entirely with me in my opposition to this measure. As it stands on the files today it is indefensible. It would practically ruin one of the important industries of the state and has no reason for being here at such a time as this, and for that reason, Mr. Speaker, I move that this bill be dropped from the calendar.

Mr. DILSHEIMER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

The SPEAKER. If there are no objections, the Chair will take up the second reading calendar at this time. Are there objections? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 602, as follows:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the Veterinary School of Medicine

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Trustees of the University of Pennsylvania for the maintenance and equipment of the School of Veterinary Medicine for the two fiscal years beginning June first one thousand nine hundred and twenty-three

Provided however That this appropriation is made upon the condition that any resident of this Commonwealth who shall have resided within the Commonweatlh continuously for a period of two years and who shall be qualified to comply with the entrance requirements of said school and who shall observe the general rules and regulations of the school shall be permitted to attend said school without charge for tuition

Provided further however That no student shall be admitted after the full capacity of the said School of Veterinary Medicine has been reached

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1131, as follows:

An Act making an appropriation to the Board of Trustees of The Philadelphia Museum

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifty thousand dollars ($50,000.00) or so much thereof as may be necessary is hereby specifically appropriated to the Board of the Trustees of the Philadelphia Museums for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the following purposes

For the further distribution of geographical collections and educational material among the public and other free schools of this Commonwealth the sum of twenty-five thousand dollars ($25,000.00) or so much thereof as may be necessary

For the preparation and installation of exhibits the sum of twenty-five thousand dollars ($25,000.00) or so much thereof as may be necessary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1171, entitled:

An Act to amend section one of an act approved the eighteenth day of July one thousand nine hundred and nineteen (Appropriation Acts two hundred and forty-six) entitled "An Act making an appropriation to the Water Supply Commission of Pennsylvania or the Department of Conservation for the purpose of cooperation with the Government of the United States in making investigations examinations and surveys and in preparing plans and estimates of cost with a view of devising and carrying into effect plans for controlling the flood waters of rivers and their tributaries being either in whole or in part within this Commonwealth" saving said appropriation from lapsing

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eighteenth day of July one thousand nine hundred and nineteen (Appropriation Acts two hundred and forty-six) entitled "An act making an appropriation to the Water Supply Commission of Pennsylvania or the Department of Conservation for the purpose of cooperating with the Government of the United States in making investigations examinations and surveys and in preparing plans and estimates of cost with a view of devising and carrying into effect plans for controlling the flood waters of rivers and their tributaries being either in whole or in part within this Commonwealth" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary be and the same is specifically appropriated to the Water Supply Commission of Pennsylvania of Pennsylvania or the Department of Conservation and that the sum of fifteen thousand dollars ($15,000) remaining unexpended from an appropriation made to the Water Supply Commission of Pennsylvania by an act of Assembly approved the twenty-fifth day of July one thousand nine hundred and seventeen or as much thereof as may be necessary be and the same is hereby made available to the Water Supply Commission of Pennsylvania or the Department of Conversation for the purpose of cooperating with the Government of the United States in making examinations investigations and surveys on rivers of this Commonwealth and on tributaries of such rivers whether the same be wholly within or partly within and partly without or wholly without this Commonwealth and in preparing plans and estimates of cost with a view to devising and carrying into effect plans for controlling the flood waters of rivers which are either in whole or in part within this Commonwealth For the purpose of such cooperation the Water Supply Commission of Pennsylvania or the Department of Conservation is hereby authorized on behalf of the Commonwealth of Pennsylvania to enter into such contracts and agreements with the Secretary of War or other proper officers bureau department or agency of the Government of the United States duly authorized thereto as to the said Water Supply Commission of Pennsylvania or the Department of Conservation may seem proper Nothing contained in any act of assembly lapsing appropriations made by any General Assembly into the general fund of the State treasury at the end of the fiscal year shall be construed as affecting the appropriation herein made or to in any manner affect or lapse said appropriation but the same shall continue appropriated and be available for the purposes for which originally appropriated and reappropriated

On the question,

Will the House agree to the section?

Mr. McCAIG. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 3, line 7, by striking out the word "officers" and inserting in lieu thereof the word "officer."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section one of an act approved the eighteenth day of July, one thousand nine hundred and nineteen (Appropriation Acts, 246), entitled "An Act making an appropriation to the Water Supply Commission of Pennsylvania or the Department of Conservation for the purpose of co-operating with the Goverment of the United States in making investigations, examinations, and surveys, and in preparing plans and estimates of cost, with a view of devising andcarrying into effect plans for controlling the flood waters of rivers and their tributaries being either in whole or in part within this Commonwealth," saving said appropriation from lapsing.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 495, as follows:

An Act making an appropriation to the State Highway Department for the payment of rewards to townships of the second class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two million dollars ($2,000,000) or so much thereof as may be necessary is hereby specifically appropriated for the two fiscal years ending May thirty-first one thousand nine hundred and twenty-five for the payment of rewards to townships of the second class as provided in the act of July fifteenth one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto" and its amendments said amount to be paid by the State Highway Department out of monies collected by said department from motor vehicle licenses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 89, as follows:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries for the maintenance of a nautical school to be located at the port of Philadelphia for two years from June first one thousand nine hundred and twenty-three

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seventy-five thousand dollars ($75,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the said commissioners together with such other moneys as may be received by the State from the Federal Government in accordance with the act of Congress of March four one thousand nine hundred and eleven for the maintenance of a nautical school to be located at the port of Philadelphia and the State Treasurer is hereby authorized to pay the same to the commissioners in equal quarterly payments during the two years commencing on the first day of June Anno Domini one thousand nine hundred and twenty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 83, as follows:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries for the two years from June first one thousand nine hundred and twenty-three

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of sixty thousand dollars ($60,000) or so much thereof as may be necessary is hereby specifically appropriated to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the payment of the salaries or other compensation of such secretary statistician captains engineers clerks stenographer harbor masters messengers firemen deckhands and stewards required for the proper conduct of the work of the Commissioners including the operation of a steam tender for the cost of repairs maintenance supplies fuel insurance oil and equipment of such steam tender and for the payment of the rent and care of the offices stationery telephone services subscription to Maritime Exchange books charts and official and incidental expenses of the commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1476 (Senate Bill No. 772), entitled:

An Act to amend an act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand fifty-seven) entitled "An Act to amend section one and to supplement an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and two) entitled 'An Act providing for the appointment and expenses of a commission of five persons to codify and revise the law relating to banks private bankers and trust companies doing business within this Commonwealth and making an appropriation' extending the powers and duties of the commission so as to include the codification and revision of the law relative to all corporations persons partnerships and associations under the supervision of the Banking Department and making an appropriation" extending said commission for a further period of two years and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1375, (Senate Bill No. 58), entitled:

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Anthracite Coal Region of Pennsylvania at Ashland Schuylkill County Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1377, (Senate Bill No. 128), entitled:

An Act making an appropriation to the Western Pennsylvania School for the Blind located at Pittsburgh Pennsylvania to cover deficiency in maintenaice and education of State pupils

And said bil having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1492, (Senate Bill No. 638), entitled:

An Act to amend section four of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and ninety) entitled "An Act authorizing the sale of certain property owned by the State the title to which is in the State Livestock Sanitary Board and providing for the use of the roceeds of such sale"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1374, (Senate Bill No. 21), entitled:

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered on Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1477, (Senate Bill No. 785), entitled:

A Supplement to the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand two hundred and seventy) entitled "An Act providing for the erection of a dam at the outlet of Pymatuning Swamp and the establishment of a reservoir to conserve the waters thereof providing for the taking of land and materials necessary thereto vesting certain powers and duties in the Water Supply Commission and making an appropriation" providing for the sale and leasing of property acquired under said act and making an appropriation of the proceeds thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 535, entitled:

An Act providing a method of annexation of cities boroughs townships or parts of townships to cities of the third class regulating the proceedings pertaining thereto and repealing inconsistent legislation

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in Gen-
of the same That any city borough township or part of a
township contiguous to any city of the third class whether
eral Assembly met and it is hereby enacted by the authority
ties may become annexed to any such city of the third class
located wholly or partly within the same or different coun-
in the following manner

A petition signed by at least twenty-five per centum of the taxable inhabitants of the territory desiring annexation shall be presented to the court of quarter sessions of the county wherein the city of the third class to which annevation is desired or a larger part thereof is located All the signers of the petition shall be bona fide residents and taxable inhabitants of the district desiring annexation as shown by the assessors' list for the last preceding assessment and the registry list of voters for the last preceding general or municipal election of the city borough township or part of a township desiring annexation The petition shall be subscribed within three months immediately preceding its presentation to said court and shall be verified by at least one of the petitioners In case such petition is for the annexation of a part of a township there shall be attached a plot showing such portion with a description by metes and bounds

On the question,

Will the House agree to the section?

Mr. HASLETT. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 1, line 4, by striking out the word "city"

Amend section 1, page 2, line 4, by striking out the word "city"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to as follows:

Section 2 The petition shall be presented in open court whereupon the court shall order that a brief notice thereof be given by advertisement in one newspaper of general circulation in the territory affected once a week for two consecutive weeks or if there be no such newspaper published in such territory by not less than six handbills posted in conspicuous places in such territory and also that notice be served upon the mayor of the city to which annexation is proposed by a copy of such advertisement or hand-bill

The third section was read as follows:

Section 3 Upon proof that the notices and advertisements ordered have been given the court shall order that an election on the question of such annexation be held in the city borough township or part of a township proposed to be annexed and also in the city to which such annexation is proposed to be made

If such order is made sixty days before the date of the general or municipal election in November the election on the question of such annexation shall be held at such general or municipal election but if made less than sixty days prior to any general or municipal election the election on such question shall be held at the general or municipal election in November of the following year

On the question,

Will the House agree to the section?

Mr. HASLETT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 3, page 2, line 25, by striking out the word "city"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read and agreed to as follows:

Section 4 The court in its discretion shall direct what notices if any shall be given of the time of such election by advertisement or hand-bills or both and the court shall also order the county commissioners of all counties wherein any part of the territory affected lies to print upon the ballot to be used at such election in brief form the question on annexation to be submitted to the vote of the people followed by the words "Yes" and "No"

In receiving and counting and making returns of the votes cast the inspectors judges and clerks of such election shall be governed by the laws of this Commonwealth regulating elections The result of the election shall be certified to the court of quarter sessions having jurisdiction of the proceedings

The fifth section was read as follows:

Section 5 The cost of all proceedings thus far shall be paid as follows The costs for printing upon the ballot the question of annexation and any costs for holding such election shall be paid by the county or counties pro rata

Should the result of the election be favorable the city to which such annexation is being made shall pay all costs except what the county is required to pay

Should the result of said election be unfavorable the city borough or township asking to be annexed shall pay all costs except what the county is required to pay

In the case of a part of a township except by prior agreement with the supervisors of the townships the petitioners shall pay all costs except what the county is required to pay

On the question,

Will the House agree to the section?

Mr. HASLETT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 5, page 4, line 2, by striking out the word "city"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixth section was read as follows:

Section 6 If both the territory desiring annexation and the city to which annexation is proposed vote favorably upon said result being determined by the court from the return of the election boards the court shall direct notices thereof to be given by advertisement or otherwise as the court may deem proper and shall enter a decree nisi that such annexation shall be made on the first Monday of January following said election

If no exceptions are filed prior to the first Monday of January following said election the city to which the annexation is being made shall pay the cost of record and cost of advertising as provided in this section

Any person or persons residing within either district to said annexation by filing exceptions thereto provided may object to said annexation by filing exceptions thereto provided that such person or persons shall file with such exceptions a bond sufficient for the payment of all costs that may accure in any investigation and determination pertaining to the rights of such parties and to include all costs accuring because of any such contest by reason of such exceptions until the question is finally determined by the courts

The final decree of annexation shall be entered on the first Monday of January after such election on the question of annexation and the decree so entered may in the discretion of the court be subject to the rights of any objecting parties

On the question,

Will the House agree to the section?

Mr. HASLETT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 6, page 4, line 21, by striking out the entire line.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventh section was read and agreed to as follows:

Section 7 Any territory annexed to a city of a third class under the provisions of this act may be added to an adjacent ward or to adjacent wards or may be created into a new ward or wards as the court having jurisdiction over such annexation may determine In the case of the creation of new wards the court shall appoint the election officers and name the place or places of holding the first election of said officers the said officers so appointed shall hold their respective offices until their successors elected at the next ship or part of a township annexed to a contiguous city of succeeding municipal election are qualified

The eighth section was read as follows:

Section 8 All the indebtedness of each city borough townthe third class under the provisions of this act as well as the indebtedness of the city to which the same are annexed shall be paid by the city as enlarged by such annexation and all territory included within the limits of the same shall be liable for the payment of the floating and bonded indebtedness and the interest thereon of all the territory included within such enlarged city All taxes hereafter levied therefore shall be uniform throughout the territory limits of the enlarged city

In the case of the annexation of a part of a township the court having jurisdiction of the annexation proceedings shall determine and decree the proportions of the debt of such township to be paid by the enlarged city and the remaining part of the townships and the part of the property and assets of such township to pass to the enlarged city and the part to remain in the township either upon a hearing before said court of the parties interested or by means of a board of commissioners to be appointed by said court The debt herein referred to has reference to the municipal debt or assets and has no reference to the school debt or assets which is governed in cases of annexation by the school code

On the question,

Will the House agree to the section?

Mr. HASLETT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 8, page 5, line 19, by striking out the word "city"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The ninth and tenth sections were separately read and agreed to as follows:

Section 9 When an election is held on the question of annexation under the provisions of this act and the same shall be determined against suc hannexation the question of such annexation shall not again be voted upon for a period of two years from the date of such election

Section 10 The following acts and parts of acts are repealed so far as they relate to annexations to third class cities

The act approved the twenty-eighth day of April one thousand nine hundred and three (Pamphlet Laws three hundred and thirty-two) entitled "An act for the annexation of any city borough township or parts of a township to a contiguous city and providing for the indebtedness of the same"

The act approved the nineteenth day of April one thousand nine hundred and five (Pamphlet Laws two hundred and sixteen) entitled "An Act to amend section one of an act entitled 'An Act for the annexation of any city borough township or part of a township to a contiguous city and providing for the indebtedness of the same approved the twenty-eighth day of April Anno Domini one thousand nine hundred and three providing for percentage of petitioners"

The act approved the tenth day of May one thousand nine hundred and nine (Pamphlet Laws five hundred and one) entitled "An Act to amend section six of an act entitled 'An Act for the annexation of any city borough township or part of a township to a contiguous city and providing for the indebtedness of the same' approved April twenty-eight one thousand nine hundred and three"

The act approved the sixth day of May one thousand nine hundred and fifteen (Pamphlet Laws two hundred and seventy-two) entitled "A supplement to an act approved the twenty-eighth day of April one thousand nine hundred and three entitled 'An Act for the annexation of any city borough township or part of a township to a contiguous city and providing for the indebtedness of the same' by providing that any city heretofore or hereafter enlarged by any annexation under the terms of said act shall be liable for and shall pay the indebtedness of such city and the territory so annexed and providing for the levying of a uniform tax upon all the territory included within such city as enlarged by such annexation for the payment of all such indebtedness"

The following acts and parts of acts are repealed absolutely

Article three of the act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and sixty-eight) entitled "An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto"

The act approved the third day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred and forty-three) entitled "An Act to amend sections one three and five of article three of an act entitled 'An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto' approved the twenty-seventh day of June Anno Domini one thousand nine hundred thirteen"

The act approved the sixth day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and fifty-one) entitled "An Act to amend section one of article three of an act approved the twenty-seventh day of June one thousand nine hundred and thirteen entitled 'An Act providing for the incorporation regulation and government of cities of the third calss regulating nomination and election of municipal officers therein and repealing concolidating and extending existing laws in relation thereto'"

Sections two three and four of the act approved the twenty-seventh day of May one thousand nine hundred and nineteen (Pamphlet Laws three hundred and ten) entitled "An Act to amend and revise an act entitled 'An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto' approved the twenty-seventh day of June Anno Domini one thousand nine hundred and thirteen enlarging changing modifying and defining certain of the powers of cities of the third class"

All other acts and parts of acts inconsistent with this act are repealed

The title was read as follows:

An Act providing a method of annexation of cities boroughs townships or parts of townships to cities of the third class regulating the proceedings pertaining thereto and repealing inconsistent legislation

On the question,

Will the House agree to the title?

Mr. HASLETT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Title, page 1, line 1, by striking out the word "cities".

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1342, entitled:

An Act to restrain and regulate the manufacture furnishing and traffice in alcoholic beverages made from malt or grain or any grain porducts by the usual methods of brewing fermentation or fortification by which malt and breded liquors or beverages are or can be made relicense fees and penalties providing for inspectors inquiring and authorizing license therefor and prescribing spection and making an appropriation

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth and twentieth sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That (a) the word "person" as used in this act shall mean and include persons associations partnerships and corporations for whatever purpose organized (b) the word "beverage" shall mean and include any liquor containing any percentage of alcohol by volume (c) the phrase "intoxicating beverage" shall mean and include anything found and determined from time to time to be intoxicating by Acts of Congress passed pursuant to and in the enforcementment of the Constitution of the United States of America (d) the phrase "non-intoxicating beverage" shall mean and include anything fit for beverage purposes other than such as are from time to time determined and found to be intoxicating by Act of Congress passed pursuant to and in the enforcemtn of the Constitution of the United State of Aerica (e) the words "Federal permit" shall mean and include a permit issued under authority granted by Act of Songress passed pursuant to and in the en forcement of the Constitution of the United States of America

Section 2 It shall be unlawful for any person in any place to manufacture any beverage from malt or grain or any grain products by the usual methods of brewing fermentation or fortification by which malt and brewed liquors or beverages are or can be made or to sell or distribute the same at wholesale from any place except a license therefor shall have been previously obtained as hereinafter provided

Section 3 It shall be unlawful for any person to pack store pour or place such beverages or liquid used in the manufacture thereof in any bottle barrel keg jug or any commercial package or container within any factory so licensed or to withdraw any such beverage from the factory wherein it is manufactured and which is so licensed or to dispose of the same until the alcoholic content thereof shall have been reduced to such a percentage that said liquid is a nonintoxicating beverage and it shall be unlawful for any person to remove any such beverage or liquid used in the manufacture thereof from any vat or other container in which the same was fermented except for the purpose of immediate dealcholizing and then only through pipes or conduits containing no other opening than the connection with or opening through which the same is removed from such vat or container and the connection with or opening into the dealcholizing machinery into which the same is removed Provided the same may be removed from such vat or container in which fermented in small quantities in other than commercial packages or containers for laboratory uses or manufacuring purposes within the factory but at no time shall such quantity so withdrawn and unused exceed one gallon The alcohol removed from such beverage during the process of manufacture and before the same is placed in any bottle barrel keg jug or other commercial container may be saved and when so saved shall be subject to law the same as in the case of any other alcoholic liquor

It is hereby declared to be the legislative intent of this section that every such beverage must be dealcholized to that percentage of alcohol by volume that it is a nonintoxicating beverage upon and within the factory or place yhere it is manufactured and which is licensed and before it is placed in any bottle barrel keg jug or any commercial package or container

Section 4 It shall be unlawful for any person except the licensed manufacturer thereof or a licensed wholesaler or distributor to sell offer for sale barter furnish transport or deliver within or import into or export out of this Commonwealth any beverage for the manufacture of which a license is required under this act in quantities greater than twelve-pint bottles

Section 5 It shall be unlawful for any such licensee to allow any beverage for the manufacture of which a license is required under this act to be drunk on the premises where manufactured or in any place provided by such licensee has any financial interest

The Governor is hereby authorized to appoint and fix the salaries of State Inspectors of Cereal Beverages who in addition to such salary shall receive necessary expenses and shall inspect at the factory or plant or other distributing point all beverages manufactured and sold or distributed under the provisions of this act for which purpose they shall have the right of entry at all times and shall have access to all records liquids containers and other property thereon appertaining thereto Said Inspectors shall not exceed ten in number and shall be attached to and shall be under the supervision of the Department of State Police

Section 6 Every person desiring a license to manufacture or to sell or distribute at wholesale any beverage in any place under the provisions of this act shall present a petition to the Secretary of the Commonwealth requesting the issuance of such a license to petitioner Said petition shall be verified by affidavit of applicant or his duly authorized agent and shall contain the following

(a) The name of the applicant If a partnership the names of all the partners of all thealmoormzingffgutleonu names of all the partners If a corporation the names of all directors officers and stockholders of record as of the date of the petition

(b) The location of each factorv or place where it is proposed to manufacture such beverage or of each store room or place where it is proposed to sell or distribute the same at wholesale

(c) The location of the principal office of the applicant

(d) In the case of an application for a manufacturer's license a statement that applicant holds a valid subsisting Federal permit authorizing applicant to do that for which he requests a license and that a true and correct copy of such permit is attached and made part of such application In the case of an application for a wholesaler's license a statement that applicant desires to sell and distribute at wholesale the product of one or more designated manufacturers giving the same data concerning each of said manufacturers as is provided for under part (a) of this section and that each of said manufacturers holds a valid subsisting Federal permit authorizing him her them or it to manufacture the beverage for the sale of which applicant requests a license and that a true and correct copy of each of such permits is attached and made part of such application Provided That the licensed manufacturer shall not be required to take out a wholesale license to sell his own product at wholesale from the place of manufacture

If said petition be in proper form and a certified copy of a valid subsisting Federal permit authorizing applicant to do that for which he requests a license or authorizing the manufacturer or manufacturers whose product applicant desires to sell at wholesale to manufacturer the same as the case may be is thereto attached and said applicant or his principal has not been disqualified under any of the provisions of this act the Secretary of the Commonwealth shall upon the payment by the applicant for a license to manufacture of a fee of five hundred dollars ($500.00) and by the applicant for a license to sell or distribute at wholesale of a fee of two hundred dollars ($200.00) into the State Treasury for each place for which a license is requested issue a license to said applicant for the term hereinafter provided authorizing the said license to manufacture or sell and distribute at wholesale as the case may be within any place therein described beverage from malt or grain or any gain poduct by the usual method of brewing fermentation or fortification by which malt and brewed liquors or beverages are made subject to all the terms and conditions of this act Every license to sell and distribute at wholesale shall include the name and location of the principal office of the manufacturer or manufacturers whose product licensee is authorized to sell and all sales made thereunder shall be limited to the product of the manufacturer or manufacturers therein named Provided That such license shall issue for the manufacture of such beverage from said substances by the usual method of brewing fermentation and fortification or any one or two of such methods so that it conforms in that particular with the aforesaid Federal permit

Provided also That any Federal permit authorizing the manufacture of a liquid by the aforesaid method of which develops in said manufacture an intoxicating beverage shall be sufficient upon which to issue a license to manufacture any beverage from said substances by said methods or any of them

Upon the death of any licensee an amended license shall issue in the name of wife husband child executor administrator or other legal representative as the case may be An amended license shall issue in the name of any person acting in a fiduciary capacity to any licensee Provided A petition therefor shall be presented to the Secretary of the Commonwealth setting forth the facts to which there shall be attached a certified copy of a valid subsisting Federal permit authorizing applicant to do that for which he requests such amended license or authorizing the manufacturer whose product is to be sold to manufacturer the same as the case may be

The certified copy of the Federal permit herein required may be obtained by the presentation of the original Federal permit and a correct copy thereof to the Secretary or Deputy Secretary of the Commonwealth who if he find said copy to be a full and correct copy shall certify the same and return the original to the owner

Section 7 Licenses granted under the provisions of this act shall be void upon the conviction of the licensee for any violation of this act or of any law of the United States or of this Commonwealth regulating the traffic in intoxicating liquor

The Secretary of the Commonwealth shall upon notice of any such conviction immediately issue a rule on said licensee to show cause why said license should not be revoked Said rule shall be returnable before the Secretary of the Commonwealth at Harrisburg Pennsylvania on a day named not more than thirty and not less than fifteen days from the date of mailing thereof addressed to the licensee at the address given in said license If said rule be made absolute the said license shall be forthwith delivered to the Secretary of the Commonwealth for cancellation and no license shall issue to said licensee within one year thereafter

Section 8 Any applicant for a license under this act or the holder of any license which has been revoked under the provisions of this act may appeal from the final order of the Secretary of the Commonwealth in refusing said application for license or for transfer thereof or in revoking any license to the Court of Quarter Sessions of the Peace of Dauphin county Provided That said appeal shall be field within twenty days of the filing of said final order

Section 9 A copy of any such license duly certified by the Secretary or the Deputy Secretary of the Commonwealth under the seal of his office shall be admitted in evidence in any action in any Court of this Commonwealth which however may be rebutted by proof of the cancellation thereof as herein provided or by proof of the convictio nof said licensee of violation of this act or of any law of the United States or of this Commonwealth or of any State of the United States regulating the traffic in intoxicating liquor

Section 10 All beverages produced under the provisions of this act shall before removal from the factory where produced be so treated that they shall be non-intoxicating beverages and be marketed in sterile closed containers or in such other manner that they will at all times remain non-intoxicating beverages and it shall be unlawful for any person to sell or offer for sale in any quantity in any place with or without a license any beverage made from malt or grain or any grain products by the usual methods of brewing fermentation or fortification by which malt and brewed liquors or beverages are or can be made unless the same shall be sold or offered for sale in the original bottle keg or barrel of the manufacturer which bears the original label of and the full name and address of the manufacturer thereof on the side and upon the cap or cork of such bottle and on the end of such keg or barrel

Section 11 Proof that any such beverage found outside of the factory designated in such license is an intoxicating beverage shall be prima facie evidence that the same was withdrawn removed sold and furnished in violation of this act

In any action brought under te penal provisions of this act the reasonable expense incident to the chemical analysis of any such beverage shall be taxed and paid as costs in the case

Section 12 Any premises for which a license is granted under the provisions of this act shall be subject at all times to inspection by authority of any judge of the Court of Common Pleas or of the district attorney of the county or of the mayor or burgess of the city in which located or of the Superintendent Assistant Superintendent or a Captain of the State Police Force or State Inspector of Cereal Beverages for the purpose of ascertaining whether the provisions of this act are being complied with and any knowledge obtained thereby may be used as evidence in any prosecution for violation of this act

Section 13 Nothing in this act shall apply to or effect the manufacture of non-intoxicating beverages in one's bona fide private dwelling while the same is occupied and used by him as his dwelling only provided such beverages are for use only for the personal consumption of the owner thereof and his family and of his bona fide guests when entertained by him therein

Nothing in this act shall apply to or affect the manufacture or disposal of non-intoxicating cider or fruit juices

Section 14 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than five thousand dollars ($5,000.00) or undergo an imprisonment of not more than three years or both at the discretion of the court

Section 15 A count or counts charging violation of any of the provisions of this act may be joined with any counts charging violation of any Act of Assembly regulating the traffic in intoxicating liquor

Section 16 Nothing in this act shall affect any case in which it shall appear that the crime therein charged was committed prior to the date of the approval hereof but such offenders may be prosecuted and punished as if this act had not been passed under and in accordance with laws then in force and for such purpose such laws are hereby specifically saved from repeal

Section 17 If any false statement is wilfully made in any part of the aforesaid petition the party making affidavit thereto shall be deemed guilty of the crime ofperjury and upon conviction thereof shall be subject to its penalty

Section 18 In case of a sale or furnishing of intoxicating beverages where the delivery thereof was made by a common or other carrier (whether the same be an interstate shipment or an intra-state shipment) the sale and furnishing and delivery shall be deemed to be made in the county wherein the delivery was made by such carrier to the consignee his agent or employee or in the county wherein the sale was made or for which the shipment was made and prosecution fo rsuch sale or furnishing or delivery may be had in any such county A prosecution in one county may be pleaded in bar of a prosecution in another county for the same offense The court in the county first securing jurisdiction shall proceed to final disposition of the action

Section 19 If any provisions of this act shall be held by any court to be unconstitutional such judgment shall not affect any other section or provision of the same It is hereby declared as a legislative intent that this act would have been passed had such unconstitutional provisions not been included therein

Section 20 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

The title was read as follows:

An Act to restrain and regulate the manufacture furnishing and traffic in alcoholic beverages made from malt or grain or any grain products by the usual methods of brewing fermentation or fortification by which malt and brewed liquors or beverages are or can be made equiing and authorizing licenses theefor and prescribing license fees and penalties poviding for inspectors inspection and making an appropriation

On the question,

Will the House agree to the title?

Mr. LUDLOW. Mr. SPEAKER, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, line 9, by inserting after the word "inspectors" the following "and"

Amend title, line 9, by striking out the words "and making an appropriation".

On the question,

Will the House agree to the amendments?

The were agreed to,

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

All such licenses shall expire on the thirty-first day of December of the year issued unless sooner revoked for cause provided that the fee for said license when issued on or after the first day of June shall be one-half of the amount hereinbefore named

Provided however That no license shall be issued to any person nor for the sale of the product of any manufacturer who within one year prior to the application thereof or issuance thereof shall have been convicted of the violation of this act or of any law of the United States regulating the traffic in intoxicating liquor

Where licensee desires to obtain a license to operate more than one factory or more than one wholesale store his petition shall specify the number and the location of each and the license fee as above provided shall be paid for each and a separate license shall issue for which license shall be framed and exposed to view in each of said factories or

Said license shall be in writing dated when issued signed by the Secretary of the Commonwealth or his deputy under the seal of his office It shall designate the place or places and the purpose for which licensed If the licensee is an individual it shall contain his or her name and address if a partnership the names and addresses of all the partners if a corporation the names and addresses of the president and secretary and the location of its principal office if a wholesaler's license it shall designate the product authorized to be sold including the manufacturer thereof

Each license shall be given a number and shall be designated as "Penna Cereal Beverage License No—" to be followed by the year of issue

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1327, entitled:

An Act to restrain and regulate the manufacture sale and furnishing of intoxicating liquors for medical scientific commercial or other non-beverage use requiring and authorizing licenses therefor and prescribing license fees and penalties defining intoxicating liquor and repealing existing alcoholic liquor laws and alcoholic liquor license laws

The first and second sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That (a) the phrase "intoxicating liquor" as used in this act shall mean and include anything found and determined from time to time to be intoxicating by Act of Congress passed pursuant to and in the enforcement of the Constitution of the United States of America (b) the word "person" shall mean and include natural persons associations partnerships and corporations for whatever purpose organized (c) the words "Federal permit" shall mean and include a permit issued authority granted by Act of Congress passed pursuant to and in the enforcement of the Constitution of the United States of America

Section 2 It shall be unlawful for any person in any place to manufacture sell or furnish intoxicating liquor for medical scientific or commercial or other non-beverage use except a license therefor shall have been previously obtained as hereinafter provided

This act however shall not apply to (a) denatured alcohol or denatured rum (b) patent and proprietary medicines that are unfit for use for beverage purposes (c) toilet medicinal and antiseptic preparations and solutions that are unfit for use for beverage purposes (d) flavoring extracts and syrups that are unfit for use as a beverage or for intoxicating beverage purposes (e) vinegar and preserved sweet cider (f) medicinal preparations manufactured in accordance with formulas prescribed by the United States Pharmacopoeia National Formulary or the American Institute of Homeopathy that are unfit for use for beverage purposes (g) wine for sacramental purposes or like religious rites

The third section was read as follows:

Section 3 No duly registered pharmacist shall be required to obtain a license under the provisions of this act but he shall not sell intoxicating liquors except upon the written prescription of a duly licensed physician or surgeon

Provided That no intoxicating liquor shall be sold or furnished to any person more than once on any one prescription of a physician or surgeon And provided That only spirituous and vinous liquor may be prescribed sold or possessed for medicinal purposes and no physician shall prescribe nor shall any person sell or furnish on any prescription any vinous liquor that contains more than twenty-four per centum of alcohol by volume nor shall any one prescribe or sell or furnish on any prescription more than one-fourth of one gallon of vinous liquor or any such vinous or spirituous liquor that contains separately or in the aggregate more than one-half pint of alcohol for use by any person within any period of ten (10) days But this provision is not to be construed to limit the sale of any article designated under the subheads (a) (b) (c) (d) (e) (f) and (g) of the proviso of section two of this act

On the question,

Will the House agree to the section?

Mr. VICKERMAN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 3, page 2, line 28, by striking out beginning with the word "and" and ending page 3, line 2, with the word "surgeon"

On the question,

Will the House agree to the amendments?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth sections were separately read and agreed to as follows:

Section 4 Every person desiring a license to sell manufacture or furnish intoxicating liquor for medicinal scientific or commercial purposes as required in this act shall present a petition to the Secretary of the Commonwealth requesting the issuance of such license to petitioner Said petition shall be verified by affidavit of applicant or his duly authorized agent and shall contain the following

(a) The name of the applicant If a partnership the names of all the partners If a corporation the names of all directors officers and stockholders of record as of the date of the petition

(b) The location of each factory or place where it is proposed to manufacture or sell such beverage

(c) The location of the principal office of the applicant

(d) A statement that applicant holds a valid subsisting Federal permit authorizing applicant to do that for which he requests a license and that a true and correct copy of such permit is attached and made part of such application

If said petition be in proper form and a certified copy of a valid substituting Federal permit authorizing applicant to do that for which he requests a license is thereto attached and said applicant has not been disqualified under any of the provisions of this act the Secretary of the Commonwealth shall upon the payment by the applicant into the State Treasury of the fee as hereinafter provided et cetera for each place for which a license is requested issue a license to said applicant for the term hereinafter provided authorizing the said licensee to manufacture sell or furnish intoxicating liquor for medical scientific or commercial or other non-beverage use as the case may be said license conforming with the purpose expressed in said petition and Federal permit

All such licenses shall expire on the thirty-first day of December of the year issued unless sooner revoked for cause provided that the fee for said license when issued on or after June 1 shall be one-half of the amount hereinafter named

Provided however That no license shall be issued to any person who within one year prior to the application therefor or issuance thereof shall have been convicted of the violation of this act or of any law of the United States or of this Commonwealth regulating the traffic in intoxicating liquor

Where licensee desires to obtain a license to operate more than one factory store or other place of business his petition shall specify the number and the location of each and the license fee as above provided shall be paid for each and a separate license shall issue for each which license shall shall be framed and exposed to view in each of said factories stores or other places of business Provided That in the case of a person who conducts a place for the sale at wholesale of a product manufactured by said person and for which either a manufacturer's license or a wholesale license is required under this act one license fee only need be paid and the license granted therefor shall specify both the place of manufacture and the place of sale

Said license shall be in writing dated when issued signed by the Secretary of the Commonwealth or his deputy under the seal of his office It shall designate the place or places and the purpose for which licensed If the licensee is an individual it shall contain his or her name and address if a partnership the names and addresses of all the parties if a corporation the names and address of the president and secretary and the location of its principal office

Upon the death of any licensee an amended license shall issue in the name of wife husband child executor administrator or other legal representatives as the case may be An amended license shall issue in the name of any person acting in a fiduciary capacity to any licensee Provided A petition therefor shall be presented to the Secretary of the Commonwealth setting forth the facts to which there shall be attached a certified copy of a valid subsisting Federal permit authorizing applicant to do that for which he requests such amended license

The certified copy of the Federal permit herein required may be obtained by the presentation of the original Federal permit and a correct copy thereof to the Secretary or Deputy Secretary of the Commonwealth who if he find said copy to be a full and correct copy shall certify the same and return the original copy to the owner

Section 5 The fee to be paid into the State Treasury before the issuance of a license as hereinbefore provided shall be as follows Bottlers for each separate store agency or place of bottling shall pay an annual license in all cities the sum of three hundred dollars ($300.00) in all boroughs the sum of two hundred dollars ($200.00) and in all townships the sum of one hundred dollars ($100.00) All wholesale dealers distillers rectifiers compounders storekeepers and agents having stores or offices within this Commonwealth and all other applicants for a license as hereinbefore shall pay for each separate store distillery rectifying or compounding establishment or agency or other place of business an annual license in cities of the first and second classes the sum of one thousand dollars ($1,000) and in cities of the third class the sum of five hundred dollars ($500.00) in all other cities the sum of three hundred dollars ($300.00) in boroughs the sum of two hundred dollars ($200.00) and in townships the sum of one hundred dollars ($100.00) All of such sums shall be paid into the State Treasury for the use of the Commonwealth Provided That it shall not be required of any wholesale dealer distiller rectifier compounder storekeeper or agent licensed under this act to pay a bottler's license fee nor obtain a bottler's license to bottle upon the premises so licensed any product which he is entitled to sell under his wholesaler's dealer's distiller's rectifier's compounder's storekeeper's or agent's license

Section 6 Licenses granted under the provision of this act shall be void upon the conviction of the licensee for any violation of this act or of any law of the United States or of this Commonwealth regulating the traffic in intoxicating liquor

The Secretary of the Commonwealth shall upon notice of any such conviction immediately issue a rule on said licensee to show cause why said license should not be revoked Said rule shall be returnable before the Secretary of the Commonwealth at Harrisburg Pennsylvania on a day named not more than thirty and not less than fifteen days from the date of mailing thereof addressed to licensee at the address given in said license If said rule be made absolute the said license shall be forthwith delivered to the Secretary of the Commonwealth for cancellation and no license shall issue to said licensee within one year thereafter

Section 7 Any applicant for a license under this act or the holder of any license which has been revoked under the provisions of this act may appeal from the final order of the Secretary of the Commonwealth in refusing said application for license or for transfer thereof or in revoking any said license to the Court of Quarter Sessions of the Peace of Dauphin county Provided That said appeal shall be filed within twenty days of the filing of said final order

Section 8 A copy of any such license duly certified by the Secretary or the Deputy Secretary of the Commonwealth under the seal of his office shall be admitted in evidence in any action in any Court of this Commonwealth which however may be rebutted by proof of the cancellation thereof as herein above provided or by proof of the conviction of said licensee of violation of this act or of any law of the United States or of this Commonwealth regulating the traffic in intoxicating liquor

Section 9 All intoxicating liquor manufactured sold or furnished under the provisions of this act shall be labeled as follows

Name of manufacturer
(2) Date of manufacture
(3) Kind and quality of contents

Section 10 If any false statement is wilfully made in any part of the aforesaid petition the party making affidavit thereto shall be deemed guilty of the crime of perjury and upon conviction shall be subject to its penalty

Section 11 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) nor more than five thousand dollars ($5,000.00) or undergo an imprisonment of not more than three (3) years or both at the discretion of the court

Section 12 A count or counts charging violation of any of the provisions of this act may be joined with any counts charging violation of any Act of Assembly regulating the traffic in intoxicating liquor

Section 13 Nothing in this act shall affect any case in which it shall appear that the crime therein charged was committed prior to the date of the approval hereof but such offenders may be prosecuted and punished as if this act had not been passed under and in accordance with laws then in force and for such purpose such laws are hereby specifically saved from repeal

Section 14 In case of an unlawful sale or furnishing of intoxicating liquor where the delivery thereof was made by a common or other carrier (whether the same be an interstate shipment or an intra-state shipment) the sale and furnishing and delivery shall be deemed to be made in the county wherein the delivery was made by such carrier to the consignee his agent or employe or in the county wherein the sale was made or from which the shipment was made and prosecution for such sale or furnishing or delivery may be had in any such county

Section 15 If any provision of this act shall be held by any court to be unconstitutional such judgment shall not affect any other section or provision of the same It is hereby declared as a legislative intent that this act would have been passed had such unconstitutional provision not been included therein

The sixteenth section was read as follows:

Section 16 The following acts and parts of acts namely the act approved the ninth day of June one thousand eight hundred ninety-one (Pamphlet Laws two hundred fifty-seven) entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof by wholesale the act approved the twentieth day of June one thousand eight hundred ninety-three (Pamphlet Laws four hundred seventy-four) entitled

"An Act authorizing distillers of spirituous or vinous liquors to sell such liquors of their own manufacture in original packages of not less than forty gallons without being required to take out a license as is now required by existing laws" the act approved the twenty-first day of June one thousand eight hundred ninety-seven (Pamphlet Laws one hundred seventy-six) entitled "An Act providing that the manufactures who shall pay a certain sum annually into the Treasury of the Commonwealth shall sell only malt or brewed liquors of their own manufacture to dealers only who have been licensed by the court" the act approved the thirtieth day of July one thousand eight hundred ninety-seven (Pamphlet Laws four hundred sixty-four) entitled "An Act to provide revenue and regulate the sale of malt brewed vinous and spiritous liquors or any admixture thereof by requiring and authorizing licenses to be taken out by brewers distillers wholesalers bottlers rectifiers compounders storekeepers and agents having a store office or place of business within this Commonwealth prescribing the amount of license fees to be paid in such cases and by imposing an additional license fee on retail dealers in intoxicating liquors" the act approved the twenty-first day of July one thousand nine hundred nineteen (Pamphlet Laws one thousand sixty-nine) entitled "An Act to provide for the manufacture or distillation and sale of ethyl alcohol for medicinal scientific mechanical commercial and other lawful purposes and the issuance of licenses therefor and providing a penalty for violation of the provisions hereof" the act approved the eleventh day of May one thousand nine hundred and one (Pamphlet Laws one sixty-two) entitled "A Supplement to an act entitled 'An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof" approved the thirteenth day of May Anno Domini one thousand eight hundred and eighty-seven" be and the same are hereby repealed

All other acts and parts of acts inconsistent with this act be and the same hereby repealed The repeal of any such act shall not operate to revive any act general local or special heretofore repealed or superseded

On the question,

Will the House agree to the section?

Mr. VICKERMAN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 16, page 12, line 4, by inserting after the word "same" the word "are".

On the question,

Will the House agree to the amendment.

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to restrain and regulate the manufacture sale and furnishing of intoxicating liquors for medicinal scientific commercial or other non-beverage use requiring and authorizing licenses therefor and prescribing license fees and penalties defining intoxicating liquor and repealing existing alcoholic liquor laws and alcoholic liquor license laws

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1361, as follows:

An Act to prohibit the bribery of agents employees or servants and the giving or use of false documents with intent to deceive a principal employer or master to regulate evidence in such proceedings to provide for the attendance and testimony of witnesses production of documents and prosecution for perjury committed in so testifying to provide immunity for certain witnesses penalties for violation of this act and for other purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person corporation partnership or other organization to offer or give to any agent employe or servant of another or to a member of his family or to anyone for his use or benefit directly or indirectly any commission money property or other valuable thing without the knowledge and consent of the principal employer or master as an inducement a bribe or reward for doing or omitting to do any act or for showing or forbearing to show any favor or disfavor by such agent employe or servant in relation to the affairs or business of his principal employer or master or for any agent employe or servant to solicit accept receive or take directly or indirectly any commission money property or other valuable thing as an inducement a bribe or reward for doing or omitting to do any act or for showing any favor or disfavor in relation to the affairs or business of his principal employer or master Provided however That the foregoing shall not apply to transactions between a principal employer or master and his agent employe or servant

Section 2 That it shall be unlawful for any person corporation partnership or other organization to use or to give to an agent employe or servant of another or for any agent employee or servant to use approve or certify with intent to deceive the principal employer or master any receipt account invoice or other document in respect of which the principal employer or master is interested which contains any statement which is false erroneous or defective in any material particular or which omits to state fully the fact of any commission money property or other valuable thing having been given or agreed to be given to such agent employe or servant

Section 3 That evidence shall not be admissible in any proceeding or prosecution under this act to show that a gift or acceptance of any commission money property or other valuable thing as is mentioned in this act is customary in any business trade or calling nor shall the customary nature of such transactions be any defense in any such proceeding or prosecution

Section 4 That in any proceeding or prosecution under this act no person shall be excused from attending and testifying or from producing documentary evidence in obedience to the subpoena of the court on the ground or for the reason that the testimony or evidence documentary or otherwise required of him may tend to criminate him or subject him to a penalty or forfeiture But no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction matter or thing concerning which he may testify or produce evidence documentary or otherwise in obedience to the subpoena Provided that no natural person so testifying shall be exempt from prosecution and punishment for perjury committed in so testifying

Section 5 That any person having committed an offense within the purview of this act who shall be the first to report the facts under oath to any State's Attorney and who shall give evidence tending to the conviction of any other person charged with an offense under this act shall be granted full immunity from prosecution under this act with respect to the offense reported

Section 6 That whoever violates any of the provisions of this act shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not more than five hundred dollars ($500) or by imprisonment for a period of not more than one year or by both such fine and imprisonment in the discretion of the court If a corporation partnership or other organization is guilty of a violation hereof the person or persons through whom the corporation partnership or other organization acts shall also be deemed guilty and punished as aforesaid

Section 7 That if any provision of this act shall for any reason be adjudged to be invalid such judgment shall not affect impair or invalidate the remainder of the act and that this act shall take effect immediately

Section 8 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1324, entitled:

An Act to amend an act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred and forty-six) entitled "An Act regulating requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving-picture machines regulating requiring and defining certain general specifications for the use and construction of portable booths or enclosures for operating therein moving-picture machines and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania and providing that the provisions thereof shall not apply to cities of the first and second classes" as amended

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred and forty-six) entitled "An act regulating requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving-picture machines regulating requiring and defining certain general specifications for the use and construction of portable booths or enclosures for operating therein moving-picture machines and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania and providing that the provisions thereof shall not apply to cities of the first and second classes" which was amended by an act approved the tenth day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred and sixty-three) entitled "An Act to amend an act approved May first one thousand nine hundred and nine entitled 'An Act regulating requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving-picture machines and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes' providing for the promulgation of rulings by the Industrial Board of the Department of Labor and Industry and providing for appeal to the said Industrial Board and providing for the supervision and inspection of the said booths or enclosures by the Department of Labor and Industry of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes" is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all theatres motion-picture theatres and opera houses other than those situated in cities of the first and second classes where motion-pictures are usually or regularly projected or where a motion-picture projector is regularly housed and held in readiness for the purpose of projecting motion pictures there shall be provided a permanent projection room of fire-proof construction erected equipped and maintained in accordance with rules and regulations to be drafted by the Department of Labor and Industry in the manner now prescribed by law for the drafting of such rules and regulations and all motion-pictures projectors and stereopticans operated or used in connection therewith shall be installed maintained and kept within the said projection room at all times and all films projected stored held or used in connection therewith shall be stored and kept within the said projection room or rewinding room if there be one at all times and in such manner as shall be set forth in the aforesaid rules and regulations

On the question,

Will the House agree to the section?

Mr. KUNKLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 1, page 2, line 11 by inserting after the word "providing" the following: "penalties and for the violation of the provisions thereof: and providing"

Amend Sec. 1, page 2, line 20 by inserting after the word "machines" the following: "regulating, requiring, and defining certain general specification for the use and construction or portable booths or enclosures for operation therein moving-picture machines"

Amend Sec. 1, page 3, lines 7, 8, 9, 10 by striking out the words "by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same," and inserting in lieu thereof "&c"

Amend Sec. 1, page 5, line 28 by striking out the words "angle-iron or tee-iron" and inserting in lieu thereof "angle-irons or tee-irons"

Amend Sec. 1, page 6, line 4 by striking out the word "crack" and inserting in lieu thereof the word "cracks"

Amend Sec. 1, page 6, line 21 by striking out the word "Such" and inserting in lieu thereof the word "That such"

Amend Sec. 1, page 8, line 9 by inserting after the word "magazine" the words "of the machine"

Amend Sec. 1, page 8, line 14 by striking out the word "such" and inserting in lieu thereof the word "each"

Amend Sec. 1, page 9, line 3 by inserting after the word "through" the following: "the roof of the building or wherever such pipe shall pass through"

Amend Sec. 1, page 9, line 5 by inserting after the word "elbow" the word "pipe"

Amend Sec. 1, page 9, line 13 by inserting after the word "an" the word "air"

Amend Sec. 1, page 11, line 2 by inserting after the word "moving-picture" the word "machines"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 That section two of the said act is hereby further amended to read as follows

Section 2 That in all buildings except those situated in cities of the first and second classes where motion-pictures are projected and where a permanent projection room is not required by section one of this act and where the installation of a motion-picture projector is temporary or transient there shall be provided a portable enclosure of fireproof material erected equipped and maintained in accordance with rules and regulations to be drafted by the Department of Labor and Industry in the manner now prescribed by law for the drafting of such rules and regulations

Provided however That portable enclosures shall not be permitted to be used in any theatre motion-picture theatre opera house or public hall in which a permanent projection room has been installed it being the intention of this section that portable enclosures shall be used only for temporary exhibitions of motion-pictures in places of assemblage such as schools churches association halls lodge-rooms or other public halls without permanent projection room And provided That no enclosure shall be required for any motion-picture exhibition in which the apparatus for projecting such motion-pictures uses only an enclosed incandescent lamp and shall have previously been approved by the Department of Labor and Industry for such use And provided That the auditorium in which such motion-pictures are to be projected shall conform to the requirements of laws and rules governing such auditoriums and shall have been approved by the Department of Labor and Industry for such use before any such projection of motion-pictures shall take place

On the question,

Will the House agree to the section?

Mr. KUNKLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 2, page 13, line 23 by inserting after the word "rear" the words "of the booth"

Amend Sec. 2, page 15, line 25 by striking out the word "trap" and inserting in lieu thereof the word "prop"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 That section three of the said act is hereby further amended to read as follows

Section 3 No person shall be permitted to operate a motion-picture projector using a carbon arc light who has not been examined and granted by the Department of Labor and Industry a Projectionist's License authorizing him to operate such projector Rules and regulations necessary to carry out the intent and purpose of this section shall be promulgated by the said department A fee of four dollars shall be paid by each person examined and a fee of three dollars additional paid by each successful candidate to whom a license is issued A fee of two dollars shall be charged for each and every renewal Provided such licenses issued by the Department of Labor and Industry shall upon applying for their next renewal be required to pay the fees required for the first license And provided further That no Projectionist's License shall be issued to any person under the age of eighteen years

Apprentices to projectionists shall be required to obtain a license from the Department of Labor and Industry and a fee of one dollar shall be charged for such Apprentice License and a fee of fifty cents for each and every renewal Provided That such Apprentice License shall be issued for a period of one year And provided further That no person under the age of sixteen years shall be eligible to obtain such Apprentice License

Every person who shall intend to operate a projector of a type approved by the Department of Labor and Industry which uses only an enclosed incandescent lamp and for which no projection room or enclosure is required shall first be examined ad if successful in passing the examination shall be granted a permit good for one year A fee of two dollars shall be paid for the examination and an additional fee of two dollars for a permit issued to a successful candidate A fee of one dollar shall be paid for each and every renewal Provided That no person under eighteen years of age shall be eligible to obtain such permit

The fees provided for in this section shall be paid to the Commissioner of Labor and Industry who shall pay the same into the State Treasury for the use of the Department of Labor and Industry

This section shall become effective on and after the first day of January one thousand nine hundred and twenty-four

On the question,

Will the House agree to the section?

Mr. KUNKLE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 3, page 18, line 26 by striking out the following: "Section 4"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read as follows:

Section 4 Any person who shall believe the rules and regulations provided for in sections one and two of this act will work unnecessary hardship upon him or do not in the best manner provide for the safety and health of projectionists or users of a building as described in the foregoing sections of this act may appeal to the Industrial Board of the Department of Labor and Industry for a hearing on the reasonableness of any rule or regulation The said Industrial Board may after due investigation of the ground for such appeal and not less than one public hearing make such amendments to the said rules and regulations as will best accomplish the intent and purposes of this act Provided That no ruling shall be made which does not in the judgment of the Industrial Board after public hearing and investigation maintain a condition of safety and health for the employes and users of such buildings as herein described as is intended by this act

It shall be the duty of the Commissioner of Labor and Industry by and through the Chief Inspector and authorized inspectors of the Department of Labor and Industry to take such means as may be deemed necessary to enforce the provisions of this act It shall be the duty of the Chief Inspector or authorized inspectors of the Department of Labor and Industry to inspect from time to time all auditoriums projection rooms or enclosures in which motion-picture projectors or stereopticans are operated and should any projector projection room or enclosure be found which does not comply in all respects with the rules and regulations of the Department of Labor and Industry governing such auditoriums projectors projection rooms or enclosures the said inspectors shall immediately order the correction of all existing deficiencies or the discontinuance of the use of such auditorium projector projection room or enclosure The owner agent superintendent person or persons in chage and control of such auditorium projector projection room or enclosure shall correct all such deficiencies or shall discontinue the use of such auditorium projection room or enclosure within ten (10) days after the service of such order or notice by the said inspector

Section 4 That section four of the said act is hereby further amended to read as follows

Section 5 Any person firm association corporation owner agent or superintendent who shall fail to comply with the aforesaid order for the correction of existing deficiencies or for the discontinuance of the use of such auditorium projector projection room or enclosure or who shall violate or ignore any of the provisions of this act or any of the provisions of this act or any of the provisions of the rules and regulations hereinbefore provided for shall upon conviction thereof before an alderman magistrate or justice of the peace be punished by a fine of not less than twenty-five dollars or not more than two hundred dollars or an imprisonment in the county jail for a term of not less than ten days or more than sixty days for each and every such violation

Prosecutions for violations of this act may be instituted by any inspector of the Department of Labor and Industry upon oath or affirmation All prosecutions for violations of this act shall be in the form of summary criminal proceedings instituted before an alderman magistrate or justice of the peace Upon conviction after a hearing the sentences provided for in this act shall be imposed

On the question,

Will the House agree to the section?

Mr. KUNKLE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 4, page 20, line 22 by striking out the figure "5" and inserting in lieu thereof the figure "4"

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The fifth section was read as follows:

Section 5 That section five of the said act is hereby further amended to read as follows
Section 6 All fines imposed and collected for any violation of this act shall be forwarded to the Commissioner of Labor and Industry who shall pay the same into the office of the State Treasurer for the use of the Commonwealth

On the question,
Will the House agree to the section?
Mr. KUNKLE. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend sec. 5, page 21, line 18, by striking out the figure "6" and inserting the figure "5."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The seventh section was read as follows:

Section 7 All acts or parts of act inconsistent with this act are hereby repealed

On the question,
Will the House agree to the section?
Mr. KUNKLE. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend sec. 7, page 21, line 23, by striking out the figure "7" and inserting in lieu thereof the figure "6."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The title was read as follows:

An Act to amend an act approved the first day of May, one thousand nine hundred and nine (Pamphlet Laws three hundred and forty-six) entitled, "An act regulating, requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving-picture machines; regulating, requiring and defining certain general specifications for the use and construction of portable booths or enclosures for operating therein moving-picture machines; and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania; and providing that the provisions thereof shall not apply to cities of the first and second classes," as amended.

On the question,
Will the House agree to the title?
Mr. KUNKLE. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend title page 1, line 13 by inserting after the word "Pennsylvania" the following:
"and providing penalties for the violation of the provisions thereof."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time and agreed to as amended.
Ordered. To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 500, as follows:

An Act to amend section two of the act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions" as amended changing the compensation of the registrars

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the fifth day of March one thousand nine hundred and six (Pamphlet Laws sixty-three) entitled "An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right vote in such cities and to provide penalties for violation of its provisions" which was amended by an act approved the twenty-fifth day of May one thousand nine hundred and seven (Pamphlet Laws two hundred and fifty-one) entitled "An act amending sections three seven twelve and thirteen of an act entitled 'An act to provide for the personal registration of electors in cities of the third class of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions' approved the fifth day of March Anno Domini one thousand nine hundred and six increasing the compensation of registrars in said cities and providing for an additional registration day" is hereby further amended to read as follows

Section 2 The names of two suitable persons to be registrars shall be suggested to the county commissioners by petitions duly filed for each precinct or ward by the party representatives of the two leading parties of the precinct or ward the petitions shall be signed by five electors of the district and shall set forth the names addresses occupations and political affiliations of the persons suggested the signers of the petitions shall swear to the truth of the facts set forth therein the petition shall remain on file open to the public inspection at least ten days before the persons named therein shall be appointed except in cases where a vacancy occurs in the office of registrar within ten days of a registration day when the appointment can be made without such delay if no petitions are filed the county commissioners may appoint without regard to party no appointment shall be made unless the person who desires to be appointed personally appears before the county commissioners and satisfies them of his qualifications in case of reappointment however it shall not be necessary for him to appear before them

At least one week's notice of the time and place of the examination of the suggested registrars shall be given by the county commissioners in the daily press and any elector may appear either in person or by counsel and object to the qualification of any applicant if the persons nominated are found not to be properly qualified the county commissioners may decline to appoint them and the party authorities of the precinct or ward may then suggest another name or other names for the said place or places

The registrars shall receive a compensation of ten dollars a day for the time actually spent in the work of registration

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 662, as follows:

An Act to repeal an act approved the twenty-first day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and fifty-nine) entitled "An Act relating to the competency of witnesses and to the rules of evidence in proceedings arising from the exercise of the right of eminent domain"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act approved the twenty-first day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and fifty-nine) entitled "An act relating to the competency of witnesses and to rules of evidence in proceedings arising from the exercise of the right of eminent domain" is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1487 (Senate Bill No. 639), entitled:

An Act to further amend the act approved the twenty seventh day of April one thousand nine hundred and nine (Pamphlet Laws two hundred and fifty-eight) entitled "An act authorizing the employment of stenographers by the district attorneys of certain counties" as amended extending said act to counties of the fourth class and fixing the salaries of said stenographers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 889, (Senate Bill No. 61), entitled:

An Act to carry into effect section eleven of article one of the Constitution of Pennsylvania by designating the manner the courts and the cases in which suits may be brought against the Commonwealth defining the procedure in such cases and providing for the payment of judgments interest and costs by the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1504 (Senate Bill No. 1071), entitled:

An Act to validate deeds and conveyances defectively acknowledged prior to the fourth day of April one thousand nine hundred and one

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1496 (Senate Bill No. 751), entitled:

An Act to amend section two hundred and eighty-six of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1497 (Senate Bill No. 977), entitled:

An Act prohibiting the purchase sale accepting as a pledge or pawn offering for sale stealing or conversion of medals buttons insignias or decorations granted by the Government of the United States for service in the army navy marine or nurses corps

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1502 (Senate Bill No. 1063), entitled:

An Act to amend section seventeen of the act approved June 20, 1919 (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1509 (Senate Bill No. 1077), entitled:

An Act to amend section ten of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) entitled "An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as amended

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in

General Assembly met and it is hereby enacted by the authority of the same That section ten of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) entitled "An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" which was amended by an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and forty-three) entitled "An Act amending section ten of an act entitled 'An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof' approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) by changing the jurisdiction in civil actions" is hereby further amended to read as follows

Section 10 The said court hereby created shall have jurisdiction in all civil actions at law and in equity where the value of the matter or thing in controversy exclusive of interest and costs does not exceed the sum of one thousand five hundred dollars ($1,500) The amount claimed by the plaintiff where the said claim is for a sum certain shall be conclusive as to the jurisdiction of the court in all actions brought for the recovery of money and in actions at law or in equity not involving any sum certain the plaintiff shall file with his statement a certificate as to the amount of the thing or matter in controversy The said court shall also have jurisdiction in any civil case transferred to it by order of a majority of the judges of any court of common pleas of Philadelphia county

The said court shall also have authority with the consent of the Court of Common Pleas upon the application of the plaintiff to transfer to that court all suits wrongfully brought in the municipal court in excess of its jurisdiction and also to transfer to the court of common pleas upon the application of the defendant all suits which may be brought properly in the municipal court within its jurisdiction where the defendant sets up as a defence a counter-claim for an amount in excess of the jurisdiction of the municipal court

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Miss MacKINNEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General for the purpose of a hearing.

Mr. GOSS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1508 (Senate Bill No. 1074), entitled:

An Act to amend section three of an act approved the fifteenth day of April one thousand eight hundred and forty-five (Pamphlet Laws four hundred and fifty-nine) entitled "A supplement to an act entitled 'An act relating to executions' passed the sixteenth day of June Anno Domini one thousand eight hundred and thirty-six" allowing counsel fees to garnishees filing written answers in attachments in executions issued by aldermen or justices of the peace and providing for the payment thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1495 (Senate Bill No. 580), entitled:

An Act to enable city county poor ward school borough and township tax collectors their executors and administrators or their surety or sureties to collect taxes for the payment of which they have become personally liable by the expiration of the authority of their respective bonds or warrants or terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act and authorizing such taxes to be entered as municipal liens and the land on which such taxes were assessed to be sold

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1439 (Senate Bill No. 551), entitled:

An Act to amend section one of the act approved the first day of July, 1919 (P. L. 710), entitled "An Act relating to fires and fire prevention; imposing duties; and conferring powers heretofore exercised by the State Fire Marshall, upon the Department of State Police; authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said department, and defining their powers and duties; providing for the investigation of the cause, origin, and circumstance of fires, and the inspection of all and the removal or change of certain buildings; imposing duties on school authorities, and on certain corporations associations, and fire rating agencies; providing for the attendance of witnesses before the department, and the enforcment of its orders; and prescribing penalties;" fixing the powers of the Department of State Police and cities, boroughs and townships relative to the erection and installation of tanks, pumps, drawing off or measuring devices used in connection with inflammable liquids.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1461 (Senate Bill No. 163), entitled:

An Act relating to the organization maintenance and operation of the Banking Department and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing the Banking Department Act of nineteen hundred and nineteen with table of contents

The table of contents was read and agreed to as follows:

TABLE OF CONTENTS

Section

1 Short Title
2 Definitions
3 Advertisements Notices and Fees
(a) Advertisements
(b) Notices
(c) Fees
4 Banking Department Scope of Supervision Powers Duties
5 Commissioner Deputies and Employees
(a) Commissioner
(b) Deputies

Section
(c) Deputy Acting in Place of Commissionr
(d) Clerks Examiners and Other Employees
(e) Cost of Bonds
(f) Prohibitions
6 Transfer of Powers and Duties to Commissioner
7 Records and Securities to Remain in Custody of Commissioner
8 Rooms of Capitol Furniture
9 Maintenance of Banking Department
(a) Expenses
(b) Assessment of Expenses upon Corporations and Individuals
10 Seal
11 Copies of Documents
(a) Admissibility of contents
(b) Fees
(c) Prima Facie Evidence of Contents
12 Disclosure of Information Forbidden Exceptions
13 Department's Power to Examine and Inspect
14 Examinations
(a) In General
(b) Examinations under Oath
15 Reports to Commissioner
(a) In General
(b) Failure to Make or Publish Reports
16 Commissioner's Report to Governor
17 Failure to Pay in Capital or Exercise Powers
18 Violations of Charter
19 Jurisdiction of Courts
20 Orders by Commissioner
21 Power of Commissioner to Take Possession
22 Certificate of Taking Possession
23 Injunction to Retain Commissioner
24 Special Agents and Assistants
25 Notice to Parties Holding Assets
26 Inventory of Assets
27 Suspension or Continuation of Business
28 Surrender of Possession by Commissioner
29 Status of Commissioner as Receiver
30 Power of Court to Make and Enforce Orders
31 Continuance of Possession Exceptions
32 Recording Certificate Sales
(a) Recording Certificate of Possession or Surrender
(b) Sales of Real and Personal Property
(c) Sales of Real Estate Outside of the County
(d) Sale of Listed Securities
(e) Effect of Sale upon Liens
33 Execution of Deeds and Documents
34 Compromises
35 Actions and Suits
36 Judgments Not to be Liens Stay of Executions
37 Enforcement of Individual Liability of Stockholders
38 Inventory and Appraisement Statement of Liabilities
39 Procedure as to Property in Safe Deposit
40 Trust Funds
(a) Taking Possession by Commissioner
(b) Substituted Fiduciaries
(c) Settlement without Accounting
(d) Jurisdiction of Disputes as to Identity of Trust Fund
(e) Accounting
(f) Deficiencies and Surcharges
41 Notice to Depositors and Creditors
42 Proof of Claims of Creditors
43 Proof of Claims of Depositors
44 Allowance of Claims
45 Partial or Final Objections
46 Distribution
47 Conclusiveness of Confirmation and Distribution
48 Hearing and Decision of Matters in Controversy
49 Expenses to be Paid out of Fund
50 Distribution of Balance Liquidating Trustees
51 Constitutionality of Act
52 Repealer

The first to the fortieth sections, inclusive, were separately read and agreed to as follows:

Section 1 Short Title
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this Act shall be known and may be cited as "The Banking Act 1923"

Section 2 Definitions
Except as otherwise expressly indicated the following words wherever used in this Act shall be taken and construed to have the following meaning

"Commissioner" means the Commissioner of Banking

"Person" means an individual a partnership or an unincorporated association

"Court" means the Court of Common Pleas of the County where the banking house or other place of business of the corporation or person in question is located

"Prothonotary" means the prothonotary of such court

Section 3 Adertisements Notices and Fees
(a) Advertisements Whenever under any of the provisions of this act advertisements is required to be made in a newspaper such advertisement shall unless otherwise provided be made once a week for three weeks in a newspaper of general circulation in the county published in the city borough or township where the banking house or other place of business of the corporation or person in question is located and in first and second class counties in the legal newspaper if any designated by the rule of court for the publication of legal notices If there be no newspaper published in such city borough or township then the advertisement shall be made in a newspaper of general circulation in the county published at the county-seat or if none be there published in the newspaper nearest to said city borough or township within the county If there be no newspaper published in the county then the advertisement shall be made in the newspaper published nearest to such city borough or township in an adjoining county.

(b) Notices Except as otherwise expressly provided all written or printed notices required by this act shall be served either in the manner now or hereafter provided by law for the service of writs of summons save that service need not be made by the sheriff or by mailing such notice by registered mail return receipt requested to any person required to be notified at his last known place of business or residence and to any corporation at its principal office or if a foreign corporation at the office of its duly authorized agent

(c) Fees Whenever under any of the provisions of this act certificates or other documents are required to be filed or recorded in the office of the prothonotary of any court of common pleas or in the office of any public official other than the Commissioner of Banking such prothonotary or other official shall be entitled to receive therefor the same fees as are provided by law for similar services

Section 4 Banking Department Scope of Supervision Powers Duties There shall continue to be separate and distinct department known as the Banking Department charged with the supervision of all the corporations and persons hereinafter described and with the duty of taking care that the laws of this Commonwealth in relation thereto shall be faithfully executed and that the greatest safety to depositors therein or therewith and to other interested persons shall be afforded

The said supervision duties and powers shall extend and apply to the following corporations now or hereafter incorporated under the laws of this State or under the laws of any other state and authorized to transact business in this state namely all such corporations having power to receive and receiving money on deposit or for safe-keeping otherwise than as bailee including all banks banking companies co-operative banking associations trust safe deposit real estate mortgage title insurance guarantee surety and indemnity companies savings institutions savings banks and provident institutions The said supervision duties and powers shall also extend and apply to mutual savings funds building and loan associations and corporations doing a safe-deposit business only

The said supervision duties and powers shall also extend and apply to all national banking associations located in this State now or hereafter incorporated under the laws of the United States which shall in pursuance of Federal law or regulation be granted a permit to act or shall act as trustee executor administrator registrar of stocks and bonds guardian of estates assignee receiver committee of estates of lunatics or in any other fiduciary capacity

The said supervision duties and powers shall also extend and apply to all private or unincorporated banks except such as are or shall be exempted by law and to all such individuals partnerships and unincorporated associations as are or shall be by law made subject to the supervision of said department and to any individuals or associations of individuals doing the business of co-operative banks or of building and loan associations or a business in the nature of either whether under the guise of a deed of trust or otherwise

Section 5 Commissioner Deputies and Employes (a) Commissioner The chief officer of the Banking Department shall continue to be known as the Commissioner of Banking He shall be appointed by the Governor by and with the advice and consent of the Senate and shall hold office for the term of four years and until his successor is duly qualified Within fifteen days from the time of notice of his appointment he shall take and subscribe the oath of office prescribed by the constitution and file the same in the office of the Secretary of the Commonwealth a bond in the penalty of fifty thousand dollars with two or more individual sureties or a corporate surety to be approved by the Governor conditioned for the faithful performance of all his duties He shall receive an annual salary of ten thousand dollars

(b) Deputies The Commissioner shall appoint a first deputy whose salary shall be six thousand five hundred dollars per annum and may appoint a second and a third deputy whose salaries shall be respectively six thousand and five thousand dollars per annum The duties of all such deputies shall be such as may be assigned to them by the Commissioner and each of them shall take subscribe and file the oath of office as herein prescribed for the Commissioner and shall whenever required by the Commissioner give bond in such amount and with such surety as may be prescribed by the Commissioner conditioned for the faithful performance of the duties of such deputy

(c) Deputy Acting in Place of Commissioner Whenever the Commissioner by reason of absence or incapacity is unable to perform the duties of his office or if a vacancy in the office of Commissioner occurs the duties of the Commissioner shall be performed by the deputy next in authority until such disability is removed or the vacancy filled

Any deputy before entering upon the performance of such duties shall give to the Commonwealth a bond in the sum of fifty thousand dollars with two or more individual sureties or a corporate surety to be approved by the Governor conditioned for the faithful performance of such duties while he is acting as Commissioner

(d) Clerks Examiners and other Employees The Commissioner with the approval of the Governor shall employ from time to time such clerks examiners special agents and other employees as he may need to discharge in a proper manner the duties imposed upon him by law They shall perform such duties as the Commissioner shall assign to them and their compensation shall be fixed by him with approval of the Governor Each of such employees shall take subscribe and file the oath of office as herein prescribed for the Commissioner and deputy commissioners Bonds shall be given to the Commonwealth by such of said employees in such amounts and with such surety as may be determined by the Commissioner conditioned for the faithful performance of their duties

(e) Cost of Bonds The cost of all bonds required by this section to be given by the Commissioner the deputy commissioners or any of the clerks examiners or other employees of the Banking Department shall constitute expenses of the department and shall be paid as hereinafter provided for such expenses

(f) Prohibitions Neither the Commissioner nor any of his deputies clerks examiners or other employees shall be interested as officer director trustee manager or stockholder in any corporation subject to the supervision of the Banking Department nor interested in any way in the business of any person subject to such supervision

No examiner shall receive a loan nor shall the Commissioner or any of his deputies clerks examiners or other employees receive a gift directly or indirectly of any sum of money or other valuable thing from any corporation or person to whom this act applies or from any director officer or employee thereof and a violation of this prohibition shall constitute ground for the removal of such Commissioner deputy clerk examiner or other employee

Section 6 Transfer of Powers and Duties to Commissioner All powers rights privileges and duties hertofore by any law of this Commonwealth conferred or imposed upon the Auditor-General or the Secretary of the Commonwealth in relation to any of the corporations or persons which or who under the provisions of this act are subject to the supervisions of the Banking Department are hereby transferred to and conferred and imposed upon the Commissioner so far as the same relate to the supervision of such corporations and persons for the purposes of this act

Section 7 Records and Securities to Remain in Custody of Commissioner All books papers records and securities which were formerly in the office of the Superintendent of Banking and in the office of the Auditor-General relating to the business of corporations and persons subject to the supervision of the Commissioner and which were delivered and transferred to the Commissioner shall be and remain in his charge and custody

Section 8 Rooms at Capitol Furniture There shall be assigned to the Commissioner by the Commissioners of Public Grounds and Buildings a suitable room or rooms at the capitol of the state for conducting the business of the Banking Department and the Commissioner shall from time to time with the approval of the commissioners aforesaid procure the necessary furniture and other proper conveniences for the transacting of the said business the expenses of which shall be paid on the certificate of the Commissioner and the warrant of the Auditor-General out of the funds appropriated to the Commissioners of Public Grounds and Buildings

Section 9 Maintenance of Banking Department (a) Expenses All moneys derived by the Banking Department from fees assessments charges penalties and otherwise shall be paid by the Commissioner into the state treasury for safekeeping and shall by the State Treasurer be placed in a separate fund to be available for the use of the Banking Department upon requisition of the Commissioner All such moneys so paid into the state treasury are hereby specifically appropriated to the Banking Department for the purpose of paying the salaries of the Commissioner the deputy commissioners the examiners and the other employees of the department and the expenses of the department including the rental and furniture of such rooms or quarters as the Commissioner may deem necessary outside of the capitol

The Auditor-General shall upon requisition of the Commissioner from time to time draw warrants upon the State Treasurer for the amounts specified in such requisitions not exceeding however the amount in such fund at the time of the making of any such requisition

(b) Assessment of Expenses upon Corporations and Individuals All the expenses incurred in and about the conduct of the business of the Banking Department including the cost of the regular examinations of corporations and persons under the supervision of the department the compensation of the Commissioner deputy commissioners examiners and other employees of the department (but including the furniture and conveniences mentioned in section eight of this act) together with all other general or overhead expenses of the department shall be charged to and paid by the corporations and persons subject to the supervision of the department in equitable proportions at such times and in such manner as the Commissioner shall by general rule or regulation annually prescribe

Provided however That building and loan associations shall not be examined more than once in each year unless the condition of any building and loan association shall be such that in the opinion of the Commissioner of Banking an additional examination is necessary And provided further that the Commissioner of Banking may upon the request of any building and loan association appoint a certified public accountant to make at the expense of the association the annual examination instead of an examiner of the Banking Department and the Building and loan association making such request shall be entitled to and furnished with a copy of the report of the examination

Provided however That the charge for examination of building and loan associations shall not exceed the sum of fifteen dollars for the first one hundred thousand dollars or fraction thereof of assets of said building and loan association and ten dollars for each additional one hundred thousand dollars or fraction thereof of assets

The expenses incurred in connection with any special examination or investigation of any corporation or person including a proportionate part of the salary of any examiner or other employee of the department engaged in such examination or investigation shall be charged to and paid by such corporation or person

On failure or refusal of any such corporation or person after thirty days' written notice to pay any sum lawfully assessed or charged against it or him by the Commissioner under the provisions of this clause the Commissioner may at his option bring an action at law to recover the same

Section 10 Seal The seal now in use by the Commissioner shall continue to be the seal of the office of the Commissioner of Banking and may be renewed when necessary a description of the seal with the impression thereof and a certificate of approval of the Governor shall remain on file in the office of the Secretary of the Commonwealth

Section 11 Copies of Documents (a) Admissibility of Contents Copies of all books accounts reports and other papers or documents filed in the office of the Banking Department certified under the hand and seal of the Commissioner shall be admitted to be read in evidence in all courts of law and elsewhere in this Commonwealth in all cases where the originals would be admitted in evidence Provided That in any proceeding the court having jurisdiction may on cause shown require the production of the originals

(b) Fees For every copy of any paper filed in the Banking Department and for the certification thereof except when such copy or certification is made for the benefit of a corporation or person subject to the supervision of the department under the provisions of this act the Commissioner may charge such fees as he may by general rule or regulation prescribe

(c) Prima Facie Evidence of Contents In any proceedings under the provisions of this act a copy duly certified by the Commissioner of a duly instituted examination of the corporation or person involved in such proceeding shall be prima facie evidence of the facts therein stated

Section 12 Disclosure of Information Forbidden Exceptions Neither the Commissioner nor any deputy examiner or employee of the Banking Department shall directly or indirectly wilfully exhibit publish divulge or make known to any person or persons any record report statement letter or other matter fact or thing contained in said department or ascertained from any of the same or from any examination made under the provisions of this act excepting in such manner as is expressly authorized by this act and excepting when the production of such information in a proceeding in any court is duly required by subpoena issued by special order of the court or other legal process and any violation of the provisions of this section shall be a misdemeanor upon conviction whereof the person so offending shall be sentenced to pay a fine not exceeding one thousand dollars and shall be dismissed from his employment in said department Provided however That the Commissioner on the written request or consent of any corporation authorized by resolution of its board of directors or on written request or consent of any person under the supervision of the Banking Department may discuss with an advisory committee selected by the Commissioner or selected by such corporation or person and acceptable to the Commissioner such matters relating to the financial condition of such corporation or person as the Commissioner may deem pertinent to the rehabilitation thereof And provided further That the Commissioner may on like request or consent furnish to the Federal Reserve Board or to the Federal Reserve Bank of the district in which the banking house or other place of business of any corporation is located copies of any reports or parts thereof or any information in his possession relating to such corporation for the use of said board or bank

Section 13 Department's Power to Examine and Inspect Every corporation and person included within the supervision of the Banking Department as set forth in section four of this act together with all the property assets and resources of such corporation or person shall be subject to inspection and examination by the Commissioner or his deputies or any qualified examiner of the said department when such examiner is authorized in writing under the official seal of the department by the Commissioner or a deputy commissioner to make such examination and inspection

Section 14 Examinations

(a) In General It shall be the duty of the Commissioner at least once in each year to examine or cause to be examined the books papers and affairs of each and every corporation and persons subject to the supervision of the Banking Department The Commissioner may also at any time make such special investigations or examinations as in his opinion the exigencies of any case may require Whenever he shall deem it necessary or proper he shall assign a qualified examiner or examiners to make any such examination or investigation which examiner or examiners shall have power to make a thorought examination into all the business and affairs of the corporation or person in all departments and of all property assets and resources wherever situated and in so doing to examine under oath or otherwise any of the officers agents employees or members of the corporation or person or any corporation or person in possession of any assets of the corporation or person under examination The examiner or examiners shall make a full and detailed report of the condition of the corporation or person under examination or such special report as may be directed by the Commissioner

Provided That whenever any bank shall by becoming a member of a Federal Reserve Bank be subject to the examinations required by the Federal Reserve Act the Commissioner may in his discretion accept such examinations in lieu of the examinations required by this section or by the laws of this Commonwealth

(b) Examinations under Oath The Commissioner and his deputies and any qualified examiner appointed by the Commissioner are hereby authorized and empowered to administer oaths or affirmations to any of the officers agents employees or members enumerated in clause (a) of this section and any wilful false swearing in any inquiry thereunder shall be perjury and subject upon conviction thereof to the same punishment as is or may be provided by law for the punishment of perjury Upon failure of any of the individuals aforesaid to make answer to any such inquiry the attorney general upon the request of the Commissioner shall make information thereof to the court whereupon said court after hearing shall make such order as the occasion requires

Section 15 Reports to Commissioner

(a) In General Every corporation and person subject to the supervision of the Banking Department except building and loan associations doing business exclusively within this state shall make and render to the Commissioner not less than two or more than five reports of its or his condition during each year The number form and manner of such reports shall be prescribed by the Commissioner by general rule or regulation Every such report shall be verified by the oath or affirmation of the president cashier treasurer or other managing officer in the case of a corporation or association by a member of the firm in the case of a partnership and by an individual banker in person It shall be attested as correct by the signatures of at least three of the directors trustees or other managers of a corporation or association and by the signatures of at least two of the members of a partnership

Each such report shall exhibit in detail and under appropriate heads the recources and liabilities of the corporation or person at the close of business on any past day specified by the Commissioner and shall be transmitted to him within five days or such further time as he may in his discretion allow after the receipt of a request or requisition thereof from him

Abstract summaries of two of said reports designated by the Commissioner in each year except the reports of building and loan associations doing business exclusively within this state shall forthwith be published by the corporation or person in a newspaper and proof of such publication verified by affidavit shall be furnished to the Commissioner

Building and loan associations doing business exclusively within this state shall in the manner hereinbefore provided make and render one report during each year No abstract summaries of such reports need be published

The Commissioner shall also have power to call for a special report from any corporation or person under the supervision of the Banking Department including building and loan association whenever in his judgment the same may be necessary to a full and complete knowledge of its or his condition

The reports and publications provided for in this clause shall be in lieu of all reports and of all publications for similar purposes heretofore required by law to be made

(b) Failure to Make or Publish Reports Any corporation or person failing to make and transmit any report to publish any report required by this act to be published or to be furnished any proof of publication required by clause (a) of this section shall be subject at the discretion of the Commissioner to a penalty of not more than one hundred dollars payable to the Commissioner for each day after the time or any extension thereof fixed for filing such report making such publication or furnishing such proof In case of failure or refusal to pay such penalty the Commissioner may maintain an action at law to recover the same

Section 16 Commissioner's Report to Governor The Commissioner shall make an annual report to the Governor setting forth

I A summary of the state and condition of every corporation and person from whom reports have been received during the preceding year with such other information in relation to said corporations and persons as in his judgment may be useful

II A statement of the corporations and persons under the supervision of the Banking Department whose business has been closed or taken in possession by the Commissioner during the preceding year with such information relating thereto as he may deem useful

III Suggestions of amendments to the laws relating to corporations and persons under the supervision of the Banking Department by which the condition of such corporations and persons may be improved

IV The names and compensation of the deputies examiners clerks and other employees of the Banking Department during the preceding year the whole amount of the receipts and expenditures of the department during such year and the method and basis of assessing such expenditures adopted by the Commissioner under the provisions of this act

Section 17 Failure to Pay in Capital or Exercise Powers When any corporation under the supervision of the Banking Department (a) has not paid in the capital as required by law (b) has not in any manner exercised the powers conferred upon it by its letters patent within two years after the issuance thereof or (c) has failed to exercise its corporate privileges for two years after having been liquidated such corporation shall be returned by the Commissioner to the Attorney General who shall proceed by quo warranto against such corporation to the end that it may be ousted from its charter rights and its corporations privileges be declared null and void

Section 18 Violation of Charter Whenever it shall appear to the Commissioner from any report of condition of any corporation subject to the supervision of the Banking Department or from any examination made by him of the condition of the affairs of such corporation that such corporation has committed any violation of its charter he shall by an order under his hand and seal of office direct the discontinuance of such illegal practice and direct strict conformity with the provisions of the charter and whenever any such corporation shall refuse or neglect to comply with such order the Commissioner shall communicate the facts to the Attorney General who shall thereupon institute such proceedings as the nature of the case may require for appropriate relief or correction or may proceed by quo warranto for the forfeiture of the charter

The court before which proceedings shall be instituted shall have power to grant such orders and in its discretion from time to time modify or revoke the same and to grant such relief and render such judgment as the facts or evidence in the cast and the situation of the parties and the interests involved shall require or if it shall appear to the said court that the interests of the public so require shall declare a dissolution of such corporation and a distribution of its effects

Section 19 Jurisdiction of Courts Whenever it shall become the right or duty of the Attorney General to proceed against any corporation or person under the supervision of the Banking Department pursuant to the provisions of this act he may in his discretion proceed either in the court of common pleas of Dauphin County or in the court of common pleas of the county where the banking house or other place of business of such corporation or person is located

Section 20 Orders by Commissioners Whenever it shall appear to the Commissioner that any corporation or person under the supervision of the Banking Department has violated any provision of this act or any law regulating the business of such corporation or person or is conducting business in an unauthorized or unsafe manner or that any such corporation has an impairment of capital the Commissioner may issue an order under his hand and seal of office directing such corporation or person to discontinue such violation of law or such unauthorized or unsafe practices or directing such corporation to make good within a time of not more than sixty days after notice by the Commissioner any impairment or deficiency of capital

Section 21 Power of Commissioner to Take Possession The Commissioner may after hearing had upon notice given with the approval and consent of the Attorney General take possession of the business and property of any corporation or person subject to the supervision of the Banking Department whenever it shall appear to him that such corporation or person

I Has violated any law regulating its or his business and has persisted in such violation in disregard of an order duly made by the Commissioner

II Is conducting business in an unauthorized or unsafe manner and has persisted in disregard of an order duly made by the Commissioner

III Is in an unsafe or unsound condition to continue business Provided in such case That the Commissioner may forthwith without such hearing and consent of the Attorney General take possession of the business and property of any such corporation or person receiving moneys on deposit when and if in his opinion the protection of depositors and the public requires such peremptory action

IV Has an impairment of capital which has not been restored or made good within the time fixed by order of the Commissioner

V Has suspended payment of obligations

VI Has neglected or refused to comply with the terms of any lawfully issued order of the Commissioner

VII Has refused upon proper demand to submit the records and affairs of the business of the Commissioner a deputy commissioner or any duly authorized examiner or agent of the Banking Department

VIII Has refused to be examined upon oath or affirmation regarding such affairs

IX Is in the hands of a receiver appointed by any court or in any bankruptcy proceeding or of an assignee or trustee for creditors appointed by such corporation or person

The Commissioner may in like manner take possession of the business and property of any private or unincorporated bank otherwise exempt from the supervision of the Banking Department whenever such private or unincorporated bank shall have made assignment for the benefit of creditors or confessed its insolvency

Section 22 Certificate of Taking Possession When the Commissioner shall have duly taken possession of the business and property of a corporation or person as provided in section twenty-one of this act he shall forthwith make under his hand and official seal a certificate setting forth that he has so taken possession and shall file such certificate in his office and cause a certified copy thereof to be filed in the office of the prothonotary who shall index the same in the judgment index under the name of the corporation or person as defendant and the name of the Commissioner as plaintiff

From and after the filing of such certified copy in the office of the prothonotary the Commissioner shall supersede any receiver previously appointed by any court for or any assignee or trustee for creditors appointed by such corporation or person

Such superseded receiver assignee or trustee shall forthwith file his account in the court having jurisdiction thereof and pay over and deliver to the Commissioner all moneys securities assets and property of such corporation or person in his custody possession or control Said court shall allow credit for expenses and for the disbursements properly incurred or made prior to the taking possession by the Commissioner and shall allow proper compensation to said receiver assignee or trustee and his counsel which when determined shall be paid out of the funds of said corporation or person in the hands of the Commissioner

Section 23 Injunction to Restrain Commissioner Whenever the Commissioner takes possession of the property and business of any corporation or person such corporation or person may at any time within ten days apply to the court for an order requiring the Commissioner to show cause why he should not be enjoined from continuing such possession The Commissioner may be served personally wherever found within the state by leaving a copy with the deputy in charge of his office or by serving the special deputy appointed by him in such proceeding At the hearing a copy certified by the Commissioner of any report of a duly instituted examination of such corporation or person shall be prima facie evidence of the facts therein stated and if from such report or reports or other evidence there shall appear to be just cause for the taking and continuing of possession by the Commissioner he shall not be enjoined unless such report or reports or other evidence shall be overcome by proper proof produced by such corporation or person in which event the court shall direct the Commissioner to refrain from further proceedings and to surrender such possession

Section 24 Special Agents and Assistants The Commissioner may by the certificate of taking possession provided for in section twenty-two of this act or by a subsequent certificate in like manner made and filed appoint one or more special deputies as agent or agents to assist him in continuing or liquidating the business and affairs of any corporation or person in his possession He may from time to time delegate to such special deputy or deputies such duties connected with such continuation or liquidation as he may deem proper He may employ such expert assistants and legal counsel and may retain such of the officers and employees of such corporation or person as he may deem necessary in the continuation of the business or the liquidation and distribution of the assets He shall require such security as he may deem proper from his agents and assistants appointed pursuant to the provisions of this section

Section 25 Notice to Parties Holding Assets When the Commissioner shall have taken possession of the property and business of any such corporation or person he shall forthwith give notice in writing of such fact to all corporations and persons holding any assets thereof No one having such notiec or actual knowledge that the Commissioner has so taken possession shall have a lien or charge against any of the assets of such corporation or person for any payment advance or clearance thereafter made or liability thereafter incurred

Section 26 Inventory of Assets After the Commissioner has taken possession as aforesaid he shall make or cause to be made a complete inventory of the assets of such corporation or person which inventory shall be verified by oath or affirmation of the person or persons making the same and shall forthwith file such inventory in his office

Section 27 Suspension or Continuation of Business The Commissioner is authorized upon taking possession of the property and business of such corporation or person to continue or suspend the business for such period as he may deem necessary to enable him to determine whether to liquidate the affairs of such corporation or person and during such period to take such action as in his judgment is necessary to conserve the assets and business

Section 28 Surrender of Possession by Commissioner The Commissioner may upon conditions approved by him surrender possession for the purpose of permitting such corporation or person to resume business to sell or convey its or his property and franchises or to merge or consolidate its or his business with that of another corporation or person in accordance with the laws of this Commonwealth but he shall not authorize any decrease of capital stock by a corporation except upon compliance by the corporation with the provision of law as to such decrease

Whenever the Commissioner shall surrender possession under the provisions of this section he shall forthwith issue an order under his official seal authorizing such corporation or person to resume business to sell or convey its or his property and franchises or to merge or consolidate as aforesaid and shall file said order in his office and cause a certified copy thereof to be filed in the office of the prothonotary who shall thereupon cause the entries upon the judgment index made pursuant to section twenty-two of this act to be cancelled

Section 29 Status of Commissioner as Receiver Except as herein otherwise provided the Commissioner shall when he has taken possession of the business and property of a corporation or person have all the rights powers and duties of a receiver appointed by any court of equity in this Commonwealth and he shall be vested in his official capacity with all the property of such corporation or person including debts due liens or securities therefor and rights of action or redemption

He shall be the representative of the creditors of the corporation or person and entitled as such to have vacated and set aside for the benefit of the creditors any judgment execution attachment sequestration payment pledge assignment transfer conveyance or incumbrance which could have been avoided by the creditors or any of them or by which it is attempted to give any creditor unlawful preference over another

He may with leave of court obtained on petition after notice to all creditors of whom he has knowledge surrender to the corporation or person any assets including choses in action whether the subject of pending proceeding or not which are burdensome and of no advantage to creditors

Section 30 Power of the Court to Make and Enforce Orders The court having jurisdiction shall have power to make and enforce any and all orders necessary and appropriate to enable the Commissioner to discharge his duties in connection with the business property and affairs of any corporation or person taken into possession by the Commissioner under the provisions of this act

Section 31 Continuance of Possession Exceptions When the Commissioner shall have duly taken possession of the business and property of corporation of person as provided in section twenty-one of this act he shall hold such possession until the affairs of such corporation or person have been liquidated by him unless

I He shall have been directed by order of court to surrender such possession pursuant to the provisions of section twenty-three of this act

II He shall have permitted a resumption of business or a sale or conveyance of property and franchises or a merger or consolidation pursuant to the provisions of section twenty-eight of this act

III The stockholders of such corporation after payment of all creditors in full shall have elected a trustee or trustees to continue the liquidation of such corporation or the court shall have appointed such trustee or trustees pursuant to the provisions of section fifty of this act and such trustee or trustees shall have duly qualified to take possession of the remaining assets of such corporation or

IV The depositors and other creditors of such person and the expenses of such liquidation shall have been paid in full

Section 32 Recording Certificate Sales

(a) Recording Certificate of Possession or Surrender When the Commissioner has taken possession of the business and property of a corporation or person he shall if there be any real property file in the office of the recorder of deeds in each county of this State or with the proper official in any other state or country where any such real property shall be situated a certified copy of the certificate required by section twenty-two of this act which copy shall be recorded in the deed book and indexed in the grantor's index in the name of such corporation or persons and in the grantee's index in the name of the Commissioner and shall also be registered with the proper authority empowered to keep a register of real estate if any there be and when the Commissioner has surrendered possession of the business and property of a corporation or person he shall in the same manner file a certified copy of the order provided for by section twenty-eight of this act which shall be in like manner recorded and shall be indexed in the name of the Commissioner as grantor and in the name of such corporation or person as grantee and shall also be registered as aforesaid

(b) Sales of Real and Personal Property The Commissioner may sell at public sale any or all of the real and personal property of such corporation or person without any order of court He may with leave of court sell either real or personal property at private sale At least ten days' notice of any petition for leaves to sell at private sale shall be given to all stockholders of such corporation or to such person and to all creditors known to the Commissioner and such notice shall also be advertised at least once in a newspaper in the county where the banking house or other place of business is located and when the land is situated in a different county at least once in a newspaper published in the latter county

(c) Sales of Real Estate Outside of the County When any real property of such corporation or person is situated in a county other than that where the banking house or other place of business is located a petition for leave to sell such property at private sale shall be filed in the court having jurisdiction of the liquidation proceedings which court if satisfied of the propriety of such sale shall make an order or decree authorizing the Commissioner to sell such real property or so much thereof as the court may designate Thereupon it shall be the duty of the court of common pleas of the county wherein the real property so designated is situated on petition of the Commissioner to make an order for the sale of said property or so much thereof as the court having jurisdiction of the liquidation proceedings shall have designated and the Commissioner shall in all cases make a return of the sale to the court of the county in which the real property is situated If the same be approved by said court it shall be confirmed and a certified copy of the return and of the decree of confirmation shall be filed [illegible] the court having jurisdiction of the liquidation proceedings

(d) Sale of Listed Securities Listed securities may be sold on the stock exchange with leave of court obtained on petition of the Commissioner at such time or times and in such manner as may be determined by the court No notice to creditors of such petition shall be necessary unless required by the court

(e) Effect of Sale upon Liens When any real property of such corporation or person is subjected to liens which under the laws of this Commonwealth would be discharged by a judicial sale the same shall not be affected by a sale by the Commissioner unless such sale be made pursuant to an order of court directing that liens be discharged thereby and after notice to all creditors having or claiming liens and in such event the proceeds of the sale shall take the place of the property sold and be distributed to the parties entitled thereto if such real property is situated in a county other than that where the banking house or other place of business is located a petition for leave to sell discharged of liens shall be filed in the court having jurisdiction of the liquidation proceedings which court if satisfied of the propriety of such sale shall make an order or decree authorizing the same and thereupon it shall be the duty of the court of common pleas of the county where such property is situated to make an order for the sale thereof discharged of liens Return of such sale shall be made to the latter court If the sale be approved by that court it shall be confirmed and a certified copy of the return and of the decree of confirmation shall be filed in the court having jurisdiction of the liquidation proceedings which court shall also make distribution of the proceeds of such sale to the parties entitled thereto

Section 33 Execution of Deeds and Documents The Commissioner may execute acknowledge and deliver any and all deeds assignments bills of sale releases extensions satisfactions and other instruments necesseary and proper to effectuate any sale lease or transfer of real or personal property or to carry into effect any power conferred or duty imposed upon him by this act or by order of court Any instrument executed pursuant to the authority hereby given shall be valid and effectual for all purposes as though the same had been executed by the officers of such corporation by authority of its board of directors or by such person individually

Section 34 Compromise The Commissioner may with leave of court compound or compromise any debt or claim due to the corporation or person and discontinue any action or other proceeding pending therefor if done in good faith and after proper inquiry and upon payment of the amount due may require all mortgages conditional contracts pledges and liens of or upon any real or personal property of such corporation or person to be satisfied canceled or assigned to him as he may deem best or he may sell the property subject thereto

Section 35 Actions and Suits For the purpose of executing any of the powers and performing any of the duties hereby conferred and imposed upon him the Commissioner may in the name of the corporation or person prosecute and defend any and all actions and proceeding at law in equity or otherwise pending at the time when the Commissioner takes possession of the business and property of such corporation or person

He may by bill of discovery or other legal or equitable proceeding obtain information of and sue for and recover any assets debts or damages which such corporation or person might sue for and recover or which any of the creditors might make available for the payment of their claims

He may at any time while he is in possession of the property and business of a corporation institute and maintain against the directors trustees managers or officers any action or proceeding which is vested in such corporation or in the stockholders or creditors thereof

He shall be liable to suit in his representative capacity by any person seeking to recover specific property if such property could have been recovered as against the creditors of the corporation or person levying an execution thereon

Section 36 Judgments Not to be Liens Stay of Execution A lien shall not attach to any of the property or assets of the corporation or person by reason of the entry of any judgment against such corporation or person after the Commissioner has taken possession of its or his property and business and filed a certificate as required by section twenty-two of this act and so long as such possession continues

During such time no execution or attachment shall issue against such corporation or person nor shall any pending execution or attachment be proceeded with except by special leave of the court

Section 37 Enforcement of Individual Liability of Stockholders Whenever the stockholders of a corporation whereof the Commissioner shall have taken possession are liable in addition to their liability as such stockholders for unpaid subscription to an amount equal to the par value of their stockholdings in such corporation and the Commissioner has determined from his examination of the affairs of the corporation that the reasonable value of its assets is not sufficient to pay its creditors in full he may enforce the individual liability of such stockholders to such extent as may be necessary

If he determines to enforce such liability he shall make demand in writing upon such stockholders by causing the same to be mailed by registered mail to the respective stockholders at their last known places of address as the same appear on the stock ledger of the corporation or at their last known addresses if no addresses appear in such ledger Such demand shall state the total amount assessed by the Commissioner against the stockholders and the pro rata share assessed against the particular stockholder addressed and the total sum to be paid by such stockholder The demand shall also fix a date not less than thirty days after the date of such demand on which the stockholders shall be required to pay such assessment to the Commissioner

If any stockholder shall fail or refuse to pay such assessment within such time the Commissioner shall have a cause of action at law or in equity against such stockholder either severally or jointly with other stockholders for the amount of such assessment together with interest from the date when the same was due and payable In any such action the written statement of the Commissioner under his hand and seal of office reciting his determination to enforce the individual inability or any part thereof of such stockholders and setting forth the value of the assets of the corporation and its liabilities as determined by him after examination and investigation shall be prima facie evidence of such facts as therein stated

Section 38 Inventory and Appraisement Statement of Liabilities When the Commissioner has determined to liquidate the affairs of any such corporation or person he shall forthwith cause an inventory and appraisement of the assets of such corporation or person under oath or affirmation to be made in duplicate by two disinterested appraisers chosen by him and shall file such inventories and appraisements accompanied by a complete statement certified by him of the liabilities of such corporation or person so far as he has been able to ascertain the same one in his office and the other in the office of the prothonotary

Section 39 Procedure as to Property in Safe Deposit After taking possession as aforesaid the Commissioner may give written notice to anyone claiming or appearing on the books of the corporation or person to be owner of any personal property left in the possession of such corporation or person as bailee or depository for hire or the lessee of any safe vault or box notifying such bailor or lessee to remove all such personal property within a period of not less than sixty days

At the expiration of such period if such property has not been removed the commissioner may proceed as the corporation or person might have proceeded as provided in the contract of bailment or lease or at his option may cause any such safe vault or box to be opened in his presence or the presence of his special deputy and of a notary public not an officer or employee of the corporation or person or of the Banking Department and the contents if any of such safe vault or box shall be sealed and marked by such notary with the name and address of the bailor or lessee in whose name such safe vault or box stands upon the books of the corporation or person and a list of the property therein shall be attached thereto such package so sealed and addressed shall be removed by the Commissioner to his office and there preserved until delivered to the owner or otherwise disposed of in accordance with law

After the service or mailing of the notice as aforesaid the contract of bailment or leasing if any shall cease and determine upon the date for removal fixed by said notice and the amount of unearned rent or charges if any paid by the bailor or lessee shall become a debt of the corporation or person all contracts of bailment or lease such as aforesaid made after the date of the approval of this act shall be subject to the provisions of this section

Section 40 Trust Funds

(a) Taking Possession by Commissioner Whenever the Commissioner takes possession of the business and property of a corporation or person in accordance with the provisions of this act he shall also take possession of all funds property and investments held by such corporation or person in any fiduciary capacity but shall keep the same separate and apart from the assets thereof

(b) Substituted Fiduciaries Upon determining to liquidate the affairs of such corporation or person the Commissioner shall forthwith give written notice to all parties interested in any such funds property or investments held in a fiduciary capacity so far as such notice is practicable requiring them within thirty days to apply to the proper court or official for the appointment of substituted fiduciaries to take the place of such corporation or person On the failure or neglect of the parties so notified to make such application within the time designated or in case the parties in interest can not be notified the Commissioner shall himself apply for such appointment of substituted fiduciaries

(c) Settlement without Accounting In any instance where there shall be no dispute as to the amount or identity of such funds property or investments and all parties in interest are sui juris and so request in writing the Commisioner may without the filing of an account transfer pay over and deliver to such substituted fiduciary all funds property and investments of the particular trust taking from parties and such substituted fiduciary a receipt and release in full which shall discharge the Commissioner and such corporation or person from any further liability in the premises

(d) Jurisdiction of Disputes as to Identity of Trust Fund In any instance where there shall be a dispute as to the identity of alleged trust funds property or investments either because the same have become or are alleged to have become mingled with other funds property or investments or otherwise the court having jurisdiction of the liquidation proceedings shall have exclusive jurisdiction to determine such dispute

(e) Accounting In all other instances the Commissioner shall with the least possible delay prepare and file in the courts having jurisdiction thereof the accounts of such corporation or person in such fiduciary capacities and shall transfer pay over and deliver the balances determined upon such accounts to be due in accordance with the orders and decrees of such courts

(f) Deficiences and Surcharges In any instance where it shall be ascertained by such court that there is a deficiency in any such trust funds property or investments for which such corporation or person is liable or that such corporation or person is liable to surcharge in respect thereof the amount thereof shall constitute an unpreferred claim against the general funds in the hands of the Commissioner and the order or decree of such court shall be conclusive subject to appeal as to the amount of such claim Should the existence or amount of any deficiency or surcharge or the liability of the corporation or person thereof be undetermined at the time of any distribution of such general funds it shall be the duty of the court ordering such distribution to set apart and withhold from such distribution a sufficient amount to pay the proportionate dividend upon such undetermined claim until the same shall have been finally adjudicated

The forty-first section was read as follows:

Section 41 Notice to Depositors and Creditors When the Commissioner shall have determined to liquidate the affairs of such corporation or person he shall forthwith give written or printed notice to all depositors to produce to him their deposit or pass books for settlement stating in such notice the amount which the books of the corporation or person show to be due to each depositor subject to outstanding checks and notifying such depositors that unless a settlement of the deposit or pass books shall show a different amount to be due or unless a depositor shall within four months from the date of such notice make proof in the matter hereinafter set forth that the amount due him differs from the amount as shown by the books of the corporation or person the amount last mentioned will be conclusive as to the amount of the claim of such depositor subject as aforesaid to any outstanding checks

The Commissioner shall at the same time give written or printed notice to all creditors other than depositors so far as known to him to make proof of their claims in the manner hereinafter set forth within four months from the date of such notice or be debarred from coming in upon the fund

He shall also advertise such notices to depositors and other creditors in the legal newspaper if any designated by rules of court for publication of legal notices in said county once a week for four successive weeks

On the question,

Will the House agree to the section?

Mr. HALL. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 41, page 41, line 23, by inserting after the word "newspaper" and before the word "in" the word "and".

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The forty-second to the fifty-second sections and title were separately read and agreed to as follows:

Section 42 Proof of Claims of Creditors No claim other than the claim of a depositor shall be allowed unless the claimant or someone for him if he cannot do so shall furnish to the Commissioner a statement of his claim together with a copy of any book entries pertaining thereto or any note or writing evidencing the same verified by an affidavit in substantially the following form

"I (name of claimant) do solemnly swear (or affirm) that the above is a true statement of my claim against (name of corporation or person) that there are no credits or allowances against the same except as therein set forth that I have not directly or indirectly made or entered into any bargain arrangement or agreement express or implied to take or receive directly or indirectly any money property or consideration whatever to or for myself or to or for any other person firm or corporation whatever other than my dividend as a creditor and that there is no collateral security for said indebtedness or any part thereof held by me or anyone else other than as above set forth"

In case the claimant shall be a partnership or corporation such affidavit shall be made by a member of the partnership or by the treasurer or assistant treasurer of the corporation claimant and the form thereof shall be modified accordingly

The provisions of this section shall not apply to the claims of cestius que trust or others to or against trust funds or property in the custody possession or control of a corporation or person possession of whose business and property is taken by the Commissioner under the provisions of this act

Section 43 Proof of Claims of Depositors When proofs of claims by depositors are necessary under the provisions of section forty-one of this act the same shall be in such form as the Commissioner shall prescribe and shall on request of any such depositor be prepared by the special deputy in charge of the affairs of the corporation or person in question and the affidavits thereto shall be taken by him without charge

Section 44 Allowance of Claims If such claim and affidavit when required are in proper form and if the amount claimed by a depositor or other creditor agrees with the amount shown by the books of the corporation or person or if upon consultation with the claimant and such corporation or person the amount is ascertained to the satisfaction of the Commissioner the claim shall be allowed if presented within the time limited by the notice as aforesaid unless objected to in the manner hereinafter provided

Section 45 Partial or Final Account Objections At the expiration of the time fixed by the notice and advertisement for the presentation of claims prescribed in section forty-one of this act the Commissioner may file a partial or final account consisting of a statement of receipts and expenditures together with a list of the claims which have been allowed and separately a list of the claims which have been objected to or are disputed showing as to all claimants the names addresses and amounts

If no account is filed within a year from the time when the Commissioner takes possession any party interested may petition the court for an order on the Commissioner requiring the filing of an account

Any account filed by the Commissioner shall be duly verified by him under oath or affirmation Upon the filing thereof he shall give written or printed notice to all the depositors and other creditors known to him of such filing and that unless objections shall be filed within thirty days from the date thereof the same will be confirmed absolutely He shall also at the same time advertise such notice in two newspapers once a week for four successive weeks

During such period of thirty days any depositor other creditor stockholder or anyone having any interest may file in the court objections in writing to said account or to the allowance of any said claims a copy of which objections shall forthwith be served upon the claimant whose claim is objected to or his counsel and upon the Commissioner or his counsel or the special deputy appointed by him in such proceeding

Section 46 Distribution If at the expiration of said period of thirty days from the filing of the account no objections shall have been filed thereto the same shall be confirmed absolutely and the Commissioner shall prepare and file a schedule of distribution in accordance with the priorities fixed by law Said schedule shall be subject to the approval of the court and in accordance therewith when so approved a partial or final dividend as the case may be shall be declared and paid by the Commissioner In case there shall be any disputed claim or any claim to which objections shall have been duly filed the dividend shall be calculated as if all claims were valid and approved and after deducting and setting apart such portion of the dividend as represents claims which are disputed or objected to the balance shall be distributed among the other claims If all or any of the claims disputed or objected to shall thereafter be determined to be valid they shall then receive their portions of such dividend If all or any of such claims shall be determined to be invalid the portions of such dividend set apart to them shall be distributed to the valid claims

Section 47 Conclusiveness of Confirmation and Distribution The confirmation of a partial account and distribution thereunder as aforesaid shall be conclusive only as to the fund distributed and shall not prevent the proof and allowance out of the fund involved in any subsequent account of claims not presented in time for allowance out of such previous fund

Section 48 Hearing and Decision of Matters in Controversy If there shall be claims disputed or objected to or if there shall be objections to the account the court shall itself without delay hear and decide the matters in controversy The court shall fix a time and place for the hearing of which three weeks' written notice shall be given to the Commissioner and to the corporation or person and to all depositors and other creditors whose claims have been filed as aforesaid Said notice shall also set forth that all parties whose claims are disputed or objected to must appear at said time and place and prove their claims or be debarred from coming in upon the fund for distribution

Section 49 Expenses to be Paid out of the Fund All assessments charges and penalties due to the Banking Department by such corporation or person all expenses of the taking and maintaining possession of the business and property or the continuing of the business by the Commissioner and all expenses of liquidation under the provisions of this act shall first be payable out of the funds of such corporation or person including the compensation of special deputies assistants and others employed by the Commissioner to assist him in such proceedings the allowance of all such expenses to be subject to the approval of the court

Section 50 Distribution of Balance Liquidating Trustees If after the filing and confirmation of the final account of the Commissioner and the payment of all creditors in full and the return to stockholders who have paid to the Commissioner the amounts demanded pursuant to section thirty-seven of this act of their pro rata shares of any such amounts not necessary to pay creditors in full there shall remain a balance in the hands of the Commissioner he shall call a meeting of the stockholders by serving written or printed notice upon them at least thirty days before the day fixed for the meeting

At such meeting the stockholders shall elect by ballot a trustee or trustees for the purpose of completing the liquidation A majority of the stock present in person or by proxy shall be necessary to elect Should the stockholders fail or refuse to elect the Commissioner or any stockholder may petition the court for the appointment of such trustee or trustees who when appointed shall give bond to the Commonwealth in such amount with such surety and on such conditions as the court may direct

When such trustee or trustees have been duly elected or appointed as aforesaid the Commissioner shall then transfer convey and deliver to such trustee or trustees all the assets of the corporation then remaining in his hands He shall thereupon be discharged from all further liability to such corporation and its creditors and shall file a certified copy of the proceedings of said stockholders' meeting in his office and cause a certified copy thereof to be filed in the office of the prothonotary No powers subject to the provision of the Banking Department shall thereafter be exercised by such corporation except by permission of the Commissioner and after compliance by such corporation with all the requirements of law as to a new corporation desiring to exercise such powers

Section 51 Constitutionality of Act If any section clause sentence paragraph or other part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid such judgment shall not affect impair or invalidate the remainder of this act or any part thereof but shall be confined in its operation to the part thereof directly involved in the controversy in which such judgment shall be rendered it being hereby declared that the legislature would have enacted the remainder of this act without such part adjudged to be invalid

Any section clause or other part of this act so declared to be invalid shall not be considered as having been stricken out from any other portion or portions of this act wherein cross-references thereto are made but shall be taken and construed as having been actually written in full into such other portion or portions from which cross-references are made

Section 52 Repealer Sections one to fifty-two inclusive of The Banking Act of one thousand nine hundred and nineteen approved May twenty-first one thousand nine hundred and nineteen (Pamphlet Laws two hundred and nine) are hereby repealed it being expressly declared that section fifty-three of said act being the repealing section thereof shall remain in full force and effect

All other acts of assembly or parts thereof that are in any way in conflict or inconsistent with this act or any part thereof are hereby repealed

An Act relating to the organization maintenance and operation of the Banking Department and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing the Banking Department Act of nineteen hundred and nineteen with table of contents

And said bill having been read at leugth the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS SIGNED BY THE SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 45.

An Act providing a system whereby persons absent from their regular polling places may cast their votes imposing certain powers and duties upon the county commissioners prothonotaries return boards of the various counties and the board of registration commissioners in cities of the first and second class in relation thereto and providing penalties

HOUSE BILL No. 139.

An Act to amend section tne of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners and engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expenses to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highwaws wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvemnt of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highwavs and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsitent herewith and providing that existing contracts are not affected by provisions of this act" as amended

HOUSE BILL No. 203.

An Act relating to and regulating the speed of motor vehicles driven through cemeteries and burial grounds and providing penalties for violation thereof

HOUSE BILL No. 277.

An Act to validate tax liens filed in the office of the Prothonotary of the various counties by any of the cities of this Commonwealth since the 24th day of May 1921, under the provisions of an act approved the fourth day of June, 1901, entitled: "An Act providing when, how, upon what property and to what extent, liens shall be allowed for taxes and for municipal improvements, and for the removal of nuisances: the procedure upon claims filed therefore; the methods of preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; and the manner of distributing the proceeds of such sales and its supplements and amendments thereto; and providing for their collection.

HOUSE BILL No. 289.

An Act to amend part of section forty-one of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled "An act relating to the administration and distribution of the estate of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as asssts for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents"

HOUSE BILL No. 353.

An Act to amend section eight of the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and fifty-nine) entitled "An act for the better protection of fish requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth or in the waters bounding or adjacent thereto and regulating the issuance of such license providing penalties for the violation of this act and the manner of proceeding to enforce compliance therewith and providing for the disposition of the penalties recovered and license fees received" by making county treasurers agents of the Commonwealth in collecting license fees and issuing licenses

HOUSE BILL No. 383.

An Act to repeal the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand two hundred and seventy-three) entitled "An act to authorize the compilation and publication of not less than two nor more than four volumes of Statutes at Large of Pennsylvania in addition to the sixteen volumes heretofore authorized additional volumes being necessary to connect the Statutes at Large and the Pamphlet Laws of Pennsylvania in a serial and complete publication of the Laws of the Province and Commonwealth and to provide for the appointment of a Commission to control and supervise the preparation of said volumes and of a competent person to compile and edit them and making an appropriation therefor"

HOUSE BILL No. 444.

An Act making an appropriation for the purpose of maintaining the public roads through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

HOUSE BILL No. 448.

An Act requiring the display of the United States flag at all polling places providing for its purchase by the county commissioners and its care between elections

HOUSE BILL No. 469.

An Act to amend section three of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

HOUSE BILL No. 486.

An Act to amend section two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and eight) entitled "An Act regulating the closing of public highways and providing for the locating marking and maintenance of detours necessitated by such closing" and providing penalties

HOUSE BILL No. 536.

An Act to amend sections two three four five as amended seven nine and ten of the act approved the thirtieth day of March one thousand nine hundred and seventeen (Pamphlet Laws twenty-one) entitled "An Act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by the board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith"

HOUSE BILL No. 571.

An Act to amend section three hundred and twenty-five of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" changing the compensation of township auditors

HOUSE BILL No. 588.

An Act to regulate the allotting or subdividing of land in cities of the second class by requiring the recording in the office of the Recorder of Deeds of a map or plat prior to the sale conveyance or mortgaging of any part thereof and providing penalties for the violation of the act

HOUSE BILL No. 632.

An Act to amend an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and ninety-one) entitled "An Act restricting the appointment of corporate fiduciaries by testators or by any court or register of wills to corporations fully subject to supervision and examination by the Banking Department" by exempting certain corporations from the provisions thereof

HOUSE BIL No. 639.

An Act authorizing the sale assignment disposition transfer and conveyance of the franchises and of the property real personal and mixed of any water or power water companies organized prior to the first day of April one thousand nine hundred and five to another water or power water company also organized prior to the first day of April one thousand nine hundred and five and providing the manner in which said sale and purchase shall be effected

HOUSE BILL No. 686.

An Act authorizing probation officers of the various counties to attend the annual State Association or Conference of Probation and Parole and providing for the payment of their expenses and membership dues by counties

HOUSE BILL No. 712.

An Act to amend section six of an act approved the twenty-sixth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred and twenty-seven) entitled "An Act to provide for the incorporation of institutions of learning with power to confer degrees in art pure and applied science philosophy literature medicine law and theology and for the supervision and regulation of the same and providing a method by which institutions already incorporated may obtain the power to confer degrees and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources" as amended bp rescribing additional requirements for institutions conferring degrees making certain exceptions therefrom and imposing certain duties on the State Council of Education

HOUSE BILL No. 813.

An Act to amend section one of an act approved the eighth day of May one thousand eight hundred and eighty nine (Pamphlet Laws one hundred and twenty-seven) entitled "A Supplement to the act of April twentieth one thousand eight hundred and sixty-nine entitled 'An Act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge therefrom' fixing the amount of compensation to be paid to the commissioners appointed under section six of said act and declaring who shall be liable therefor and for the costs of proceedings under said section" by imposing certain duties on the lawyer member of the commission and fixing his compensation therefor

HOUSE BILL No. 837

An Act to assure to persons within the jurisdiction of every county the equal protection of the laws by providing for their removal from the county and their trial in certain criminal cases by a court of quarter sessions of the peace or oyer and terminer of another county imposing penalties upon the counties and officers thereof for failure to provide proper protection and upon individuals for interfering with or obstructing the carying out of the provisions of this act jurisdiction in all prosecutions arising out of this and imposing certain duties upon the Superior Court

HOUSE BILL No. 882.

An Act to amend section thirteen of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating election in this Commonwealth" as amended by authorizing the members of the board of receiving computing and certifying election returns to act when a majority of the members thereof are not qualified

HOUSE BILL No. 883.

An Act to amend the fourth paragraph of section fourteen of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" as amended

HOUSE BILL No. 980.

An Act to amend section eleven of an act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred seventy) entitled "An Act creating a Division of Township Highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter session and providing penalties" requiring clerks of the court to certify lists of township auditors to the State Highway Commissioner

HOUSE BILL No. 1023.

An Act providing a system of employment and compensation for the inmates of county jails and prisons.

HOUSE BILL No. 1058.

An Act authorizing cities and boroughs to appropriate moneys to organizations of veterans to assist in paying rent

HOUSE BILL No. 1080.

An Act to make reinstatements in the civil service of persons honorably released from the active military or naval service of the United States after service in any of the wars which the United States has been engaged

HOUSE BILL No. 1128.

An Act authorizing the State Highway Commissioner to empower certain other employees of his department to perform such official acts as he may designate.

HOUSE BILL No. 1224.

An Act regulating service of process and authorizing the service of writs of summons and other process in actions for damages for breaches of convenants of warranty in any deed or conveyance of real estate in any county of the Commonwealth

HOUSE BILL No. 1229.

An Act to further amend section one thousand two hundred ten as amended, of an act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith."

HOUSE BILL No. 1258.

An Act to amend section one hundred and six of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania. together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, or any parts thereof, that are or may be inconsistent therewith" as amended

HOUSE BILL No. 1345.

An Act to enable an incorporated hospital association to acquire by lease or purchase any State owned hospital specially devoted to the reception care and treatment of injured persons or of any State owned general medical and surgical hospital and to provide for the regulation and management thereof

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

QUESTION OF PERSONAL PRIVILEGE.

Mr. GOLDER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. GOLDER. Mr. Speaker and members of the House, in the course of my remarks tonight I quoted from a newspaper article which, in turn, was supposed to be a quotation of the remarks of the Commissioner of the Department of Welfare of Pennsylvania. I have since learned from a letter, which was read here by my colleague from Philadelphia, Mr. Edmunds, that the Commissioner of Welfare was misquoted in the newspapers. I am genuinely sorry for the remarks which I made in good faith and so far as my remarks have done an injustice to the Commissioner of Welfare, I desire at this time to offer the Commissioner a public apology.

ADJOURNMENT.

Mr. DUNN. Mr. Speaker, I move that this House do now adjourn until 11:00 o'clock tomorrow morning.

The motion was agreed to and at 11:59 P. M. the House adjourned until tomorrow morning at 11:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

Session 1923 125th of the General Assembly

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SENATE

TUESDAY, MAY 15, 1923.

The Senate met at 11 o'clock A. M.

The PRESIDENT (Lieutenant-Governor David J. Davis) in the Chair

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Our Heavenly Father: We thank Thee for Thy protecting care which has been round about us during the past night. While we slept, Thou didst watch over us, shielding us from all harm, We thank Thee for the health and strength that enable us to take up the duties of a new day. Be with the members of this body. Bless their homes; bless their business; prosper them in all the affairs of life. Grant them Thy special favor in their legislative work, and may they be guided by heavenly wisdom. Bless our State and Nation, and extend Thy divine blessing to all the peoples of earth. We ask it in the Redeemer's name. Amen.

JOURNAL APPROVED.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BALDWIN, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

OPPOSING APPROPRIATION OF MONEY TO SECTARIAN INSTITUTIONS.

Mr. JOYCE, presented petition of Washington Camp, No. 623, Parsons, Pa. opposing appropriation of money to Sectarian Institutions.

Which was referred to Committee on Appropriations.

RESOLUTIONS OF ERIE CITY COUNCIL PRAYING FOR RELIEF FROM PRESENT SUGAR SITUATION.

The CHAIR laid before the Senate the following communication which was referred to Committee on Judiciary General.

COUNCIL CHAMBERS

Erie, Pennsylvania, May 4th, 1923.

Resolved, by the Council of the City of Erie, That copies of the resolution protesting against the high prices of sugar this day passed are hereby ordered forwarded by the City Clerk to the Mayors and Presidents of Council of first and second class cities and Mayors and Councilmen of third class cities in Pennsylvania, with a copy of this resolution and that the officials receiving these resolutions are hereby requested to give this subject serious consideration and to take similar action if in their judgment it seems right and proper.

COUNCIL CHAMBERS

Erie, Pennsylvania, May 4th, 1923.

Whereas, the price of sugar has risen until now it is and has been for some time past unreasonable and prohibitive and burdensome to the great majority of our people and threatens to become even more distressing since the annual season for canning and preserving fruits and vegetables is fast approaching; and

Whereas, the prohibitive and exhorbitant prices are beyond the control of any local dealers and are the result of a national condition either brought about by the high tariff or the operations of speculators and gamblers, which condition should not be tolerated further and must be corrected by the force of the government;

Therefore, Be it Resolved by the Council of the City of Erie, That His Excellency, the Governor of the Commonwealth, and the Legislature of the Commonwealth are hereby petitioned and implored to adopt every means within their powers to bring prompt relief and to transmit to the proper federal officials and bodies and official protest and demand for immediate relief and legal prosecution of guilty persons; and

Be it further Resolved, That the City Clerk is hereby directed to send copies of this resolution, properly certified, to the Governor of the Commonwealth and to the officials of the Senate and House of Representatives of the State Legislature.

May 4, 1923. City Council adopt by yeas Messrs. Eichhorn, Kinney, Mehaffey, Schmelzer and Kitts. 5. Nays. 0.

May 4, 1923. Signed by the Mayor. Attested by the City Clerk.

City Clerk's Office, Erie, Pa., May 7, 1923.

I hereby certify the foregoing to be a full, true and correct copy of original resolution remaining on file in this office.

F. HANLON.
City Clerk.

REPORTS FROM COMMITTEES.

Mr. PHIPPS, from the Committee on Military Affairs reported as committed, Senate Bill No. 1214, entitled:

An Act to amend sections five and six of an act approved May 10, 1921, (P. L. 473) entitled "An Act providing for the burial of certain persons who are, have been, or shall be soldiers, sailors or marines, designated as 'deceased service men'; defining the term 'deceased service men'; and authorizing county commissioners to provide headstones, markers, and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death," as amended; authorizing the purchase of headstones of deceased service men buried in the county; and regulating the purchase of markers.

Also from the Committee on Judiciary General reported as amended, Senate Bill No. 1216, entitled:

An Act making incurable insanity a cause for divorce, and providing procedure in such cases.

Mr. BARR, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1220, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts and other incorporated districts or municipalities had and held pursuant to the provisions of an act, approved April 20, 1974, (P. L. 65) entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance to such proceedings and elections.

Mr. SISSON, from the Committee on Game and Fisheries, re-reported as committed, Senate Bill No. 1111, (House Bill No. 352), entitled:

An Act to amend section three of the act approved the eleventh day of May, one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two), entitled "An Act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties;" making the county treasurer the agent of the Commonwealth in the issuing of licenses and the collection of fees; and providing his compensation for such services.

Mr. CHRISTLEY, from the Committee on Law and Order, re-reported as committed, Senate Bill No. 77, entitled:

An Act authorizing the use of voting machines at any or all the elections and primary elections within the several counties of the Commonwealth; creating a State Board of Voting Machine Examiners; and defining its powers and duties; authorizing County Commissioners to purchase voting machines; providing rules and regulations for the conduct of elections and primary elections held with voting machines; and providing penalties for violation of the provisions of this act.

Mr. CULBERTSON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 525, (House Bill No. 380) entitled:

An Act to amend section one of the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand seventy-two) entitled "An act providing a method of establishing title to land acquired at a sale for unpaid taxes."

Mr. STITES, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1226, entitled:

An Act authorizing courts of common pleas of the several counties of the eighth class to order moneys, received from fines, penalties and forfeited recognizances and dedicated by law to law library purposes, in excess of the amount required to be paid into the county treasury for the use of the county.

Also from the Committee on Judiciary General, reported as amended, Senate Bill No. 1123, (House Bill No. 831), entitled:

An Act providing punishment for the selling and furnishing for beverage purposes of intoxicating liquors or liquids represented as intoxicating liquors contrary to law thereby causing the death of persons drinking the same.

Mr. PATTON, from the Committee on Public Grounds and Buildings reported as committed, Senate Bill No. 1210, entitled:

A Supplement to the Act, approved the 16th day of June, 1919, P. L. 482, entitled "An act creating a Board of Commissioners of Public Grounds and Buildings; providing for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers and employes, and fixing their salaries; defining the powers and duties of the board and the superintendent with regard to contracts for and the furnishing of furniture, furnishings, stationery, supplies, paper, and fuel for the executive and legislative branches of the State Government and the Executive Mansion, the supervision of the Capitol grounds and buildings, the State Arsenal, and Executive Mansion, and repairs alterations, and improvements thereto, and to other buildings, land, and property of the State, the disposal of unserviceable personal property of the Commonwealth, the renting of office rooms outside of the Capitol, the bonding of officers and employes of the Commonwealth, and the supervision of the erection of, and repairs and additions to, State institutions, and the expenditure of funds therefor; and repealing supplied and inconsistent laws"; authorizing the said Board to agree with municipalities upon the terms and conditions and the amount of compensation for which lands and property of the Commonwealth may be taken or used for municipal purposes; to receive such compensation and to release the municipality.

Mr. BALDWIN, from the Committee on Finance, reported as committed, Senate Bill No. 1020, entitled:

An Act to amend an act approved ——— 1923, entitled "An Act imposing a State tax on Liquid Fuels, including all liquids, ordinarily, practically and commercially useable in internal combustion engines for the generation of power, and all distillates of and condensates from petroleum, natural gas, coal, coal tar and vegetable ferments, to be paid by distributors as herein defined providing for the collection of such tax and for the distribution and use of the revenues derived therefrom providing for the filing of certificates and reports of the sale of such liquid fuels and the collection of such tax and fixing penalties."

Mr. SCHANTZ, from the Committee on Appropriations, reported as amended, Senate Bill No. 335, entitled:

An Act making an appropriation to the Waynesboro Hospital, Waynesboro, Pennsylvania.

Also, from the Committee on Appropriations, reported as amended, Senate Bill No. 377, entitled:

An Act making an appropriation to the Chestnut Hill Hospital, of Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 627, entitled:

An Act making an appropriation to the Lankenau Hospital, of Philadelphia, Pennsylvania.

Also, from the Committee on Appropriations, reported as amended, Senate Bill No. 767, entitled:

An Act making an appropriation to the Andrew Kaul Memorial Hospital, St. Marys, Pennsylvania.

Also, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 1056, entitled:

An Act making an appropriation to the House for the Training in Speech of Deaf Children before they are of school age at Belmont Avenue and Monument Road, Philadelphia.

Also, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 1094, (House Bill No. 1236), entitled:

An Act providing for a giant power survey creating a Giant Power Survey Board defining the powers and duties thereof, requiring officers, Departments, Commissions, and other agencies of the Commonwealth to give information thereto and making an appropriation.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 1149, entitled:

An Act making an appropriation to the Snyder-Middleswarth Park Commission.

Also, from the Committee on Appropriations, reported as committed, Senate Bill No. 1105, entitled:

An Act authorizing county commissioners to appropriate money for the compilation and publication of a County War History.

Also, from the Committee on Appropriations, reported as committed, Senate Bill No. 1174, entitled:

An Act reappropriating the unexpended balance of the item of twenty thousand dollars appropriated by act dated May twenty-seven, one thousand nine hundred twenty-one to the State Industrial Home for Women at Muncy for the purchase of industrial machinery for making rugs, carpets, et cetera to said State Industrial Home for Women at Muncy and providing for doing washing and laundry work and appropriating the earnings from such work to the general maintenance fund of said State Industrial Home.

Also, from the Committee on Appropriations, reported as committed, Senate Bill No. 1198, (House Bill No. 90), entitled:

A further supplement to an act approved the first day of April one thousand eight hundred and sixty-three (Pamphlet Laws two hundred and thirteen) entitled "An Act to accept the grant of public lands by the United States to the several states for the endowment of agricultural colleges" and making an appropriation for carrying the same into effect.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1199, (House Bill No. 91), entitled:

An Act making an appropriation to the trustees of the University of Pittsburgh for the general maintenance of and purchase of equipment for the university and for the maintenance of teaching facilities in hospitals for students in the school of medicine.

Also, from the Committee on Appropriations, reported as committed, Senate Bill No. 1200, (House Bill No. 106), entitled:

An Act making an appropriation to the trustees of the University of Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1201, (House Bill No. 189), entitled:

An Act making an appropriation to the trustees of Temple University at Philadelphia, Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1203, (House Bill No. 673), entitled:

An Act to amend section one of the act approved the twenty-fifth day of July, one thousand nine hundred and seventeen, (P. L. 1180), entitled "An Act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll-bridges over the Delaware River, and making an appropriation therefor" providing for the acquisition of municipally owned bridges over the Delaware River between the State of Pennsylvania and the State of New York.

Also from the Committee on Appropriations, reported as as committed, Senate Bill No. 1205, (House Bill No. 897), entitled:

An Act to amend sections nine and ten of an act approved the twenty-second day of June, one thousand eight hundred and ninety-one, (P. L. 379), entitled "An Act to provide for the selection of a site and the erection of a State asylum for the chronic insane, to be called the State asylum for the chronic insane of Pennsylvania, and making an appropriation therefor;" changing the name and purpose of said hospital;

Mr. LONG, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1219, entitled:

An Act regulating the selection of jurors for service in the several courts, civil and criminal, of the counties of the second class creating a Board of Judges from the court of common pleas of said counties for this purpose; and prescribing the powers and duties of such Board; imposing the entire cost and expense of maintaining and operating such Board upon said counties; requiring the county commissioners of said county to provide suitable office quarters, equipment and supplies for said Board; authorizing the employment of the necessary clerks, assistants, deputies and other employees; abolishing the existing office of Jury commissioners in said counties and providing that the present Jury commissioners shall become clerks of said Board until the expiration of their term of office; requiring other county officers and boards to furnish information to said board; and prescribing punishments for violation of the provisions hereof.

BILLS INTRODUCED.

Mr. STITES read in his place and presented to the Chair Senate Bill No. 1227, entitled:

An Act to amend section two of an act approved the fourteenth day of May, one thousand nine hundred and fifteen, (P. L. 483), entitled "An Act relating to practice in the courts of common pleas in actions of assumpsit and trespass, except actions for libel and slander; prescribing the pleadings and procedure to be observed therein, and giving the courts power to enforce its provisions."

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 1228, entitled:

An Act to amend section one of the act approved the twenty-eighth day of June, one thousand nine hundred and seventeen, (P. L. 645), entitled "An Act making it unlawful for any individual or individuals to carry on or conduct any business under an assumed or ficitious name, style, or designation, unless upon the filing of a certificate to that effect in the office of the Secretary of the Commonwealth and of the prothonotary; requiring county commissioners, at the expense of the county, to provide books for the entry of such certificates; fixing the fees of the Secretary of the Commonwealth and prothonotary; and providing penalties;" authorizing the Secretary of the Commonwealth to grant certificates to be received in evidence.

Which was committed to the Committee on Judiciary General.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 1229, entitled:

An Act making an appropriation to the Saint Joseph's Hospital of Lancaster, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. SCHANTZ read in his place and presented to the Chair Senate Bill No. 1230, entitled:

An Act making an appropriation to the Department of Public Welfare for the developement of prison industries.

Which was committed to the Committee on Appropriations.

Mr. McCLINTOCK read in his place and presented to the Chair Senate Bill No. 1231, entitled:

An Act to further amend an act, approved the fifth day of July, one thousand nine hundred and seventeen, (P. L. 684), entitled "An Act fixing the pay of election officers."

Which was committed to the Committee on Elections.

Also read in his place and presented to the Chair Senate Bill No. 1232, entitled:

An Act to amend clause (a) of section six and section seven of an act approved the twelfth day of July, one thousand nine hundred and thirteen, (P. L. 719), entitled "An Act regulating certain political parties; providing for and regulating the nomination of candidates of such political parties for certain public offices, the election of delegates and alternate delegates to National party conventions, and of certain party officers, including State committeemen; a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States; and for the payment by the several counties and their reimbursement by the State, of the expenses of the same; authorizing the State committee of a political party to make, and to alter, amend, and revoke rules; and providing penalties for the violation of the provisions of this act, and for the punishment of certain offenses provided for herein; and repealing inconsistent legislation," by eliminating the requirement that nomination petitions must have appended thereto certain affidavits and changing the number of signatures required on nomination petitions for certain officers.

Which was committed to the Committee on Elections.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 1233, entitled:

An Act validating ordinances passed by councils of cities of the third class and not assigned by the mayor or attested by the city clerk thereof, and validating all acts done in pursuance of such ordinances.

Which was committed to the Committee on Municipal Affairs.

BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 47, as follows:

An Act to amend section eleven of the act approved the thirteenth day of June one thousand eight hundred and forty (Pamphlet Laws six hundred and eighty-three) entitled "A Supplement to an act entitled 'An Act relating to the elections of this Commonwealth' passed the second day of July Anno Domini one thousand eight hundred and thirty-nine and for other purposes" allowing constables mileage for advertising elections and compensation for advertising elections where there is more than one polling place in a district said mileage and compensation to be paid by counties.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That authority of the same That section eleven of the act approved the thirteenth day of June one thousand eight hundred and forty (Pamphlet Laws six hundred and eighty-three) entitled "A supplement to an act entitled 'an act relating to the elections of this Commonwealth' passed the second day of July Anno Domini one thousand eight hundred and thirty-nine and for other purposes" which reads as follows

"Section 11 Constables supervisors or assessors as the case may be of any ward township incorporated district or borough shall be allowed and paid out of the county treasury two dollars for advertising ward township district and borough elections said constables shall also be allowed and paid as aforesaid twenty cents for delivering to each township officer a certificate of his election as directed by this act and the act to which this is a supplement" is hereby amended to read as follows

Section 11 Constables supervisors or assessors as the case may be of any ward township incorporated district or borough shall be allowed and paid out of the county treasury two dollars for each polling place for advertising ward township district and borough elections but not more than fifteen ($15.00) for this purpose for any one election and six cents per mile for each mile necessarily traveled in the performance of the said duties Said constables shall also be allowed and paid as aforesaid twenty cents for delivering to each township officer a certificate of his election as directed by this act and the act to which this is a supplement

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 439, as follows:

An Act to amend sections one thousand one hundred five and one thousand one hundred thirty-four of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand one hundred five of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penealties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 1105 The school directors of each county of this Commonwealth in which a county superintendent is to be elected shall meet in convention at the county-seat of their county in the court-house or some other suitable place to be furnished by the county commissioners at the expense of the county on the second Tuesday of April one thousand nine hundred and eighteen (1918) and on the same day of every fourth year thereafter and by a majority vote of those present elect as herein provided one duly qualified person as county superintendent to serve for four years from the first Monday of July next following Provided That on the second Tuesday of April one thousand nine hundred and twenty-six (1926) county superintendents shall be elected as herein provided to serve from the first Monday of May one thousand nine hundred and twenty-six (1926) until the first Monday of July one thousand nine hundred and thirty (1930)

Section 2 That section one thousand one hundred thirty-four of said act is hereby amended to read as follows

Section 1134 The boards of school directors of each district of the second or third class electing a district superintendent shall meet in convention at its regular place of meeting on the second Tuesday of April one thousand nine hundred and eighteen (1918) and every four years thereafter at an hour previously fixed by said board and the secretary shall mail to each member thereof at least five days beforehand a notice of the time place and purpose of such convention Such convention shall in the same manner as a county superintendent is elected and certified elect and certify a properly qualified district superintendent to serve for four years from the first Monday of July next following his election Provided That on the second Tuesday of April one thousand nine hundred and twenty-six (1926) such district superintendents shall be elected as herein provided to serve from the first Monday of May one thousand nine hundred and twenty-six until the first Monday of July one thousand nine hundred and thirty (1930)

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Costitution, and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 162, as follows:

An Act to amend section one of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" is hereby amended to read as follows

Section 1 Be it enacted et cetera That all personal property of the classes hereinafter enumerated owned held or possessed by any person persons co-partnership or unincorporated association or company resident located or liable to taxation within this Commonwealth or by any joint-stock company or association limited partnership bank or corporation whatsoever formed erected or incorporated by under or in pursuance of any law of this Commonwealth or of the United States or of any other State or government and liable to taxation within this Commonwealth whether such personal property be owned held or possessed by such person or persons copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation in his her their or its own right or as active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person persons copartnership association company joint-stock company or association limited partnership bank or corporation is hereby made taxable annually for county purposes and in cities coextensive with counties for city and county purposes at the rate of four mills on each dollar of the value thereof and no failure to assess or return the same shall discharge such owner or holder thereof from liability thereof that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest except the first two thousand dollars or any fractional part thereof of any separate account or collective account of any one person on deposit in any banks trust companies or savings institutions all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes by section seventeen hereof all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by section seventeen hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government except shares of stock in any bank corporation or limited partnership that may be liable to a tax on its shares or its capital stock for State purposes under the laws of this Commonwealth or relieved from the payment of tax on its shares of capital stock for State purposes by the laws of the Commonwealth all moneys loaned or invested in other States Territories The District of Columbia or foreign countries all other moneyed capital in the hands of individual citizens of the State all stages omnibuses hacks cabs and other vehicles used in transporting passengers for hire except steam and street passenger railway cars owned used or possessed within this Commonwealth by any person or persons or by any corporate body or bodies all annuities yeilding annually over two hundred dollars Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking instituton savings institution or trust company And provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock but nothing herein contained shall be construed to relieve or exempt individual depositors in savings institutions having no capital stock from any taxation to which such depositors may be subject and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said saving institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall return and pay the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for county purposes and in cities coextensive with counties for city and county purposes shall be taxed or taxable for any other local purposes or for State purposes under the laws of this Commonwealth

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix.
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz.
Lanius,
Leslie,
Long,
MacDade.
Mansfield,
McClintock
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 242, as follows:

An Act to amend sections ten eleven twelve and fourteen of and to add sections eleven (a) and eleven (b) to an act entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" approved the nineteenth day of March one thousand nine hundred and nine (Pamphlet Laws forty-six) changing the preliminary educational requirements creating a board to examine and license osteopathic physicians to practice operative surgery providing for such examination and licensing regulating the practice of the same and requiring additional qualifications therefor defining osteopathy and providing for the effect of reports and certificates made by osteopathic physicians and granting additional powers to the Board of Osteopathic Examiners to revoke licenses.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of an act approved the nineteenth day of March one thousand nine hundred and nine (Pamphlet Laws forty-six) entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing osteopaths in this State and to provide penalties for the violation of this act" which was last amended by section two of the act approved the seventeenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and twenty-nine) entitled "An act amending sections eight and ten of an act approved the nineteenth day of March one thousand nine hundred nine entitled 'An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act' as amended by providing for the extension of time necessary for graduation by revising the fee for reciprocity licenses and by further regulating the preliminary educational requirements for matriculation into colleges" is hereby amended to read as follows

Section 10 Applicants examined and licensed by the State Boards of Osteopathic Examiners of other States on the payment of a fee of fifty dollars to the State Board of Osteopathic Examiners and filing in the office of the State Board of Osteopathic Examiners a copy of said license certified by the affidavit of the president or secretary of such board showing also that the standard of requirements adopted by said board of examiners is substantially the same as is provided by section eight of this act shall without further examination receive a license conferring on the holder thereof all the rights and privileges provided by section eleven of this act

Candidates for license to practice osteopathy in this State who present their applications and undergo examination after the first day of January Anno Domini one thousand nine hundred and twelve shall be obliged to present to the State Board of Osteopathic Examiners one of the following credentials satisfactory to the said board covering their preliminary education prior to their beginning the study of osteopathy in some legally incorporated reputable osteopathic college to wit A diploma of graduation from a reputable college or university granting the degree of bachelor of arts or science or equivalent degree or a diploma of graduation from an educational institution maintaining a four years' course of study equivalent to a standard four year high school course that is a State Normal School or a high school a seminary an academy or a college preparatory school or a certificate of having passed examination for admission to the freshman class of a reputable literary or scientific college or university or a certificate of having passed an equivalent examination conducted by the Bureau of Professional Education Nothing herein shall be construed as being incompatible with the following additional requirement namely That the preliminary education shall include one year's credits in physics chemistry and biology as approved by the Bureau of Professional Education

After the first day of July one thousand nine hundred and twenty-eight applicants for licensure under the provisions of this act shall furnish prior to any examination by the State Board of Osteopathic Examiners satisfactory proof that he or she has had a general education of not less than a standard four years' high school course or its equivalent and not less than one year of college credits in chemistry biology and physics all of which have been received before admission to osteopathic study On said date the provisions of the foregoing paragraph of this section are hereby repealed

Section 2 That section eleven of said act be and the same is hereby amended to read as follows

Section 11 Every license to practice as an osteopathic physician issued by the State Board of Osteopathic Examiners shall authorize the holder thereof to practice osteopathy in all its branches including minor surgery and obstetrics without restrictions as the same is herein defined and taught and practiced in the legally incorporated reputable colleges of osteopathy but it shall not authorize the holder thereof to practice operative surgery without obtaining an additional license to practice such surgery as provided in section eleven (b) of this act Any use or practice by osteopathic physicians of the agencies or means hereinafter named as embraced within the fundamentals of the principles and practice of the system of osteopathy when used for the purposes in the manner and to the extent as taught and practiced in the legally incorporated reputable colleges of osteopathy shall not be construed the practice of medicine or deemed to be in violation of or contrary to any of the laws of this Commonwealth relating to the practice of medicine or regulating the public health

The word "osteopathy" as used in this act means a complete and independent scientific system for the preservation of health and the relief and cure of bodily disorders embracing a distinct etiology prophylaxis and therapeutics applicable to all types and conditions of disease which in its practice deals with the human body as an intricate machine holding as its foremost fundamental (a) that the body when in perfect structural alignment will function correctly and health ensue (b) that disease is the effect of anatomical abnormalities producing physiological discord emphasizing malposed part or parts of the spinal column its appendages and attachments as the chief predisposing and producing cause of disease to cure which the abnormal part or parts must be adjusted to the normal that Pathogenic Bacteria are secondary to the predisposing anatomical cause and (c) which regards and uses non-drug adjunctive measures as palliatives (d) Embraces obstetrics subscribes to sanitation and hygiene and to surgery when indicated and practiced from an osteopathic view point (e) employs antiseptics anaesthetics and germicides in case of necessity and antidotes in case of poisoning and (f) opposes the introduction of drugs into the body organism as curative agencies

Section 3 Said act is hereby amended by adding thereto the following sections to be sections eleven (a) and eleven (b)

Section 11 (a) For the purpose of licensing osteopathic physicians to practice operative surgery until other provisions are made by the General Assembly there is hereby created in the Department of Public Instruction a special examining board to be known as the Osteopathic Surgeons' Examining Board Such board shall consist of the director of the Pre-Professional and Professional Credentials Bureau of the Department of Public Instruction who shall be a member ex-officio and four other members who shall be appointed by the Governor Two of such members shall be appointed from four persons nominated by the Bureau of Medical Education and Licensure of the Department of Public Instruction who at the time of their appointment are licensed and quailfied to practice medicine and surgery and have practiced the same in this Commonwealth for a period of not less than ten years immediately prior to their appointment and two from four persons nominated by the Board of Osteopathic Examiners who at the time of their appointment are licensed and qualified to practice osteopathy and have practiced the same in this Commonwealth for a period of not less than ten yers and who have practiced surgery for a period of not less than five years immediately prior to their appointment The members of the board shall receive fifteen dollars each for each day of actual service and railroad and hotel expenses All clerical work of the board shall be furnished by the Department of Public Instruction

All fees for the examination and licensing of osteopathic surgeons shall be paid to the Director of the Pre-Professional and Profesional Credentials Bureau and by him be paid into the State Treasury All expenses of the Osteopathic Surgeon's Examining Board shall be paid out of appropriations made to the Department of Public Instruction

Section 11 (b) Any person licensed to practice osteopathy in this State and desiring to enter upon the practice of operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy may deliver to the Director of the Pre-Professional and Professional Credentials Bureau of the Department of Public Instruction upon the payment of a fee of twenty-five dollars a written application for license together with satisfactory proof in such form as may be required by the Osteopathic Surgeons' Examining Board that the applicant has served for a period of not less than two years as an interne or assistant surgeon in an approved osteopathic hospital which shall have at least ten beds per interne devoted to the treatment of diseases shall maintain a thoroughly equipped modern pathological and clinical laboratory proportionate to the necessities of the hospital and shall maintain a department of anaethesia consisting of one or more anaesthetists who shall have supervision over all the anaesthesia given in the institution and whose duty it shall be to instruct all internes in the administration of anaesthetics Provided That any person duly licensed as an Osteopath who has had at least three years of actual practice as a surgeon may be examined by the Board without being required to prove that he has had two years experience as an interne or assistant surgeon in a hospital as hereinbefore provided

Thereupon the Osteopathic Surgeons Examining Board if satisfied with said proof shall admit said applicant to examination as to his or her qualifications for the practice of operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopthy Such examination shall include the subjects of surgical diagnosis and operative surgery and such other subjects as the said Board may deem necessary to test the qualification of the applicants The Osteopathic Surgeons' Examining Board shall issue forthwith to each applicant who shall have obtained a general average of not less than seventy-five per centum and who shall have been adjudged by the said Board of Examiners to be duly qualified for the practice of operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy a license to practice such operative surgery in the State of Pennsylvania Such license shall be issued and recorded in the same manner as licenses to practice osteopathy are now issued by the State Board of Osteopathic Examiners under the provisions of this act Provided however That no such license shall be issued if any objection thereto is filed by the State Board of Osteopathic Examiners

Each person to whom a license is issued to practice operative surgery by the Osteopathic Surgeons' Examining Board shall likewise register in the office of the prothonotary of the court of common pleas of the county or counties in which he or she desires to practice by exhibiting to the prothonotary of said county or counties a license duly granted to him or her as hereinbefore provided whereupon he or she shall be entitled upon the payment of one dollar to be duly registered in the office of the prothonotary of the court of common pleas of said county or counties as an osteopathic surgeon

Every license issued by said board to practice surgery shall authorize the holder thereof to practice major or operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy and the use of anaesthetics antiseptics narcotics and germicides when used for the purposes in the manner and to the extent only as taught and practiced under surgical procedure in the legally incorporated reputable colleges of osteopathy shall not be considered the practice of medicine or in violation of any of the laws relating to the practice of medicine or regulating the public health

Any osteopathic physician who has been practicing operative surgery for a period of not less than five years prior to the passage of this act shall not be required to take the examinations required by this section and shall be eligible to appointment as a members of the Osteopathic Surgeons' Examining Board

Section 4 That section twelve of said act be and the same is hereby amended to read as follows

Section 12 Osteopathic physicians and osteopathic surgeons shall observe and be subject to all State and municipal regulations relating to the control of contagious diseases the reporting and certifying of births and deaths and all matters pertaining to public health the same as physicians of other schools and all such reports and certificates when made or issued by osteopthic physicians licensed under laws of the Commonwealth shall be accepted by the persons partnerships corporations officers boards bureaus or departments to whom the same are made with the same force and effect as reports or certificates issued by physicians of other schools and such osteopathic physicians shall be entitled to the same fees and compensation as is provided by law for physicians of any other school Provided That no report or certificate made under the provisions of this section in connection with a case involving operative surgery shall be valid unless the same is made by an Osteopathic Surgeon duly licensed to practice operative surgery under the provisions of this act

Section 5 That section fourteen of said act be and the same is hereby amended to read as follows

Section 14 On and after the approval of this act the State Board of Osteopathic Examiners shall refuse to grant a license to an applicant to practice osteopathy in this State and is empowered to revoke a license conferring on a person the right to practice osteopthy upon the presentation to said State Board of Osteopathic Examiners of a court record showing the conviction in due course of law of said person for procuring aiding or abetting in producing a criminal abortion or miscarriage by any means whatsoever The State Board of Osteopathic Examiners upon such evidence and proof cause the name of said convicted licentiate to be removed from the record in the office of any prothonotary in the State The State Board of Osteopathic Examiners may refuse revoke or suspend the right to practice osteopathy in this State upon any or all the following reasons to wit The conviction of a crime involving moral turpitude habitual intemperance in the use of ardent spirits or stimulants narcotics or any other substance which impairs intellection and judgment to such an extent as to incapacitate the performance of professional duties the violation of the practice of the principles of the system osteopathy as defined in this act Any person who is a licentiate under this act or who is an applicant for examination for licensure to practice osteopathy in this State against whom any of the foregoing charges are preferred for causing the revocation or suspension of license or for causing the refusal of the right to be examined for licensure shall be furnished by the State Board of Osteopathic Examiners with a copy of the complaint and shall have a hearing before said board in person or by attorney and witnesses may be examined by said board respecting the guilt or innocence of said accused The suspension of license of any licentiate under this act shall be removed when said narcotic or vicious habit hereinbefore specified shall have been adjudged by the proper authorities to be cured or overcome and said suspended licentiate deemed again capable of practicing the healing art

Section 6 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. MILLER. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. MILLER. Mr. President, I voted "aye".

Mr. SMITH. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SMITH. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill?

Mr. MILLER. Mr. President, I ask unanimous consent to amend Section 11-B, page 8, line 25, by inserting after the word "anaesthetics" the following: "The Osteopathic Surgeons' Examining Board shall examine and fix the rating of all osteopathic colleges and hospitals for graduate students and provide interne positions as hereinbefore provided for; this inspection and rating as it relates to surgery only. The same standard for graduates in medicine shall be used for examination by the Osteopathic Examining Board in the examination of ostheopathic graduates for license to practice surgery;" also page 9, line 22, by striking out the word "Proveded" and inserting in lieu thereof the word "provided."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to,

Ordered, That the bill as amended be printed for the use of the Senate.

BILL RECOMMITTED.

Mr. MANSFIELD. Mr. President, I move that Senate Bill No. 516, on final passage, entitled:

An Act providing for the appointment and election of assistant assessors for election purposes in certain wards in cities of the third class fixing their terms of office and providing for their compensation

be recommitted to the Committee on Municipal Affairs.

Mr. SNYDER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SCHANTZ. Mr. President, this Bill, No. 516, No. 80 at the bottom of page 4 of the calendar, and No. 81, at the top of page 5, are three bills that jointly would abolish personal registration in cities of the third class. They are all contingent upon each other and of course all depends upon the passage of Bill No. 80. If Bill No. 80 would not pass then the passage of the other bills is not desirable. These bills have been in and out of committee repeatedly. They were sent back two weeks ago on motion of Senator Joyce and they were in the Committee on Elections since that time and nobody requested a hearing. They are out again and any request for a hearing at this time is simply an effort to kill the bills. These bills should not be sent back again but they should be voted upon by the Senate.

The effect of the passage of these bills is to put the registration of voters in cities of the first class under the same system that we now have in boroughs and townships and under the same system that we had in cities of the third class prior to the passage of the Act of 1906. Personal registration in cities of the third class is nothing but a nuisance. It benefits nobody. It was one of the reforms that proved not to reform anything, and I know that the rank and file of the voters of the cities of the third class desire the passage of these bills, and, as I say, they simplify the registration of the voters and establish the same system that you now have in boroughs and townships and restore the same system that you have in cities of the third class prior to the passage of the Act of 1906. The people of my city, of the third class, are unanimously for it and I have letters from all over the state, from the cities of Reading and Altoona, and all over the state, the people of the cities of the third class unanimously desire the passage of these acts.

Mr. SNYDER. Mr. President, I represent the City of Altoona and I know that some of the citizens of Altoona do not want this change. We consider it a step backward. We think that the Personal Registration Act for cities of the third class is a very good measure and productive of a very great deal of good. I would like to have our cities heard, and for that reason I would like to see this bill go back to committee for a hearing.

Mr. MANSFIELD. Mr. President, I do not believe that it would be possible for this body to do any one thing that would be more of a step backward than to repeal the law that provides for the personal registration of voters for cities of the third class. For years and years the citizens of the cities of the third class fought for this legislation. The cities of the first class have it now, the cities of the second class have it, and in my own district where I live, prior to the passage of this act, at one election the assessors had placed upon the voting rolls 734 votes. I was a candidate for office at that time and made a personal canvass over this district, and I found that the assessor had placed upon the roll more than 200 hundred voters that did not live in the district at all. I went into the Common Pleas Court of Allegheny County and had stricken from the registry list more than 200 names of voters that did not live in the district at all. It developed at the hearing that one of the candidates for office had presented to the registrar a list of 50 names to be placed upon the roll, none of whom lived in the district, and I believe that the cities of the third class are at least entitled to a hearing on this bill. When it was recommitted before it was recommitted with the understanding that there would be a hearing and it was reported out of committee without a meeting of the committee, I think that it would be a step backward for this body to think of passing a law such as this at this time.

Mr. SCHANTZ. Mr. President, these bills were distinctly voted out of committee, and, as I say, two weeks ago they were sent back and then nobody wanted a hearing. Two weeks have gone by, I waited patiently for anybody to ask for a hearing and nobody asked for a hearing until we move again. I imagine they wanted to wait until after the session before a request for a hearing would come in Mr. President, as I have said, these three bills are all contingent upon the passage of No. 80. I am willing to pass this one over until we have acted upon No. 80 and if that one does not pass I will withdraw the other two.

And the question recurring,

Will the Senate agree to the motion?

A division being called for the yeas were 21 and the nays 19, whereupon the question was decided in the affirmative.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 743, as follows:

An Act to further amend clause three of section one of an act approved the eighth day of May one thousand eight hundred and fifty-four (Pamphlet Laws six hundred and forty-four) entitled "A further supplement to the act entitled 'An act concerning divorces'" as amended making the degree of cruelty as a ground for divorce the same for husband and wife

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause three of section one of an act approved the eighth day of May one thousand eight hundred and fifty-four (Pamphlet Laws six hundred and forty-four) entitled "A further supplement to the act entitled 'An act concerning divorces'" as amended by an act approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws three hundred and eight) entitled "An act amending section three of an act entitled 'An act concerning divorces' approved the eighth day of May one thousand eight hundred and fifty-four enlarging the same so as to include indignities to the person of the husband" is hereby further amended to read as follows

Section 3 Where either husband or (a) wife shall have by cruel and barbarous treatment endangered the life of the other or by indignities to (his) the person of the other rendered his or her (the) condition (of her husband) intolerable or life burdensome Provided That in case of divorce under this act if the application shall be made on the part of the husband the court granting the divorce may allow such support or alimony to the wife as her husband's circumstances may admit of and as said court may deem just and proper

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley.
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 758, as follows:

An Act to amend section eight clause (a) of an act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and three) entitled "An act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such election and of decrees relative thereto and to the fees therefor" by giving to the sole surviving parent the right to appoint a testamentary guardian for his or her minor child

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight clause (a) of an act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and three) entitled "An act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such election and of decrees relative thereto and to the fees therefor" is hereby amended to read as follows

(a) Every person competent to make a will being the (father or adopting father) sole surviving parent of any minor child unmarried may appoint a testamentary guardian (for) of the person or property or both of such child during his or her minority or for any shorter period Provided (That such testamentary guardian shall not be entitled to the custody of the person of such child unless the mother or adopting mother if surviving shall relinquish such custody or unless the best interests of the child shall require that such surviving mother or adopting mother should not retain the custody of the person of such child) however That any parent may by will appoint a guardian of the property which his or her child may inherit from his or her

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 895, (House Bill No. 1086), as follows:

An Act providing for the public safety and welfare requiring owners and operators of coal mines and operations to furnish and sell fuel coal at current or market prices to and for the use of hospitals poor houses or other charitable institutions schools churches and buildings of municipal or quasi municipal character and providing penalties for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be the duty of the individual owner operator president director general manager superintendent or other person in charge of or having supervision over any coal mine or mining operation upon and after reasonable notice and demand to furnish and sell at reasonable and current or market rates and prices and at reasonable times such amount of fuel coal as shall be reasonably necessary for the proper heating of any hospital poor house or other charitable institution school building church or place of religious worship or public building municipal or quasi municipal in character located within the limits of the municipality in which said coal mining operation is conducted or carried on Provided however That said owner or operator of said anthracite coal mine or mining operation may demand that said coal so furnished be paid for at the mine or coal pocket where said coal is furnished or delivered

Section 2 Any individual owner operator president director general manager superintendent or other person in charge of or having supervision over any such anthracite coal mining operation wilfully violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than one thousand dollars or undergo imprisonment for not more than one year or both at the discretion of the Court

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz.
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the chair.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 950 (House Bill No. 1216), entitled:

An Act authorizing certain corporations to authorize create and issue capital stock of any class or kind without nominal or par value and to change or convert their authorized or outstanding capital stock of any class or kind into shares of any class or kind either with or without nominal or par value and validating the creations and issues of stock heretofore made by corporations in accordance with the provisions hereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any corporation heretofore or hereafter incorporated except those referred to in section two hereof having a capital stock consisting of shares either with or without nominal or par value or both may at any time authorize and issue capital stock of any class or kind with or without nominal or par value or change or convert any or all of the shares of its authorized or outstanding capital stock into one or more classes and kinds with or without nominal or par value as to the shares of any given class or kind in the same manner and by the same stock vote as may now or may hereafter be prescribed by law for increasing the capital stock of corporations Provided however that in any case where shares without nominal or par value shall be provided for a stated capital shall be fixed the amount of which shall be set forth in such proceedings which stated capital shall be governed by and be subject to the provisions of the Acts of Assembly relating thereto now in force or which may hereafter be enacted And provided further that any shares of capital stock without nominal or par value created under the provisions of this act shall be subject to all of the provisions contained in the Act of July twelfth one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and fourteen) entitled "An act authorizing stock corporations other than building and loan associations and corporations authorized by law to transact a banking or insurance business to make provision upon formation reorganization merger or consolidation for the issue of either or both preferred or common shares without nominal or par value regulating the same and such corporations and prescribing the method of determining the number of shares and capital of corporations issuing shares in such manner

Section 2 This act shall not apply to the following classes of corporations viz building and loan associations insurance banking and trust companies and such companies as are required by the provisions of the act appproved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An Act to provide for the incorporation and regulation of certain corporations" and supplements thereto to have their charters approved by the courts of common pleas

Section 3 All creations and issues of one or more of any class or kind of stock heretofore made by corporations which would be legal and valid under the provisions of section one of this act are hereby validated with the same force and effect as if this act had been in effect at the time of the issuance of such stock

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1093, (House Bill No. 1235), as follows:

An Act authorizing the Department of Forestry to grant on terms conditions and stipulations rights to occupy and use any portions of the State Forests for dams reservoirs canals pipe lines and other water conduits for certain water supply purposes and providing "remedies for violations of this act or regulations or orders hereunder or of such terms conditions and providing for revocation of the grant in certain cases"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Forstry is hereby authorized in its discretion to grant the right to occupy and use any portions of the State Forests for use as sites for dams other water obstructions reservoirs canals pipe lines and other water conduits for supplying water otherwise than for steam condensation Every such grant shall be on such terms conditions and stipulations as the Department shall deem necessary for the protection of the present and future interests of the Commonwealth and its people and suitable for affording a reasonable opportunity for a fair return on the actual investment prudently made on the faith of such grant

Section 2 That the Attorney General may on the request of the Water Supply Commission institute proceedings in any court now or hereafter clothed with jurisdiction in cases in which the Commonwealth is a party for the purpose of revoking for violation of its terms any permit issued hereunder or for the purpose of remedying or correcting by injunction mandamus or other process any action of commission or omission in violation of the provisions of this act or any lawful regulation or order promulgated hereunder The said courts shall have jurisdiction over all the abovementioned proceedings and shall have power to issue and execute all necessary process and to make and enforce all rights orders and decrees to compel compliance with the law orders and regulations of the Commissioner of Forestry in respect of any so permitted dam water obstruction or appurtenant works and to compel the performance of any condition imposed under the provisions of this act In the event a decree revoking a permit entered the court is empowered to sell the whole or any part of the dam or other water obstruction together with any or all appurtenant works lands and water rights to wind up the business of such permittee conducted in connection with such dam or water obstruction to distribute the proceeds to the parties entitled to the same and to make and enforce such further orders and decrees as equity and justice may require At such sale or sales the vendee shall take the rights and privileges belonging to the permittee and shall perform the duties of such grantee and assume all outstanding obligations and liabilities of the grantee which the court may deem equitable in the premises

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. HUFFMAN. Mr. President, I ask that Senate Bill No. 1095, (House Bill No. 1238), on final passage, entitled:

An Act authorizing the Department of Forestry to lease, for periods of not more than fifty years, on terms, conditions and stipulations expressed in each lease, any portions of the State Forests for dams, reservoirs, canals, pipe lines and other water conduits, power houses and transmission lines for the development of water power, for steam raising and condensation and for the generation and transmission of electric energy.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1136, as follows:

An Act to amend section eleven of an act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws eight hundred thirty-one) entitled "An act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners providing for the appointment and removal of inspectors of anthracite mines prescribing their qualifications and regulating their salaries and term of office and abolishing the terms of office of the present mine inspectors of the anthracite mines"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eleven of an act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws eight hundred and thirty-one) entitled "An act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners providing for the appointment and removal of inspectors of anthracite mines prescribing their qualifications and regulating their salaries and term of office and abolishing the terms of office of the present mine inspectors of the anthracite mines" is hereby amended to read as follows

Section 11 Each inspector shall before entering upon the discharge of his duties take an oath or make affirmation that he will discharge his duties with impartiality and fidelity

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1137, as follows:

An Act to amend paragraph two section one of article nineteen of an act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws page seven hundred and fifty-six) entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" authorizing the Chief of the Department of Mines to determine the maximum number of days for which the members of the Bituminous Mine Inspectors' Examining Board shall receive compensation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That paragraph two section one of article nineteen of an act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws page seven hundred fifty-six) entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" is hereby amended to read as follows

Each member of the Examining Board shall receive the sum of ten dollars a day for each day actually employed and all necessary expenses incurred in carrying out the provisions of this article which shall be paid out of the State Treasury on warrant of the Auditor General issued upon presentation of vouchers properly made out and sworn to by each member of the board and approved by the Chief of the Department of Mines **Provided That the Chief of the Department of Mines shall have the right to determine from time to time the maximum number of days for which the members of the board shall receive compensation The Examining Board is hereby authorized to engage the services of a clerk who shall be a stenographer**

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1140, as follows:

An Act giving the consent of the Commonwealth of Pennsylvania to the purchase by the United States of about one hundred and forty-seven and five hundred and forty-three thousandths acres of land in O'Hara Township Allegheny County Pennsylvania for use in the care and treatment of discharged sick and disabled soldiers or for other uses of the United States and ceding jurisdiction over such land and also providing for the retention of a concurrent jurisdiction by the Commonwealth of Pennsylvania with the United States in such land for the service of legal process thereupon

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the consent of the Commonwealth of Pennsylvania in hereby granted to the purchase by the Government of the United States of a certain tract of land containing approximately one hundred and forty-seven and five hundred and forty-three thousandths acres for use in the care and treatment of discharged sick and disabled soldiers or for other uses of the United States said tract of land being situate in O'Hara Township Allegheny County Pennsylvania and bounded and described as follows to wit

Beginning at a concrete monument at the Northeasterly corner of lands of the city of Pittsburgh upon which is constructed its Filtration Plant said monument being distant North Three Degrees Forty-three Minutes (N. 3° 43′) East One Thousand One hundred and Ninety-nine and Seventy-seven One-hundredths (1199.77) feet measured along said Filtration lands from the Northerly side of the County Road known as Freeport Road thence along said Filtration lands North Seventy-three Degrees Two Minutes (N. 73° 2′) West One Thousand Four Hundred Seventy-four and eighty-one One hundredths (1474.81) feet to an iron post on line of land now or formerly of Aspinwall-Delafield Company upon which is laid out its plan number five thence along said last mentioned line North Two Degrees Twenty-five Minutes (N. 2° 25′) East One Thousand Two Hundred Eight and Eighty-three One-hundredths (1208.83) feet to an old monument (stone) thence along the same North Eighty-nine Degrees Fifty-three Minutes (N. 89° 53′) West One hundred Thirty-one and Ninety-two One-hundredths (131.92) feet to an old monument stone thence along the same North Eight Degrees Fifty-three Minutes (N. 8° 53′) West Eight Hundred Thirty-five and Fifty-eight One-hundredths (835.58) feet passing through a concrete monument to the center of the County Road designated in the Aspinwall-Delafield Company's Plans as Delafield Avenue on line of Plan number four of said Aspinwall-Delafield Company thence along the center of said County Road the following eleven courses and distances North Seventy-one Degrees Eleven Minutes (N. 71° 11′) East Sixty-seven and Forty-one One-hundredths (67.41) feet along said land of Aspinwall Delafield Company North Sixty-eight Degrees Thirteen Minutes (N. 68° 13′) East One Hundred Ninety-five and Fifty One-hundredths (195.50) feet along same North Fifty-nine Degrees Two Minutes (N. 59° 2′) East Seventy-one and Four One-hundredths (71.04) feet along same North Fifty-six Degrees Twenty-eight Minutes Thirty Seconds (N. 56° 28′ 30″) East Two Hundred Ninety-five and Twenty-eight One-hundredths (295.28) feet along lands or Peoples Savings and Trust Company North Sixty-one Degrees Two Minutes (N. 61° 2′) East One Hundred Three and Eighty One-hundredths (103.80) feet along same North Sixty-eight Degrees Fifty-seven Minutes (N. 68° 57′) East Three Hundred Ninety-eight and Sixty-two One-hundredths (398.62) feet along same North Seventy-five Degrees Three Minutes (N. 75° 3′) East One Hundred Forty-eight and Forty-six One-hundredths (148.46) feet along same North Eighty-one Degrees Thirteen Minutes (N. 81° 13′) East Three Hundred Fifty-seven and Forty-eight One-hundredths (357.48) feet along same South Seventy Degrees Fifty-five Minutes (S. 70° 55′) East One Hundred Twenty-seven and Forty-six One-Hundredths (127.46) feet along same South Eighty-two Degrees Twenty-five Minutes (S. 82° 25′) East Eighty and Eighty-two One hundredths (80.82) feet along same North Eighty-three Degrees Twenty-five Minutes (N. 83° 25′) East Seventy-nine and Sixty One-hundredths (79.60) feet along same thence in part along the center of said Road along said lands of Peoples Savings and Trust Company passing through a concrete monument North Seventy-seven Degrees Thirty Minutes Thirty Seconds (N. 77° 30′ 30″) East Four Hundred Twenty and Twenty-three One-hundredths (420.23) feet to the center of Squaw Run thence along the center of said Run the Twelve following courses and distances along lands of Peoples Savings and Trust Company South Twelve Degrees Twenty-four Minutes Thirty Seconds (S. 12° 23′ 30″) East One Hundred Eight and Forty-four One-hundredths (108.44) feet South Fifty-two Degrees Six Minutes (S. 52° 6′) East Two Hundred Forty-two and Twenty-One-Hundredths (242.20) feet South Five Degrees Twenty-six Minutes (S. 5° 26′) East Two Hundred Twenty-five and Forty One-hundredths (225.40) feet South Thirty-five Degrees

Forty-two Minutes (S. 35° 42′) East One hundred Sixty-one and Ninety One-hundredths (161.90) feet South Sixteen Degrees Thirty-nine Minutes (S. 16° 33′) East One Hundred Twenty-three and Sixty One-hundredths (123.60) feet South Forty Degrees Fifty-six Minutes (S. 40° 56′) East Three Hundred Seventy-nine and Fifty One-hundredths (379.50) feet South Ten Degrees Forty Minutes (S. 10° 40′) West One Hundred Thirty-eight and Twenty-five One-hundredths (138.25) feet South Twenty-four Degrees Thirty-two Minutes (S. 24° 32′) West Three Hundred Seventy-seven (377) feet South Twenty-nine Degrees Thirty-five Minutes (S. 29° 35′) West Four Hundred Sixteen and Thirty-nine One-hundredths (416.39) feet South Thirty-seven Degrees Thirty-three Minutes (S. 37° 33′) West Two Hundred Twenty-two and Twenty-six One-hundredths (226.26) feet South Thirty Degrees Twenty-three Minutes (S. 30° 23′) East Three Hundred Eighty-one and Eighty-three One-hundredths (381.83) feet South Twenty Degrees Fifty-nine Minutes (S. 20° 59′) East Three Hundred Sixteen and Forty-two One-hundredths (316.42) feet thence along lands of Peoples Savings and Trust Company passing through a concrete monument South Sixty-five Degrees Fifty-seven Minutes (S. 65° 57′) West One Thousand Seventy-one and Ninety-one One-hundredths (1071.91) feet to the concrete monument at the place of beginning CONTAINING One Hundred Forty-seven and Five Hundred Forty-three One thousandths (147.543) Acres TOGETHER with a right-of-way for a roadway on and over a strip of land of the width of Thirty (30) feet extending from the above described premises along the Easterly line of the lands of the City of Pittsburgh designated herein as the Filtration Plant out to and connecting with the public road known as the Freeport Road BEING part of the property which was conveyed to Peoples Savings and Trust Company of Pittsburgh by deed of William S. Haddock Sheriff of Allegheny County Pennsylvania dated the nineteenth day of October one thousand nine hundred and eighteen recorded in the Recorder's Office of Allegheny County Pennsylvania in Deed Book Volume one thousand nine hundred and fifty-two Page one TOGETHER with all and singular the buildings streets alleys passages ways waters water-courses rights liberties privileges hereditaments and appurtenances whatsoever thereunto belonging or in anywise appertaining and the reversions and remainders rents issues and profits thereof and all the estate right title interest use trust property possession claim and demand whatsoever of the owner or owners thereof in law equity or otherwise howsoever of in and to the same and every part thereof

Section 2 Exclusive jurisdiction over the lands so purchased is hereby ceded to the United States by the Commonwealth of Pennsylvania and said lands shall be exempt from the payment of all taxes State and local Provided That the Commonwealth of Pennsylvania shall retain a concurrent jurisdiction with the United States over the lands so acquired by the United States for the purpose of serving of all civil processes And provided further That such criminal processes as may issue under the authority of the Commonwealth against any person or persons charged with crimes committed without the area so acquired may be executed therein in the same manner as though this cession had not been granted

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1148, as follows:

An Act to amend section three paragraph one of an act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws ten hundred and forty-three) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes extempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time for a "present employe" as defined in the act to elect to be covered by the retirement system and including among "present employes" those employed in certain educational institutions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three paragraph one of an act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws ten hundred and forty-three) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" is hereby amended to read as follows

1 All present employes including employes in the Pennsylvania Institution for the Instruction of the Blind Overbrook Philadelphia Pennsylvania The Western Pennsylvania Institution for the Blind Pittsburgh Pennsylvania The Pennsylvania Institution for the Deaf and Dumb Mount Airy Philadelphia Pennsylvania and The Western Pennsylvania Institution for the Instruction of the Deaf and Dumb Wilkinsburg Pennsylvania except those specifically excluded by paragraph three of this section who by written application to the Superintendent of Public Instruction shall elect before the first day of July nineteen hundred and (nineteen) twenty-four to be covered by the retirement system Provided That such employe shall at the time of making such application pay into the employes' annuity savings fund as provided for in paragraph number six of section eight of this act an amount equal to what would have been at that date the accumulated deductions from the salary of such employe had the election to be covered by the retirement system been made prior to the first day of July nineteen hundred and nineteen

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman
Stites,

Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS RECOMMITTED.

Mr. MANSFIELD. Mr. President, I move that Senate Bill No. 80, on third reading, entitled:

An Act to repeal the act approved the fifth day of March, one thousand, nine hundred and six, (P. L. 63), entitled "An Act to provide for the personal registration of electors in cities of the third class of this Commonwealth, to make such registration a condition of the right to vote in such cities, and to provide penalties for violation of its provisions," and the amendments and supplements thereto.

And Senate Bill No. 81, on third reading, entitled:

An Act to amend sections two, three, four and six of the act approved the twenty-fifth day of July, one thousand nine hundred and thirteen, (P. L. 1043), entitled "An act to provide for the registration and enrollment of the voters of the State according to their respective party preferences; fixing the compensation of assessors and registry assessors for making said registration and enrollment; and prescribing penalties for false registration or enrollment, and for voters voting or attempting to vote, and for the election officers wilfully permitting or conspiring to permit them to vote, at a primary, by or on any other than their own party ticket;" providing for the enrollment of electors in cities of the third class by assessors and registry assessors.

be recommitted to the Committee on Municipal Affairs for a hearing.

Mr. SNYDER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SCHANTZ. Mr. President, I want to state again that the reason assigned for the recommitment of these bills, for the purpose of a hearing, is not correct, because no hearing had been desired or requested. As I say, these bills were sent back two weeks ago for that purpose and nobody requested a hearing, so I want to deny the statement that they are sent back for hearing.

Mr. MANSFIELD. Mr. President, I do have requests from people in my district for a hearing.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 266, entitled:

An Act providing for only one assessment of all property for taxation in cities of the third class within this Commonwealth directing said assessment to be made by the city assessors of said cities and said city assessors in addition to their duties as such assessors, to perform all other duties now performed by the county assessors in said cities and requiring said cities to furnish copies of said assessment to each of the boards of school directors in said cities to each of the boards of county commissioners of the respective counties wherein said cities are located and to all other boards or authorities levying and collecting taxes in said cities and all taxes, city, school, county, poor and other taxes to be levied on said assessment.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Sisson,
Sones,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. CRAIG. Mr. President, I ask that Senate Bill No. 316, on third reading, entitled:

An Act to amend chapter seven of an act approved May 14, 1915. (P. L. 312) entitled "An act providing a system of government for boroughs, and revising, amending and consolidating the law relating to boroughs "by creating a Borough Planning Department, defining its jurisdiction, and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the borough, and for three miles beyond the borough limits; and to regulate the making and use of certain public improvements until said plans are approved by said department, and authorizing the exercise of the powers herein provided by a park or other municipal commission.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED.

Mr. STEELE. Mr. President, I move that Senate Bill No. 536, (House Bill No. 551), on third reading, entitled:

An Act to amend an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs " by adding an additional subsection to section nine of article seven of chapter six thereof to empower boroughs without petition of property owners to grade pave curb macadamize or otherwise improve public streets or parts thereof an assess the entire cost thereof against the owners of the property abutting thereon when said streets or parts do not exceed one thousand feet in length and connecting two streets theretofore paved and improved

be recommitted to the Committee on Municipal Affairs for the purpose of a hearing.

Mr. DERRICK. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 543, (House Bill No. 610), entitled:

An Act to amend section seventy-four of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz.
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 573, entitled:

A Joint Resolution proposing an amendment to section twelve of article three of the Constitution of Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward.
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 663, (House Bill No. 461), entitled:

An Act to better secure all bonds stock mortgages or other securities deposited with the State Treasurer by providing for their inspection examination and verification and the verification of the books containing a record of such bonds stocks mortgages or other securities by the Auditor General or his agents

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 665, (House Bill No. 623), entitled:

An Act to amend section five of an act approved the nineteenth day of May one thousand eight hundred seventy-four (Pamphlet Laws two hundred six) entitled "An act relating to the organization and juistdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof" as amended by changing the provision for appointment of first assistant clerks so and Register of Wills joint power to modify the salaries fixed as to coform to the Constitution and giving to the Court for any assistant clerk

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 814, (House Bill No. 440), entitled:

An Act to provide for the licensing of transit retail merchants in cities boroughs and townships and providing a penalty for the failure to obtain such license

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyré,
Pres. Pro Tem

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 865, (House Bill No. 1337), entitled:

An Act providing a method for deciding a tie vote in borough councils

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. JOYCE. Mr. President, I ask unanimous consent to amend section 1, page 1, line 5, by inserting after the word "to" the words "enact or pass any ordinance;" also line 6, by striking out the word "agree."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 869, entitled:

An Act to amend section fourteen of an act approved June twenty one thousand nine hundred and nineteen (Pamphlet Laws five hundred and five) entitled "An Act relating to and regulating the solicitation of moneys and property for charitable and patriotic purposes"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 909, (House Bill No. 18), entitled:

An Act to provide for the welfare of all persons confined (Whether such person be tried or untried prisoners) in any penitentiary or county prison in this Commonwealth

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with the information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 985, entitled:

An Act to amend section three hundred and twenty-nine, as amended, and section five hundred and fifty-four of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. . . 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Aron,
Baldwin,
Barr
Berntheizel,
Buckman,
Christley,
Clark,
Culbertson,
Daix,
Davis,
Derrick,
Einstein,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Long,
MacDade,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Schantz,
Sisson,
Steele,
Stineman,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—16.

Betts,
Brown,
Craig,
DeWitt,
Harris,
Kutz,
Lanius,
Leslie,
Mansfield,
Phipps,
Quigley,
Smith,
Snyder,
Sones,
Sprowls,
Vare,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1018, entitled:

A Joint Resolution proposing an amendment to section seven of article three of the Constitution of Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. LESLIE. Mr. President, I wish to call the attention of the members of the Senate to this bill. It is a joint resolution proposing an amendment to Section 7 of Article 3 of the Constitution. Section 7 of Article 3 of the Constitution reads as follows:

"The General Assembly shall not pass any local or special law authorizing the creation, extension or impairing of liens". Then come the items covered by that section, including the part in reference to the election laws, which the Constitution provides:

"All laws regulating the holding of elections by the citizens or for the registration of electors shall be uniform throughout the State, but laws regulating and requiring registration of electors may be enacted to cities only; provided that such laws be uniform for cities of the same class".

In an analysis of the operation of the election laws, as compiled, the Constitution in a sense provides that all laws regulating the holding of elections by citizens shall be uniform throughout the State, which is Article 8, Section 7 of the Constitution.

The amendment proposed by this Joint Resolution provides as follows:

"For the opening and conducting of elections or fixing or changing the place of voting, Provided however that the General Assembly may pass legislation applying to Allegheny County or any part thereof providing for the installation and use of voting machines at any election or primary, and providing for their optional installation and use subject to the approval of the court of common pleas."

Mr. President, I do not desire to place myself on record or to try to convince the members of this Senate as to the constitutionality of this Joint Resolution, if it should prevail in this Senate, and again two years hence and then come before the vote of the people, but I have talked to a great number of attorneys, attorneys in this Senate, and others, and submitted this amendment. This amendment is not even general throughout the County of Allegheny. It is optional on the part of the certain persons of the city government or county government, the County Commissioners or those authorized to provide the paraphernalia for holding elections. According to this act voting machines may be provided in certain localities. As I understand the Constitution of this State and of these United States, it is for all the people within the confines of this State, and likewise the Constitution of the United States. So if the Constitution of this State be so amended any of the sixty-seven counties might arise at any time and ask for a Constitutional Amendment, so as to provide for something in their particular locality. Certainly it would not be a constitution of the people as a whole, it would be a patchwork proposition not as the constitution that we are now operating under. I made inquiry as to the classification of counties, eight classifications, as to whether that act had been decided as to its constitutionality and I am informed it has not. I helped to pass that legislation for the reason that certain counties were being imposed upon by certain laws in regard to salaries and positions in the county, but there is great doubt about the constitutionality of that act, that is perfectly plain and I do not think there should be any hesitancy on the part of any one and there has been no one that I have spoken to who has hesitated to say that they cannot agree that the joint resolution even if submitted to the people would be constitutional.

I have no desire to discuss the merits or demerits of voting machines. I recognize there is a difference of opinion. I want to inform the Senate that twenty-five years ago, I was very much interested at the solicitation of some of our people of Allegheny County, in the City of Pittsburgh, and arranged for an exhibition of a voting machine, that was in operation in certain parts of New York. We had it on exhibition for a period of thirty days. Now we all know that from that day up to the present time, there had been various promoters trying to put voting machines into operation in this State. A similar act or joint resolution, but general in its terms, was introduced in the House. That resolution was defeated by the members of the House and then we find this resolution put in but not making it general, allowing portions of the State to adopt it if they see fit but to confine it to one county, namely Allegheny County and then only portions thereof, as they see fit to use it.

I ask the Senate to vote down this bill and I want to add one other point in connection with it. There are a number of resolutions to amend the Constitution of the State, and several of them I believe have been passed and are in the hands of the Governor. I made inquiry and I am informed that it would cost the State of Pennsylvania from thirty to seventy thousand dollars for the publication of these joint resolutions prior to submitting it to a vote of the people. I am not speaking for economy. If the law were made general and voting machines installed throughout the State then possibly there might be some person here who would argue as to the benefits to be derived. The law is not general, it is confined to one county and then only to a part of the county. Upon these grounds, I ask the Senate to vote down this resolution.

Mr. HARRIS. Mr. President. I think we should not go into the matter of whether this bill meets with the Constitution or not. It is something that applies to Allegheny County only and, as Senator Leslie has said, there is a difference of opinion as to whether it is constitutional or not. Our lawyers who helped to draw the bill think it is constitutional. I think it would be well for this Senate to let us fight it out ourselves, or let it be taken care of by the Attorney General's Office. I know a majority of the Senators from Allegheny County are for this bill and I hope it will pass.

Mr. BARR. Mr. President, when I first looked at this constitutional amendment as it was handed to me, I was inclined to agree with the Senator from Allegheny, Mr. Leslie, but after having talked with some good lawyers of Allegheny County they convinced me that I was not a lawyer and I didn't know what I was talking about and I now on the floor of the Senate confess that I am not a lawyer and I do not know whether it is constitutional or not, but they say so and I introduced it and introduced it in good faith and a majority of the Senators from Allegheny County are for it. It has been the rule in the Senate, I understand, over a long, long period of time, that when a majority of a delegation are for a bill they get it. That seems to have been an unbroken rule of this Senate for a long, long time, so far as I can find out. I have learned from a Pittsburgher, who has worked out in detail the difference in cost between an election where a voting machine is used and where the present method of voting is used, of the great savings that can be made by use of the voting machine. I was amazed to learn that it runs into an enormous amount of money. I was also amazed to learn that the cost of the machine placed in every district in the County of Allegheny, sparsely settled and thickly settled, would give the County of Allegheny twenty-seven and one-half per cent on the investment on the difference between the present cost and the voting machine method. The cost of the present method as shown is $265,000 and upon the machine method $245,000, showing a saving of $20 to each election district. The voting machine would take the place of two voting districts, it would show the saving in the cost of one election district $285, and the elimination of two clerks on the voting machine board, or $20, making a total saving of $305 per district. The cost of the voting machine is $1,000. The interest on $1,000 at 6 per cent, $60, the average interest charge of the machine would be $30 per year until the machine is paid for, leaving $275 annually in the sinking fund, which would pay for the cost of the machine in less than five years.

I do not want to take up the time of the Senate in arguing this case, I am going to ask that the paper to which I referred be inserted in the record for the use of the Senators and members of the House, if the bill goes through the Senate. I am going to ask in view of the rule established in this Senate for a long, long time, that the majority of the delegation from Allegheny be extended the courtesy of having the legislation that affects only their district, receive favorable consideration.

Pittsburgh, Pa., May 12, 1923.

Hon. C. M. Barr, Peoples Bank Building, Pittsburgh, Pa.

My dear Senator: Answering your inquiry as to the use and cost of voting machines in Allegheny county as provided for in Senate Bill No. 1018, which provides for the Constitutional Amendment authorizing the installation of voting machines in Allegheny county, would say that the facts are as follows:

In even numbered years, the cost of one primary and one general election is as follows:

One Judge	$ 15.00	
Two Inspectors	20.00	
Two Clerks	20.00	
Four Registers, sitting four times @ $40.00	160.00	
Rent of Polling Place	60.00	
Care of equipment	10.00	$ 285.00

ODD NUMBERED YEARS.

One Judge	$ 15.00	
Two Inspectors	20.00	
Two Clerks	20.00	
Four Registers, sitting three times @ $40.00	120.00	
Rent	60.00	
Care of equipment	10.00	245.00
Total one even and one odd year		$530.00
Average cost per year		$265.00

The above provides for the casting of votes up to 250, as provided for in the Constitution.

The cost of voting by the use of the voting machines, which accommodate between 500 and 600 voters, is as follows:

EVEN NUMBERED YEARS.

One Judge	$ 15.00	
Two Inspectors	20.00	
Four Registers, sitting four times @ $40.00	160.00	
Rent	60.00	
Care of equipment	10.00	$265.00

ODD NUMBERED YEARS.

One Judge	$ 15.00	
Two Inspectors	20.00	
Four Registers, sitting three times @ $40.00	120.00	
Rent	60.00	
Care of equipment	10.00	225.00
Total—one even and one odd year		$490.00
Average cost yer year		245.00

The cost of the present method as shown above, is $265.00, and by the cost of the machine method, the cost is $245,00, showing a saving of $20.00 for each election district.

The voting machine would take the place of two voting districts, which would show the saving of the cost of one election district, $285.00, and the elimination of two clerks on the voting machine board, or $20.00, making a total saving of $305.00 per district. The cost of a voting machine is $1,000.00. The interest on $1,000.00 at 6% would be $60.00, but the average interest charge on a machine would be $30.00 per year until the machine is paid for, leaving $275.00 annually in the sinking fund, which would pay for the cost of the machine in less than five years.

The machines are adaptable to thickly settled districts such as the cities and boroughs of which, there are nine hundred in Allegheny county. Cutting this in half would mean 450 districts or 450 machines, representing an investment of four hundred and fifty thousand dollars ($450,000.00). The sinking fund of $275.00 is equivalent to 27½% on the cost of the machine. The investment of $450,000.00 would have an earning of 27½%, or a total earning of $123,750.00, showing that the machine would pay for itself with interest on the money in five years.

The advantages of the machine are, that it would practically eliminate all fraudulent voting and would be as safe as the cash register machine is now, which has always been a success. The votes would be counted within fifteen minutes after the polls are closed, which is very much of an advantage over the present practice which necessitates election boards to sit until 2:00, 3:00 or 4:00 o'clock in the morning. By the present system it is very difficult to get either men or women to serve on the election boards and is one of the reasons why the ballot box stuffing and false counting is so easily done. The history of ballot box irregularities in Allegheny county and especially in the City of Pittsburgh has been very glaring and breaks the heart of many a man, who runs up against a well developed conspiracy to deprive him of his election. The voting machine now in operation at the Capitol at Harrisburg, shows that it would be easily practicable to vote from 250 to 300 straight party tickets per hour and mixed tickets, such as are in use in the general elections and primaries from 150 to 200 tickets per hour, which would easily take care of the 500 or 600 votes that would be cast in one voting machine district.

Practically all of Allegheny county officials and all of the city government and twenty-two out of the 33 of the senators and representatives of Allegheny county favor the adoption of the voting machine bill with its companion bills. These bills have to be approved by two legislatures and approved by the people, and then have to be approved by the county commissioners, with the right to take as many machines as they wish,—their action to be approved by the courts.

I do not think it is possible to put more safeguards around the law that provides for the ultimate expenditure of $450,000.00 with an earning power of 27½ %.

In addition, the practice in Allegheny county will be a source of education to the other thickly populated counties throughout the State.

Yours very sincerely
Wm. FLINN.

Mr. MANSFIELD. Mr. President, I would like to join with my colleagues, Senator Barr and Senator Harris, in asking the members of this Senate to pass this bill. In answer to the Senator from Allegheny, Mr. Leslie, in reference to the question of only including Allegheny county in this Act, that was done for one specific purpose, those in Allegheny county who favored the Act were under the impression that the other counties did not want to adopt the voting machine, and inasmuch as the majority of the Senators from Allegheny county would like to have them adopted in their county I think it is only fair to ask the members of this Senate to grant that courtesy to the Senators from Allegheny county.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Barr,
Berntheizel,
Betts,
Brown,
Christley,
Craig,
Davis,
Derrick,
Einstein,
Harris,
Homsher,
Joyce,
Kutz,
Lanius,
Long,
MacDade,
Mansfield,
McClintock,
Miller,
Norton,
Phipps,
Quigley,
Snyder,
Sprowls,
Steele,
Stineman,
Woodward,

NAYS—20.

Aron,
Baldwin,
Buckman,
Clark
Culberston,
Daix,
DeWitt,
Heaton,
Jones,
Krause,
Leslie,
McNichol,
Patton,
Salus,
Schantz,
Sisson,
Smith,
Vare,
Weaver,
Eyre,
Pres. Pro Tem.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. MILLER. Mr. President, I ask that Senate Bill No. 1037, (House Bill No. 428), on third reading, entitled:

An Act to amend section one of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred and sixty-eight) entitled "An act relating to police pension funds in cities of the third class and directing such cities to appropriate certain moneys thereto"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1051, (House Bill No. 148), entitled:

An Act authorizing cities, boroughs, and incorporated towns, to require and permit the laying and constructing of sanitary sewers and sewer pipes, outside the cartway and the curblines thereof, in all streets and highways, and prescribing the uses thereof; and providing for the assessment of the costs and expenses of any such sewer against the abutting property in the front of which the said sewer is laid.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—34.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Leslie,
MacDade,
McNichol,
Norton,
Patton,
Phipps,
Salus,
Schantz,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—11.

Betts,
Kutz,
Lanius,
Long,
Mansfield,
McClintock,
Miller,
Sisson,
Sprowls,
Steele,
Stineman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. HUFFMAN. Mr. President, I move that Senate Bill No. 1069, on third reading, entitled:

An Act construing and confirming the powers of the Public Service Commission with respect to rates service and facilities of Public Service Companies including the furnishing of street paving and street paving repairs

be recommitted to the Committee on Judiciary General.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1096, (House Bill No. 671), entitled:

An Act to amend sections one and three of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Derrick,
DeWitt,
Einstein,
Long,
MacDade,
Mansfield,
Smith,
Snyder,
Sones,

Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1135, entitled:

An Act to amend section one paragraph three of an act approved May seventeenth one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and thirty-one) entitled "An act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners providing for the appointment and removal of inspectors of anthracite mines prescribing their qualifications and regulating their salaries and term of office and abolishing the terms of office of the present mine inspectors of the anthracite mines" authorizing the Chief of the Department of Mines to determine the maximum number of days for which the members of the Anthracite Mine Inspectors' Examining Board shall receive compensation

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1138, entitled:

An Act to amend section nine of article nineteen of an act approved the ninth day of June one thousand nine hundred eleven (Pamphlet Laws seven hundred fifty-six) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1147, entitled:

An Act to authorize and provide for the transfer of person or persons confined in any penitentiary under sentence of law to some other prison or institution

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the title?

Mr. DAIX. Mr. President, I ask unanimous consent to amend section one, page two, lines two and three, by striking out after the word "institution" the words "not a penitentiary" and inserting in lieu thereof the words "situated in said county".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1160, (House Bill No. 197), entitled:

An Act to amend section two of an act approved the twenty-third day of March, one thousand nine hundred and twenty-one, (P. L. 42), entitled "An Act appropriating to the State Highway Department, for the purpose of assisting in the construction, maintenance, improvement, and repair of State highways and State-aid highways, all moneys derived from registrations and from license fees, for the year one thousand nine hundred and twenty-one and subsequent years, under the provisions of the act of Assembly, approved June thirtieth, one thousand nine hundred and nineteen, relating to and regulating motor vehicles, and amendments thereto; and providing for salaries and other expenses of the department."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. VARE. Mr. President, I ask that Senate Bill No. 1163, on third reading, entitled:

An Act to further amend section thirteen of an act approved May thirty-one Anno Domini one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief Engineer Chief Draughtsman Superintendent of highway and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing the salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing for penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended by providing for the deposit of bankable securities by the contractor in lieu of the surety required on said contractor's bond

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1166, entitled:

An Act fixing the salary of county commissioners in counties of the first class

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1187, (House Bill No. 351), entitled:

An Act to amend section forty-two of the act approved the fifteenth day of April, one thousand eight hundred and thirty-four, (Pamphlet Laws 537), entitled "An Act relating to counties and townships, and county and township officers," by making county treasurers agents of the Commonwealth in collecting and transmitting money for the Commonwealth; and providing their compensation for such services.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,
Baldwin,
Barr,
Berntheizel,
Brown,
Buckman,
Christley,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Leslie,
Long,
MacDade,
McClintock,
McNichol,
Miller,
Norton,
Schantz,
Smith,
Snyder,
Sones,
Steele,
Stites,
Vare,

Clark,
Craig,
Culberston,
Daix,
Davis,
Jones,
Joyce,
Krause,
Kutz,
Patton,
Phipps,
Quigley,
Salus,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—6.

Betts,
Lanius,
Mansfield,
Sisson,
Sprowls,
Stineman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

REPORT FROM COMMITTEE.

Mr. SCHANTZ. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCHANTZ, from the Committee on Appropriations, reported as committed, Senate Bill No. 1230, entitled:

An Act making an appropriation to the Department of Public Welfare for the development of prison industries.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 65, as follows:

An Act making an appropriation to the Sewickley Valley Hospital Association Incorporated of Allegheny County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighteen thousand dollars ($18,000) or so much thereof as may be necessary is hereby specifically appropriated to the Sewickley Valley Hospital Association Incoorporated of Allegheny county Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 93, as follows:

An Act making an appropriation to the Frederick Douglass Memorial Hospital and Training School of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby specifically appropriated to the Frederick Douglass Memorial Hospital and Training School located at Philadelphia Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 103, as follows:

An Act making an appropriation to the North Pennsylvania General Hospital and Sanatorium at Austin Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand five hundred dollars ($5,500) or so much thereof as may be necessary is hereby specifically appropriated to the North Pennsylvania General Hospital and Sanatorium at Austin Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 110, as follows:

An Act making an appropriation to the Grand View Hospital located near Sellersville Bucks County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby specifically appropriated to the Grand View Hospital located near Sellersville Bucks County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 114, as follows:

An Act making an appropriation to the Allentown Hospital Allentown Lehigh County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifty-five thousand dollars ($55,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Allentown Hospital located at Allentown Lehigh County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who it entitled to free service and for each day or part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 116, as follows:

An Act making an appropriation to the Saint Luke's Hospital located at Bethlehem Lehigh County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Saint Luke's Hospital located at Bethlehem Lehigh County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 121, as follows:

An Act making an appropriation to the Taylor Hospital Ridley Park Delaware County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby specifically appropriated to the Taylor Hospital located at Ridley Park Delaware County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 187, as follows:

An Act making an appropriation to the Saint Vincent's Hospital Association of the city of Erie Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifty-seven thousand dollars ($57,000) or so much thereof as may be necessary is hereby specifically appropriated to the Saint Vincent's Hospital Association of the city of Erie Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of such person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 189, as follows:

An Act making an appropriation to the Butler County General Hospital at Butler Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby specifically appropriated to the Butler County General Hospital at Butler Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day or part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 204, as follows:

An Act making an appropriation to the West Philadelphia Hospital for Women in the City of Philadelphia

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-one thousand five hundred dollars ($21,500) or so much thereof as may be necessary is hereby specifically appropriated to the West Philadelphia Hospital for Women located on Parrish Street Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 219, as follows:

An Act making an appropriation to the Franklin City Hospital Franklin Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirteen thousand dollars ($13,000) or so much thereof as may be necessary is hereby specifically appropriated to the Franklin City Hospital Franklin Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 236, as follows:

An Act making an appropriation to the South Side Hospital of Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of ninety thousand dollars $90,000 or so much thereof as may be necessary be and the same is hereby specifically appropriated to the said South Side Hospital of Pittsburgh Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such portion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capital in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 244, as follows:

An Act making an appropriation to the Western Pennsylvania Hospital

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred thousand ($100,000) dollars be and the same is hereby specifically appropriated to the Western Pennsylvania Hospital for the two fiscal years beginning the first day of June one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day or part pay service such porportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 245, as follows;

An Act making an appropriation to the Homeopathic Medical and Surgical Hospital and Dispensary of Pittsburgh

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and twenty thousand dollars is hereby specifically appropriated to the Homeopathic Medical and Surgical Hospital and Dispensary of Pittsburgh for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 251, as follows:

An Act making an appropriation to the Mercy Hospital of Philadelphia

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirty-seven thousand dollars ($37,000) or so much thereof as may be necessary is hereby specifically appropriated to the Mercy Hospital of Philadelphia for the two fiscal years beginnings June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 279, as follows:

An Act making an appropriation to the Children's Homeopathic Hospital of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifty-two thousand dollars ($52.000) or so much thereof as may be necessary is hereby specifically appropriated to the Children's Homeopathic Hospital of Philadelphia located at Franklin Thompson and Eighth Streets for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 280, as follows:

An Act making an appropriation to the Reading Hospital of Reading Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby specifically appropriated to the Reading Hospital in the city of Reading Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 288, as follows:

An Act making an appropriation to the Berwick Hospital Berwick Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby specifically appropriated to the Berwick Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the proper manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 290, as follows:

An Act making an appropriation to the Bloomsburg Hospital Bloomsburg Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eleven thousand dollars ($11,000) or so much thereof as may be necessary is hereby specifically appropriated to the Bloomsburg Hospital of Bloomsburg Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 298, as follows:

An Act making an appropriation to the Lancaster General Hospital Lancaster Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty-eight thousand dollars ($48,000) or so much thereof as may be necessary is hereby specifically appropriated to the Lancaster General Hospital Lancaster Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 304, as follows:

An Act making an appropriation to the Polyclinic Hospital of the University of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of ninety thousand dollars ($90,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Polyclinic Hospital of the University of Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 305, as follows:

An Act making an appropriation to the Medico-Chirurgical Hospital of the University of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Medico-Chirurgical Hospital of the University of Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 306, as follows:

An Act making an appropriation to the Hospital of the University of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and seventy-five thousand dollars ($175,000) or so much thereof as maye be necessary be and the same is hereby specifically appropriated to the Hospital of the University of Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 336, as follows:

An Act making an appropriation to the Annie M. Warner Hospital Gettysburg Adams County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four thousand dollars ($4,000) or so much thereof as may be necessary is hereby specifically appropriated to the Annie M. Warner Hospital located in the borough of Gettysburg Adams county Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 358, (House Bill No. 390), as follows:

A Joint Resolution constituting a commission to examine the tax laws of the Commonwealth and of other states and countries and to prepare and submit bills to carry into effect its recommendations prescribing the powers and duties of said commission and making an appropriation

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That a tax commission of the Commonwealth of Pennsylvania is hereby constituted consisting of seven citizens of the Commonwealth two of whom are to be appointed by the Governor two by the President pro tempore of the Senate and three by the Speaker of the House of Representatives to examine the laws of this State and of other states and countries relating to taxation to investigate systems and methods of taxation particularly with regard to the best methods of equitably and effectually reaching all property which should be subjected to taxation and avoiding conflicts and duplication of taxation on the same property and to prepare the needed legislation to carry such methods into effect in this Commonwealth The members of said tax commission shall serve without compensation but their necessary travelling expenses and hotel bills while actually attending to the business of the tax commission shall be considered part of the expense of said tax commission

Section 2 The said tax commission is hereby authorized to sit at Harrisburg or elsewhere within the Commonwealth to choose a chairman from among its own members to employ a secretary and counsel and such other assistants as may be needed to take testimony subpoena witnesses and compel the production of books documents and papers and otherwise have all the powers of a legislative committee

Section 3 The said tax commission on or before February first one thousand nine hundred and twenty-five (1925) shall report the results of its investigation to the General Assembly together with such proposed legislative measures as it deems advisable to carry its recommendations into effect

Section 4 The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary be and the same is hereby appropriated for the defraying of the expense of said committee to be paid upon the certificate of the chairman of tax commission by warrant of the Auditor General on the State Treasurer in the usual manner

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 361, as follows:

An Act making an appropriation to the McKeesport Hospital McKeesport Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of ninety thousand dollars ($90,000) or so much thereof as may be necessary is hereby specifically appropriated to the McKeesport Hospital of McKeesport Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance interest on debt and repairs to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 370, as follows:

A Supplement to an act approved the thirteenth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and thirty-six) entitled "An act providing for the appointment and expenses of a commission of three persons to codify and revise the laws relating to poor districts and the care of the poor and making an appropriation" continuing the commission appointed under the provisions of said act for the further period of two years and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the commission to codify and revise the laws relating to poor districts and the care of the poor appointed under the provisions of this act is hereby continued for a further period of two years and shall make report to the General Assembly at the session of one thousand nine hundred and twenty-five recommending such changes in the existing law as may to such commission seem desirable

Section 2 To carry out the purpose of this act the sum of eighteen hundred dollars ($1,800.00) or so much thereof as may be necessary is hereby specifically appropriated to the use of the commission Payment of the money shall be on the order of the chairman of the commission and on warrant of the Auditor General

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 371, as follows:

An Act making an appropriation to the Hospital of the Hahnemann Medical College and Hospital

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and twenty-seven thousand five hundred dollars ($127,500) or so much thereof as may be necessary is hereby specifically appropriated to the hospital of the Hanemann College and Hospital for the two fiscal years beginning January first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay services such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 372, as follows:

An Act making an apropriation to the Wills Hospital for the Relief of the Indigent Blind and Lame Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of sixty thousand dollars ($60,000) or so much thereof as may be necessary is hereby specifically appropriated to the Wills Hospital for the relief of the Indigent Blind and Lame of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 428, as follows:

An Act making an appropriation to the Easton Hospital at Easton Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-three thousand dollars ($23,000) or so much thereof as may be necessary is hereby specifically appropriated to the Easton Hospital at Easton Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 431, as follows:

An Act making an appropriation to the Clearfield Hospital

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-three thousand dollars ($23,000) or so much thereof as may be necessary be and the same is hereby supecifically appropriated to the Clearfield hospital of Clearfield Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 443, as follows:

An Act making an appropriation to the Allegheny General Hospital

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred seventy-five thousand ($175,000) dollars be and the same is hereby specifically appropriated to the Allegheny General Hospital for the two fiscal years beginning the first day of June one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 478, as follows:

An Act making an appropriation to Eagleville Sanitorium for Consumptives located at Eagleville Montgomery County

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighty thousand dollars ($80,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to Eagleville Montgomery county for the two fiscal years beginning the first day of June one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 480, as follows:

An Act making an appropriation to the Homeopathic Medical and Surgical Hospital of Reading Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-two thousand five hundred dollars ($22,500) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Homeopathic Medical and Surgical Hospital of Reading Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 561, as follows:

An Act to amend sections one two and three of an act entitled "A further suplement to the act regulating elections in this Commonwealth" approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four as amended so as to abolish the December assessment of voters

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "A further supplement to the act regulating elections in this Commonwealth" approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four which as amended reads as follows

"Section 1 That for the purpose of making the original annual assessment and registration of voters in each of the election districts of this Commonwealth it shall be the duty of each of the assessors who are required to perform any of the duties incident to the holding of elections and the registration of voters in the different election districts of this Commonwealth to visit in person each and every dwelling house in his district on the first Monday in May and on the first Monday in December of each year or as soon thereafter as may be possible and practicable when all of said dwelling houses cannot be personally visited by him on the said first Monday of May and on the first Monday in December and to make a list in a book prepared for that purpose by the county commissioners of all the qualified electors that he shall find upon careful and diligent inquiry to be bona fide residents of his district together with the date when such dwelling house was visited by the assessor entering them in such book in the order in which such dwelling houses are visited and the qualified electors in each dwelling house being grouped together and if in a city or town the names of the qualified electors shall be grouped together by streets alleys or courts and the persons so found to be legally qualified electors shall forthwith be assessed the assessor shall in all cases personally ascertain by careful and diligent inquiry of the voter or of some known resident of the election district in which the voter claims the right to vote upon what ground each person so assessed claims to be a legally qualified voter The list thus prepared shall be designated and known as the "Original registry list" It shall be the duty of said assessor to enter in said "Original registry list" the names of the male citizens twenty-one years of age and upwards claiming to be qualified voters in the election district of which he is the assessor and opposite each of said names state whether said citizen is or is not a housekeeper and if he is the number of his residence in cities or towns where the same are numbered with the street alley or court in which situated and if in a city or town where there are no numbers the name of the street alley or court on which said house fronts also the occupation of the person at the date of such assessment and where he is not a housekeeper the occupation place of boarding and with whom at the date of his assesment and if working for another the name of the employer and write opposite each of said names the word 'voter' Where any person claims to vote by reason of naturalization he shall exhibit his certificate thereof to the assessor unless he has been for two consecutive years next preceding a voter in said district and in all cases where the person has been naturalized the name shall be marked with the letter 'N' where the person has merely declared his intentions to become a citizen and designs to be naturalized before the next election he shall exhibit the certificate of his declaration of intention and the name shall be marked 'D I' and where the person shall be entitled by existing laws to be naturalized without making a declaration of his intentions to be naturalized and intends to be naturalized at least one month before the next general election the name of such person shall be marked 'I N' where the claim is to vote by reason of being of the age of twenty-one years and under twenty-two as provided by law the word 'age' shall be entered and if the person has moved into the election district to reside since the last general election the letter 'R' shall be placed opposite the name" be and the same is hereby amended to read as follows

Section 1 That for the purpose of making the original annual assessment and registration of voters in each of the election districts of this Commonwealth it shall be the duty of each of the assessors who are required to perform any of the duties incident to the holding of elections and the registration of voters in the different election districts of this Commonwealth to visit in person each and every dwelling house in his district on the first Monday in May of each year or as soon thereafter as may be possible and practicable when all of said dwelling houses cannot be personally visited by him on the said first Monday of May and to make a list in a book prepared for that purpose by the county commissioners of all the qualified electors that he shall find upon careful and diligent inquiry to be bona fide residents of his district together with the date when such dwelling house was visited by the assesor entering them in such book in the order in which such dwelling houses are visited and the qualified electors in each dwelling house being grouped together and if in a city or town the names of the qualified electors shall be grouped together by streets alleys or courts and the persons so found to be legally qualified electors shall forthwith be assesed the assessor shall in all cases personally ascertain by careful and diligent inquiry of the voter or of some known resident of the election district in which the voter claims the right to vote upon what grounds each person so assessed claims to be a legally qualified voter The list thus prepared shall be designated and known as the "Original registry list" It shall be the duty of said assessor to enter in said "Original registry list" the names of the citizens twenty-one years of age and upwards claiming to be qualified voters in the election district of which he is the assessor and opposite each of said names state whether said citizen is or is not a housekeeper and if he is the number of his residence in cities or towns where the same are numbered with the street alley or court in which situated and if in a city or town where there are no numbers the name of the street alley or court on which said house fronts also the occupation of the person at the date of such assessment and where he is not a housekeeper the occupation place of boarding and with whom at the date of his assessment and if working for another the name of the employer and write opposite each of said names the word 'voter' Where any person claims to vote by reason of naturalization he shall exhibit his certificate thereof to the assessor unless he has been for two consecutive years next preceding a voter in said district and in all cases where the person has been naturalized the name shall be marked with the letter 'N' where the person has merely declared his intentions to become a citizen and designs to be naturalized before the next election he shall exhibit the certificate of his declaration of intention and the name shall be marked 'D I' and where the person shall be entitled by existing laws to be naturalized without making a declaration of his intentions to be naturalized and intends to be naturalized at least one month before the next general election the name of such person shall be marked 'I N' where the claim is to vote by reason of being of the age of twenty-one years and under twenty-two as provided by law the word 'age' shall be entered and if the person has moved into the election district to reside since the last general election the letter 'R' shall be placed opposite the name

Section 2 That section 2 of said act which as amended reads as follows

"Section 2 It shall be the duty of the said assessor to forthwith make a copy of the said original list with the observations and explanations required to be noted as aforesaid to be made out as soon as practicable It shall be his duty on or prior to the fourth Monday of May and on or prior to the second Monday of December in each year to place a copy on the door of or on the house where the election of the respective district is required to be held and retain the original list in his possession for the inspection free of charge of any person resident in the said election district who shall desire to see same and it shall be the duty of the said assessor to assess from time to time on the personal application of any one claiming the right to vote the name of such claimant and mark opposite the name 'C V' and immediately assess him noting as in all other cases his occupation residence the date of his assessment whether a boarder or housekeeper if a boarder with whom he boards and whether naturalized or desiring to be marking in all cases opposite the name the letter 'N' 'D' or 'I' 'N' as the case may be if the person claiming to be assessed be naturalized he shall exhibit to the assessor his certificate of naturalization and if he claims that he designs to be naturalized before the next ensuing election he shall exhibit the certificate of his declaration of intention if such previous declaration is required by the laws of the United States It shall be the duty of the said assessor to be present at the election house of the said election district during the two secular days preceding the day fixed by the third section of this act for returning the lists to the county commissioners from ten ante meridian to three post meridian and from six post meridian to nine post meridian of each of said days for the purpose of hearing and acting upon applications to be made under the provisions of this section or relating to names upon said list or that are sought to be placed thereon or struck therefrom and it shall be his duty to correct said original list by adding thereto upon personal application the names of persons entitled to vote not already thereon and by striking therefrom fictitious names or names of persons who may have died or removed from said district and in all cases it shall be the duty of the said assessor to enter in his book opposite the name of each voter the name or names of the person or persons together with the residence of the same shall furnish information as to the residence and qualifications of each voter who has been assessed or as to the persons whose names shall be striken from said original list and the said original list shall be open for inspection by any qualified elector of the county or ward in which the election district is situated as well as by the person claiming to be registered and the court of justice shall belong and shall if need be order the assessor to correct the registry accordingly and the said court or judge may enforce such order by attachment as in proceedings for contempt" be and the same is hereby amended so as to read as follows

Section 2 It shall be the duty of the said assessor to forthwith make a copy of the said original list with the observations and explanations required to be noted as aforesaid to be made out as soon as practicable It shall be his duty on or prior to the fourth Monday of May in each year to place a copy on the door of or on the house where the election of the respective district is required to be held and retain the original list in his possession for the inspection free of charge of any person resident in the said election district who shall desire to see the same and it shall be the duty of the said assessor to assess from time to time on the personal application of any one claiming the right to vote the name of such claimant and mark opposite the name 'C V' and immediately assess him noting as in all other cases his occupation residence the date of his assessment whether a boarder or houskeeper if a boarder with whom he boards and whether naturalized or designing to be marking in all cases opposite the name the letter 'N' 'D' or 'I N' as the case may be if the person claiming to be assessed be naturalized he shall exhibit to the assessor his certificate of naturalization and if he claims that he designs to be naturalized before the next ensuing election he shall exhibit the certificate of his declaration of intention if such previous declaration is required by the laws of the United States It shall be the duty of the said assessor to be present at the election house of the said election district during the two secular days next preceding the day fixed by the third section of this act for returning the lists to the county commissioners from seven ante meridian to ten ante meridian and from four post meridian to ten post meridian of each of said days for the purpose of hearing and acting upon applications to be made under the provisions of this section or relating to names upon said list or that are sought to be placed thereon or struck therefrom and it shall be his duty to correct said original list by adding thereto upon personal application the names of persons entitled to vote already thereon and by striking therefrom fictitious names or names of persons who may have died or removed from said district and in all cases it shall be the duty of the said assessor to enter in his book opposite the name of each voter the name or names of the person or persons together with the residence of the same who shall furnish information as to the residence and qualifications of each voter who has been assessed or as to the persons whose names shall be striken from said original list and the said original list shall be open for inspection by any qualified elector of the county or ward in which the election district is situated as well as by the person claiming to be registered and the court of common pleas of the proper county or any law judge thereof at Chambers on the application of any qualified elector of the ward or county under oath which oath may be made at any time before the day of election shall call the assessor and the complainant before it or him by citation or rule to show cause and shall hear the parties and dispose of the subject in a summary manner as to law and justice shall belong and shall if need be order the assessor to correct the registry accordingly and the said court or judge may enforce such order by attachment as in proceedings for contempt

Section 3 That section three of said act which as amended reads as follows

"Section 3 After the assessments have been completed on the sixty-second day before the third Tuesday of February and on the sixty-second day before the Tuesday next following the first Monday of November in each year the assessor shall on the following day make a return to the county commissioners of the 'Original Registry List' thus revised and completed and the county commissioners shall thereupon proceed to make out a complete list in alphabetical order of all persons so returned as taxables in said election district and furnish the same together with the necessary election blanks to the officers of the election in such election district on or before seven o'clock in the morning of the election and no man shall be permitted to vote at the election on that day whose name is not on said list unless he shall make proof of his right to vote as hereinbefore required 'The Original Registry List' as returned to the county commissioners preceding the November election shall be returned by the county commissioners to the assessor before the first Monday of December which shall be used by said assessor to make his original registry list for December as heretofore provided" be and the same is hereby amended to read as follows

Section 3 After the assessments have been completed on the sixty-second day before the Tuesday next following the first Monday of November in each year the assessor shall on the following day make a return to the county commissioners of the 'Original Registry List' thus revised and completed and in the case of election districts in which personal registration of electors is not required the county commissioners shall thereupon proceed to make out duplicate lists in alphabetical order of all persons so returned as taxables in said election districts and furnish the same together with the necessary election blanks to the officers of the election in such election district on or before seven o'clock in the morning of the election and no one shall be permitted to vote at the election on that day whose name is not on said list unless he shall make proof of his right to vote as hereinbefore required

And said bill having been read at length the second time and agreed to.

Ordered, To be taranscribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 591, as follows:

An Act making an appropriation to the Stetson Hospital of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of th same That the sum of eight thousand dollars ($8,000) or so much thereof as may be necessary is hereby specifically appropriated to the Stetson Hospital of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such porportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 606, as follows:

An Act providing for the rebuilding by the Commonwealth through the Department of Highways of certain county bridges the procedure therefor the payment of a portion of the cost thereof in certain cases by counties and railroads and the maintenance thereof when completed by the counties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall apply to all bridges maintained owned and controlled by the several counties and known as county bridges which now are or hereafter may be erected over and across the navigable rivers and such other streams as have been declared public highways by act of assembly

Section 2 Whenever any such bridge has been or shall be carried away or destroyed by flood or wind storm the Department of Highways shall rebuild the same according to the provisions of this act which shall apply also to any second or subsequent destruction or carrying away of such bridge by flood or wind storm

In rebuilding any such bridge the Department to facilitate public travel and eliminate grade crossings may rebuild such bridge and the necessary approches thereto at a lower or higher elevation than the former bridge or may rebuild the same upon a new site provided the viewers appointed by the court recommend such change of site or elevation

Section 3 Whenever any such county bridge shall be so carried away or destroyed by flood or wind storm the county commissioners of the county in which such bridge is located—or when such bridge crosses the boundary line between two counties then the commissioners of both counties—may apply by petition to the court of common pleas of Dauphin county setting forth fully in said petition the location of such birdge the time when a bridge was first erected in the same location as a county bridge the time the bridge was carried away or destroyed by flood or wind the character of the bridge so carried away or destroyed and the probable cost of replacing the same

Section 4 Whereupon it shall be the duty of the court to appoint five viewers one of whom shall be a civil engineer and not more than two of whom shall be residents of the county wherein such bridge is proposed to be built

Section 5 The Attorney General shall be given due notice of the time of filing the petition and the application for viewers and it shall be his duty to appear for and defend the interests of the Commonwealth in all such proceedings

Section 6 The viewers so appointed after having been duly sworn to faithfully perform their duties shall proceed to view the location of the proposed bridge and make report at such time as the court may direct which report shall contain an accurate statement of the kind and character of the bridge carried away or destroyed which it is proposed to replace the length of time since the first bridge was built on the same location as a county bridge the length of the bridge together with a recommendation of the viewers as to the kind of bridge needed and the probable cost thereof and it shall be the duty of the said viewers to inquire whether the accommodation of the traveling public in the locality demands the rebuilding of said bridge

Section 7 Whenever it appears to the viewers that the proper accommodation of the traveling public so demands they may recommend a larger bridge than the one carried away or destroyed to be constructed at the joint expense of the State and the county or counties in or between which the same is located

Section 8 In rebuilding any bridge and the approaches thereto under this act the Department and any city county or railroad company or any two or more of them may enter into agreements for the joint payment in proportions to be agreed upon of the cost of such rebuilding of said bridge and the approaches

Section 9 In all cases of rebuilding of bridges under this act the expenses to the State shall be limited to the sum required to construct a bridge of the dimensions and characer of the old bridge destroyed or carried away and at the old site and elevation

The Department of Highways in preparing the plans and specifications as herein provided shall determine the sum due by the State

Section 10 Upon the filing of such report both the county and the Commonwealth shall have the right to file exceptions thereto at any time within thirty days and it shall be the duty of the court after full hearing by depositions or otherwise as the said court may direct to determine all questions raised by the petition or exceptions and to the final order so made either the county or the Commonwealth shall have the right of appeal to the Supreme Court at any time within thirty days

Section 11 In case the report of the viewers or a majority of them is in favor of the erection of the bridge and the same is confirmed by the court the court shall order and decree such rebuilding Thereupon it shall be the duty of the Department immediately to proceed and have prepared in conformity with the report of the viewers such plans and specifications of the proposed bridge as may be necessary and appoint a superintendent of construction and fix his compensation for said services

Section 12 The Department shall advertise for bids in not less than three daily newspapers two of which shall be published in the county or counties in which such pridge is located and the other one published in the State capital for a period of three weeks In counties in which less than two daily newspapers are published the advertisement for bids shall be inserted in two weekly newspapers of the county or counties as the court may direct

The Department shall let the contract for the rebuilding of such bridge to the lowest and best bidder

He may reject any or all bids that may be submitted and may readvertise for the same in the manner aforesaid

Upon acceptance of any bid the Department on behalf of the Commonwealth shall enter into a contract for rebuilding of said bridge with such bidder under the advice and direction of the Attorney General

Section 13 The Department in contracting under this act for the rebuilding of county bridges shall not exceed in the aggregate liability of the State in the award of such contracts the sum set aside in the biennial budget for this purpose

Section 14 Any person for himself or acting as an agent for any association copartnership or corporation who shall do or permit any act which interferes with or prevents fair competition among bidders or submits a collusive bid or enters into collusion in the making or submission of bids or in obtaining the same for any such construction repairing or rebuilding of a county bridge shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo imprisonment for the term of two years or both at the discretion of the court

Section 15 Every bridge so erected by the Commonwealth under contract with it shall be inspected by three fit persons to be appointed by the court of common pleas of Dauphin county none of whom shall be residents of or property holders in the county wherein the bridge is located and make report of the result of their inspection to the said court

Section 16 When report is made by said inspectors that such bridge has been erected according to the contract for the erection of the same the same shall be approved by the court but if the persons so appointed to inspect such bridge shall not approve of the same they shall report to the court what sum in their judgment ought to be deducted from the sum stipulated in such contract and thereupon the court shall grant a rule upon the builder or contractor to show cause against the said report at the time and place in such rule to be named After the service and return of such rule it shall be lawful for the builder or contractor to file a declaration or statement in the said court of common pleas of Dauphin county upon the contract made by him with the Commonwealth as aforesaid and thereupon proceed to trial in due course in like manner as if an action has been commenced by him upon such contract against the Commonwealth

Section 17 Partial payments on contracts heretofore or hereafter entered into shall be made from time to time to the contractor as the work progresses based upon estimates made by the superintendent of construction setting forth the relative value of work done and by him approved at the time of estimate as compared with the total contract price all such estimates however to be approved by the Department but at no time before the completion of the work and final approval thereof by the court shall any payment or payments be made in excess of eighty per centum of the estimated value of work done and approved by the superintendent of construction in manner aforesaid If by the report of the inspectors it appears that said bridge has been built in conformity with the terms of the contract and specifications and such report is approved by the court payment shall be made of all the contract price not previously paid Upon approval of any estimate by the Department or upon approval by the court of the report of the inspectors finding that the bridge has been built in conformity with the terms of the contract and specifications as the case may be it shall become the duty of the Auditor General to draw a proper warrant upon the State Treasurer in accordance with the foregoing payable out of the appropriation made for such purpose or the same may be paid by the Department out of any funds made available by the provisions of this act

Section 18 If by the report of the inspectors it is made to appear that a deduction should be made from the contract price as hereinbefore mentioned and such report is acquiesced in by the contractor or the amount of the contract price owing is finally determined by the said court in the manner hereinbefore provided it shall be the duty of the Auditor General in like manner to draw a proper warrant for such sum as shall thus appear to be owing exclusive of any payments that have been previously made upon the State Treasurer in full satisfaction of the claims of the contractor or the same shall be fully paid by the Department from funds made available for such purposes

Section 19 Whenever a bridge rebuilt under the provisions of this act is on the route of a State Highway payment of the amount due by the State may be made from the funds available for the construction of State Highways

Whenever a bridge rebuilt under the provisions of this act is on the route of a State-aid Highway payment of the amount due by the State may be made from the funds available for the construction of State-aid Highways

Section 20 The fees and expenses to be allowed the viewers and inspectors and the proper charge for the preparations of the plans and specifications of such bridge and the superintending of construction of the same the cost of advertising cost of all legal proceedings and all other costs and expenses whatsoever shall be paid by the county or counties in which the bridge is located and the amount of the fees and expenses herein provided to be paid shall be fixed by the court according to the circumstances of the case upon notice to the county commissioners

Section 21 All bridges erected under the provisions of this act shall be maintained and at all times kept in good repair by the county in which the same may be located at its proper expense and in case such bridge is over any stream forming the boundary line between two counties the same shall be maintained and kept in repair at the joint expense of such counties

Section 22 All bridges now in the course of construction under the provisions of the Act of June third one thousand eight hundred and ninety-five (Pamphlet Laws one hundred thirty) entitled "An act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by Act of Assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of cost of rebuilding such bridges" and its amendments shall be completed according to the same under the authority and direction of the Department of Highways and all papers records and documents relating to the same and in the hands of the Board of Commissioners of Public Grounds and Buildings are hereby transferred to the Department of Highways

Section 23 That the following acts namely

The act entitled "An act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by the Act of Assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges" approved the third day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred thirty)

The act entitled "An act to amend the first second third fourth and seventh sections of an act approved June third one thousand eight hundred and ninety-five entitled 'An act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of Assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges' " approved the twenty-first day of April one thousand nine hundred and three (Pamphlet Laws two hundred thirty)

The act entitled "An act to designate the amount to be expended by the Board of Commissioners of Public Grounds and Buildings each year in the erection or rebuilding of county bridges under the provisions of the Act of twenty-first day of April one thousand nine hundred and three and providing for the punishment of persons who combine or conspire to prevent competition in bidding thereon" approved the fifteenth day of February one thousand nine hundred and six (Pamphlet Laws thirty)

The act entitled "An act to amend the sixth section of an act approved June third one thousand eight hundred and ninety-five entitled 'An act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of Assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges' so as to permit of partial payments to contractors as the work of rebuilding progresses" approved the fourth day of April one thousand nine hundred and seven (Pamphlet Laws fifty-six)

The act entitled "A supplement to an act approved the third day of June one thousand eight hundred and ninety-five entitled 'An act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of Assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges' " approved the twenty-eighth day of May one thousand nine hundred and thirteen (Pamphlet Laws three hundred sixty-seven) be and the same are hereby repealed

All other acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 607, as follows:

An Act to amend sections one and two as amended and sections three five six eight nine and ten of the act approved the eighteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand and forty-nine) entitled "An act authorizing the Board of Commissioners of Public Grounds and Buildings to erect a Soldiers' and Sailors' Memorial Bridge with the approaches thereto and memorial pylons in the city of Harrisburg to commemorate the services of the soldiers and sailors of the Commonwealth providing for the letting of contracts therefor providing for a proportion of the cost to be paid by the city of Harrisburg and public service corporations using or affected by the building of said bridge providing for acquiring any property necessary by eminent domain giving the Board of Commissioners of Public Grounds and Buildings the right to sell a portion of the land to the Pennsylvania Railroad Company to conform to the plans of the architect providing for the maintenance of said bridge and making an appropriation to carry out the provisions of this act" by transferring to the Secretary of Highways the powers and duties granted to and imposed on the Board of Commissioners of Public Grounds and Buildings by said act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the eighteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand and forty-nine) entitled "An act authorizing the Board of Commissioners of Public Grounds and Buildings to erect a Soldiers' and Sailors' Memorial Bridge with the approaches thereto and memorial pylons in the city of Harrisburg to commemorate the services of the soldiers and sailors of the Commonwealth providing for the letting of contracts therefor providing for a proportion of the cost to be paid by the city of Harrisburg and public service corporations using or affected by the building of said bridge providing for acquiring any property necessary by eminent domain giving the Board of Commissioners of Public Grounds and Buildings the right to sell a portion of the land to the Pennsylvania Railroad Company to conform to the plans of the architect providing for the maintenance of said bridge and making an appropriation to carry out the provisions of this act" which was amended by section one of the act approved the twelfth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and fifty-one) entitled "An act to amend sections one two and four of an act approved the eighteenth day of July Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws one thousand and forty-nine) entitled 'An act authorizing the Board of Commissioners of Public Grounds and Buildings to erect a Soldiers' and Sailors' Memorial Bridge with the approaches thereto and memorial pylons in the city of Harrisburg to commemorate the services of the soldiers and sailors of the Commonwealth providing for the letting of contracts thereof providing for a proportion of the cost to be paid by the city of Harrisburg and public service corporations using or affected by the building of said bridge providing for acquiring any property necessary by eminent domain giving the Board of Commissioners of Public Grounds and Buildings the right to sell a portion of the land to the Pennsylvania Railroad Company to conform to the plans of the architect providing for the maintenance of said bridge and making an appropriation to carry out the provisions of this act'" is hereby further amended to read as follows

Section 1 Be it enacted et cetera That the Secretary of Highways is hereby authorized to erect and construct as a memorial to the citizens of this Commonweatlh who served in the military and naval forces of the United States in the late World War a Soldiers' and Sailors' Memorial Bridge memorial pylons at the western end thereof together with the necessary approaches thereto from a point on what is now State Street in the Capital Park in the city of Harrisburg following the line of State Street across the tracks of the Pennsylvania Railroad to a point at or near Thirteenth Street in said city Said bridge approaches and pylons are to be built in accordance with plans and specifications prepared by Arnold W. Brunner and J. E. Greiner which plans and specifications have been heretofore approved by the Board of Commissioners of Public Grounds and Buildings and are now on file in the office of said board or in accordance with such plans and specifications as may hereafter be adopted and approved by the Secretary of Highways Separate contracts may be made by said Secretary of Highways for any part or parts of the bridge approaches and pylons

Section 2 That section two of said act which as amended by section two of said amending act is hereby further amended to read as follows

Section 2 The said Secretary of Highways shall have power to let a contract or contracts for said bridge approaches and pylons or any part or parts thereof after advertisement for bids once a week for four successive weeks in at least twelve newspapers published in different parts of this Commonwealth All contracts shall be let to the lowest and best bidder The Secretary of Highways shall have power to reject any and all bids and to readvertise for bids in the manner hereinbefore provided Before any contract is entered into the Secretary of Highways shall require the contractor to give a bond to the Commonwealth with sufficient surety and in such sum as the Secretary of Highways shall determine conditional for the faithful performance of the terms of the contracts The said contract and bond shall be approved by the Attorney General

Section 3 That section three of said act is hereby amended to read as follows

Section 3 The Secretary of Highways may employ if it deems expedient a superintendent of construction and fix his compensation The said superintendent shall see that the terms of the contract and specifications are carried out and shall represent the Commonwealth in any matters in connection with the actual building of said bridge approaches and pylons

Section 4 That section five of said act is hereby amended to read as follows

Section 5 All payments on account of such contract or contracts shall be made by warrants upon certificates of the superintendent of construction or the architect which said warrants shall be approved by the Secretary of Highways and be drawn and paid as other warrants are by law approved and paid

Section 5 That section six of said act is hereby amended to read as follows

Section 6 The city of Harrisburg shall by ordinance agree to pay to the Commonwealth as hereinafter provided the sum of three hundred thousand dollars ($300,000) toward the cost of the construction of said bridge and its approaches

The Pennsylvania Railroad Company over whose tracks said bridge will be erected and any street railway company or any public service corporation which secures from the Secretary of Highways the right to use the said bridge for the purpose of laying a street railway track or pipes or conduits thereon shall pay such sum as shall be determined by the said Secretary of Highways with the approval of the Public Service Commission of the Commonwealth

Section 6 That section eight of said act is hereby amended to read as follows

Section 8 The Commonwealth of Pennsylvania shall have the right to take damage or destroy any property necessary for the erection and completion of said bridge and its approaches In the event that the owner or owners of such property do not agree with the Secretary of Highways upon the value thereof or the amount of damage thereto either the Secretary of Highways or any property owners may petition the court of common pleas of Dauphin County for the appointment of viewers to assess the damage to the property taken injured or destroyed Upon the presentation of such petition the court shall appoint three disinterested freeholders of the city of Harrisburg to act as viewers who shall proceed as provided by the act of May sixteenth one thousand eight hundred and ninety-one (Pamphlet Laws seventy-five) entitled "An act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining damages to private property resulting therefrom the assessment of damages costs and expenses thereof upon the property benefited and the construction of sewers and the payment of damages costs and expenses thereof including damages to private property resulting therefrom" and its amendments and supplements

When the viewers have filed their report the Commonwealth or any party interested shall within thirty days thereafter have the right to file exceptions to any irregularities in the proceedings and to appeal from the amount of said award

Section 7 That section nine of said act is hereby amended to read as follows

Section 9 The Secretary of Highways shall have the right to sell to the Pennsylvania Railroad Company a strip of land along the tracks of the said Pennsylvania Railroad Company of such width as the Secretary of Highways may determine so as to comply with the plans and specifications heretofore approved for such sum as the Secretary of Highways may determine Provided however That the said land shall not be sold for any sum less than the proportionate amount which the Commonwealth of Pennsylvania was required to pay for said land in acquiring the same for the Capitol Park Extension Provided also That any money paid for any land sold shall be paid into the "Fund for the Construction of Soldiers' and Sailors' Memorial Bridge" created by the seventh section of this act In the event of such sale the Secretary of Highways is authorized and empowered to execute acknowledge and deliver a deed for and on behalf of the Commonwealth

Section 8 That section ten of said act is hereby amended to read as follows

Section 10 The said bridge and its approaches shall be erected upon condition that the city of Harrisburg shall keep and maintain the roadway and sidewalks thereof in good condition Provided however That if the Secretary of Highways grant the right to any street railway to use the same it shall be upon condition that said street railway company shall agree with the said city of Harrisburg to keep and maintain such proportion of the roadway as the Secretary of Highways may determine

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 625, as follows:

An Act making an appropriation to the American Hospital for Diseases of the Stomach of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifteen thousand ($15,000) or so much thereof as may be necessary is hereby specifically appropriated to the American Hospital for Diseases of the Stomach located at Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 647, as follows:

An Act making an appropriation to the Bonair Sanatorium Bells Camp McKean county Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four thousand dollars ($4,000) or so much thereof as may be necessary is hereby specifically appropriated to the Bonair Sanatorium Bells Camp McKean County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 658, as follows:

An Act making an appropriation to the Philadelphia Orthopaedic Hospital and Infirmary for Nervous Diseases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby specifically appropriated to the Philadelphia Orthopaedic Hospital and Infirmary for Nervous Diseases of Philadelphia for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 659, as follows:

An Act making an appropiration to the Gynecean Hospital Philadeiphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Asembly met and it is hereby enacted by the authority of the same That the sum of eighteen thousand dollars ($18,000) or so much thereof as may be necessary is hereby specifically appropriated to the Gynecean Hospital of Philadelphia for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part service such proportion of the aforesaid three ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 682, as follows:

An Act making an appropriation to the Saint Christopher's Hospital for Children Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby specifically appropriated to the Saint Christopher's Hospital for Children at Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for su chfree service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 745, entitled:

An Act relating to depositories of county funds in counties of the second third fourth fifth sixth seventh and eighth lasses providing for the selection thereof by the county treasurer county commissioners and controller if any there be and for the payment of interest on county funds for the use of the county imposing certain expenses upon counties in connection therewith and providing penalties

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twetlfth, and thirteenth, sections of the bill were read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all county treasurers of counties of the second class shall deposit all county funds in the bank banks trust company or trust companies only appointed as the depository or depositories of county funds in the manner hereinafter provided

Section 2 Each of said county treasurers shall within one month after the beginning of the term of his office advertise for and invite sealed bids from the various banks and trust companies located within the county for the deposit of county funds which notice shall contain a statement that the banks or trust companies offering bids shall therein specify the rate of interest which they will agree to pay upon monthly balances of county funds The county treasurer shall reserve the right to reject any and all bids with the consent of the county commisioners and the controller

Section 3 Such notice shall be advertised in at least two newspapers published within the county once a week for three weeks The cost of advertising shall be paid by the county

Section 4 All bids shall be opened by the county treasurer in the presence of the county commissioners and controller not later than the first Monday of March after the induction into office of the county treasurer

Section 5 The county treasurer county commissioners and controller shall appoint as a depository or depositories of county funds one or more respnsible banks or trust companies offering to pay the highest rate of interest on monthly balances of county funds during the term of the county treasurer and until other depositories are designated in accordance with the provisions of this act In appointing a depository the county commissioners shall have one vote the county treasurer one vote and the controller one vote In case of a tie the depository or depositories shall be appointed by the court of common pleas of the county in accordance with the provisions of this act

Section 6 No bid shall be considered where the rate of interest offered is less than two per centum per annum on monthly balances If the county treasurer county commissioners and controller reject all bids the treasurer shall immediately readvertise for bids in the manner hereinbefore provided and thereafter depositories shall be appointed as hereinbefore provided

Section 7 The banks or trust companies designated as depositories of county funds shall each enter into contract with the county treasurer acting for the county which contract shall contain a stipulation that the bank or trust company will agree to act as a depository of county funds during the term of the treasurer and until another depository has been duly appointed in accordance with this act such contract shall also specify the rate of interest which the depository agrees to pay

Section 8 The depositories so appointed shall furnish a bond to the county to save harmless the county from the loss of any moneys placed in its hands and for the faithful execution of the contract The surety on such bond shall be a surety or bonding company authorized to do business in the county The amount of the bonds shall in each case be fixed by the court of common pleas of the county and shall be approved by the court The said bonds shall be filed with the controller

Section 9 Whenever any county treasurer shall deposit any county funds with a depository appointed and qualified in all respects under the provisions of this act he shall thereafter be relieved from liability for the safe keeping of such funds while in the possession of the depository

Section 10 The county treasurer shall from time to time pay all interest received from any depository into the county treasury for the use of the county It is unlawful for any county treasurer to retain any interest received from such depository for his own personal use or for any use whatsoever except that of the county The depositories of county funds shall render to the county treasurer and controller a monthly statement showing the balance on hand at the close of the month the amount received and disbursed and the amount of accrued interest on monthly balances

Section 11 It is unlawful for any county treasurer to deposit with any bank or trust company except the depositories of county funds appointed in the manner provided for in this act any funds of the county which may come into his possession.

Section 12 Any county treasurer who shall violate the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five thousand dollars or be imprisoned for a term not exceeding one year or both

Section 13 All acts or parts of acts inconsistent with this act hereby repealed

The title of the bill was read as follows:

An Act relating to depositories of county funds in counties of the second third fourth fifth sixth seventh and eighth classes providing for the selection thereof by the county treasurer county commissioners and controller if any there be and for the payment of interest on county funds for the use of the county imposing certain expenses upon counties in connection therewith and providing penalties

On the question,

Will the Senate agree to the title?

Mr. MANSFIELD. Mr. President, I move to amend title, page 1, lines 2 and 3 by striking out the words "third, fourth, fifth, sixth, seventh and eighth classes" and insertin lieu thereof the word "class."

Mr. HARRIS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended, be printed for the use of the Senate.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 875, as follows:

An Act making an appropriation to the Nesbit West Side Hospital Dorranceton Luzerne county Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of six thousand dollars ($6,000) or so much thereof as may be necessary is hereby specifically appropriated to the Nesbit West Side Hospital located on Wyoming Avenue Dorranceton Luzerne county Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 876, as follows:

An Act making an appropriation to the Columbia Hospital at Columbia Lancaster county Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twelve thousand dollars ($12,000) or so much thereof as may be necessary is hereby specifically appropriated to the Columbia Hospital located at Columbia Lancaster county Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 911, (House Bill No. 112), as follows:

An Act to amend section five of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" providing for the assessment of property and the collection of taxes interest and penalties in cases of the refusal or failure of taxables to make return and in the case of false or incomplete returns

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" is hereby amended to read as follows

Section 5 That upon the refusal or failure of any taxable person copartnership unincorporated association limited partnership joint-stock association or corporation to make a return properly verified by oath or affirmation as required by this act within ten days after being notified so to do it shall be the duty of the assessor to make a return for such taxable person copartnership unincorporated association joint-stock association limited partnership or corporation from the best information he can obtain he shall examine the records and lists of judgments and mortgages returned by the prothonotary and the recorder of deeds and mortgages under the seventh and eight sections of this act in the commissioner's office or office of the board of revision of taxes or remaining in their respective offices and assess such defaulting person copartnership unincorporated association joint-stock association limited partnership or corporation with the amounts of all such liens with interest thereon and add thereto the amount of all taxable property obtained from all other sources of information which return the proper county commissioners or board of revision of taxes shall have power and it shall be their duty to revise and correct accordingly to the best information they can command from the records in their office or other sources and it shall be their duty to send for a person persons and papers and to administer an oath or affirmation to him or them in such form as shall be prescribed to which revised and corrected estimated return the proper county commissioners or board of revision of taxes shall add fifty per centum and the aggregate amount so obtained shall be the basis for taxation Provided That if such taxable person or copartnership or unincorporated association or company limited partnership joint-stock association or corporation on or before the day fixed for appeals from assessment shall present reasons supported by oath or affirmation satisfactory to the proper county commissioners or board of revision of taxes excusing a failure to make a return such as should be made to the assessors and shall then make such return the proper county commissioners or board of revision of taxes may substitute such return for that return by the assessor and corrected as aforesaid to have like effect as if no failure to return had occurred Provided further That in cases where by the refusal or failure of any taxable person copartnership unincorporated association limited partnership joint-stock association to make return has been made by the assessor and a penalty has been added by the county commissioners or board of revision of taxes or a return so made and no penalty added such action shall not estop the county or city from the collection of any additional tax due whenever the facts may become known and it shall be the duty of the officers charged with the assessment and collection of such taxes to assess or reassess any such personal property for any former year or years and collect the balance of the tax which should have been paid together with interest thereon at the rate of six per centum In ascertaining the balance found to be due no credit shall be given for any penalty formerly assessed and paid And provided further That in every case of a false or incomplete return it shall be the duty of the officers charged with the assessment and collecttion of said tax whenever the facts may become known to reassess the personal property of any such taxable for any former year or years and to collect the balance of the tax found to be due together with interest at the rate of six per centum

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 928, (House Bill No. 700), as follows:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania providing for a budget system

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following is proposed as an amendment to article three of the Constitution of the Commonwealth in accordance with the eighteenth article thereof That section fifteen of article three of the Constitution of the Commonwealth which reads as follows

"Section 15 The General Appropriation Bill shall embrace nothing but appropriations for the ordinary expenses of the executive legislative and judicial departments of the Commonwealth interest on the public debt and for public schools all other appropriations shall be made by separate bills each embracing but one subject" be and the same is hereby amended to read as follows

Section 15 The Governor shall submit to the general assembly a budget on or before March first of each year in which it shall be in regular session The budget shall contain a complete plan of proposed appropriations and complete estimates of the revenues and funds available for appropriation for the two ensuing fiscal years including appropriations for charitable educational and benevolent purposes in submitting proposals for appropriations to charitable educational or benevolent institutions not under the absolute control of the State government the Governor shall at the same time submit a plan of distribution among the classes of institutions to be benefited

And of the proposed appropriations for the fiscal years covered by the budget and may also submit any recommendations as to sources of revenue

The general assembly may increase decrease strike out or otherwise alter or amend any item in the general appropriation bill or may add new items thereto

The general assembly shall not finally adjourn for ten days after the general appropriation bill has been presented to the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE PROCEEDS TO HOUSE TO ELECT DIRECTOR TO LEGISLATIVE REFERENCE BUREAU.

The hour of one o'clock P. M. having arrived, Messrs. Kelly, Armstrong and Charles B. Jones, a Committee from the House of Representatives, being introduced, informed the Senate that the House was ready for the reception of the President and Members of the Senate for the purpose of electing a Director to the Legislative Reference Bureau.

Whereupon,

The President and the Members of the Senate proceeded to the Hall of the House of Representatives.

SENATE RETURNS FROM HOUSE.

After some time the President and Senators returned to the Senate Chamber.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 947, (House Bill No. 1025), entitled:

An Act to provide a method of relieving real estate of the charge of a life interest imposed thereon by any order judgment or decree of any court in this Commonwealth in any partition proceedings

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 982, as follows:

An Act making an appropriation to the Misericordia Hospital of the Sisters of Mercy of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and thirty-five thousand dollars or so much thereof as may be neecssary is hereby specifically appropriated to the Misericordia Hospital of the Sisters of Mercy Fifty-fourth Street and Cedar Avenue Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three be paid at the rate of three dollars per diem for the medical and surgical services rendered to and maintenance of each indigent person treated in said hospital the same to be paid quarterly on requisition of the Commissioner of Public Welfare when accompanied by a certificate from the Auditor General of the State that such sums have been properly earned as shown by the audit made by the traveling auditors of the Auditor General's Department

Any part of this appropriation not actually earned by the said Hospital in accordance with the terms of this act shall lapse

The purpose of this act is to provide a fund out of which payment can be made to the said Hospital for actual service rendered to persons to whom the Commonwealth owes a duty and not to grant a gratuity to said institution

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 986, as follows:

An Act making an appropriation to the St. Joseph's Hospital of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of sixty--five thousand dollars or so much thereof as may be necessary is hereby specifically appropriated to the St. Joseph's Hospital Seventeenth Street and Girard Avenue Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid at the rate of three dollars per diem for the medical and surgical services rendered to and maintenance of each indigent person treated in said hospital the same to be paid quarterly on requisition of the Commissioner of Public Welfare when accompanied by a certificate from the Auditor General of the State that such sums have been properly earned as shown by audit made by the travelling auditors of the Auditor General's Department

Any part of this appropriation not actually earned by the said Hospital in accordance with the terms of this act shall lapse

The purpose of this act is to provide a fund out of which payment can be made to the said Hospital for actual service rendered to persons to whom the Commonwealth owes a duty and not to grant a gratuity to said institution

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 989, as follows:

An Act making an appropriation to the Mercy Hospital of Johnstown Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty-three thousand dollars or so much thereof as may be necessary is hereby specifically apropriated to the Mercy Hospital of Johnstown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid at the rate of three dollars per diem for the medical and surgical services rendered to and maintenance of each indigent person treated in said hospital the same to be paid quarterly on requisition of the Commissioner of Public Welfare when accompanied by certificate from the Auditor General of the State that such sums have been properly earned as shown by audit made by the traveling auditors of the Auditor General's Department

Any part of this appropriation not actually earned by the said hospital in accordance with the terms of this act shall lapse

The purpose of this act is to provide a fund out of which payment can be made to the said Hospital for actual service rendered to persons to whom the Commonwealth owes a duty and not to grant a gratuity to said institution

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 991, as follows:

An Act making an appropriation to the Saint Agnes' Hospital of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifty-seven thousand dollars or so much thereof as may be necessary is hereby specifically appropriated to the Saint Agnes' Hospital Broad and Mifflin Streets in the City of Philadelphia for the two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid at the rate of two dollars seventy-two cents per diem for the medical and surgical services rendered to and maintenance and each indigent person treated in said hospital the same to be paid quarterly on requisition of the Commissioner of Public Welfare when accompanied by a certificate from the Auditor General of the State that such sums have been properly earned as shown by audit made by the traveling auditors of the Auditor General's Department

Any part of this appropriation not actually earned by the said hospital in accordance with the terms of this act shall lapse

The purpose of this act is to provide a fund out of which payment can be made to the said Hospital for actual service rendered to persons to whom the Commonwealth owes a duty and not to grant a gratuity to said institution

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 994, as follows:

An Act making an appropriation to the Saint Mary's Hospital of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighty thousand dollars or so much thereof as may be necessary is hereby specifically appropriated to the Saint Mary's Hospital of Frankford Avenue and Palmer street Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid at the rate of two dollars and fifty cents per diem for the medical and surgical services rendered to and maintenance of each indigent person treated in said hospital the same to be paid quarterly on requisition of the Commissioner of Public Welfare when accompanied by a certificate from the Auditor General of the State that such sums have been properly earned as shown by audit made by the travelling auditors of the Auditor General's Department

Any part of this appropriation not actually earned by the said Hospital in accordance with the terms of this act shall lapse

The purpose of this act is to provide a fund out of which payment can be made to the said Hospital for actual service rendered to persons to whom the Commonwealth owes a duty and not to grant a gratuity to said institution

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 996 as follows:

An Act making an appropriation to the Pittsburgh Hospital Association of Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighty thousand dollars or so much thereof as may be necessary is hereby specifically appropriated to the Pittsburgh Hospital Sisters of Charity Frankstown avenue Pittsburgh Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid at the rate of three dollars per diem for the medical and surgical services rendered to and maintenance of each indigent person treated in said hospital the same to be paid quarterly on requisition of the Commissioner of Pubic Welfare when accompanied by a certificate from the Auditor General of the State that such sums have been properly earned as shown by audit made by the traveling auditors of the Auditor General's Department

Any part of this appropriation not actually earned by the said Hospital in accordance with the terms of this act shall lapse

The purpose of this act is to provide a fund out of which payment can be made to the said Hospital for actual service rendered to persons to whom the Commonwealth owes a duty and not to grant a gratuity to said institution

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 997, as follows:

An Act making an appropriation to the DuBois Hospital of DuBois Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-two thousand five hundred dollars or so much thereof as may be necessary is hereby specifically appropriated to the DuBois Hospital of DuBois Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid at the rate of two dollars and eighty-one cents per diem for the medical and surgical services rendered to and maintenance of each indigent person treated in said hospital the same to be paid quarterly on requisition of the Commissioner of Public Welfare when accompanied by a certificate from the Auditor General of the State that such sums have been properly earned as shown by audit made by the traveling auditors of the Auditor General's Department

Any part of this appropriation not actually earned by the said hospital in accordance with the terms of this act shall lapse

The purpose of this act is to provide a fund out of which payment can be made to the said Hospital for actual service rendered to persons to whom the Commonwealth owes a duty and not to grant a gratuity to said institution

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1002, as follows:

An Act making an appropriation to the Mercy Hospital of Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and eighty-five thousand dollars or so much thereof as may be necessary is hereby specifically appropriated to the Mercy Hospital of Pittsburgh Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid at the rate of two dollars and eighty-two cents per diem for the medical and surgical services rendered to and maintenance of each indigent person treated in said hospital the same to be paid quarterly on requisition of the Commissioner of Public Welfare when accompanied by a certificate from the Auditor General of the State that such sums have been properly earned as shown by audit made by the traveling auditors of the Auditor General's Department

Any part of this appropriation not actually earned by the said Hospital in accordance with the terms of this act shall lapse

The purpose of this act is to provide a fund out of which payment can be made to the said Hospital for actual service rendered to persons to whom the Commonwealth owes a duty and not to grant a gratuity to said institution

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1004, as follows:

An Act making an appropriation to the Jewish Hospital Association of Philadelphia

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighty thousand dollars ($80,000) or so much thereof as may be necessary is hereby specifically appropriated to the Jewish Hospital Association of Philadelphia for the two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid at the rate of three dollars per diem for the medical and surgical services rendered to and maintenance of each indigent person treated in said hospital the same to be paid quarterly on requisition of the Commissioner of Public Welfare when accompanied by a certificate from the Auditor General of the State that such sums have been properly earned as shown by audit made by the traveling auditors of the Auditor General's Department

Any part of this appropriation not actually earned by the said Hospital Association in accordance with the terms of this act shall lapse

The purpose of this act is to provide a fund out of which payment can be made to the said Hospital Association for actual service rendered to persons to whom the Commonwealth owes a duty and not to grant a gratuity to said institution

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1046, (House Bill No. 1306), entitled:

An Act to amend section seven of an act, entitled "An act to establish a Department of Mines, in Pennsylvania; defining its purposes and authority; providing for the appointment of a chief of said Department, and assistants, and fixing their salaries and expenses;" approved the fourteenth day of April, Anno Domini one thousand nine hundred and three (Pamphlet Laws one hundred and eighty); increasing fees paid by applicants for certificates of qualification as mine foremen and assistant mine foremen in the anthracite mines; providing for the disposition of fees received and providing for copies of lost or destroyed certificates.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1048, (House Bill No. 1309), entitled:

An Act to amend Rule Thirty-four of Article XXV of an Act, approved the ninth day of June, one thousand nine hundred and eleven (Pamphlet Laws, seven hundred and fifty-six), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith;" by requiring mine operators to pay the Department of Mines for certain report and record books.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1064, as follows:

An Act making an appropriation to the Saint Joseph's Hospital and Dispensary of Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty five thousand dollars ($45,000) or so much thereof as may be necessary is hereby specifically appropriated to the Saint Joseph's Hospital and Dispensary of Pittsburgh Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid at the rate of three dollars per diem for the medical and surgical services rendered to and maintenance of each indigent person treated in said hospital the same to be paid quarterly on requisition of the Commissioner of Public Welfare when accompanied by a certificate from the Auditor General of the State that such sums have been properly earned as shown by audit made by the traveling auditors of the Auditor General's Department

Any part of this appropriation not actually earned by the said hospital in accordance with the terms of this act shall lapse

The purpose of this act is to provide a fund out of which payment can be made to the said hospital for actual service rendered to persons to whom the Commonwealth owes a duty and not to grant a gratuity to said institution

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1085, as follows:

An Act making an appropriation to the Saint Joseph's Hospital of Reading Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirty-five thousand dollars or so much thereof as may be necessary is hereby specifically appropriated to the Saint Joseph's Hospital of Reading Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid at the rate of two dollars seventy-five cents per diem for the medical and surgical services rendered to and maintenance of each indigent person treated in said hospital the same to be paid quarterly on requisition of the Commissioner of Public Welfare when accompanied by certificate from the Auditor General of the State that such sums have been properly earned as shown by audit made by the traveling auditors of the Auditor General's Department

Any part of this appropriation not actually earned by the said Hospital in accordance with the terms of this act shall lapse

The purpose of this act is to provide a fund out of which payment can be made to the said Hospital for actual services rendered to persons to whom the Commonwealth owes a duty and not to grant a gratuity to said institution

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1133, as follows:

A Joint Resolution making an appropriation to the Auditor General for the purpose of adjusting and paying certain outstanding bills contracted by the commission appointed under the provisions of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and six) entitled "An act to provide for the selection of a site and the erection of a State institution for the detention care and treatment of inebriates or persons habitually addicted to the use of alcoholic drink or intoxicating drugs to be called the State Institution for Inebriates and making an appropriation therefor"

Whereas By the provision of said act approved the twenty-fifth day of July one thousand nine hundred and thirteen a commission was created to acquire a site select an architect and to provide for the erection of an institution for inebriates and

Whereas Said commission was appointed acquired a site and selected an architect by whom certain services were performed in one thousand nine hundred and fifteen but the said commission deemed it expedient to proceed on account of the World War and it is now proposed by the Administrative Code to transfer the site so acquired to be known as the New Cumberland Industrial Farm to a board of trustees and

Whereas It appears that the commission appointed by Governor Brumbaugh in one thousand nine hundred and seventeen were not confirmed by the Senate and that no appointments were made by Governor Sproul or confirmed by the Senate during his administration and that therefore no commission now exists authorized to manage the affairs of the said activities provided for by the above act nor to pay debts contracted by the said commission and

Whereas There is now a balance of about one hundred thirty thousand dollars ($130,000) unexpended of the appropriations made by the acts aforesaid therefore be it

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby specifically appropriated to the Auditor General for the payment of the debts incurred and bills outstanding contracted by the commission appointed under the provisions of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred six) entitled "An act to provide for the selection of a site and the erection of a State institution for the detention care and treatment of inebriates or persons habitually addicted to the use of alcoholic drink or intoxicating drugs to be called the State Institution for Inebriates and making an appropriation therefor" amongst said debts and bills being a claim of seventeen thousand and seventy-eight dollars and eighty-nine cents ($17,078.89) with interest for services rendered by the architect employed by said commission and a claim of fifteen hundred dollars ($1,500) for the compensation due to the clerk of the commission and the personal expenses of the members of said commission in attending meetings and performing the duties required by law said moneys to be paid from moneys heretofore appropriated to said commission for the construction and erection of the necessary buildings for the housing of the inmates and for the necessary administration buildings by the act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred twelve) entitled "A supplement to an act approved the twenty-fifth day of July one thousand nine hundred and thirteen entitled 'An act to provide for the selection of a site and the erection of a State institution for the detention care and treatment of inebriates or persons habitually addicted to the use of alcoholic drink or intoxicating drugs to be called the State Institution for Inebriates and making an appropriation therefor' making an appropriation and providing for the admission of patients to said institution and providing for the payment of the costs and fees of hearings and of maintenance of patients by the respective counties"

No moneys shall be paid from said appropriation until the debts and bills in question have been adjusted and approved by the Auditor General the State Treasurer and the Attorney General.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1144, as follows:

An Act providing for the collection of city and school taxes in third class cities by the city treasurer and fixing and providing for the payment of his salary and expenses and the salaries of his assistants and clerks

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cities of the third class the city treasurer shall be the collector of city and school taxes For his services in the collection of said taxes he shall receive a salary of not less than three thousand nor more than seven thousand five hundred dollars per year to be fixed by the city council

Section 2 The city treasurer shall give bond for the collection of such taxes in the manner now required by law for the collection of such taxes He shall appoint such clerks and assistants as may be necessary for the performance of the duties of his office subject to the approval of the city council Such clerks and assistants shall receive such salary as may be fixed by the city council

Section 3 The salaries of the city treasurer and of his clerks and assistants and the expenses of the city treasurer incurred in preparing and transmitting notices to taxpayers shall be paid monthly by the city

The school district shall be charged with a portion of such salaries and expenses in the same proportion as the school taxes collected bears to the total sums of money received by the treasurer from all sources and the school district's share of such salaries and expenses shall be deducted from the school taxes at the end of each quarter At the end of each month the treasurer shall furnish the school district with a statement of school taxes collected by him during the month

Section 4 All acts and parts of acts general local or special inconsistent with this act are hereby repealed This act shall not apply to city treasurers in office or elected to office before the date of the approval of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Commttee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1158 (House Bill No. 84), entitled:

An Act making an appropriation to the Washington Crossing Park Commission for the purpose of the acquisition of land and property and the making of improvements in accordance with the provisions of the act of July twenty-fifth, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand two hundred and nine), entitled "An act to authorize the acquisition by purchase or condemnation of land for a park and the erection of a monument commemorative of Washington Crossing the River Delaware and for the appointment of a commission to acquire said lands and erect such monument, and making an appropriation for the purposes of this act.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1168, as follows:

An Act making an appropriation to the Presbyterian Hospital at Pittsburgh

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirty-six thousand dollars ($36,000) or so much thereof as may be necessary is hereby specifically appropriated to the Presbyterian Hospital at Pittsburgh Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid at the rate of two dollars and seventy-five cents per diem for the medical and surgical services rendered to and maintenance of each indigent person treated in said hospital the same to be paid quarterly on requisition of the Commissioner of Public Welfare when accompanied by certificate from the Auditor General of the State that such sums have been properly earned as shown by audit made by the traveling auditors of the Auditor General's Department

Any part of this appropriation not actually earned by the said hospital in accordance with the terms of this act shall lapse

The purpose of this act is to provide a fund out of which payment can be made to the said hospital for actual service rendered to persons to whom the Commonwealth owes a duty and not to grant a gratuity to said institution

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1172, as follows:

An Act validating certain elections of school districts of the third class held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all elections heretofore held by any school district of the third class within this Commonwealth to increase its indebtedness under the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and under the acts amendatory thereof where the majority of votes required by law cast at such election was in favor of the proposed increase of indebtedness be and the same are hereby ratified confirmed and made valid notwithstanding the fact that such election was not preceded by a special registration of electors All bonds issued or to be issued in pursuance of every such election are hereby made binding obligations of every such school district of the third class provided all the other requirements of the law concerning such elections and issue of bonds have been complied with

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1183, (House Bill No. 85), entitled:

An Act making an appropriation to the Pennsylvania State Park and Harbor Commission of Erie

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1184, (House Bill No. 86), entitled:

An Act making an appropriation to the several fire companies of the city of Harrisburg

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1185, (House Bill No. 216), entitled:

An Act to provide for the payment of moneys by the Commonwealth to counties and townships the tax funds of which are diminished by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions and making an appropriation

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1192, as follows:

An Act to further amend section eleven of article six and section fifteen of article seven of an act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and sixty-eight) entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" by changing the salaries of councilmen and mayors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eleven of article six of an act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and sixty-eight) entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" as amended by the act approved the twenty-seventh day of May one thousand nine hundred and nineteen (Pamphlet Laws three hundred ten) entitled "An act to amend and revise an act entitled 'An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto' approved the twenty-seventh day of June Anno Domini one thousand nine hundred and thirteen enlarging changing modifying and defining certain of the powers of cities of the third class" is hereby further amended to read as follows

Section 11 The councilmen in cities of the third class shall receive for their services during their term of service annual salaries to be fixed by ordinance payable in monthly instalments Councils may by the ordinance fixing said salaries provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings of council or councilmanic committees The salary paid to any councilman shall not be less than (two hundred and fifty) three hundred and seventy-five dollars per year nor more than (three) four thousand dollars per year Provided however That for the term of city councilmen and until thereafter changed by ordinance the salary of each councilman shall be as follows

In cities of the third class of fifteen thousand inhabitants or under by the last United States census each councilman shall receive a salary of four hundred and fifty dollars per annum where said population is between fifteen thousand and thirty thousand eleven hundred and twenty-five dollars per annum in cities having a population above thirty thousand and not exceeding fifty thousand (two) three thousand dollars per annum in cities having a population of over fifty thousand and not exceeding seventy thousand (two thousand five hundred) three thousand seven hundred and fifty dollars per annum in cities having a population of over seventy thousand four thousand five hundred dollars per annum The council elected under the provisions of this act shall have power by ordinance to determine the amount of salaries to be paid in said cities The compensation to be received by councilmen shall not be increased or diminished during the term for which they shall be elected but succeeding councils may change all compensation said change to take effect after the expiration of term of office of the council making the change

Section 2 That section fifteen of article seven of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred sixty-eight) is hereby further amended to read as follows

Section 15 The mayor of each city of the third class elected under the provisions of this act shall receive for his services during the term of service an annual salary to be fixed by ordinance payable in monthly instalments The council shall by ordinance fix the amount of salary to be paid to the mayor for his services and may provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings of council or councilmanic committees The amount of salary in cities of the third class shall not be less than seven hundred and fifty dollars nor more than five thousand two hundred and fifty dollars per year Until changed by ordinance the salary of said mayors in cities of the third class shall be as follows In cities having a population of fifteen thousand or under by the act United States census seven hundred and fifty dollars per annum in cities having a population of over fifteen thousand and less than thirty thousand inhabitants one thousand eight hundred dollars per annum in cities having a population exceeding thirty thousand and not exceeding fifty thousand inhabitants three thousand seven hundred and fifty dollars per annum in cities having a population of over fifty thousand and not exceeding seventy thousand inhabitants four thousand five hundred dollars per annum in cities having a population of over seventy thousand inhabitants five thousand two hundred and fifty dollars per annum and the amount of compensation for the mayor in any of the said cities shall not be increased or diminished during the term of office for which he shall be elected Suceeding councils may change the amount of such compensation but such change shall not affect the compensation of the mayor then in office

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1193, (House Bill No. 217), entitled:

An Act making an appropriation to the Superintendent of Public Instruction to carry into effect the provisions of the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand thirty-four) entitled "An Act to provide for the payment of moneys to school districts the taxes of which are reduced by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1194, (House Bill No. 93), entitled:

An Act making an appropriation to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State Supervisor and assistants, and fixing the salaries of such State Supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1195, (House Bill No. 99), entitled:

An Act making an appropriation to the Commissioners of Valey Forge Park

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1196, (House Bill No. 653), entitled:

An Act making an appropriation to the Lake Erie and Ohio River Canal Board of Pennsylvania for the payment of expenses incurred in printing, distributing and making available for public use, reports, maps, documents and records of the board, in securing the cooperation and aid of the Government of the United States and other public authorities, in the construction of the canal or waterway authorized to be constructed by the board, for the payment of incidental office expenses, and for the payment of salaries, fees and expenses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1209, as follows:

An Act making a deficiency appropriation for the payment of salaries of the officers and employes of the Senate for the session of one thousand nine hundred and twenty-three

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twelve thousand dollars ($12,000.00) or so much thereof as may be necessary is hereby specifically appropriated as a deficiency for the payment of the salaries of the officers and employes of the Senate for the session of one thousand nine hundred and twenty-three as is provided for by law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1211, as follows:

An Act providing for the rebuilding of county bridges over two hundred feet in length on improved primary State highway routes in counties of the seventh and eighth classes by the State Highway Department at the expense of the Commonwealth

Whereas The taking over by the Commonwealth of certain public roads and the selection and improvement of a portion thereof as a primary system of main highways for through or interstate traffic has thrown an undue burden upon certain small counties through the rapid depreciation of bridges theretofore sufficient and which counties because of small population and little wealth are unable to meet this new burden so imposed by the Commonwealth Therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter in counties of the seventh and eighth classes in this Commonwealth all county bridges over two hundred feet in length located within the county and connecting portions of improved State highways of the primary road system as laid out by the Highway Department shall be rebuilt by the State Highway Department whenever such bridges become so decayed dangerous or unsafe as to require rebuilding

The cost of rebuilding such bridges shall be paid for out of the moneys appropriated to the State Highway Department for the construction reconstruction and improvement of State highways and for such purposes all moneys in the treasury of the Commonwealth appropriated for the construction reconstruction and improvement of State highways is hereby specifically re-appropriated

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1212, as follows:

An Act to amend clauses (b) and (c) of section fifty-six of an act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred forty-seven) entitled "An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration of and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" so as to permit the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" so as to permit the orphans' court in its discretion to permit a bank or trust company authorized to act as executor administrator or trustee under the laws of the Commonwealth of Pennsylvania appointed as trustee in the place of an executor or executors trustee or trustees dying renouncing resigning dismissed or refusing to act to give its own bond without surety

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clauses (b) and (c) of section fifty-six of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred forty-seven) entitled "An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estates for the payment thereof judgments and executions therefor and the discharge of real estate for the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the courts of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" are hereby amended to read as follows

(b) Whenever in any of the cases enumerated in clause (a) of this section all of the said executors or trustees shall die renounce resign be dismissed or refuse to act in the said trust it shall be lawful for the orphans' court having jurisdiction of the accounts of such executors or trustees on the application of any party interested and with notice to all persons interested so far as such notice can reasonably be given to appoint a trustee or trustees in place of the executor or executors trustee or trustees so dying renouncing resigning dismissed or refusing to act and to require the person or persons so appointed to enter sufficient security for the faithful performance of the trust or in the case of a bank or trust company authorized to act as executor administrator or trustee under the laws of the Commonwealth of Pennsylvania being appointed the court may permit such bank or trust company to give its own bond without security The trustee or trustees so appointed shall have the same power and interest over and in the property in trust as the executor or executors trustee or trustees in whose stead he or they shall be so appointed as aforesaid It shall also be lawful for the said court to appoint a successor or successors to such trustees from time to time whenever from death resignation or otherwise the same shall be necessary or expedient

(c) In all cases of trust created by will and annexed to the office of executor such executor may decline to accept the trust or be discharged therefrom without affecting his office of executor and the orphans' court of the proper county shall have the power to fill the vacancy by appointment and if a trust fund or estate is committed to an executor or either trustee in which several cestius que trust have or are entitled to enjoy a separate interest and a vacancy should in any manner occur in the office of the trustee thereof then said court may appoint one or more trustees of such estate or fund for each of the said cestius que trust on his or her application and the said trustee shall give security as in other cases and if a bank or trust company authorized to act as executor administrator or trustee under the laws of the Commonwealth of Pennsylvania is appointed the court may permit it to give its bond without security

And said bill having been read at length the second time and agreed to,

Ordered To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1217, as follows:

A Supplement to the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and fourteen) entitled "An act providing for the erection and construction by the Commonwealth of Pennsylvania and the State of New Jersey of a bridge over the Delaware River connecting the city of Philadelphia and the city of Camden and the approaches thereto providing for a joint commission for that purpose and defining its powers and duties providing for an independent commission in this Commonwealth in relation thereto and defining its powers and duties providing for the payment of a part of the cost thereof by the city of Philadelphia and providing for the acquiring taking and condemnation of the real estate for the site and approaches thereof providing for the turning over of said bridge upon its completion and making an appropriation for the purposes of this act" as amended by an act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred eighty-seven) extending the power and authority of the Delaware River Bridge Joint Commission and its successors to provide for equipment of the Delaware River Bridge with facilities for railway railroad motorbus vehicles or other means of transportation also for telegraph telephone electric or other public service facilities authorizing operation maintenance and leasing thereof providing for the fixing and collection of charges rates rentals or tolls therefor and authorizing the making of contracts or leases for use and occupation of property acquired

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the powers conferred by an act approved the ninth day of June one thousand nine hundred and nineteen (Pamphlet Laws eight hundred fourteen) entitled "An act providing for the erection and construction by the Commonwealth of Pennsylvania and the State of New Jersey of a bridge over the Delaware River connecting the city of Philadelphia and the city of Camden and the approaches thereto providing for a joint commission for that purpose and defining its powers and dtuies providing for an independent commission in this Commonwealth in relation thereto and defining its powers and duties providing for the payment of a part of the cost thereof by the city of Philadelphia and providing for the acquiring taking and condemnation of the real estate for the site and approaches thereof providing for the turning over of said bridge upon its completion and making an appropriation for the purposes of this act" and its amendments the said Joint Commisison is hereby further authorized and empowered to exercise the following additional powers and perform the following additional duties

Said Joint Commission is hereby authorized and empowered to have prepared the necessary and proper plans and specifications and to build construct and equip or have built constructed or installed the equipment of the said bridge and the approaches and plazas appurtenant thereto together with rails tracks or other appliances and facilities in such number and kind and in such manner as may be decided upon by the said Joint Commission for the use of railroad trains or street passenger railway cars or both or other vehicles or means of transportation operated by electric steam or other motive power together with such stations platforms signals switches towers conduits pipes wiring and electric or other power-transmission facilities and sub-stations in connection therewith as may be deemed necessary or convenient The said Joint Commission shall have power to provide any and all other equipment including power-houses and power generating facilities rolling stock engines cars or other vehicles or transportation facilities as may be deemed necessary or convenient for use in connection with the operation of said railways or railroads or other vehicles or transportation facilities across the said bridge

Section 2 The said Joint Commission is hereby authorized and empowered to enter into leases or other contracts or agreements with one or more corporations companies firms or individuals having power to install or operate electric street passenger railways or electric elevated or subway railways or any other kind of electric railway or any steam railroad or other means of transportation in one or both of the municipalities in which said bridge and its approaches and the plazas appurtenant thereto are located for the installation operation or maintenance by the said contracting corporation or corporations company or companies firm or firms individual or individuals of the said railway or railroad or other transportation facilities on and across said bridge for the benefit of the public or in its discretion the said Joint Commission may itself install maintain use operate or provide for the installation maintenance use and operation of the said railway railroad or other transportation facilities without entering into any lease or contract with an operating corporation company firm or individual for that purpose or the said Joint Commission may maintain use and operate any part or portion of the said facilities and contract for the maintenance use and operation of any other part or portion thereof

Section 3 The said Joint Commission is also hereby further authorized and empowered in its discretion to provide for the operation of motor busses or other similar vehicles on and across the said bridge either by acquiring such motor busses or vehicles and itself providing for the operation and maintenance of the same or by providing by lease or other contract for the operation and maintenance by others of such motor busses or vehicles either acquired and furnished by the said Joint Commission or otherwise

Section 4 The said Joint Commission in its discretion is hereby further authorized and empowered to provide and equip said bridge and the approaches and plazas appurtenant thereto with such conduits pipes supports or other appliances as may be necessary or convenient for the installation, maintenance and operation of telegraph telephone electric light or power or other public service facilities or said Joint Commission is hereby authorized and empowered to enter into leases or other contracts with public service corporations companies firms or individuals authorized so to do for the installation of such facalities and for the maintenance operation and use thereof

Section 5 Said Joint Commission shall further have the power and authority in connection with any or all of the contracts or leases hereby authorized to be made fix collect and receive suitable charges rates rentals or tolls for the leasing operation use or maintenance of any of the facilities comprehended within the provisions of this act and the same shall be paid to the treasurer of the said Joint Commission to be expended for the lawful purposes of the Commission as it shall order and direct so long as said Joint Commission shall continue to exist and continue in control of said bridge and upon the turning over of said bridge to the City of Philadelphia and the representatives of the State of New Jersey as provided by the act of which this is a supplement or to such other agency or agencies body or bodies as may be authorized by law the charges rentals tolls or other revenue or income accruing under said leases or other contracts shall be due and payable to the City of Philadelphia and the agency or body representing the State of New Jersey proportionately as provided for in said leases or other contracts for the use operation or furnishing of the facilities aforesaid

Section 6 Said Joint Commission is also hereby further authorized and empowered to make and enter into leases or other contracts or agreements with corporations firms or individuals for the use or occupation of any of the property or properties easements or franchises acquired by the said Joint Commission by purchase or by the Pennsylvania Commission designated in the Act of Assembly to which this Act is a supplement acquired by condemnation or otherwise or for the erection or construction of buildings or structures and the leasing of the same or of space or facalities under or upon said bridge or the approaches or plazas appurtenant thereto—with power and authority to make fix and collect charges and rentals for such use and occupation said charges or rentals to be paid to the treasurer of the said Joint Commission and to be expended for the lawful uses and purposes of the Joint Commission in the same manner and to the same extent as provided in section seven of this act

Section 7 All leases contracts and agreements made under the provisions of this act shall be made for such periods and upon such terms and conditions as shall in the opinion of the Joint Commission best promote the welfare and convenience of the public using the bridge All such contracts shall be conditioned upon the granting of all necessary consents approvals and certificates of convenience by State and municipal authorities in the States of Pennsylvania and New Jersey

Section 8 The said Joint Commission or its successor or successors in the control and custody of the said bridge shall not proceed to exercise or carry out any authority or power herein granted or hereby given it until the State of New Jersey by appropriate legislation shall first have vested like powers in the said Joint Commission and its successor or successors in the control and custody of the said bridge

Section 9 The said power to provide for acquire install maintain operate and use the said facilities to enter into leases contracts and agreements and all other powers conferred by this act shall remain vested in the said Joint Commission in full force and effect during the time said

Joint Commission shall continue in existence and in control of the said bridge and shall enure to and vest unimpaired in its successor or successors in whom may be vested the control and custody of said bridge and upon the turning over of the said bridge to the City of Philadelphia and the representatives of the State of New Jersey as provided for by the act to which this is a supplement or to such body or bodies as may be authorized by law to receive the control of the same the said authority and powers above enumerated shall enure to and vest in the said body or bodies so appointed or created to receive and take over the custody maintenance and operation of the said bridge and so receiving the same or any such agency as may be for that purpose legally appointed or created by the body or bodies so receiving custody and control of the said bridge

Section 10 All act and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1218, as follows:

An Act to amend section three of Article eighteen of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and eighty-one) entitled "An Act for the better government of cities of the first class of this Commonwealth" providing that when indebtedness made by council is assumed funded or refunded with the assent of the electors said indebtedness shall thereafter be excluded in computing the amount incurred by council without the assent of electors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of article eighteen of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and eighty-one) entitled "An Act for the better government of cities of the first class of this Commonwealth" is hereby amended to read as follows

Section 3 Within such limitation in amount as now or may hereafter be established by the Constitution the council may authorize new debt to be incurred or an increase of indebtedness without the consent of the electors of the city at a public election but the council may in its discretion submit to the electors for their consent at a public election the proposal contained in any ordinance authorizing new debt to be incurred or an increase of indebtedness and any such new debt or increase of indebtedness to which the electors shall have given their consent shall be excluded in computing the amount of the indebtedness of the city incurred without the consent of the electors thereof and the council may also submit to the electors for their consent at a public election the assumption funding or refunding of any indebtedness theretofore incurred without the assent of the electors and if the electors shall consent to such assumption funding or refunding of any debt incurred without their consent then the indebtedness so assumed funded or refunded shall in like manner be excluded in computing the amount of the indebtedness of the city incurred without the consent of the electors

Any ordinance auhorizing new debt to be incurred or an increase of indebtedness except for temporary loans without the consent of the electors shall prior to its final passage be published daily for two weeks in two newspapers having a bona fide circulation in such city of at least thirty thousand copies per issue

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1222, as follows:

An Act making an appropriation to the Sacred Heart Hospital of Allentown Lehigh County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighteen thousand dollars or so much thereof as may be necessary is hereby specifically appropriated to the Sacred Heart Hospital of Allentown Lehigh County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid at the rate of two dollars forty-eight cents per diem for the medical and surgical services rendered to and maintenance of each indigent person treated in said hospital the same to be paid quarterly on requisition of the Commissioner of Public Welfare when accompanied by a certificate from the Auditor General of the State that such have been properly earned as shown by audit made by the travelling auditors of the Auditor General's Department

Any part of this appropriation not acually earned by the said hospital in accordance with the terms of this Act shall lapse

The purpose of this act is to provide a fund out of which payment can be made to the said hospital for actual service rendered to persons to whom the Commonwealth owes a duty and not to grant a gratuity to said institution

And said bill having been read a length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1223, as follows:

An Act appropriating to the Department of Publications the unexpended balances of appropriations heretofore made to the Department of Public Printing and Binding including the Division of Documents

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all unexpended balances of appropriations heretofore made to the Department of Public Printing and Binding including the Division of Documents which department and divsion were recently abolished be and the same are hereby appropriated for the purpose and for the periods named in the acts making such appropriations to that agency of the State Government created by an act approved the eighth day of May one thousand nine hundred and twenty-three and known as Act number one hundred and twenty and for these purposes the appropriation for the payment of the salary of the Superintendent of the Department of Public Printing and Binding shall be applied to the payment of the salary of the Director of Publications and the appropriations for the payment of the salaries of the Deputy Superintendent of the Department of Public Printing and Binding the Chief Clerk Journal Clerk Chief of Division of Documents Chief Clerk of the Division of Documents and other Clerks Stenographers Mailing Clerks Shipping Clerks Bookkeepers Assistant Messengers and other employes of the Department of Public Printing and Binding shall be applied to and used to pay the salaries of the Assistant Clerks Stenographers Messengers and other employes appointed by the Director of Publications to perform services similar to those for which the appropirations were originally made

For all fiscal purposes the said agency under the jurisdiction of the Director of Publications as in said act provided shall hereafter be known as the Department of Publications

The appropriations hereby transferred shall be paid by the State Treasurer upon the warrant of the Auditor General after requisition filed with him in the usual manner by the Director of Publications or in the event of his absence by the Chief Clerk of said Department of Publications

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

MOTION TO READ BILLS THE FIRST TIME.

Mr. SISSON. Mr. President, I move that all bills reported from Committees at to-day's session be read the first time.

Mr. SONES. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 335, entitled:

An Act making an appropriation to the Waynesboro Hospital, Waynesboro, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 377, entitled:

An Act making an appropriation to the Chestnut Hill Hospital, of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 525, (House Bill No. 380), entitled:

An Act to amend section one of the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand seventy-two) entitled "An Act providing a method of establishing title to land acquired at a sale for unpaid taxes."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 627, entitled:

An Act making an appropriation to the Lankenau Hospital, of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 767, entitled:

An Act making an appropriation to the Andrew Kaul Memorial Hospital, St. Marys, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1020, entitled:

An Act to amend an act approved.......... 1923, entitled "An Act imposing a State tax on Liquid Fuels, including all liquids, ordinarily, practically and commercially useable in internal combustion engines for the generation of power, and all distillates of and condensates from petroleum, natural gas, coal, coal tar and vegetable ferments, to be paid by distributors as herein defined providing for the collection of such tax and for the distribution and use of the revenues derived therefrom providing for the filing of certificates and reports of the sale of such liquid fuels and the collection of such tax and fixing penalties."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1105, entitled:

An Act authorizing county commissioners to appropriate money for the compilation and publication of a County War History.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1123, (House Bill No. 831), entitled:

An Act providing punishment for the selling and furnishing for beverage purposes of intoxicating liquors or liquids represented as intoxicating liquors contrary to law thereby causing the death of persons drinking the same.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1149, entitled:

An Act making an appropriation to the Snyder-Middleswarth Park Commission.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1162, (House Bill No. 81), entitled:

An Act to provide for the ordinary expenses of the executive, judicial and legislative departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first, one thousand nine hundred and twenty-three.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1174, entitled:

An Act reappropriating the unexpended balance of the item of twenty thousand dollars appropriated by act dated May twenty-seven, one thousand nine hundred twenty-one to the State Industrial Home for Women at Muncy for the purchase of industrial machinery for making rugs, carpets, etcetera to said State Industrial Home for Women at Muncy and providing for doing washing and laundry work and appropriating the earnings from such work to the general maintenance fund of said State Industrial Home.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1198, (House Bill No. 90), entitled:

A further supplement to an act approved the first day of April one thousand eight hundred and sixty-three (Pamphlet Laws two hundred and thirteen) entitled "An act to accept the grant of public lands by the United States to the several states for the endowment of agricultural colleges" and making an appropriation for carrying the same into effect.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1199, (House Bill No. 91), entitled:

An Act making an appropriation to the trustees of the University of Pittsburgh for the general maintenance of and purchase of equipment for the university and for the maintenance of teaching facilities in hospitals for students in the school of medicine.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1200, (House Bill No. 106), entitled:

An Act making an appropriation to the trustees of the University of Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1201, (House Bill No. 189), entitled:

An Act making an appropriation to the trustees of Temple University at Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1203, (House Bill No. 673), entitled:

An act to amend section one of the act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and eighty) entitled "An Act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll-bridges over the Delaware River and makiug an appropriation therefor" providing for the acquisition of municipally owned bridges over the Delaware River between the State of Pennsylvania and the State of New York.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1205, (House Bill No. 897), entitled:

An Act to amend sections nine and ten of an act approved June 22, 1891 (P. L. 379) entitled "An act to provide for the selection of a site and the erection of a State asylum for the chronic insane to be called the State Asylum for the chronic insane of Pennsylvania, and making an appropriation therefor" changing the name and purpose of said hospital.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1210, entitled:

A Supplement to the Act, approved the 16th day of June, 1919, P. L. 482, entitled "An act creating a Board of Commissioners of Public Grounds and Buildings; providing for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers and employes, and fixing their salaries; defining the powers and duties of the board and the superintendent with regard to contracts for and the furnishing of furniture, furnishings, stationery, supplies, paper, and fuel for the executive and legislative branches of the State Government and the Executive Mansion, the supervision of the Capitol grounds and buildings, the State Arsenal, and Executive Mansion, and repairs, alterations, and improvements thereto, and to other buildings, land, and property of the State, the disposal of unserviceable personal property of the Commonwealth, the renting of office rooms outside of the Capitol, the bonding of officers and employes of the Commonwealth, and the supervision of the erection of, and repairs and additions to, State institutions, and the expenditure of funds therefor; and repealing supplied and inconsistent laws"; authorizing the said Board to agree with municipalities upon the terms and conditions and the amount of compensation for which lands and property of the Commonwealth may be taken or used for municipal purposes; to receive such compensation and to release the municipality.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1213, entitled:

An Act to amend an act approved the first day of June, 1915, (P. L. 661) entitled "An act relating to the maintenance of insane, feeble-minded and other persons confined in the various institutions of the Commonwealth; fixing liability for their support; providing for the collection of the moneys due the Commonwealth thereof and for proceedings relating thereto."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1214, entitled:

An Act to amend sections five and six of an act approved May 10, 1921, (P. L. 473) entitled "An act providing for the burial of certain persons who are, have been, or shall be soldiers, sailors or marines, designated as 'deceased service men'; defining the term 'deceased service men'; and authorizing county commissioners to provide headstones, markers, and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death," as amended; authorizing the purchase of headstones of deceased service men buried in the county; and regulating the purchase of markers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1216, entitled:

An Act making incurable insanity a cause for divorce, and providing procedure in such cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1219, entitled:

An Act regulating the selection of jurors for service in the several courts, civil and criminal, of the counties of the second class creating a Board of Judges from the court of common pleas of said counties for this purpose; and prescribing the powers and duties of such Board; imposing the entire cost and expense of maintaining and operating such Board upon said counties; requiring the county commissioners of said county to provide suitable office quarters, equipment and supplies for said Board; authorizing the employment of the necessary clerks, assistants, deputies and other employees; abolishing the existing office of jury commissioners in said counties and providing that the present jury commissioners shall become clerks of said Board until the expiration of their term of office; requiring other county officers and boards to furnish information to said board; and prescribing punishments for violation of the provisions hereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1220, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts and other incorporated districts or municipalities had and held pursuant to the provisions of an act, approved April 20, 1874, (P. L. 65) entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance to such proceedings and elections.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1226, entitled:

An Act authorizing courts of common pleas of the several counties of the eighth class to order moneys, received from fines, penalties and forfeited recognizances and dedicated by law to law library purposes, in excess of the amount required to be paid into the county treasury for the use of the county.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1230, entitled:

An Act making an appropriation to the Department of Public Welfare for the development of prison industries.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

NOMINATIONS BY THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from his Excellency, the Governor of the Commonwealth, which were read as follows:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 15, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

BERKS COUNTY.

Francis C. Steffenberg, Reading, May 20, 1923.

BRADFORD COUNTY.

Thomas A. Morrissey, Sayre, May 24, 1923.

GREENE COUNTY.

A. L. Moredock, Waynesburg, Mar. 4, 1923.

PHILADELPHIA COUNTY.

Miss Marie Sowen, Philadelphia, April 1, 1923.
J. Howard Sweetwood, Philadelphia, May 21, 1923.

SCHUYLKILL COUNTY.

C. C. Taber, Shenandoah, May 4, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 15, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

Ephriam D. Miller, Pittsburgh.

BERKS COUNTY.

Miss Anna A. Witmeyer, Reading.

BLAIR COUNTY.

Louis G. Lamade, Altoona.

ERIE COUNTY.

J. H. Patton, Wesleyville.

LACKAWANNA COUNTY.

Michele Colo, Scranton.
Miss Florence Forbach, Scranton.

PHILADELPHIA COUNTY.

Miss Elizabeth M. J. Campbell, Phila., 5609 Hazel Ave.
Mrs. Sadie P. Coyne, Phila., 543 Land Title Bldg.
Thomas F. Meehan, Phila., 902 Farragut Terrace.
John S. Mink, Phila., 5546 Osage St.
H. Eugene Robinson, Phila., 2311 South 64th St.
S. C. Schuchard. Phila., 2155 N. Cumb'd St.

WESTMORELAND COUNTY.

Dennis F. McCahill, Monessen.

GIFFORD PINCHOT.

JUSTICE OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 15, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate Jesse E. Bullock, of Canton, as Justice of the Peace, in and for the Borough of Canton, Bradford County, vice E. J. Cleveland, deceased, to serve until the first Monday in January 1924.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. HOMSHER,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. HOMSHER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Aron,
Baldwin,
Barr,
Berntheizel,
Derrick,
DeWitt,
Einstein,
Harris,
Long,
MacDade,
Mansfield,
McClintock,
Smith,
Snyder,
Sones,
Sprowls

Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Kutz,
Lanius,
Leslie,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. HOMSHER. Mr. President, I move that the Executive Session do now rise.

Mr. SISSON. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGE

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BIL No. 1345.

The Clerk of the House of Representatives being introduced presetned extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 15, 1923.

Resolved, (if the Senate concur) That House Bill No. 1345, Printer's No. 966, File Folio 6701, entitled "An Act to enable an incorporated hospital association to acquire by lease or purchase any State owned hospital specially devoted to the reception, care and treatment of injured persons, or of any State owned general, medical and surgical hospital, and to provide for the regulation and management thereof," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 691, entitled:

An Act authorizing and empowering the cities of the second class in this Commonwealth to acquire by lease purchase or condemnation proceedings any land within or without the limits of said cities but within the limits of the counties in which such cities are located for the purpose of establishing and maintaining municipal airdromes or aviation landing fields providng for the procedure in cases of condemnation and the extent of title acquired authorizing the lease by the cities of portions thereof to individuals or corporations upon such terms as may be fixed and the lease thereof to the Government of the United States upon nominal rental and empowering said cities to operate and maintain fields jointly with any county within which said city is situate where the county is empowered to operate and maintain an airdrome or aviation landing field

Senate Bill No. 690, entitled:

An Act authorizing and empowering counties of the second class in this Commonwealth to acquire by lease, purchase or condemnation proceedings any land within the county for the purpose of establishing and maintaining airdromes or aviation landing fields; providing for the precedure in case of condemnation and the extent of title acquired; authorizing the lease by the county of portions of said land to individuals or corporations upon such term as may be fixed and the lease thereof to the Government of the United States upon nominal rental; authorizing and empowering the county to use land now owned by it for such purposes and authorizing joint operation by said county and any city within the county of airdromes or aviation land fields where such city is authorized to establish and maintain the same.

Senate Bill No. 798, entitled:

An Act to amend sections two and twenty of an act approved June 7, 1915 (P. L. 888) entitled "An Act regulating, through the Commissioner of Labor and Industry, the business of assisting employers to obtain employes, and persons to secure emplyment, including the business of collecting information to the same end, and prescribing penalties."

Senate Bill No. 285, entitled:

An Act making a deficiency appropriation to the Cottage State Hospital situated in Connellsville Fayette County Pennsylvania

Senate Bill No. 685, entitled:

An Act to amend sections one, two, three, five and seven, as amended of an act approved the first day of May, one thousand nine hundred and nine, (P. L. 321), entitled "An act to provide for State registration of nurses, to establish a State Board of Examiners in connection therewith, and to provide penalties for the violation of certain provisions regarding such registration;" by providing for a change in membership of the Board, for a change in salary of the secretary, treasurer, educational director and of the members of the Board.

Senate Bill No. 769, entitled:

A supplement to an act approved the tenth day of March one thousand nine hundred and twenty-one (Appropriation acts page eleven) entitled "An Act making an appropriation to the State Highway Department for the construction of permanent State Highways for the payment of the Commonwealth's share of the expenses of constructing state-aid highways within the limits of boroughs for the maintenance and repair of State-aid highways for the payment of rewards due townships of the second class for the payment of damages to property caused or occassioned in connection with the work of the State Highway Department by extending the date for the appointment of State-aid appropriations made by said act

Senate Bill No. 775, entitled:

An Act requiring supervisors and commissioners of townships to apply for county aid in the construction and maintenance of roads upon application therefor by property owners

Senate Bill No. 734, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania by adding thereto an additional section

Senate Bill No. 341, entitled:

An Act fixing the mileage chargeable by sheriffs requiring its payment in advance in certain cases and providing for its taxation and collection as sheriff's costs when unpaid

Senate Bill No. 337, entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer and draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the Stahe line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said township or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase of acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of ownship county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be pand by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs pjroviding penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended by providing for payment of damages for change of grades of highways and for apeals from assessments of damages and authorizing counties to incur indebtedness for the payment of such damages

Senate Bill No. 629, entitled:

An Act to amend part of section three of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An Act to provide for the incorporation and regulation of certain corporations" by authorizing certain corporations of the first class to be incorporated by the Governor

Senate Bill No. 761, entitled:

An act to amend section two of an act approved the twenty-second day of April one thousand nine hundred and nine (Pamphlet Laws one hundred twenty-one) entitled "An Act restricting the use of the word 'trust' as part of a corporate name forbidding advertising or doing business as a trust company execpt by corporations under the supervision of the banking department and providing a penalty for violations thereof"

Senate Bill No. 654, entitled:

An Act to amend sections one two three and four of an act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An Act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools"

Senate Bill No. 746, entitled:

An Act relative to the disposition of fines and forfeitures in counties of this Commonwealth of the Fourth Class and authorizing the expenditure of a portion of all of said fines for the support and maintennace of a law library in said counties

Senate Bill No. 770, entitled:

An Act fixing the salary of sheriffs in counties of the eighth class providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county and prescribing penalties

Senate Bill No. 345, entitled:

An Act to amend section two of the act approved the eleventh day of July one thousand nine hundred and one (Pamphlet Laws six hundred and sixty-three) entitled "An Act to regulate and establish the fees to be charged by Sheriffs in this Commonwealth and to provide for the taxation and collection of the same"

Senate Bill No. 347, entitled:

An Act empowering any chief deputy appointed by deed of any sheriff in any county of this Commonwealth to perform any duty incumbent upon such sheriff until a written revocation of such appointment be recorded with like effect as if such official act had been done by the sheriff in person regardless of 'the ability or temporary disability of such sheriff to act while such sheriff continues in office

Senate Bill No. 343, entitled:

An Act to amend section two of an act approved the twenty-sixth day of May one thousand eight hundred and ninety-seven (Pamphlet Laws ninety-five) entitled "An Act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff and claimed to belong to others than the defendant in the execution or process" as amended

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the presence of the Senate signed the same.

RECESS.

Mr. HOMSHER. Mr. President, I move that the Senate do now take a recess until nine o'clock this evening.

Mr. SISSON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

BILL INTRODUCED.

Mr. SCHANTZ. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCHANTZ read in his place and presented to the Chair Senate Bill No. 1234, entitled:

An Act to fix the compensation of the coroner in fifth class counties.

Which was committed to the Committee on Appropriations.

HOUSE MESSAGES.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 225.

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 15, 1923.

Resolved, (if the Senate concur), That House Bill No. 225, entitled, "A Supplement to an act approved the twenty-seventh day of May, one thousand nine hundred and twenty-one, (Pamphlet Laws one thousand one hundred and seventy-three) entitled "An Act constituting a commission to make an investigation of the battlefields of France and Belgium, and to select points for the erection of monuments and markers of appropriate design to commemorate the achievements of Pennsylvania soldiers during the World War, defining the powers and duties of the commission, and making an appropriation, continuing said commission, providing for the erection of certain memorials in France and Belgium, and making an appropriation", be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 47, RECALLED FROM THE GOVERNOR.

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 47, entitled:

An Act to amend section eleven of the act approved June 13, 1840 (P. L. 683), entitled "A Supplement to an act entitled 'An Act, relating to the elections of this Commonwealth,' passed the second day of July, A. D. 1839, and for other purposes;" allowing constables mileage for advertising elections, and compensation for advertising elections where there is more than one polling place in a district. Said mileage and compensation to be paid by counties.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 439, RECALLED FROM THE GOVERNOR.

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 439, entitled:

An Act to further amend section three hundred eighty-six clause four of the act approved the fourteenth day of July one thousand nine hundred seventeen (Pamphlet Laws eight hundred forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto".

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

HOUSE INSISTS UPON ITS AMENDMENTS TO SENATE BILL No. 435.

He also presented communication from the House of Representatives, informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 435, entitled:

An act to further amend section three hundred eighty-six clause four, of the act, approved the fourteenth day of July, one thousand nine hundred seventeen (Pamphlet Laws, eight hundred forty) entitled "An act concerning townships; and revising, amending, and consolidating the law relating thereto."

APPOINTMENT OF COMMITTEE OF CONFERENCE.

Mr. SONES. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments to the foregoing bill, and that a committee of conference be appointed to confer with a similar committee of the House (if the House shall appoint such committee) to consider the difference existing between the two Houses in relation to said bill.

Mr. CLARK. Mr.President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. Baldwin, Clark and Sones be said Committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL No. 21.

He also returned to the Senate, Senate Bill No. 21, entitled:

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields Pennsylvania

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 58.

He also returned to the Senate, Senate Bill No. 58, entitled:

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Anthracite Coal Region of Pennsylvania at Ashland Schuylkill County Pennsylvania

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 128.

He also returned to the Senate, Senate Bill No. 128, entitled:

An Act making an appropriation to the Western Pennsylvania School for the Blind located at Pittsburgh Pennsylvania to cover deficiency in maintenance and education of State pupils

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 201.

He also returned to the Senate, Senate Bill No. 201, entitled:

An Act directing the State Librarian to cause certain old church records of this State to be translated preserved and published and making an appropriation therefor

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 399.

He also returned to the Senate, Senate Bill No. 399, entitled:

An Act making an appropriation to reimburse the fund in the Mechanics Trust Company of Harrisburg standing to the credit of the Water Supply Commission for the improvement of French Creek for moneys inadvertantly paid into the State treasury

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 505.

He also returned to the Senate, Senate Bill No. 505, entitled:

An Act to repeal an act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Appropriation Acts Page 269) entitled "An Act making an appropriation to the Washington and Jefferson College Washington Pennsylvania

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 509.

He also returned to the Senate, Senate Bill No. 509, entitled:

An Act to require the teaching of the constitution of the United States in the public and private schools

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 553.

He also returned to the Senate, Senate Bill No. 553, entitled:

An Act for the appointment of a commission to study conditions relating to blind persons in Pennsylvania and making recommendations and making an appropriation

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 638.

He also returned to the Senate, Senate Bill No. 638, entitled:

An Act to amend section four of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and ninety) entitled "An Act authorizing the sale of certain property owned by the State the title to which is in the State Livestock Sanitary Board, and providing for the use of the proceeds of such sale"

with information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 736.

He also returned to the Senate, Senate Bill No. 736, entitled:

An Act authorizing the State Highway Commissioner to use funds appropriated for State-aid highway purposes by the Act of March tenth one thousand nine hundred and twenty-one entitled "An Act making an appropriation to the State Highway Department for the construction of permanent State Highways for the payment of the Commonwealth's share in the expenses of constructing State-aid highways for the maintenance and repair of State Highways within the limits of boroughs for the maintenance and repair of State-aid highways for the payment of rewards due townshops of the second class for the payment of damages to property caused or occasioned in connection with the work of the State Highway Department" for the construction or reconstruction of State highways and to enter certain charges against the State-aid highway accounts of those counties in which State Road Bond Fund money has been used to pay State-aid highway contracts so as to reimburse accounts available heretofore for highway purposes which were used for State-aid highway purposes and making an appropriation thereof

with information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 772.

He also returned to the Senate, Senate Bill No. 772, entitled:

An Act to amend an act, approved July 21st, 1919 (P. L. 1057) entitled "An Act to amend section one, and to supplement an act, approved July 25, 1917 (P. L. 1202) entitled 'An Act providing for the appointment and expenses of a commission of five persons to codify and revise the law relating to banks, private bankers, and trust companies doing business within this Commonwealth, and making an appropriation'; extending the powers and duties of the commission so as to include the codification and revision of the law relating to all corporations, persons, partnerships, and associations under the supervision of the Banking Department; and making an appropriation"; extending said commission for a further period of two years; and makiug an appropriation.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 776.

He also returned to the Senate, Senate Bill No. 776, entitled:

An Act making an appropriation for the restoration of buildings and property at the State Hospital for the Insane of the Southeastern District of Pennsylvania located at Norristown Pennsylvania damaged and destroyed by a cyclone

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 785.

He also returned tot he Senate, Senate Bill No. 785, entitled:

A Supplement to the act approved July 25, 1913 (P. L. 1270) entitled, "An Act providiug for the erection of a dam at the outlet of Pymatuning Swamp, and the establishment of a reservoir to conserve the waters thereof; providing for the taking of land and materials necessary thereto; vesting certain powers and duties in the Water Supply Commission; and makiug an appropriation," providing for the sale and leasing of property acquired under said act; and making an appropriation of the proceeds thereof.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 351.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 351, entitled:

An Act to amend section forty-two of the act approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws five hundred and thirty-seven) entitled "An Act relating to counties and townships and county and township officers" by making county treasurers agents of the Commonwealth in collecting and transmitting money for the Commonwealth and providing their compensation for such services

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 906.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 906, entitled:

An Act to amend section twenty-one of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws four hundred and eighty-three) entitled "An Act relating to practice in the courts of common pleas in actions of assumpsit and trespass except action for libel and slander prescribing the pleadings and procedure to be observed therein and giving the courts power to enforce its provisions" by requiring objections to the form of any pleading to be filed and served upon the opposite party within ten days after the service of such objectionable pleading

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 920.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 920, entitled:

An act to amend section one of the act approved the fourteenth day of April one thousand nine hundred five (Pamphlet Laws one hundred and sixty-nine) entitled "An act making it unlawful to trespass upon land posted as private property and providing the penalty therefor

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 975.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 975, entitled:

An act to amend section six as amended and section eight of the act approved the twenty-fourth day of Jul yone thousand nine hundred and thirteen (Pamphlet Laws nine hundred sixty-five) entitled "An act defining commodities regulating the sale thereof and providing penalties for violations hereof" changing the legal weight of certain commodities and providing for the disposition of certain fines

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1086.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1086, entitled:

An Act providing for the public health safety and welfare requiring owners and operators of coal mines and operations to furnish and sell fuel coal at current or market prices to and for the use of Hospitals poor houses or other charitable institutions school churches and buildings of municipal or quasi municipal character and providing penalties for the violation of this act

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1216.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1216, entitled:

An Act authorizing certain corporations to authorize create and issue capital stock of any class or kind without nominal or par value and to change or convert their authorized or outstanding capital stock or any class or kind into shares of any class or kind either with or without nominal or par value and validating the creations and issues of stock heretofore made by corporations in accordance with the provisions hereof

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1235.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1235, entitled:

An Act authorizing the Department of Forestry to grant on terms, conditions and stipulations rights to occupy and use any portion of the State Forests for dams, reservoirs, canals, pipe lines and other water conduits for certain water supply purposes and providing "remedies for violations of this act or regulations or orders hereunder or of such terms conditions or stipulations and providing for revocation of the grant in certain cases"

HOUSE BILLS FOR CONCURRENCE.

He also presented for concurrence bills of the House of Representatives as follows:

House Bill No. 992, (Senate Bill No. 1235), entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania by adding thereto section thirty-five

Which was committed to the Committee on Judiciary General.

House Bill No. 83, (Senate Bill No. 1236), entitled:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries for the two years from June first one thousand nine hundred and twenty-three

Which was committed to the Committee on Appropriations.

House Bill No. 89, (Senate Bill No. 1237), entitled:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries for the maintenance of a nautical school to be located at the port of Philadelphia for the two years from June first one thousand nine hundred and twenty-three

Which was committed to the Committee on Appropriations.

House Bill No. 96, (Senate Bill No. 1238), entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art

Which was committed to the Committee on Appropriations.

House Bill No. 107, (Senate Bill No. 1239), entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 108, (Senate Bill No. 1240), entitled:

An Act making an appropriation to the trustees of the Philadelphia School of Design for Women at Philadelphia Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 495, (Senate Bill No. 1241), entitled:

An Act making an appropriation to the State Highway Department for the payment of rewards to townships of the second class

Which was committed to the Committee on Appropriations.

House Bill No. 602, (Senate Bill No. 1242), entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the Veterinary School of Medicine

Which was committed to the Committee on Appropriations.

House Bill No. 803, (Senate Bill No. 1243), entitled:

An Act making an appropriation for the payment of the expenses required by an act approved the twenty-fifth day of May, one thousand eight hundred and eighty-nine, entitled, " An Act to provide for the continuance of the education and maintenance of the destitute orphans of deceased soldiers, sailors and marines, and the destitute children of permanently disabled soldiers, sailors and marines of the State", also making an appropriation to carry out the provisions of an act to provide for the education and maintenance of the children admitted to the Pennsylvania Soldiers' Orphan industrial School and the Soldiers' Orphans Schools, approved May twenty-seventh, one thousand eight hundred and ninety-three, and its supplements.

Which was committed to the Committee on Appropriations.

House Bill No. 817, (Senate Bill No. 1244), entitled:

An Act making an appropriation to the board of trustees of the Pennsylvania Soldiers' and Sailors' Home at Erie Pennsylvania for maintenance of said home and the payment of expenses or administration including salaries of officials and clerks and providing that all moneys received from the United States Government by the Government of Pennsylvania on account of maintenance shall be paid into the State Treasury

Which was committed to the Committee on Appropriations.

House Bill No. 1126, (Senate Bill No. 1245), entitled:

An Act to amend section one thousand four hundred and one of an act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled, "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Which was committed to the Committee on Education.

House Bill No. 1131, (Senate Bill No. 1246), entitled:

An Act making an appropriation to the Board of Trustees of The Philadelphia Museum

Which was committed to the Committee on Appropriations.

House Bill No. 1171, (Senate Bill No. 1247), entitled:

An Act to amend section one of an act approved the eighteenth day of July one thousand nine hundred and nineteen (Appropriation Acts 246) entitled "An act making an appropriation to the Water Supply Commission of Pennsylvania or the Department of Conservation for the purpose of cooperating with the Government of the United States in making investigations examinations and surveys and in preparing plans and estimates of cost with a view of devising and carrying into effect plans for controlling the flood waters rivers and their tributaries being either in whole or in part within this Commonwealth" saving said appropriation from lapsing

Which was committed to the Committee on Appropriations.

House Bill No. 1318, (Senate Bill No. 1248), entitled:

An Act imposing a State tax on the premium paid into the State Workmen's Insurance Fund and providing for collection thereof

Which was committed to the Committee on Finance.

REPORTS FROM COMMITTEES.

Mr. SCHANTZ. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCHANTZ, from the Committee on Appropriations, reported as committed, Senate Bill No. 1234, entitled:

An Act to fix the compensation of the coroner in fifth class counties.

Mr. SCHANTZ, from the Committee on Elections, reported as amended, **Senate Bill No. 993, entitled:**

An Act to amend section 17 of an act approved July 12, 1913, (P. L. 719) entitled "An Act regulating certain political parties, providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter, amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation"

Mr. DAVIS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAVIS, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 1047, (House Bill No. 1307), entitled:

An Act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foreman assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the districts in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates.

Mr. HARRIS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARRIS, from the Committee on Elections, reported as committed, Senate Bill No. 327, entitled:

An Act to provide for the personal registration of electors and their enrollment as members of political parties, in cities of the second class of this Commonwealth; to make such registration a condition of the right to vote in such cities, and their said enrollment as members of a political party a condition of the right to vote at primary elections in said cities; to provide for the appointment of Registration Commissioners by the Governor and of the registrars and other employees by the Registration Commissioners and fixing their compensation; to prescribe the duties and powers of said Registration Commissioners and registrars, and the days times, places and methods for the registration of electors; to provide for the payment of salaries and expenses, including materials and supplies for the County Commissioners; to provide for the assistance of keepers of hotels, lodging houses, boarding houses, and rooming houses, and municipal authorities, in securing this data for and in the investigation and supervision of the registration of electors; to authorize the registration commissioners to appoint inspectors to supervise the registration of electors; to provide for the payment of witness fees for persons summoned before the Commissioners and appeals to the Courts of Common Pleas; to provide penalties for violations of its provisions; and repealing all acts or parts of acts inconsistent herewith.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on **Corporations, reported as amended, Senate Bill No. 1049, (House Bill No. 1315)**, entitled:

An Act to amend chapter six article seventeen of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs."

Mr. CHRISTLEY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHRISTLEY, from the Committee on Canals and Inland Navigation reported as committed, resolution of the Senate, as follows:

In the Senate, April 30, 1923.

Whereas, Efforts have been made by prominent citizens of Bucks County to foster a movement to enlarge the present Lehigh Coal and Navigation Company's canal, running from tide water at Morrisville to Easton, and on to Mauch Chunk, and

Whereas, The United States War Department, through its engineering department, has been directed by an act of Congress to determine the value of such a canalization plan for the Upper Delaware Valley, and

Whereas, The engineers suggest a commission be created to function and cooperate with the said War Department, with a view of purchasing such rights of way for the use of the United States Government in the reconstruction of the old canal into a thousand ton barge canal, therefore be it

Resolved, (if the House of Representatives concur) That the General Assembly of the Commonwealth of Pennsylvania endorses the movement to provide for the canalization of the Upper Delaware Valley, and the purchase of rights of way and reconstruction of a one thousand ton barge canal running from the head of tide water of the Delaware River at Morrisville to Easton and Mauch Chunk.

Resolved, That a copy of this resolution be forwarded by the Secretary of the Commonwealth to the President pro tempore of the Senate and the Speaker of the House of Representatives of the United States, and to the Secretary of War.

Mr. BUCKMAN. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions reported from Committee to lie over one day, be suspended and that the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Mr. LESLIE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LESLIE, from the Committee on Municipal Affairs, reported as amended, Senate Bill No. 816, (House Bill No. 506), entitled:

An Act to validate certain assessments, municipal claims and municipal liens in the several boroughs of the Commonwealth, providing for the filing of claims therefor and the proceedings for the collection of such assessments and claims.

Mr. BALDWIN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BALDWIN, from the Committee on Finance, re-reported as amended, Senate Bill No. 907, (House Bill No. 851), entitled:

An Act to amend an act approved the thirteenth day of June Anno Domini one thousand nine hundred and seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective title liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies"

Also, from the Committee on Finance, re-reported as amended, Senate Bill No. 906, (House Bill No. 849), entitled:

An Act to amend section one of an act approved July 15, 1897, (P. L. 292) entitled "An Act to provide Revenue by Taxation."

Also, from the Committee on Finance, re-reported as amended, Senate Bill No. 1014, (House Bill No. 1159), entitled:

An Act providing a system of registering titles to motor vehicles for the protection of owners of motor vehicles and to facilitate the recovery of motor vehicles stolen or unlawfully taken regulating the certification of such titles the purchase sale and transfer of motor vehicles and their registration providing for the collection of fees for the certification of titles and for disposition thereof forbidding the destruction removal alteration covering or defacement of any engine manufacturer's or other distinguishing number or identification mark on motor vehicles and providing for the assignment of special numbers in certain cases imgposing duties on the State Highway Commissioner sheriffs constables police officers and other peace officers and providing penalties.

Also, from the Committee on Finance, re-reported as amended, Senate Bill No. 586, entitled:

An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and certain existing and certain new Administrative Departments, Boards, Commission and Officers; abolishing, combining, changing the names of, reorganizing or authorizing the reorganization of, certain administrative Departments, Boards, Commissions, Bureaus, Divisions, offices and Agencies; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative Departments, Boards and Commissions; fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain Departments, Boards, and Commissions; and prescribing the manner in which the number and compensation of the Deputies and all other assistants and employees of certain Departments, Boards and Commissions shall be determined.

Mr. CULBERTSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CULBERTSON, from the Committee on New Counties and County Seats, re-reported as amended, Senate Bill No. 725, (House Bill No. 852), entitled:

An Act to amend sections four, seven and section nine, as amended, of an act approved the twenty-second day of July, one thousand nine hundred and nineteen, (P. L. 1903), entitled "An Act creating, in counties having a population of from eight hundred thousand to one million five hundred thousand, a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; fixing their salaries, payable by the county; defining the powers and duties of such board; and regulating the assessment of property and occupations for State and county purposes; authorizing the appointment of subordinate assessors and clerks, defining their duties and providing for their compensation, payable by such counties; imposing a penalty on subordinate assessors for failure to comply with certain provision of this act, and abolishing the office of ward, borough, and township assessor, in so far as respects the assessment of property and occupations for State and county purposes," by exempting buildings and structures in the course of erection, and providing for the placing of borough and township assessments in public places.

Mr. STINEMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STINEMAN from the Committee on New Counties and County Seats reported as committed, Senate Bill No. 1169, entitled:

An act providing for the establishing and maintenance of uniform building lines in boroughs and townships of the first class.

Also from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 1091 entitled:

An act to amend sections four hundred and twenty-eight and four hundred and twenty-nine, and to repeal section four hundred and twenty-six of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An act concerning townships; and revising, amending, and consolidating the law relating thereto."

Mr. SALUS. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS, from the Committee on Municipal Affairs, reported as amended, Senate Bill No. 536 (House Bill No. 551) entitled

An Act to amend an act approved May 14, 1915, (P. L. 312) entitled "An act providing a system of government for boroughs and revising, amending and consolidating the law relating to boroughs" by adding additional subsection to section nine of article seven of chapter six thereof to empower boroughs without petition of property owners to grade, pave, curb, macadamize or otherwise improve public streets or parts thereof and assess the entire cost thereof against the owners of the property abutting thereon when said streets or parts thereof do not exceed one thousand feet in length and connect two streets theretofor paved and improved.

Also from the Committee on Municipal Affairs reported as committed, Senate Bill No. 1170, entitled:

An act authorizing cities to make emergency repairs to dangerous sidewalks and providing for the cost of collection thereof from the abutting property owners.

BILLS INTRODUCED.

Mr. DAVIS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAVIS, read in his place and presented to the Chair Senate Bill No. 1249, entitled:

An Act making an appropriation to the Saint Joseph's Infant Asylum and Maternity Hospital, 2010 Adams Avenue, of Scranton, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 1250, entitled:

An Act making an appropriation to the Saint Mary's Keller Memorial Hospital of Scranton, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. WEAVER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEAVER read in his place and presented to the Chair Senate Bill No. 1251, entitled:

An Act making an appropriation to the trustees of the Western State Hospital for the Insane, at Torrance.

Which was committed to the Committee on Appropriations.

Mr. STITES. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STITES read in his place and presented to the Chair Senate Bill No. 1252, entitled:

An Act relating to assessments for taxes in townships of the first class in this Commonwealth; fixing the time for the issuing of precepts by county commissioners; fixing the compensation of assessors and assistant assessors in such township; extending the time within which the said assessors are required to complete their assessment, and make their return thereof; and further providing for the final determination by the township commissioners of the time actually employed by the said assessors and assistant assessors in the performance of their duties.

Which was committed to the Committee on New Counties and County Seats.

Also read in his place and presented to the Chair Senate Bill No. 1253, entitled:

An Act to amend clause (2) (g) of and to add clause (8) to section thirteen of the act approved the twenty-fifth day of May, one thousand nine hundred and twenty-one, (P. L. 1144), entitled "An act creating a Department of Public Welfare; defining its powers and duties; abolishing the Board of Public Charities, the Committee on Lunacy, and the Prison Labor Commission, and all officers thereunder, and vesting all the powers of said board, committee, and commission in the Department of Public Welfare; requiring all reports, notices, statements, or matters heretofore required to be made, given, or submitted to the Board of Public Charities or the Committee on Lunacy, to be made, given, or submitted to the Department of Public Welfare; and providing penalties."

Which was committed to the Committee on Judiciary General.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 586.

Mr. BARR offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 15, 1923.

Resolved (if the House of Representatives concur) That Senate Bill No. 686 entitled "An Act relating to the registration of nurses by the State Board of Examiners for Registration of nurses and the issuance of a license to practice nursing" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. CLARK. Mr. President, I ask that Senate Bill No. 101 on third reading, entitled:

An act for the registration and regulation of certain individuals and entities selling offering for sale or delivery soliciting subscription to or orders for or undertaking to dispose of inviting offers for or inquiries about or dealing in any manner in securities defined therein conferring powers and imposing duties on the Commissioner of Banking and otherwise providing for the administration of this act prescribing penalties and making an appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR. Mr. President, as a matter of courtesy to the Senator from Indiana, and in order not to delay this bill, I would like to have permission of the Chair to say a few words on it.

The PRESIDENT. Permission is granted.

Mr. BARR. Mr. President, if the Senator from Indiana and the Senate will turn to page 3, line 2, you will find that the word "is" is left out after the word "that". On page 4, line 7, No. 8—this is the portion that was discussed by the subcommittee, and while I intended to vote for the l I will have to point out the weakness of that clause un-ss it is stricken from the bill.

On page 5 I direct the Senator's attention to the fact that Section 4 is stricken from the bill, yet under (d) on page 5 reference is made thereto "except as provided in Section four".

On page 10, lines 7 and 8 the bill reads "he shall register the applicant and issue to him a registry certificate stating the principal place of issue to him".

On page 11 I direct the Senator's attention to the fact that the words "in other respect" should be stricken from the bill.

I further direct the attention of the Senator to the last word on page 11 "in" and the first three words in line 1, page 12, "all other respects". They should be stricken from the bill.

I also direct the Senator's attention to page 12, line 9, the words "of course" should be stricken from the bill.

I also direct the Senator's attention and the attention of the Senate to Section 13 of the Act. If any one in the Senate can explain to me what that section means I will be very much obligated for the courtesy.

I direct the Senator's attention to page 15 of the bill, line 6, in which the words "forty-eight hours" are used, while on the following page 16, in line 4 "forty-eight hours" is stricken from the bill and "seven days" is used, making the bill read so that it could not be understood and it could not pass the Attorney General's scrutiny.

I also direct the attention of the Senate to page 19, line 14 to the words "reasonable diligence". If that can be explained to the satisfaction of any one in the Senate or any one in legitimate business of selling or investing in bonds, I would like to have that done.

Mr. President, I direct the attention of the Senator from Indiana to these errors due to the fact that unless the amendments are offered the bill will be held up.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 316, entitled:

An Act to amend chapter seven of an act approved May fourteenth one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" by creating a Borough Planning Department defining its jurisdiction and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the borough and for three miles beyond the borough limits and to regulate the making and use of certain public improvements until said plans are approved by said department and authorizing the exercise of the powers herein provided by a park or other municipal commission

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Aron,
Baldwin,
Berntheizel,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Sisson,
Smith,
Snyder,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—3.

Barr,
Betts,
Sprowls,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 750, as follows:

An Act providing for the refunding of moneys erroneously paid into the State Treasury as taxes on inheritances or transfers of inheritances and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any moneys have been erroneously paid to any register of wills and bv him paid into the State treasury as tax upon inheritances or the transfer of inheritances the person who has made such erroneous payment may present a claim to the Auditor General State Treasury and Attorney General for a refund of such moneys to which it is alleged the Commonwealth has no rightful claim The said claim and all evidence thereon shall be heard before said officers to whom the same is presented and if in their opinion the Commonwealth has no valid claim to such moneys and that the same properly belong to the claimant and ought in equity and good faith be refunded they shall so certify under their hands and seals specifying the amount to be refunded The said certificates shall be filed in the office of the Auditor General who shall draw his warrant upon the State Treasurer payable to the claimant for the amount due

The sum of eighteen hundred dollars is hereby specifically appropriated for the purpose of carrying out the provisions of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Sisson,
Smith,
Snyder,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. WEAVER. Mr. President, I move the Senate do now proceed to the third reading and consideration of Senate Bill No. 521, (H. B. No. 262), entitled:

An Act to amend part of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 521, (House Bill No. 262), as follows:

An Act to amend part of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An Act to fix the number of Representatives in the General Asesmbly of the State and to apportion the State into representative districts as provided by the Constitution"

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That, so much of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution" as relates to the apportionment of Representatives in Westmoreland county is hereby amended to read as follows

The county of Westmoreland shall elect six members and shall be divided into three districts as follows

The boroughs of Bolivar Cokeville Derry Donegal Latrobe Ligonier Livermore Mount Pleasant New Alexandria New Florence Seward and Youngstown and the townships of Cook Derry Donegal Fairfield Ligonier Loyalhanna Mount Pleasant Saint Clair and Unity shall constitute the first district and elect two members The boroughs of East Vandergrift Hyde Park Vandergrift Vandergrift Heights Arnold New Kensington Parnassus Avonmore Export New Salem Trafford Penn Jeannette North Irwin Manor and Irwin and the townships of Allegheny Lower Burrell Upper Burrell Bell Washington Franklin Salem Penn and North Huntingdon shall constitute the second district and shall elect two members

The residue of the county of Westmoreland not included in the first and second districts shall constitute the third district and elect two members

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives wtih information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL RECOMMITTED.

Mr. MILLER. Mr. President, I move that Senate Bill No. 1037, (House Bill No. 428), on third reading, entitled:

An Act to amend section one of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred sixty-eight) entitled "An Act relating to police pension funds in cities of the third class and directing such cities to appropriate certain moneys thereto"

be recommitted to the Committee on Municipal Affairs.

Mr. STINEMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1165, entitled:

An Act to amend section four of an act approved March seventeenth (Pamphlet Laws thirty-two) entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county"

And said bill having been read at length the third time, and agreed to,

On the question,

hall the bill pass finally?

Mr. WOODWARD. Mr. President, this is an amendment to the Act of 1921, providing for memorial halls for soldiers and Philadelphia did not wish to have the Historical Society lodged in a memorial hall or victory hall, because we have our own Historical Society, and therefore there is an exception made to this bill that does not apply to the counties and cities of the first class. The other exception will enable the City of Philadelphia to have more than one room. The memorial hall provides for one room only and we wish to have more than one room. Those are the two amendments.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Berntheizel,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1167, entitled:

An Act to amend an act approved April nineteenth one thousand eight hundred ninety-five (Pamphlet Laws thirty-eight) entitled "An Act to regulate the erection of county buildings" by providing for the approval of plans of county buildings and the letting of contracts for the construction thereof by the body levying the taxes for general county purposes in certain counties

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WOODWARD. Mr. President, I have been asked to explain this bill. It is this: that in Philadelphia the County Commissioners do not levy the taxes and in the erection of the proposed Memorial Victory Hall we offered an amendment which would enable the County of Philadelphia to have the plans and specifications approved by the body which levies the taxes, it made it City Council instead of the Court of Common Pleas.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1171, entitled:

An Act to amend section eight of article seventeen of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred eighty-one) entitled "An Act for the better government of cities of the first class of this Commonwealth" as amended

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. STITES. Mr. President, I move that the Senate do now resume the third reading and consideration of Senate Bill No. 833, (House Bill No. 830), on third reading, postponed for the present, entitled:

An Act amending section one of an Act entitled, "A further supplement to an Act, entitled 'An Act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expense thereof,' approved the fifth day of May, one thousand nine hundred and eleven; constituting the said court the juvenile court of said county and prescribing its organization, jurisdiction and powers therein jurisdiction in all proceedings for the custody of dependent, and otherwise," approved the nineteenth day of March, one thousand nine hundred and fifteen, by providing that the neglected, incorrigible and delinquent children.

Mr. LESLIE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 833, (House Bill No. 830), entitled:

An Act amending section one of an act entitled "a further supplement to an act entitled 'An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expense thereof' approved the fifth day of May one thousand nine hundred and eleven constituting the said court the juvenile court of said county and prescribing its organization jurisdiction and powers therein and otherwise" approved March nineteen one thousand nine hundred and fifteen (Pamphlet Laws five) by providing that the said county court sitting as a juvenile court shall have sole jurisdiction in all proceedings for the custody of dependent neglected incorrigible and delinquent children

And said bill having been read for the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Mr. BARR. Mr. President, I move that the Senate do now resume the third reading and consideration of Senate Bill No. 914 (House Bill No. 246), on third reading, postponed for the present, entitled:

A Joint Resolution proposing an amendment to section eleven of article eight of the Constitution of Pennsylvania

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 914, (House Bill No. 246), entitled:

A Joint Resolution proposing an amendment to section eleven of article eight of the Constitution of Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

REPORTS FROM COMMITTEES.

Mr. SCHANTZ. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCHANTZ, from the Committee on Appropriations, reported as amended, Senate Bill No. 1162 (House Bill No. 81), entitled:

An Act to provide for the ordinary expenses of the executive, judicial and legislative departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first, one thousand nine hundred and twenty-three.

Mr. SALUS. Mr. President, I ask unanimous consent to make report from Committee at this time?

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS, from the Committee on Municipal Affairs re-reported as committed, Senate Bill No. 384, (House Bill No. 374), entitled:

An Act to amend section one of an act approved June first one thousand nine hundred and seven (Pamphlet Laws three hundred and eighty-three) entitled "An Act regulating the collection of taxes and other claims and demands due the Commonwealth and providing for six per centum interest thereon and an attorney's commission."

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1213, entitled:

An Act to amend an act approved the first day of June, 1915, (P. L. 661) entitled "An act relating to the maintenance of insane, feeble-minded and other persons confined in the various institutions of the Commonwealth; fixing liability for their support; providing for the collection of the moneys due the Commonwealth thereof and for proceedings relating thereto."

NOMINATIONS BY THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which reads as follows:

JUSTICE OF PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 15, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate, Sherwood B. Balliet, of Coplay, as Justice of the Peace, in and for the Borough of Coplay, Lehigh County, vice Calvenus Knerr, resigned, to serve until the first Monday in January 1924.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. SCHANTZ,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nomination.

Which was agreed to.

Whereupon,

A motion was made by Mr. SCHANTZ,

That the Senate do advise and consent to said nomination

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Aron,
Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Einstein,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Joyce,
Krause,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SCHANTZ. Mr. President, I move that the Executive Session do now rise.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 327, entitled:

An Act to provide for the personal registration of electors and their enrollment as members of political parties, in cities of the second class of this Commonwealth; to make such registration a condition of the right to vote in such cities, and their said enrollment as members of a political party a condition of the right to vote at primary elections in said cities; to provide for the appointment of Registration Commissioners by the Governor and of the registrars and other employees by the Registration Commissioners and fixing their compensation; to prescribe the duties and powers of said Registration Commissioners and registrars, and the days, times, places and methods for the registration of electors; to provide for the payment of salaries and expenses, including materials and suppplies for the County Commissioners; to provide for the assistance of keepers of hoteds, lodging houses, boarding houses, and rooming houses, and municipal authorities, in securing this data for and in the investigation and supervision of the registration of electors; to authorize the registration commissioners to appoint inspectors to supervise the registration of electors; to provide for the payment of witness fees for persons summoned before the Commissioners and appeals to the Courts of Common Pleas; to provide penalties for violations of its provisions; and repealing all acts or parts of acts inconsistent herewith.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 816, (House Bill No. 508), entitled:

An Act to validate certain assessments, municipal claims and municipal liens in the several boroughs of the Commonwealth, providing for the filing of claims therefor and the proceedings for the collection of such assessments and claims.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 906, (House Bill No. 849), entitled:

An Act to amend section one of an act approved July 15, 1897, (P. L. 292), entitled "An Act to provide Revenue by Taxation."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 907, (House Bill No. 851), entitled:

An Act to amend an Act, approved the thirteenth day of June, Anno Domini one thousand nine hundred and seven (Pamphlet Laws, six hundred forty), entitled "An Act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of Section twenty-nine of an act, entitled "An Act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, one thousand eight hundred and seventy-four, and the supplements thereto; for the insurance, of owners of real estate, mortgages and others interested in real estate, from loss by reason of defective titles, liens and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an Act, entitled "An Act conferring upon certain fidelity insurance, safety deposit, trust and savings companies the powers and privileges of companies incorporated under the provisions of Section twenty-nine of an act, entitled 'An Act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, and of the supplements thereto," approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1047, (House Bill No. 1307), entitled:

An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the districts in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1049, (House Bill No. 1315), entitled:

An act to amend chapter six article seventeen of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1091, entitled:

An act to amend sections four hundred and twenty-eight and four hundred and twenty-nine, and to repeal section four hundred and twenty-six of the act approved the fourteenth day of July, one thousand nine hundred and seventeen, (P. L. 840), entitled "An act concerning townships; and revising, amending, and consolidating the law relating thereto."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1169, entitled:

An act providing for the establishing and maintenance of uniform building lines in boroughs and townships of the first class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1170, entitled:

An Act authorizing cities to make emergency repairs to dangerous sidewalks and providing for the cost of collection thereof from the abutting property owners.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1234, entitled:

An Act to fix the compensation of the coroner in fifth class counties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre), announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 1, entitled:

An Act fixing the pay of election officers and clerks in cities of the first class

House Bill No. 142, entitled:

An Act making an appropriation to the County of Philadelphia for the payment of a judgment obtained by the said county against the Commonwealth of Pennsylvania

House Bill No. 366, entitled:

An Act to amend section two of an act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred seventy-nine) entitled "An Act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purpose of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case"

House Bill No. 403, entitled:

An Act to enable city county poor ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties if the surety or sureties have paid the taxes to collect taxes for the payment of which they become personally liable without having collected the same by the expiration of the authority of their respective bonds or by the expiration of the authority of their respective warrants or by the expiration of their terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act

House Bill No. 598, entitled:

An Act declaring the construction to be given deeds wills and other instruments in writing in which real and personal property is donated granted devised or bequeathed either directly or in trust for the benefit of one or more persons for years of life or upon condition with remainder over to the heirs or next of kin or to the persons thereunto entitled under the intestate laws or other similar or equivalent phrase

House Bill No. 681, entitled:

An Act to amend the supplement to an act, approved the twenty-first day of May, one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight,) entitled "A supplement to an act 'to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth, in State hospitals for the insane,' approved the thirteenth day of June, Anno Domini, one thousand eight hundred and eighty-three," as amended, by fixing the maximum amount for maintenance weekly, per capita.

House Bill No. 719, entitled:

An Act to amend sections two, three and thirteen, and to repeal section eleven of the act approved the ninth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred nine), entitled "An Act prescribing the powers and duties of the Bureau of Markets in the Department of Agriculture; providing for co-operation with the Bureau of Standards of the Department of Internal Affairs to establish standard receptacles for farm products and to promulgate regulations for the enforcement thereof; and prescribing penalties for violations of the provisions of this act," by clarifying certain provisions, extending said act to cover the manufacture of standard receptacles for farm products and providing that violations be prosecuted by summary proceeding.

House Bill No. 818, entitled:

An act to amend an act approved the twentieth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred forty-three) entitled "An act relating to free public non-sectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public non-sectarian libraries as may have been already established by the several counties cities boroughs towns townships and providing that all library property and all gifts devices grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relating to the above subjects"

House Bill No. 820, entitled:

An Act authorizing the sale of real estate held by entireties by husband and wife when an order of support has been secured against the husband who has neglected to comply with the same or whose whereabouts is unknown or who has absented himself from this Commonwealth prescribing the procedure to be followed permitting husband and wife to testify providing for the disposition of the proceeds of such sale and granting a divorce woman the same rights under this act as a wife

House Bill No. 906, entitled:

An Act to amend section twenty-one of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws four hundred eighty-three) entitled "An act relating to practice in the courts of common pleas in actions of assumpsit and trespass except actions for libel and slander prescribing the pleadings and procedure to be observed therein and giving the courts power to enforce its provisions" by requiring objections to the form of any pleading to be filed and served upon the opposite party within ten days after the service of such objectionable pleading

House Bill No. 920, entitled:

An Act to amend section one of the act approved the fourteenth day of April one thousand nine hundred five (Pamphlet Laws one hundred and sixty-nine) entitled "An Act making it unlawful to trespass upon land posted as private property and providing the penalty therefore

House Bill No. 975, entitled:

An Act to amend section six as amended and section eight of the act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred sixty-five) entitled "An Act defining commodities regulating the sale thereof and providing penalties for violations hereof" changing the legal weight of certain commodities and providing for the disposition of certan fines

House Bill No. 1012, entitled:

An Act validating ordinances and proceedings by councils in boroughs for the paving and curbing of public highways and validating municipal liens therefor

House Bill No. 1084, entitled:

A Supplement to an act approved the twenty-third day of June one thousand nine hundred eleven (Pamphlet Laws one thousand one hundred twenty-three) entitled "An act establishing in each county a Board of Viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" as the same was amended and supplemented by subsequent acts by providing for the compensation to be paid to the members of the Board of Viewers in counties of the second class

House Bill No. 1095, entitled:

An Act relating to debts of municipalities

House Bill No. 1234, entitled:

An Act authorizing the creation of a commission to negotiate with the duly constituted agents of the states of New York and New Jersey for the regulation of the flow of the Delaware River the conservation apportionment and utilization of the water resources thereof providing the method for ratification of such compact by this Commonwealth and prescribing the conditions of its being in full force and effect

House Bill No. 1264, entitled:

An Act providing for the depositing of money as a forfeit for the appearance of persons arrested for certain offences for hearing before a mayor or chief burgess and providing for the forfeiture and payment of the same into the city or borough treasury in case of non-appearance of person arrested

House Bill No. 1305, entitled:

An Act to confer upon the Courts of Quarter Sessions of the several counties of the Commonwealth jurisdiction and power to authorize the removal of the remains of the dead from private burial grounds which have or shall become unsightly and unsuitable places for interment

House Bill No. 1319, entitled:

An Act to amend section one article four chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" as amended

House Bill No. 1338, entitled:

An Act providing a means whereby the individual Justice of the Peace may inform himself as to the law changes in the law and decision of the Courts on the law of this Commonwealth

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the presence of the Senate signed the same.

ADJOURNMENT.

Mr. SALUS. Mr. President, I move that the Senate do now adourn until tomorrow morning at eleven o'clock.

Mr. SISSON. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 10:26 P. M., until Wednesday morning, May 16, 1923. at 11:00 o'clock.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 15, 1923.

The House met at 11:00 o'clock A. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

O Thou that sendest snow and rain from Heaven, that it may give seed to the sower and bread to the eater, we rejoice in the knowledge of Thy nature, that is not exhausted, though it continues to energize, that is never empty, though it continues to give; and we rejoice, our Father, in the relation and fellowship with Him who works and is never weary, who gives and is none the poorer for the giving. We pray that we may so fashion our lives that we may continue to draw from Thy invaluable, inexhaustible resources, elements of strength and wisdom and power that will enable us to discharge the duties devolving upon us, that we may meet with Thy divine approval and contribute to the welfare of our fellowmen.

To this end, we earnestly pray that Thou wouldst bless the Executive of this Commonwealth, his advisors, the Speaker of this House and each and every one who has to do with the affairs of this great State. We ask it in Jesus' name. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Miss Gallaher, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

Senate Bill No. 782, (House Bill No. 1522.)

An Act to amend section nineteen of an act approved the second day of May, one thousand nine hundred and five (Pamphlet Laws, three hundred and fifty-two), entitled "An Act to regulate the employment, in all kinds of industrial establishments, of women and children employed as wages or salary, by regulating the age at which minors can be employed and the mode of certifying the same, and by fixing the hours of labor for women and minors to provide for the safety of all employes in all industrial establishments and of men women and children in school-houses academies seminaries colleges hotels hospitals store-houses office buildings public halls and place of amusement in which proper fire-escapes exits and extinguishers are required to provide for the health of all employes and of men women and children in all such establishments storehouses and buildings by proper sanitary appliances and to provide for the appointment of inspectors office clerks and others who with the Chief Factory Inspector shall constitute the Department of Factory Inspection to enforce the same and providing penalties for violations of the provisions thereof fixing the term and salaries of the Chef Factory Inspector and his appointees" by providing for inspection of boliers by the Department of Labor and Industry for examination and certification of boiler inspectors and a fee therefor for issuance of certificates of operation and a fee therefor and for the use of the fees collected.

Referred to the Committee on Judiciary General.

Senate Bill No. 742. (House Bill No. 1523.)

An Act concerning the domicile of a married woman.

Referred to the Committee on Judiciary General.

Senate Bill No. 744. (House Bill No. 1524.)

An Act to amend secton one of an act approved the fifteenth day of March one thousand eight hundred and fifteen (Pamphlet Laws one hundred and fifty) entitled "An Act concerning divorces" making the degree of cruelty as a ground for divorce the same for husband and wife and to repeal section ten of the said act.

Referred to the Committee on Judiciary General.

Senate Bill No. 784. (House Bill No. 1525.)

An Act to amend section twelve of an act approved May 2, 1905, (P. L. 352), entitled "An Act to regulate the employment, in all kinds of industrial establishments, of women and children employed at wages or salary, by regulating the age at which minors can be employed and the mode of certifying the same, and by fixing the hours of labor for women and minors; to provide for the safety of all employes in all industrial establishments, and of men, women and children in school-houses, academies, seminaries, colleges, hotels, hospitals, storehouses, office buildings, public halls and places of amusements, in which proper fire-escapes, exits and extinguishers are required, to provide for the health of all employes, and of men, women and children in all such establishments, storehouses and buildings, by proper sanitary appliances; and to provide for the appointment of inspectors, office clerks and others, who with the Chief Factory Inspector, shall constitute the Department of Factory Inspection; to enforce the same, and providing penalties for violations of the provisions thereof; fixing the term and salaries of the Chief Factory Inspector and his appointees" by providing for inspection of elevators by the Department of Labor and Industry, for examination and certification of elevator inspectors for an examination fee for issuance of certificates of operation and a fee therefor, and for the use of the fees collected.

Referred to the Committee on Judiciary General.

Senate Bill No. 975. (House Bill No. 1526).

An Act forbidding the use or shooting of live pigeons or other birds in any contest, exhibition or practice of markmanship, relating to the renting or use of buildings and premises for such purposes and prescribing penalties for violations.

Referred to the Committee on Game.

Senate Bill No. 998. (House Bill No. 1527).

An Act to repeal the act approved the fourteenth day of February, one thousand eight hundred and sixty-seven (Pamphlet Laws two hundred and five) entitled "A supplement to an act passed the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine relating to billiard saloons, et cetera, in the counties of Chester and Delaware extending the same to the county of Bradford.

Referred to the Committee on Judiciary Special.

Senate Bill No. 1145. (House Bill No. 1528).

An Act reappropriating moneys to the trustees of the State Institution for Feeble Minded of Western Pennsylvania at Polk, Pennsylvania.

Referred to the Committee on Appropriations.

BILLS RE-REFERRED.

Mr. HEFFERNAN returned from the Committee on Ways and Means, with the recommendation that it be re-referred to the Committee on Mines and Mining, House Bill No. 770, entitled:

An Act creating the "Anthracite Municipalities Fund;" appropriating pro rata according to population a portion of the tax on anthracite coal to the use of the cities, boroughs and townships from which the anthracite coal tax was removed in course of mining, and imposing duties upon the State Treasurer and Auditor General.

The SPEAKER. The bill is now re-referred to the Committee on Mines and Mining.

Mr. HEFFERNAN, returned from the Committee on Ways and Means, with the recommendation that it be referred to the Committee on Mines and Mining, House Bill No. 771, entitled:

An Act creating the "Anthracite Mine Cave Fund;" appropriating a portion of the State tax on anthracite coal to the use of the Pennsylvania State Anthracite Mine Cave Commission, and imposing duties upon the State Treasurer and Auditor General.

The SPEAKER. This bill is now re-referred to the Committee on Mines and Mining.

Mr. HEFFERNAN, returned from the Committee on Ways and Means, with the recommendation that it be re-referred to the Committee on Mines and Mining, House Bill No. 1249, entitled:

An Act providing that fifty per centum of the tax levied on anthracite coal be dedicated to the State and the remaining fifty per centum thereof be dedicated or apportioned to the cities, boroughs and townships in the State where anthracite coal is mined.

The SPEAKER. This bill is now re-referred to the Committee on Mines and Mining.

REPORTS FROM COMMITTEES.

Mr. BEAVER, from the Committee on Appropriations, reported as committed House Bill No. 1503 (Senate Bill No. 1070), entitled:

An Act to amend part of section two of the act approved the twenty-seventh day of May, one thousand nine hundred and twenty-one, (Appropriation Acts, page 33), entitled "An act to provide for the ordinary expenses of the Executive Judicial and Legislative Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for the two fiscal years beginning June first, one thousand nine hundred and twenty-one. and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and twenty-one."

Mr. JOSEPH MARCUS, from the Committee on Judiciary General, reported as committed House Bill No. 1468 (Senate Bill No. 797), entitled:

An Act relating to the powers and duties of probation officers.

Mr. BLUMBERG, from the Committee on Ways and Means, re-reported with a negative recommendation, House Bill No. 466, entitled:

An Act to amend an act approved the first day of June, one thousand eight hundred and eighty-nine (Pamphlet Laws, four hundred and twenty), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation, approved the seventh day of June, Anno Domini, one thousand eight hundred and seventy-nine," imposing a tax on individuals, copartnerships, corporations, limited partnerships and joint-stock associations organized for or engaged in laundering and manufacturing.

Miss BENTLEY, from the Committee on Appropriations, reported as amended House Bill No. 303, entitled:

An Act making an appropriation to the New Castle Hospital, of New Castle, Pennsylvania.

Mr. WETTACH, from the Committee on Appropriations, reported as amended House Bill No. 592, entitled:

An Act making an appropriation to the Montefiore Hospital Association of Western Pennsylvania, located at Pittsburgh, Pennsylvania.

Mr. COLDSMITH, from the Committee on Appropriations, reported as amended House Bill No. 718, entitled:

An Act making an appropriation to the Providence Hospital, of Beaver Falls, Beaver County, Pennsylvania.

Mr. STARK, from the Committee on Appropriations, reported as amended House Bill No. 1155, entitled:

An Act making an appropriation to the Columbia Hospital, Wilkinsburg, Pennsylvania.

Mr. WETTACH, from the Committee on Appropriations, reported as amended House Bill No. 1199, entitled:

An Act making an appropriation to the Passavant Hospital, of Pittsburgh, Pennsylvania.

Mr. McCAIG, from the Committee on Appropriations, reported as amended House Bill No. 1204, entitled:

An Act making an appropriation to Duquesne University of the Holy Ghost, Pittsburgh, Pa.

Mr. HAWS, from the Committee on Appropriations, reported as committed House Bill No. 1516 (Senate Bill No. 765), entitled:

A Joint Resolution providing for the continuation of the commission appointed in accordance with the provisions of a joint resolution approved the twenty-fifth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand one hundred and eighty-eight), entitled "An joint resolution providing for a commission to submit a revised penal code of Pennsylvania and making an appropriation for the expenses of the commission" providing for additional members and making an appropriation.

Mr. HARER, from the Committee on Appropriations, reported as committed House Bill No. 1519 (Senate Bill No. 1082), entitled:

An Act making an appropriation to pay for the care, treatment, removal and maintenance of the indigent insane for two years, ending the thirty-first day of May, one thousand nine hundred and twenty-five.

Mr. HARER, from the Committee on Appropriations, reported as committed House Bill No. 1520 (Senate Bill No. 1083), entitled:

An Act making an appropriation to pay for the deficiency in the care, treatment, removal and maintenance of the indigent insane for the two years ending May thirty-first, one thousand nine hundred and twenty-three.

Mr. PRICE, from the Committee on Municipal Corporations, reported as amended, House Bill No. 561, entitled:

An Act enabling the boroughs of this Commonwealth to adopt and enforce zoning regulations.

Mr. PRICE, from the Committee on Judiciary Special, reported as amended, House Bill No. 568, entitled:

An Act prohibiting the operation of enclosed motor and auto busses carrying passengers for hire unless the same are provided with proper exits.

Mr. MILLAR, from the Committee on Insurance, reported as amended, House Bill No. 1501, (Senate Bill No. 1006), entitled:

An Act exempting in certain cases the net proceeds of life insurance policies or annuities from the claims of creditors.

Mr. BREWSTER, from the Committee on Corporations, re-reported as amended, House Bill No. 1438, (Senate Bill No. 494), entitled:

An Act to exempt from county city borough township bounty road school and poor taxes real and personal property owned by one or more corporations of purely public charity and used by such owner or owners and other similar associations or corporations exclusively for the purposes of such occupants.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 306, 715, 777, 782, 787, 880, 1153, 1163, 1208, AND 1297.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 9, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 306, entitled "An Act making a deficiency appropriation to the State Hospital for the Criminal Insane at Farview Pennsylvania".

House Bill No. 715, entitled, "An Act to amend section eighteen of an act approved the seventh day of June, Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws nine hundred) entitled 'An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled "An act creating the Department of Health and defining its powers and duties" approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act' by requiring that parents be notified of the registration of birth certificates".

House Bill No. 777, entitled, "An Act making a deficiency appropriation to the Pennsylvania Institution for the Instruction of the Blind".

House Bill No. 782, entitled, "An Act making a deficiency appropriation to the Pennsylvania Institution for the Deaf and Dumb Mount Airy Philadelphia to cover deficiency in maintenance and education of State pupils".

House Bill No. 787, entitled, "An Act making a deficiency appropriation to the Cottage State Hospital of Phillipsburg Pennsylvania".

House Bill No. 880, entitled, "An Act to amend section two hundred and seven of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' as amended".

House Bill No. 1153, entitled, "An Act to relieve life tenants of land from the payment of taxes on the underlying veins of coal which they have no right to operate and providing that such coal shall be assessed to and the taxes thereon paid by the owner of said veins of coal".

House Bill No. 1163, entitled, "An Act making unlawful the wearing of the discharge button issued by the United States Government by any person not entitled to wear the same".

House Bill No. 1208, entitled, "An Act making an appropriation to the Pennsylvania State College to reimburse the said college for loss of interest on a bond of the Commonwealth for the benefit of said college which bond has matured".

House Bill No. 1297, entitled, "An Act to amend section three hundred and three of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' as amended".

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 454, 691, AND 1313.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 454, entitled, "An Act providing for the examination of the Locust Mountain Memorial Hospital of Shenandoah Pennsylvania providing for the transfer thereof to the Commonwealth and for its management thereafter and making an appropriation".

House Bill No. 691, entitled, "A supplement to the act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and twenty-two) entitled 'An act creating a Commission to select an historic spot as a cemetery for the burial of bodies of soldiers sailors marines war nurses and members of the National Guard defining the powers and duties of the Commission and making an appropriation' extending the time for the making of the report of the Commission and making an additional appropriation".

House Bill No. 1313, entitled, "An Act to amend section ten of the act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) entitled 'An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof' as amended".

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 652 AND 774.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 10, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed the following bills:

House Bill No. 652, entitled, "An Act relating to suits against and service of process upon corporations organized and existing under the Laws of the Commonwealth of Pennsylvania ceasing to do business or ceasing to maintain an office within the Commonwealth and the effect of such service."

House Bill No. 774, entitled, "An Act authorizing courts of quarter sessions to commit the care of certain burial grounds to the councils of boroughs township commissioners and township supervisors of townships and requiring boroughs and townships to pay the expenses in connection therewith."

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 740 AND 798.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 10, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 740, entitled, "An Act to amend section four hundred and eighty-seven of article one of chapter ten of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled, 'An act concerning townships and revising amending and consolidating the law relating thereto' ".

House Bill No. 798, entitled, "An Act relating to building construction in cities of the first class by prescribing the maximum undivided floor areas permitted and permitting the use of non-fire proof steel roof trusses and purlins in certain cases prescribing limitations on garages automobile service stations and buildings for similar purposes and constructions permitted for curtain and spandrel walls permitting the use of wood furring and stud-partitions in certain cases and repealing inconsistent laws".

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 1033.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 1033, entitled, "An Act providing that any person who was engaged in the military or naval service of the United States during any war in which the United States was engaged and credit for the experience and training derived from such service in civil service examinations".

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE RESOLUTION No. 15.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg May 10, 1923.

To the Honorable, The House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed House Resolution No. 15, authorizing the board of trustees of the Homeopathic State Hospital of Allentown to transfer to the Adjutant General of the Commonwealth for use at the State Reservation at Mount Gretna one one hundred K. V. A. Motor Generator Set the switch board equipment for the same and the transformers and motors for the above equipment.

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 10, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor House Bill No. 957 for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE.

Mr. KUNKLE. Mr. Speaker, I move that the vote by which House Bill No. 957, passed finally be reconsidered.

Mr. COLDSMITH. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. KUNKLE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. COLDSMITH. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. KUNKLE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend sec. 1, page 1 line 5 by inserting after the word "another" the following: "Which crosses a river creek or rivulet forming a boundary line between said counties"

Amend sec. 2, page 2 line 21 by inserting after the word "jury" the following: "and the court"

Amend sec. 2, page 2, line 23 by inserting after the word "juries" the words "and court"

Amend Sec. 2, page 2, line 25 by striking out "ten" and insert in lieu thereof "thirty"

Amend bill, page 3 by adding at the end thereof the following section: "Section 3. Any such bridge when authorized and located shall be erected, constructed, maintained and kept in repair in the manner now provided by the general road laws of the Commonwealth for bridges erected on the line of adjoining counties."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objections? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 10, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor House Bill No. 1312, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I move that the vote by which House Bill No. 1312, passed finally be reconsidered.

Mr. STARK. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. STARK. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title by adding to the end thereof the following: "By providing for reimbursement for certain transportation costs of schools not consolidated"

Amend Section 2, page 3, at the end of line 6 and beginning of line 7, by striking out the word (hereafter) and inserting in lieu thereof the word "hereinafter"

Amend Section 4, page 4, line 17, by striking out the word (thereof) and inserting in lieu thereof the word "therefor"

Amend Section 4, page 4, line 27, by adding after the word "sum" the words "which has been"

Amend Section 4, page 5, line 4, by striking out the word (those) and inserting in lieu thereof the word "these"

Amend Section 4, page 5, line 12, by inserting after the word "necessary" the word "to"

Amend Section 4, page 5, line 17, by striking out the word (consolidate) and inserting in lieu thereof the word "consolidated"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE MESSAGE.

AMENDED SENATE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate had concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 685.

An Act to amend sections one, two, three, five and seven, as amended of the act approved May 1, 1909 (P. L. 321) entitled "An Act to provide for State registration of nurses, to establish a State Board of Examiners in connection therewith, and to provide penalties for the violation of certain provisions regarding such registration;" by providing for a change in membership of the Board, for a change in salary of the secretary, treasurer, educational director and of the members of the Board

SENATE BILL No. 746.

An Act relative to the disposition of fines and forfeitures in counties of this Commonwealth of the fourth class and authorizing the expenditure of a portion of all of said fines for the support and maintenance of a law library in said counties

SENATE BILL No. 769.

A Supplement to an act approved March 10, 1921 (App. Acts, page 11) entitled "An act making an appropriation to the State Highway Department for the construction of permanent State Highway for the payment of the Commonwealth's share in the expenses of constructing State-aid highways; for the maintenance and repair of State Highway within the limits of boroughs; for the maintenance and repair of State-aid highways; for the payment of rewards due townships of the second class; for the payment of damages to property caused or occasioned in connection with the work of the State Highway Department;" by extending the date for the apportionment of State-aid appropriations made by said act.

SENATE BILL No. 343.

An Act to amend section two of an act, approved the twenty-sixth day of May, one thousand eight hundred and ninety-seven (P. L. 95), entitled "An Act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff, and claimed to belong to others than the defendant in the execution or process" as amended.

SENATE BILL No. 341.

An Act fixing the mileage chargeable by sheriffs requiring its payment in advance in certain cases and providing for its taxation and collection as sheriff's costs when unpaid

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1.

An Act fixing the pay of election officers and clerks in cities of the first class

HOUSE BILL No. 403.

An Act to enable city county poor ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties if the surety or sureties have paid the taxes to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective bonds or by the expiration of the authority of their respective warrants or by the expiration of their terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act

HOUSE BILL No. 719.

An Act to amend sections two three and thirteen and to repeal section eleven of the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and nine) entitled "An Act prescribing the powers and duties of the Bureau of Markets in the Department of Agriculture providing for co-operation with the Bureau of Standards of the Department of Internal Affairs to establish standard receptacles for farm products and to promulgate regulations for the enforcement thereof and prescribing penalties for violations of the provisions of this act" by clarifying certain provisions extending said act to cover the manufacture of standard receptacles for farm products and providing that violations be prosecuted by summary proceeding

HOUSE BILL No. 1305.

An Act to confer upon the Courts of Quarter Sessions of the several Counties of the Commonwealth jurisdiction and power to authorize the removal of the remains of the dead from private burial grounds which have or shall become unsightly and unsuitable places for interment

HOUSE BILL No. 820.

An Act authorizing the sale of real estate held by entireties by husband and wife when an order of suppor has been secured against the husband who has neglected to comply with the same or whose whereabouts is unknown or who has absented himsel from this Commonwealth prescribing the procedure to be followed permitting husband and wife to testify providing for the disposition of the proceeds of such this act as a wife

HOUSE BILL No. 1012.

An Act validating ordinances and proceedings by councils in boroughs for the paving and curbing of public highways and validating municipal liens therefor

HOUSE BILL No. 366.

An Act to amend section two of an act approved the (Pamphlet Laws two hundred and seventy-nine) entitled "An Act relating to the time and manner of taking exception in any civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trail of any case to the correction an dperfection of such transcript for the purpose of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case"

HOUSE BILL No. 818.

An Act to amend an act approved the twentieth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand and forty-three) entitled "An Act relating to free public non-sectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public nonsectarian libraries as may have been already established by the several counties cities boroughs towns an dtownships and providing that all library property and all gifts devises grants or endowments for library shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condem private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relation to the above subjects"

HOUSE BILL No. 1095.

An Act relating to debts of municipalities

HOUSE BILL NO. 1264,

An act providing for the depositing of money as a forfeit for the appearance of persons arrested for certain offences for hearing before a mayor or chief burgess; and providing for the forfeiture and payment of the same into the city or borough treasury in case of non-appearance of person arrested.

HOUSE BILL NO. 1234,

An Act authorizing the creation of a commission to negotiate with the duly constituted agents of the states of New York and New Jersey for the regularization of the flow of the Delaware River, the conservation, apportionment, and utilization of the water resources thereof; providing the method for ratification of such compact by this Commonwealth; and prescribing the conditions of its being in full force and effect.

HOUSE BILL NO. 1319,

An Act to amend section one article four chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" as amended

HOUSE BILL NO. 1084,

A Supplement to an act approved the twenty-third day of June, one thousand nine hundred eleven, Pamphlet Laws one thousand one hundred twenty-three, entitled "An act establishing in each county a Board of Viewers, prescribing their duties, providing for their appointment as viewers road juries, juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" as the same was amended and supplemented by subsequent acts, by providing for the compensation to be paid to the members of the Board of Viewers in counties of the second class.

HOUSE BILL NO. 142,

An Act making an appropriation to the County of Philadelphia for the payment of a judgment obtained by the said county against the Commonwealth of Pennsylvania

HOUSE BILL NO. 1338.

An Act providing a means whereby the individual justice of the peace may better inform himself as to the law changes in the law and decisions of the Courts on the law of this Commonwealth

HOUSE BILL NO. 598.

An Act declaring the construction to be given deeds, wills and other instruments in writing in which real and personal property is donated, granted, devised or bequeathed, either directly or in trust for the benefit of one or more persons for years or for life or upon condition, with remainder over to the heirs or next of kin or to the persons thereunto entitled under the interstate laws or other similar or equivalent phrase.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 681.

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on House Bill, numbered and entitled as follows:

HOUSE BILL NO. 681.

An Act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight) entitled "A supplement to an act to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three" as amended by fixing the maximum amount for maintenance weekly per capita

RESOLUTION.

RELATIVE TO MEMORIAL SERVICES IN HONOR OF LATE MEMBERS.

Mr. HEYBURN offered the following resolution, which was twice read, considered and adopted:

In the House of Representatives, May 15, 1923.

Resolved, That Tuesday afternoon, May twenty-second, one thousand nine hundred and twenty-three, at two o'clock, be fixed as a time and the Hall of the House of Representatives as a place, for holding memorial services in honor of the late Hon. Henry F Miller, a Member of the House of Representatives from Delaware County, in the session of one thousand nine hundred and twenty-one;

Hon. Samuel A. Whitaker, from Chester County, a Member of the House of Representatives in the sessions of one thousand nine hundred and thirteen, one thousand nine hundred and fifteen, one thousand nine hundred and seventeen, one thousand nine hundred and twenty-one, and one thousand nine hundred and twenty-three; and late Hon, John M. Linn, and late Timothy McCarthy, members from Philadelphia in the session of one thousand nine hundred and twenty-three.

Hon. Frank E. Korns, a member of the House of Representatives from Cambria County in the session of one thousand nine hundred and twenty-three.

Resolved, That the use of the Hall of the House of Representatives be granted for the holding of said memorial services.

MOTION TO PLACE BILL ON CALENDAR.

Mr. HALL. Mr. Speaker, I move that House Bill No. 482, (Senate Bill No. 142), file folio 105, entitled

A Supplement to the act approved the seventeenth day of June nineteen hundred and fifteen (Pamphlet Laws one thousand and twelve) entitled "An Act regulating the business of loaning money in sums of three hundred ($300) dollars or less either with or without security to individuals pressed by lack of unds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act" as amended by the act of June fourth nineteen hundred and nineteen (Pamphlet Laws three hundred and seventy-five) entitled "An act to amend sections one two and three of the act approved the seventeenth day of June one thousand nine hundred and fifteen (Pamphlet Laws ten hundred and twelve) entitled 'An act regulating the business of loaning money in sums of three hundred ($300) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rate of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act'"

be placed upon the calendar, notwithstanding the negative recommendation of the Committee

Mr. EARLEY. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. HALL Mr. Speaker and members of the House, my purpose in making this motion is to have this bill placed upon the calendar so that it may be re-referred to the Committee on Judiciary General for the purpose of a hearing. I have spoken to the chairman of that committee, and he has no objection to that procedure.

On the question recurring,

Will the House agree to the motion?

The Speaker announced the ayes appeared to have it,

Whereupon a division was called for, and 45 members having voted in the affirmative, and 77 members having voted in the negative, the question was determined in the negative and the motion was not agreed to.

RECONSIDERATION OF VOTE.

Mr. HARER. Mr. Speaker, I move that the vote by which House Bill No. 36, file folio 6455, entitled:

An Act to regulate the practice of Chiropractic and to provide for the appointment and maintenance of the Board of Chiropractic Examiners To define the powers and duties of said Board of Chiropractic Examiners To provide for the examining and licensing of Chiropractors in this State and provide for penalties for the violation of this act

was defeated on final passage on May 8, 1923, be reconsidered.

Miss BENTLEY. Mr. Speaker, I second the motion.

On the question

Will the House agree to the motion?

Mr. STEEDLE. Mr. Speaker, ladies and gentlemen of the House, this is a bill that we defeated on last Tuesday, known as the chiropractors' bill. Now, with all due respect to my colleague and friend from Philadelphia, Mr. Dunn, the sponsor of this bill, I hope that you will not vote to reconsider the bill. Not that I fear it might pass, but because we are only delaying the progres of the House as we are getting down into the closing hours of the session. Mr. Dunn, as sponsor of the bill and all those others who spoke in its behalf had a fair opportunity, and we, who oppose the bill, had likewise the same opportunity. Last Tuesday I was only too willing to have this bill go back to the Committee for the purpose of amendment, before the bill came out. This, the House saw fit to reject and the bill was voted on but did not receive its constitutional majority. This is one of the usual things that occur, when a bill is defeated, to again bring it to life by getting a majority of those present to vote for the reconsideration. I hope ladies and gentlemen of the House that you will not vote to reconsider it.

Mr. DUNN. Mr. Speaker and members of the House, my only purpose in asking that this bill be put on the calendar again is because people who are interested in it agree to all the amendments that the gentleman from Allegheny wanted to insert in the bill when it was on final passage on Tuesday night. When the bill is put back on the calendar, I propose to take it up with the chairman of the Public Health and Sanitation Committee, and then go over with him again these various amendments. If we agree on these amendments there is no difference between us, and I only ask that the bill be put on the calendar and then I will consult with the Chairman of the Public Health and Sanitation Committee to prove that we are fair and that we are just in this consideration. I feel we can come to some successful conclusion, whereby, these people might be properly regulated and licensed.

On the question recurring,

Will the House agree to the motion?

The SPEAKER announced the ayes appeared to have it,

Whereupon, a division was called for, and 84 members having voted in the affirmative and 34 members having voted in the negative, the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED.

Mr. DUNN. Mr. Speaker, I move that House Bill No. 36, file folio 6455, be placed upon the postponed calendar.

Mr. LUCAS. Mr. Speaker, I second the motion.

The motion was agreed to,

RESOLUTION

RECALLING HOUSE BILL NO. 1345 FROM THE GOVERNOR.

Mr. HENDERSON offered the following resolution which was twice read, considered and adopted.

In the House of Representatives, May 15, 1923.

Resolved, (if the Senate concur), That House Bill No. 1345, Printer's No. 966, File Folio 6701, entitled "An act to enable an incorporated hospital association to acquire by lease or purchase any State owned hospital specially devoted to the reception, care and treatment of injured persons, or of any State owned general, medical and surgical hospital, and to provide for the regulation and management thereof," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FIRST READING.

The SPEAKER. If there are no objections, the Chair will take up the first reading calendar at this time. Are there objections?

The Chair hears none.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 226 entitled:

An act making an appropriation to the American Oncologic Hospital at Philadelphia

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 608, entitled:

An act making an appropriation to the Tuberculosis League of Pittsburgh

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 826, entitled:

An act making an appropriation to the West Philadelphia General Homeopathic Hospital Philadelphia Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 935, entitled:

An act making an appropriation to the Grand View Institution for the Care and Treatment of Poor Consumptives Oil City Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING.

The SPEAKER. If there are no objections the Chair will take up bills on second reading at this time. Are there objections? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 3, as follows:

An Act making an appropriation to the trustees of the Milliken Hospital Pottsville Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of six thousand dollars ($6,000) or so much thereof as may be necessary is hereby specifically appropriated to the Milliken Hospital at Pottsville Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollar ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 4, as follows:

An Act making an appropriation to the Pottsville Hospital Pottsville Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty-five thousand dollars ($45,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pottsville Hospital Pottsville Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 39, as follows:

An Act making an appropriation to the Mary M. Packer Hospital Sunbury Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby specifically appropriated to the Mary Packer Hospital Sunbury Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled ti free service and for each day of part pay service such proportion of the aforesaid three dollars $(3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 47, as follows:

An Act making an appropriation to the Coatesville Hospital Coatesville Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-two thousand dollars ($22,000) or so much thereof as may be necessary is hereby specifically appropriated to the Coatesville Hospital Coatesville Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 56, as follows:

An Act making an appropriation to the Charleroi-Monessen Hospital at Charleroi Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand five hundred dollars ($5,500) or so much thereof as may be necessary is hereby specifically appropriated to the Charleroi-Monessen Hospital at Charleroi Washington County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regulation charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 78, as follows:

An Act making an appropriation to the Hahnemann Hospital in city of Scranton Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty-five thousand dollars ($45,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Hahnemann Hospital in the City of Scranton Lackawanna County Pennsylvania for the purpose of maaintenance for the two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge yhich the person so treated is not able to pay bears the regular ward charge for such free service Provided however that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 173, as follows:

An Act making an appropriation to the Taylor Hospital Association of the borough of Taylor Lackawanna County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary is hereby specifically appropriated to the Taylor Hospital Association of the borough of Taylor Lackawanna County

Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three' for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part-pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service provided however that no hospital shall receive compensation at a rate execeeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 198, as follows:

An Act making an appropriation to the Wayne County Memorial Hospital at Honesdale Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three thousand six hundred dollars ($3,600) or so much thereof as may be necessary is hereby specifically appropriated to the Wayne County Memorial Hospital at Honesdale Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regular and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surfical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service provided however that no hospital shall receive compensation at a rate exceding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 223, as follows:

An Act making an appropriation to the Citizens General Hospital of New Kensington Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-one thousand dollars ($21,000) or so much thereof as may be necessary is hereby specifically appropriated to the Citizens General Hospital of New Kensington Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not abe to pay bears to the regular ward charge for such free service provided hewever that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 264, as follows:

An Act making an appropriation to the Westmoreland Hospital association of Greensburg Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authoritl of the same That the sum of thirty-five thousand dollars ($35,000) or so much thereof as may be necessary is hereby specifically appropriated to the Westmoreland Hospital Association of Greensburg Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service provided however that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this cace dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 270, as follows:

An Act making an appropriation to the Chester Hospital in the City of Chester

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority ofthe same That the sum of sixty-two thousand dollars ($62,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Chester Hospital at Chester Delaware County Pennsylvania for the two fiscal years beginning June First One thousand nine hundred and twenty- three for maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this cace dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 284, as follows:

An Act making an appropriation to the Woman's Medical College of Philadelphia for hospital maintenance

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in

General Assembly met and it is hereby enacted by the authority of the same That the sum of forty-four thousand dollars ($44,000) or so much thereof as may be necessary is hereby specifically appropriated to the Woman's Medical College of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred twenty-three for the purpose of the maintenance of the hospital to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the perso so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this cace dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 300, as follows:

An Act making an appropriation to the Shenango Valley Hospital of New Castle Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of sevety-three thousand dollars ($23,000) or so much thereof as may be necessary is hereby specifically appropriated to the Shenango Valley Hospital of New Castle Lawrence County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this cace dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 305, as follows:

An Act making an appropriation to the Carbondale Emergency Hospital Carbondale Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby specifically appropriated to the Carbondale Emergency Hospital Carbondale Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of mantenance to be paid according to regulations and in the manner prescribed by law at the rate of three dolalrs ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dolalrs ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this cace dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 308, as follows:

An Act making an appropriation to the Mid-Valley Hospital Association at Blakely Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighteen thousand dollars ($18,000) or so much thereof as may be necessary is hereby specifically appropriated to the Mid-Valley Associaiton located at Blakely Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 315, as follows:

An Act making an appropriation to the Simon H. Barnes Memorial Hospital of Susquehanna Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four thousand dollars ($4,000) or so much thereof as may be necessary is hereby specifically appropriated to the Simon H. Barnes Memorial Hospital of Susquehanna Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 322, as follows:

An Act making an appropriation to Jefferson Medical College of Philadelphia

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following sum or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Jefferson Medical College of Philadelphia for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the following purpose namely

The sum of one hundred seventy-five thousand dollars ($175,000) or so much thereof as may be necessary for the maintenance of its hospital to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 335, as follows:

An Act making an appropriation to the Williams Valley Hospital of Williamstown Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of six thousand dollars ($6,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Williams Valley Hospital of Williamstown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three (1923) for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00 per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 338, as follows:

An Act making an appropriation to the Harrisburg Hospital of Harrisburg Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty thousand dollars ($40,000) or so much thereof as may be necessary is hereby specifically appropriated to the Harrisburg Hospital for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 341, as follows:

An Act making an appropriation to the Harrisburg Polyclinic Hospital of Harrisburg Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eleven thousand dollars ($11,000) or so much thereof as may be necessary is hereby specifically appropriated to the Harrisburg Polyclinic Hospital of Harrisburg Pennsylvania for the two fiscal years beginning June first Anno Domini one thousand nine hundred and twenty-three (1923) for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however that the actual cost of service per capita in the public ward no hospital shall receive compensation at a rate exceeding of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 349, as follows:

An Act making an appropriation to the Trustees of the Samaritan Hospital Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighty thousand dollars ($80,000) or so much thereof as may be necessary is hereby specifically appropriated to the Samaritan Hospital of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 356, as follows:

An Act making an appropriation to the Frankford Hospital located at Frankford Philadelphia

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seventy thousand dollars ($70,000) or so much thereof as may be necessary is hereby specifically appropriated to the Frankford Hospital located at Frankford Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 360, as follows:

An Act making an appropriation to the Indiana Hospital of Indiana County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-seven thousand ($27,000) dollars or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Indiana Hospital located at Indiana Indiana County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 367, as follows:

An Act making an appropriation to the Children's Hospital of Pittsburgh in the City of Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifty-four thousand dollars ($54,000) be and the same is hereby specifically appropriated to the Children's Hospital of Pittsburgh in the City of Pittsburgh Pennsylvania for the following purposes namely

Fifty-four thousand dollars ($54,000) or so much therof as may be necessary for maintenance during the two fiscal years beginning the first day of June one thousand nine hundred and twenty-three to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 369, as follows:

An Act making an appropriation to the West Side Hospital Association of Scranton Lackawanna County Pennsylvania

Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty-two thousand five hundred dollars ($42,500) or so much thereof as may be necessary is hereby specifically appropriated to the West side Hospital Association of Scranton Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 385, as follows:

An Act making an appropriation to the Washington Hospital Washington Pennsylvania or its successor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby specifically appropriated to the Washington Hospital Washington Pennsylvania or its successor for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of such person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 386, as follows:

An Act making an appropriation to the Ellwood City Hospital Ellwood City Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby specifically appropriated to the Ellwood City Hospital Ellwood City Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 391, as follows:

An Act making an appropriation to the Mercy Hospital of Altoona Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of sixteen thousand dollars ($16,000) or so much thereof as may be necessary is hereby specifically appropriated to the Mercy Hospital of Altoona Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 392, as follows:

An Act making an appropriation to the Altoona Hospital Altoona Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifty-two thousand dollars ($52,000) or so much thereof as may be necessary is hereby specifically appropriated to the Altoona Hospital of Altoona Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 393, as follows:

An Act making an appropriation to the Ohio Valley General Hospital at McKees Rocks Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-eight thousand dollars ($28,000) or so much thereof as may be necessary is hereby specifically appropriated to the Ohio Valley Hospital located at McKees Rocks Allegheny County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulation and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3 00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 407, as follows:

An Act making an appropriation to the Women's Homeopathic Hospital of Philadelphia

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty-two thousand dollars ($42,000) or so much thereof as may be necessary is hereby specifically appropriated to the Women's Homeopathic Hospital of Philadelphia for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 408, as follows:

An Act to make an appropriation to the Maple Avenue Hospital Association of DuBois Clearfield County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of nine thousand ($9,000) dollars or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Maple Avenue Hospital Association located at DuBois Clearfield County Pennsylvania for operating and maintenance expenses for the two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Providing however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 418, as follows:

An Act making an appropriation to the Trustees of the Garretson Hospital Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighteen thousand dollars ($18,000) or so much thereof as may be necessary is hereby specifically appropriated to the Trustees of the Garretson Hospital at Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and areed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 419, as follows:

An Act making an appropriation to the Diagnostic Hospital of the City of Philadelphia Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three thousand dollars ($3,000) or so much thereof as may be necessary is hereby specifically appropriated to the Diagnostic Hospital of the city of Philadelphia located at one thousand seven hundred and thirty-one Vine Street Philadelphia Pennsylvania for the purpose of maintenance during the two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 424, as follows:

An Act making an appropriation to the Punxsutawney Hospital Association of Punxsutawney Jefferson County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby specifically appropriated to the Punxsutawney Hospital Association of Punxsutawney located at Jefferson County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part able service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge of such free service Provided however that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 429, as follows:

An Act making an appropriation to the Homestead Hospital Homestead Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the au-

thority of the same That the sum of twenty-six thousand dollars ($26,000) or so much thereof as may be necessary is hereby specifically appropriated to the Homestead Hospital Homestead Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward for such free service Provided however that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 430, as follows:

An Act making an appropriation to the Carlisle Hospital Carlisle Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby specifically appropriated to the Carlisle Hospital of Carlisle Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 439, as follows:

An Act making an appropriation to Saint Luke's Homeopathic Hospital of Philadelphia

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirty-six thousand dollars ($36,000) or so much thereof as may be necesary be and the same is hereby specifically appropriated to Saint Luke's Homeopathic Hospital of Philadelphia for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 442, as follows:

An Act making an appropriation to the Greenville Hospital Greenville Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eight thousand dollars ($8,000) or so much thereof as may be necessary is hereby specifically appropriated to the Greenville Hospital of Greenville Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 443, as follows:

An Act making an appropriation to the Christian H. Buhl Hospital of Sharon Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the auority of the same That the sum of twenty-six thousand dollars ($26,000) or so much thereof as may be necessary is hereby specifically appropriated to the Christian H. Buhl Hospital located at Sharon Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 453, as follows:

An Act making an appropriation to the Lying-in-Charity Hospital Philadelphia

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-six thousand dollars ($26,000) or so much thereof as may be necessary is hereby specifically appropriated to the Lying-in-Charity Hospital located at Eleventh and Cherry Streets Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 455, as follows:

An Act making an appropriation to the Woman's Hospital of Philadelphia two thousand one hundred and thirty-seven North College Avenue

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifty-five thousand dollars ($55,000) or so much thereof as may be necessary is hereby specifically appropriated to the Woman's Hospital of Philadelphia two thousand one hundred and thirty-seven North College Avenue for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service provided however that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 491, as follows:

An Act making an appropriation to the Northeastern Hospital of Philadelphia Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four thousand five hundred dollars ($4,500) or so much thereof as may be necessary is hereby specifically appropriated to the Northeastern Hospital Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 492, as follows:

An Act making an appropriation to the Pottstown Hospital Pottstown Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fourteen thousand dollars ($14,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pottstown Hospital Pottstown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 493, as follows:

An Act making an appropriation to the Pottstown Homeopathic Hospital Pottstown Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of six thousand dollars ($6,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pottstown Homeopathic Hospital High and Roland Streets Pottstown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 499, as follows:

An Act making an appropriation to the Wilkes-Barre City Hospital Wilkes-Barre Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred five thousand dollars ($105,000) or so much thereof as may be necessary is hereby specifically appropriated to the Wilkes-Barre City Hospital Wilkes-Barre Pennsylvania for the support and maintenance of the said hospital for the two fiscal years beginning June first nineteen hundred twenty-three to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 513, as follows:

An Act making an appropriation to the Memorial Hospital at Roxborough Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty thousand dollars ($40,000) or so much thereof as may be necessary is hereby specifically appropriated to the Memorial Hospital located at Roxborough Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 517, as follows:

An Act making an appropriation to the J. C. Blair Memorial Hospital of Huntingdon Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of sixteen thousand dollars ($16,000) or so much thereof as may be necessary is hereby specifically appropriated to the J. C. Blair Memorial Hospital of Huntingdon Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 518, as follows:

An Act making an appropriation to the Mercy Hospital at Wilkes-Barre Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighty thousand ($80,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Mercy Hospital at Wilkes-Barre for the following purposes namely

For the support and maintenance of said hospital for the two fiscal years beginning June first one thousand nine hundred and twenty-three eighty thousand dollars or so much thereof as may be necessary to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however that no hospital shall receive compensation a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 533, as follows:

An Act making an appropriation to the Wyoming Valley Homeopathic Hospital at Wilkes-Barre Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twelve thousand dollars ($12,000) or so much thereof as may be necessary is hereby specifically appropriated to the Wyoming Valley Homeopathic Hospital at Wilkes-Barre Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 550, as follows:

An Act making an appropriation to the Waynesburg Hospital of Waynesburg Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eight thousand dollars ($8,000) or so much thereof as may be necessary is hereby specifically appropriated to the Waynesburg Hospital of Waynesburg Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to the regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person treated is not able to pay bears to the regular ward charge for such free service Provided however that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 553, as follows:

An Act making an appropriation to the Chambersburg Hospital at Chambersburg Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eleven thousand dollars ($11,000) or so much thereof as may be necessary is hereby specifically appropriated to the Chambersburg Hospital at Chambersburg Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 564, as follows:

An Act making an appropriation to the Nason Hospital Association of Roaring Spring Blair County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twelve thousand six hundred dollars ($12,600) or so much thereof as may be necessary is hereby specifically appropriated to the Nason Hospital Association of Roaring Spring Blair County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 567, as follows:

An Act making an appropriation to the Robert Packer Hospital

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighty thousand dollars ($80,000) or so much thereof as may be necessary is hereby specifically appropriated to the Robert Packer Hospital of Sayre Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 589, as follows:

An Act making an appropriation to Saint Francis Hospital of Pittsburgh

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred eighty-five thousand dollars ($185,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Saint Francis Hospital of Pittsburgh for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No 599, as follows:

An Act making an appropriation to the Pittston Hospital Association of the city of Pittston Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-three thousand dollars ($23,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pittston Hospital Association of the city of Pittston Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 613, as follows:

An Act making an appropriation to Kane Summit Hospital Association of Kane McKean County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following sums of money are hereby specifically appropriated to Kane Summit Hospital Association of Kane McKean Couty Pennsylvania for the following purposes

For the purpose of maintenance for the two fiscal years beginning June first one thousand nine hundred and twenty-three the sum of eleven thousand five hundred dollars ($11,500) to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 614, as follows:

An Act making an appropriation to the Bradford Hospital of the City of Bradford

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-four thousand dollars ($24,000) or so much thereof as may be necessary is hereby specifically appropriated to the Bradford Hospital located at Bradford Pennsylvania for the following purposes namely

The sum of twenty-four thousand dollars ($24,000) or so much thereof as may be necessary for maintenance during the two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 621, as follows:

An Act making an appropriation to Saint John's General Hospital of Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby specifically appropriated to Saint John's General Hospital of Pittsburgh Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 622, as follows:

An Act making an appropriation to the Northwestern General Hospital of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the au-

thority of the same That the sum of twenty-two thousand dollars ($22,000) or so much thereof as may be necessary is hereby specifically appropriated to the Northwestern General Hospital of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No.628, as follows:

An Act making an appropriation to the Latrobe Hospital Latrobe Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighteen thousand dollars ($18,000) or so much thereof as may be necessary is hereby specifically appropriated to the Latrobe Hospital of Latrobe Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hosiptal shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 634, as follows:

An Act making an appropriation to the Good Samaritan Hospital at Westfield Tioga county Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three thousand dollars ($3,000) or so much thereof as may be necessary is hereby specifically appropriated to the Good Samaritan Hospital located at Westfield Tioga county Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 648, as follows:

An Act making an appropriation to the Spencer Hospital Meadville Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fourteen thousand dollars ($14,000) or so much thereof as may be necessary is hereby specifically appropriated to the Spencer Hospital located at Meadville Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 649, as follows:

An Act making an appropriation to the Titusville Hospital at Titusville Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby specifically appropriated to the Titusville Hospital at Titusville Crawford County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 651, as follows:

An Act making an appropriation to the Meadville City Hospital Meadville Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the asme That the sum of twenty-one thousand dollars ($21,000) or so much thereof as may be necessary is hereby specifically appropriated to the Meadville City Hospital Meadville Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 655, as follows:

An Act making an appropriation to the Roosevelt Hospital of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighteen thousand dollars ($18,000) or so much thereof as may be necessary is hereby specifically appropriated to the Roosevelt Hospital of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance for each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 656, as follows:

An Act making an appropriation to the Allegheny Valley Hospital at Tarentum Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of sixteen thousand two hundred dollars ($16,200) or so much thereof as may be necessary is hereby specifically appropriated to the Allegheny Valley Hospital at Tarentum Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 658, as follows:

An Act making an appropriation to the Grove City Hospital in the Borough of Grove City Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twelve thousand dollars ($12,000) or so much thereof as may be necessary is hereby specifically appropriated to the Grove City Hospital in the Borough of Grove City Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not abe to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 672, as follows:

An Act making an appropriation to the Coudersport General Hospital at Coudersport Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three thousand five hundred dollars ($3,500) or so much thereof as may be necessary is hereby specifically appropriated to the Coudersport General Hospital at Coudersport Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three or the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 699, as follows:

An Act making an appropriation to the Eye and Ear Hospital of Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirty-one thousand dollars ($31,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Eye and Ear Hospital of Pittsburgh Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three (1923) for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capital in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 703, as follows:

An Act making an appropriation to the Bellefonte Hospital Bellefonte Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of sixteen thousand five hundred dollars ($16,500) or so much thereof as may be necessary is hereby specifically appropriated to the Bellefonte Hospital at Bellefonte Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 734, as follows:

An Act making an appropriation to the Mount Sinai Hospital of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and ten thousand dollars ($110,000) or so much thereof as may be necessary is hereby specifically appropriated to the Mount Sinai Hospital of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 765, as follows:

An Act making an appropriation to the Beaver Valley General Hospital at New Brighton Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-two thousand dollars ($22,000) or so much thereof as may be necessary is hereby specifically appropriated to the Beaver Valley General Hospital at New Brighton Beaver county Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the nubic ward of said hospital

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 766, as follows:

An Act making an appropriation to the Rochester General Hospital at Rochester Beaver county Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirty-two thousand dollars ($32,000) or so much thereof as may be necessary is hereby specifically appropriated to the Rochester General Hospital at Rochester Beaver county Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the pubilc ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 767, as follows:

An Act making an appropriation to the Good Samaritan Hospital of Lebanon Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby specifically appropriated to the Good Samaritan Hospital of Lebanon Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 778, as follows:

An Act making an appropriation to the Kittanning General Hospital Kittanning Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eight thousand dollars ($8,000) or so much thereof as may be necessary is hereby specifically appropriated to the Kittanning General Hospital Kittanning Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 779, as follows:

An Act making an appropriation to the Rush Hospital for Consumption and Allied Diseases of Philadelphia

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seventy thousand dollars ($70,000) or so much thereof as may be necessary is hereby specifically appropriated to the Rush Hospital for Consumption and Allied Diseases at Philadelphia for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the following purposes namely

For the purpose of maintenance of the City Hospital and the County Branch thereof the sum of seventy thousand dollars ($70,000) or so much thereof as may be necessary to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 780, as follows:

An Act making an appropriation to the Memorial Hospital at Mount Pleasant Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-three thousand dollars ($23,000) or so much thereof as may be necessary is hereby specifically appropriated to the Memorial Hospital at Mount Pleasant Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 807, as follows:

An Act making an appropriation to the Miners' Hospital of Northern Cambria at Spangler Cambria county Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fourteen thousand five hundred dollars ($14,500) or so much thereof as may be necessary is hereby specifically appropriated to the Miners' Hospital of Northern Cambria at Spangler Cambria county Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 816, as follows:

An Act making an appropriation to the Warren General Hospital of Warren Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby specifically appropriated to the Warren General Hospital located at Warren Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of such person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 829, as follows:

An Act making an appropriation to the Pennsylvania Epileptic Hospital and Colony Farm Chester county Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seventeen thousand dollars ($17,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Epileptic Hospital and Colony Farm of Chester county Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 834, as follows:

An Act making an appropriation to the National Stomach Hospital of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four thousand dollars ($4,000) or so much thereof as may be necessary is hereby specifically appropriated to the National Stomach Hospital of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 838, as follows:

An Act making an appropriation to the Conemaugh Valley Memorial Hospital at Johnstown Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of sixty thousand dollars ($60,000) or so much thereof as may be necessary is hereby specifically appropriated to the Conemaugh Valley Memorial Hospital at Johnstown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintainence to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 841, as follows:

An Act making an appropriation to the Brookville Hospital Brookville Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby specifically appropriated to the Brookville Hospital at Brookville Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportions of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 842, as follows:

An Act making an appropriation to the Adrian Hospital Association of Punxsutawney Jefferson county Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirty-five thousand dollars ($35,000) or so much thereof as may be necessary is hereby specifically appropriated to the Adrian Hospital Association of Punxsutawney Jefferson county Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however that no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 845, as follows:

An Act making an appropriation to the Suburban General Hospital of Bellevue Allegheny county Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby specifically appropriated to the Suburban General Hospital located at Bellevue Allegheny county Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to be regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 867, as follows:

An Act making an appropriation to the Memorial Hospital Association of Monongahela City Washington county Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of nineteen thousand ($19,000) dollars or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Memorial Hospital Association of Monongahela city Washington county Pennsylvania for the two fiscal years beginning June first Anno Domini one thousand nine hundred and twenty-three (1923) for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 872, as follows:

An Act making an appropriation to the Uniontown Hospital Uniontown Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirty-six thousand dollars ($36,000) or so much thereof as may be possible is hereby specifically appropriated to the Uniontown Hospital Uniontown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the puporse of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such porportion of the aforesaid three dollars ($3.00) per diem as the part of the regular charge which the person so treated is not able to pay bears to the regular ward for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 907, as follows:

An Act making an appropriation to the Woman's Southern Homeopathic Hospital of Philadelphia

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of sixteen thousand dollars ($16,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Woman's Southern Homeopathic Hospital of Philadelphia for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 934, as follows:

An Act making an appropriation to the Oil City Hospital Oil City Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of sixteen thousand ($16,000) dollars or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Oil City Hospital of Oil City Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such fee service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 960, as follows:

An Act making an appropriation to the Canonsburg General Hospital Association at Canonsburg Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby specifically appropriated to the Canonsburg General Hospital Association located at Canonsburg Washington County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 981, as follows:

An Act making an appropriation to the Lewistown Hospital of Lewistown Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifteen thousand ($15,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Lewistown Hospital of Lewistown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 988, as follows:

An Act making an appropriation to the York Hospital West College Avenue York Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-seven thousand dollars ($27,000) or so much thereof as may be necessary is hereby specifically appropriated to the York Hospital West College Avenue York Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1021, as follows:

An Act making an appropriation to the Brownsville General Hospital Brownsville Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seventeen thousand dollars ($17,000) or so much thereof as may be necessary is hereby specifically appropriated to the Brownsville General Hospital of Brownsville Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1038, as follows:

An Act making an appropriation to the Community Hospital of the Borough of Somerset in the county of Somerset

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand ($5,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Community Hospital of the Borough of Somerset in the county of Somerset for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1048, as follows:

An Act making an appropriation to the Hamot Hospital Association of Erie Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifty-two thousand five hundred dollars ($52,500) or so much thereof as may be necessary is hereby specifically appropriated to the Hamot Hospital Association of Erie Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1064, as follows:

An Act making an appropriation to the Germantown Dispensary and Hospital Germantown Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-seven thousand dollars ($27,000) or so much thereof as may be necessary is hereby specifically appropriated to the Germantown Dispensary and Hospital Germantown Philadelphia for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1068, as follows:

An Act making an appropriation to the Maternity Hospital in the City of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eight thousand dollars ($8,000) or so much thereof as may be necessary is hereby specifically appropriated to the Maternity Hospital in the City of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such service Provided however That no hospital shall receive compensation at the rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1072, as follows:

An Act making an appropriation to the Howard Hospital of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighteen thousand dollars ($18,000) or so much thereof as may be necessary is hereby specifically appropriated to the Howard Hospital in the City of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such service Provided however That no hospital shall receive compensation at the rate exceeding the actual cost of service per capita in the public ward of such hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1102, as follows:

An Act making an appropriation to the Lock Haven Hospital Lock Haven Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty-five thousand dollars ($45,000) or so much thereof as may be necessary is hereby specifically appropriated to the Lock Haven Hospital of Lock Haven Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided That however no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1116, as follows:

An Act making an appropriation to the Renova Hospital

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seven thousand five hundred ($7,500) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Renova Hospital of Renova Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1124, as follows:

An Act making an appropriation to the Providence General Hospital of Philadelphia Philadelphia County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three thousand dollars ($3,000) or so much thereof as may be necessary is hereby specifically apropriated to the Providence General Hospital located at Philadelphia county Philadelphia for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charges which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1154, as follows:

An Act making an appropriation to the Braddock General Hospital Braddock Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty thousand ($40,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Braddock General Hospital Braddock Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1160, as follows:

An Act making an appropriation to the Elk County General Hospital of Ridgway Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighteen thousand dollars ($18,000) or so much thereof as may be necessary is hereby specifically appropriated to the Elk County General Hospital located at Ridway Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charges which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1161, as follows:

An Act making an appropriation to the General Hospital East Stroudsburg Monroe county Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum five thousand ($5,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the General Hospital East Stroudsburg Monroe county Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospitals who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears ot the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1166, as follows:

An Act making an appropriation to Montgomery Hospital at Norristown in the county of Montgomery

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of sixteen thousand dollars ($16,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Montgomery Hospital located at Norristown in the county of Montgomery for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1192, as follows:

An Act making an appropriation to the Women's Homeopathic Hospital of Philadelphia

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty-two thousand ($42,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Women's Homeopathic Hospital of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1210, as follows:

An Act making an appropriation to the Corry Hospital Association of Corry Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby specifically appropriated to the Corry Hospital Association of Corry Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service

Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of services per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1213, as follows:

An Act making an appropriation to the Williamsport Hospital of the City of Williamsport Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of sixty thousand ($60,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Williamsport Hospital of the City of Williamsport Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1245, as follows:

An Act making an appropriation to the Chester county Hospital West Chester Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby specifically appropriated to the Chester County Hospital West Chester Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1247, as follows:

An Act making an appropriation to the Phoenixville Hospital Phoenixville Pennsylvania Chester County

Section 1 Be it enacted by the Senate and House of Representatives of the Comomnwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-two thousand dollars ($22,000) or so much thereof as may be necessary is hereby specifically appropriated to the Phoenixville Hospital Phoenixville Chester county Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1248, as follows:

An Act making an appropriation to the Homeopathic Hospital West Chester Chester county Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonweatlh of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seventeen thousand dollars ($17,000) or so much thereof as may be necessary is hereby specifically appropriated to the Homeopathic Hospital West Chester Chester county Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1317, as follows:

An Act making an appropriation to the Kensington Hospital for Women of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-two thousand dollars ($22,000) or so much thereof as may be necessary is hereby specifically appropriated to the Kensington Hospital for Women at Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1348, as follows:

An Act providing for the purchase of the copyright and property interest therein of Smull's Legislative Hand Book and Manual providing for the future editing compilation distribution thereof and making an appropriation for such purchase

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Superintendent of Public Printing and Binding or such other officer as may hereafter be charged by law with the editing procurement and compilation of public documents of the Commonwealth with the approval of the Governor is hereby authorized to negotiate for and purchase from the owners thereof any and all copyrights and all rights property and interest which they may have in a publication known as "Smull's Legislative Hand Book and Manual of the State of Pennsylvania" and such copyright rights property and interest therein when so pur- Governor is hereby authorized to negotiate for and purchased shall be legally assigned to the Commonwealth of Pennsylvania

Section 2 That hereafter said "Smull's Legislative Hand Book and Manual of the State of Pennsylvania" shall be edited compiled published and distributed by the officer or officers by law charged with the editing procurement and distribution of public documents and each issue thereof shall be copyrighted by such officer in the name of the Commonwealth

Section 3 That on and after the compilation and publication of said "Smull's Legislative Hand Book and Manual of the State of Pennsylvania" for the year one thousand nine hundred and twenty-three the same shall be issued biennially in odd numbered years following the biennial session of the Legislature

Section 4 For the purpose of making such purpose the sum of Ten thousand dollars ($10,000.00) or so much thereof as may be necessary is hereby specifically appropriated

Section 5 The Act of March first one thousand nine hundred and nine (Pamphlet Laws twelve) entitled "An act fixing the compensation for the compilation of Smull's Legislative Hand Book and making appropriation therefor" and all other acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 950, as follows:

An Act providing for the publication of the estimated cost of all public construction repair or maintenance work exceeding fifteen hundred dollars providing that the proper officers or agents of the Commonwealth and of every county city borough township school district or other political sub-division of the Commonwealth shall keep complete and accurate accounts of the cost of all such work providing for the furnishing of certified copies of such accounts and fixing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where the proper officer or officers (agent or agents) of the Commonwealth or of any county city borough township school district or other political sub-division of the Commonwealth shall determine that any public construction repair or maintenance work is necessary to be performed and may be performed according to law by day labor instead of by contract through competitive bidding an estimate of the cost thereof shall be made by him or them and if such estimate shall exceed the sum of fifteen hundred dollars ($1500) in the aggregate the total amount of such estimate shall be published in a newspaper of general circulation in the county or counties in which the work is to be performed at least fifteen days before proceeding with the work Provided however That in all cases where it is now required that any county city borough township or school district publish such estimate under the provisions of any local law or ordinance no further publication shall be required under the provisions of this section

Section 2 That all such officers or agents of the Commonwealth or of any such political sub-divisions thereof under whose authority such public work is performed shall be required to keep and preserve a complete and accurate record of the cost of such work the said account shall show in all cases where the work is performed by the agents servants or employees of the Commonwealth or of the county city borough township school district or other political sub-division thereof in accurately tabulated form under appropriate heads the totals of all classes kinds and descriptions of work performed and of all materials used in such work and also the total cost of all materials supplies and labor furnished such work together with the cost of all superintendence the cost of engineering and all other expenses involved in the total cost of such public work including a charge for the proportion of the time of regularly employed public officials which may be devoted in any manner to such work in all cases where the work is performed by contract the account shall show the amounts paid the contractor for each class kind or description of work performed and materials furnished

Section 3 The records and accounts required to be kept by the provisions of this act shall be open to the inspection of the public at all reasonable times Certified copies thereof shall be furnished to any citizens of the state upon demand being made and upon payment of a reasonable fee for the transcribing and certifying of the same

Section 4 If any public officer or agent included in this act shall wilfully neglect to keep the records or accounts required to be kept by this act or if any such officer or agent shall wilfully neglect to make any proper entry in the records or accounts required to be kept or if any such public officer shall wilfully in order to circumvent the provisions of this act divide any public work under his control into small units which would be considered economically unsound from an engineering standpoint if the work was performed by contract instead of by the agents servants or employees of the Commonwealth or of any political sub-division thereof the same shall be deemed a misdemeanor in office and in addition to the other penalties for such offences he shall upon conviction thereof be deemed incapable of holding longer his said office

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 952, as follows:

An Act to carry into effect section eleven of article one of the Constitution of the Commonwealth of Pennsylvania by designating the manner the courts and the cases in which suits may be brought against the Commonwealth defining the procedure in such cases and providing for the payment of judgment interest and cost by the Commonwealth

Whereas As section eleven of article one of the Constitution of the Commonwealth of Pennsylvania provides that "Suits may be brought against the Commonwealth in such manner in such courts and in such cases as the legislature may by law direct" and

Whereas The supreme court has declared that special acts of assembly authorizing suits to be brought against the Commonwealth are unconstitutional and

Whereas The Commonwealth has recently by divers acts of assembly and in the exercise of its sovereignty taken over and assumed extensive public works heretofore constructed by counties cities boroughs and townships which municipal districts are and have hitherto been liable upon contracts as well as for negligence and

Whereas Numerous hardships have been inflicted upon citizens of the Commonwealth by reason of their inability to have their claims against the Commonwealth heard and determined

Now Therefore to carry out and provide full force and effect to said provisions of the constitution and to provide a general system for the bringing of suits against the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That suits in assumpsit upon contracts express or implied and suits in trespass for negligence growing out of the construction operation or maintenance of any public work building or highway may be brought against the Commonwealth of Pennsylvania in the court of common pleas in the county in which the seat of government is located and such suits may be prosecuted to final determination subject to appeal in the same manner and within the same limitations as to time as in the case of suits in assumpsit and trespass between individuals nothing contained in this section however shall be construed to repeal or impair the provisions of the Workmen's Compensation acts of one thousand nine hundred and fifteen

Section 2 No action shall be instituted nor cause maintained under the provisions of this act which shall have arisen prior to the date of the approval of this act

Section 3 Process in actions commenced under the provisions of this act shall be served upon the Attorney-General or any of his deputies in the same manner and with like effect as in the case of suits between individuals the Attorney-General or any of his deputies are authorized to accept service of any process in any such suit against the Commonwealth the practice and proceedings shall conform in all respects to the laws of this Commonwealth and the rules of court regulating similar cases between individuals

Section 4 In all suits brought under the provisions of this act it shall be incompetent to maintain as a defense that the Commonwealth is a sovereign power and is immune from liability

Section 5 In all cases where final judgment is obtained against the Commonwealth the record of such judgment shall be certified to the Auditor General who shall thereupon draw his warrant upon the State Treasurer for the payment of such judgment interest and costs all such judgments shall be paid out of the moneys appropriated by the General Assembly from time to time for the payment of such judgments

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1521, (Senate Bill No. 1134), entitled:

An Act to authorize the Department of Forestry to offer and to pay rewards for evidence sufficient to convict anyone maliciously setting forest fire and to authorize paymentof such rewards to Local Forest Fire Wardens under certain conditions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 232.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 11, 1923

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I return herewith, without my approval, House Bill No. 232, entitled "An act to amend chapter eleven, article two, of the act approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty), entitled 'An act concerning townships and revising, amending and consolidating the law relating thereto' ".

The first section is nearly like the present law. The second section is new. It requires owners of land abutting on the highways within townships to cut or mow all small trees (excepting ornamental or fruit trees), brush, briers and weeds from the space lying between the beaten track and the outer edge of the authorized roadway at least once during the months of either June, July and August each year and to remove the debris. Upon failure of the owner to do so, the work is to be done at his expense.

Blackberry, elderberry and hazlenut bushes alongside many country roads, which, in addition to doing no harm, are producers of food. Many small trees are harmless in every way and often ornamental.

If the cutting were required to prevent the spread of harmful species of vegetables, or to protect the roadways, or prevent fire hazard, it would be more defensible. As it is, it compels the overworked farmer at the busiest season to do work for purposes apparently mainly intended to help out the appearance of the highways. He should be allowed to use his own judgment outside of cutting thistles and other harmful weeds which endanger other farm lands.

For these reasons the Bill is not approved.

GIFFORD PINCHOT.

And the question being,

Shall the bill become a law, the objections of His Excellency the Governor to the contrary notwithstanding?

A motion was made by Mr. WALKER.

That the question, together with the further consideration of the communication, be laid upon the table.

Which was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 606.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 10, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I return herewith, without my approval, House Bill No. 606, entitled "An act to further amend an act, approved the third day of June, one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and thirty), entitled 'An act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of assembly where such bridges have been destroyed by flood, fire or other casualty; providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges'; providing for the rebuilding of decayed and unsafe bridges and certain bridges on State highways".

The Act of June 3, 1895, as amended by the Act of April 21, 1903, which this Bill amends, requires the Commonwealth to rebuild all county bridges across navigable rivers and such other streams as have declared to be public highways where any such bridge is carried away or destroyed by flood or wind storm.

This Bill extends the obligation of the Commonwealth in the matter or rebuilding bridges in two particulars:

1. The number of bridges which the Commonwealth would be required to rebuild is increased by adding all bridges not exceeding 500 feet in length on or connecting portions of any State highway which are over navigable rivers and such other streams as have been declared public highways.

2. By increasing the causes for which the Commonwealth would be required to repair such bridges to include all those that become so decayed or unsafe as to require rebuilding.

This means a very greatly increased liability of the State for the rebuilding of bridges. At the present time the State is not responsible for the rebuilding of any county bridge except such as are destroyed by flood or wind storm nor is the State responsible for the rebuilding of any bridge other than a county bridge which is destroyed by flood or wind storm. The State Highway Department advises that there are 1,655 county bridges on State highways, which would equal approximately 140,000 feet or 27 miles of bridge. It is safe to say that one-half of these bridges are over streams that are navigable or have been declared public highways by act of Assembly. This Bill would then add at least 13½ miles of bridge, for the repair of which the State would become liable, not only when they are destroyed by flood or wind storm, but whenever they become decayed or unsafe so as to require rebuilding. The Highway Department estimates the cost of this work for the first year at $4,800,000.

In addition thereto it would place the same responsibility upon the State for rebuilding all bridges that are not county bridges, and which do not exceed 500 feet in length and connect portions of any State highway, and which are erected over navigable rivers or streams declared public highways by act of Assembly. The State Highway Department estimates that this latter class would be six times as great as the former.

This would be a liability which the Commonwealth in the present state of its finances can not undertake.

The sponsor of this Bill presented, and the House passed, a Resolution to recall for the purpose of amendment, in which Resolution the Senate failed to concur, and the time limit being about to expire on the Bill, it is necessary that action be taken.

For these reasons the Bill is not approved.

GIFFORD PINCHOT.

And the question being,

Shall the bill become a law the objections of His Excellency the Governor to the contrary notwithstanding?

A motion was made by Mr. GELDER.

That the question, together with the further consideration of the communication, be laid upon the table.

Which was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 617.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 11, 1923

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I return herewith, without my approval, House Bill No. 617, entitled "An Act to amend clauses (b) and (c) of section fifty-six of an act approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws four hundred and forty-seven) entitled 'An Act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians and trustees herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents, widow's and children's exemptions, debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor and the discharge of real estate from the lien thereof, contracts of decedents for the sale or purchase of real estate, legacies, including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions and the substitution of executors and administrators therein, and suits against fiduciaries, investments by fiduciaries, the organization of corporations to carry on the business of decedents, the audit and review of accounts of fiduciaries, refunding bonds, transcripts to the court of common pleas of balances due by fiduciaries the rights, powers and liabilities of nonresident and foreign fiduciaries, the appointment, bonds, rights, powers, duties and liabilities of trustees durante absentia, the recording and registration of decrees, reports and other proceedings, and the fees therefor, appeals in certain cases and also generally dealing with the jurisdiction, powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents', so as to permit the orphans' court in its discretion to permit a corporation appointed as trustee in the place of an executor or executors, trustee or trustees dying, renouncing, dismissed or refusing to act to give its own bond without surety."

The Commissioner of Banking and also the Department of the Attorney General feel that this Bill ought to be vetoed for the following reasons:

1. It provides broadly that any corporation, whether in Pennsylvania or not, authorized by its charter, or by law, to act in a fiduciary capacity need not give any security except its own bond.

2. The National Banks which have fiduciary powers are under surveillance of the Federal Banking authorities, and according to law, may now give their own bonds without further security. Our citizens are protected by the diligence and good faith of the Federal Banking authorities.

3. Our State created banks and trust companies may under present law give their own bonds without security and the protection of our citizens comes from the diligence and good faith of our Banking Department.

4. If any other corporations besides those mentioned above either are (or should become) by their charters or by law empowered to act in a fiduciary capacity they would by this amendment be allowed to give their own bonds without security.

In the last mentioned case there is no responsible Governmental officer or body to discover when corporations, other than banks and trust companies are insolvent or are in danger of becoming so.

I am not willing that the citizens of the State should be exposed to any danger or loss through the insolvency of a fiduciary corporation, neither can I see any reason for passing this Bill since all our banks which have fiduciary powers and our trust companies are already allowed to give their own bond without further security.

For these reasons the Bill is not approved.

GIFFORD PINCHOT.

And the question being,

Shall the bill become a law, the objections of His Excellency the Governor to the contrary notwithstanding?

A motion was made by Mr. CRAIG,

That the question, together with the further consideration of the communication, be laid upon the table.

Which was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL NO. 389.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 7, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I return herewith, without approval, House Bill No: 389, entitled "An act to amend chapter six, article twenty, section three, of an act, approved the fourteenth day of May, one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve), entitled 'An act providing a system of government for boroughs and revising, amending and consolidating the law relating to boroughs' ".

The section of the above Act which this Bill amends provides that boroughs may license foreign dealers in merchandise, or their agents, temporarily engaged in selling merchandise therein, but that such license fee shall not exceed the amount imposed on resident merchants engaged in like business.

This amendment divides such foreign dealers and their agents into two classes:

(a) Those having no permanent place of business within the State.

(b) Those having a permanent place of business in the State but outside the borough granting the license.

It then provides that the license fee required to be paid by those who come within Class (b) shall not exceed the amount imposed upon resident merchants engaged in like business.

The clear purpose of the act is to permit a borough to charge a greater license fee to residents of other States than to those of this State, where otherwise both belong to the same class.

If this Act levied a greater license fee on a foreign dealer than on a domestic dealer within the same class, or if an ordinance were passed doing so, the Act and ordinance would be unconstitutional, as violating Section 2 of Article IV of the United States Constitution, which provides that "The citizens of each State shall be entitled to all privileges and Immunities of Citizens in the several States", and also of the Fourteenth Amendment to the same Constitution, which provides, inter alia, that "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States".

If an ordinance passed pursuant to the express authority of an Act of Assembly would be unconstitutional, then the Act, in so far as it authorizes such an ordinance, is unconstitutional.

If this Bill had any purpose in addition to the above, it might be saved for that purpose, but it does not have.

It may be said that the borough need not, under this Bill, discriminate between the foreign and domestic dealer, but that would be a refinement that can not avail here. The only additional authority this Bill gives over the present Act would be unconstitutional if exercised.

For these reasons the Bill is not approved.

GIFFORD PINCHOT.

And the question being,

Shall the bill become a law, the objections of His Excellency the Governor to the contrary notwithstanding?

A motion was made by Mr. DAVID J. JONES.

That the question with the further consideration of the communication, be laid upon the table.

Which was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 1007.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 10, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I return herewith, without my approval, House Bill No. 1007, entitled "An act to amend an act, approved the first day of June, one thousand nine hundred and fifteen (Pamphlet Laws six hundred and sixty-one), entitled "An act relating to the maintenance of insane, feeble-minded and other persons confined in the various institutions of the Commonwealth, fixing liability for their support, providing for the collection of the moneys due the Commonwealth thereof, and for proceedings relating thereto' ".

This Bill was drawn apparently to help counties and poor districts to obtain their pro rata share of any insufficient estate of the inmate of a State-owned home, hospital, asylum or other institution for a longer time than has heretofore been legal under the six-year statute of limitations. Under the law no limitation affects the rights of the Commonwealth to recover all cost of maintenance of such inmates for any length of time in the past.

The Bill falls far short of its intended purpose because it does not change the statute of limitations or in any way make it legal for the county or poor district to collect more than six years back maintenance charges.

If a distributor of the estate of such an inmate liable for maintenance charges did his duty under the old law or under this Bill if it became a law, he would consider the claim of the county or poor district to be limited to six years, and the claim of the State to cover the entire period of the maintenance of the inmate, no matter how many years.

and thus under either the old law or this Bill he would distribute in exactly the same manner, thus bringing it to pass that in the absence of ignorance on the part of the distributor this Bill would be of no help to the county or poor district.

If, however, the distributor were ignorant of the statute of limitations, he would proportion the funds of an insufficient estate between the Commonwealth and the county or poor district at variance with the legal rights of the two claimants.

This Bill does nothing but forbid the State (presumably the representative of the State) to remind the distributor of the legal status of the claimants. The injustice of this prohibition against informing the distributor of the legal right of the Commonwealth is even greater because it requires the person obligated to support the rights of the State to stand by and see them ignored.

Further, the prohibition is ineffective in case the representative of the State should choose to inform the distributor of the legal status of the claimants with regard to the statute of limitations. Such a disclosure on his part made frankly or indirectly would be contrary to the behest of this Bill, but it would not be punishable by any provision of the Bill.

Therefore, feeling that this would be a bad law in principle, and that if the counties or poor districts should be made free from the statute of limitations, a clear and decisive act should be passed for that purpose, I do not believe that this Bill should become a law.

For these reasons the Bill is not approved.

GIFFORD PINCHOT.

And the question being,

Shall the bill become a law, the objections of His Excellency the Governor to the contrary notwithstanding?

A motion was made by Mr. JOHN G. MARSHALL,

That the question, together with the further consideration of the communication, be laid upon the table.

Which was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE BILL No. 1078.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 10, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I return herewith, without my approval, House Bill No. 1078, entitled "An act to amend section twelve of the act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and thirty-nine) entitled 'An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith' providing for re-hearings in cases where licenses have been suspended or revoked and for the reinstatement of licensees in certain cases".

This Bill is intended to permit the reinstatement of the right to practice medicine to those whose license has been revoked or suspended. After providing for a hearing in the nature of an appeal from any former action it provides that upon such rehearing a hearing de novo shall be held, and then it proceeds to permit a modification of the action at the first hearing without any further hearing. The procedure is evidently confused. In addition to this the Bill also makes it mandatory upon the Bureau of Medical Education and Licensure that it reinstate a licensee whose license has been revoked or suspended and who shall show conclusively that for a period of five years he has discontinued the habit or practices which caused the suspension or revocation of his license. This would obviously not be a wise provision. The offender might still be imprisoned for the offense for which his license was revoked or suspended and yet the Bureau would be bound to reinstate him.

For these reasons the Bill is not approved.

GIFFORD PINCHOT.

And the question being,

Shall the bill become a law, the objections of His Excellency the Governor to the contrary notwithstanding?

A motion was made by Mr. STEEDLE,

That the question, together with the further consideration of the communication, be laid upon the table.

Which was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 10, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor House Bill No. 162, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE.

Mr. JOHN G. MARSHALL. Mr. Speaker, I move that the vote by which House Bill No. 162, passed finally be reconsidered.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. JOHN G. MARSHALL. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. JOHN G. MARSHALL. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend the bill, page 2, line 23, by striking out the words "Such cost"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 10, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor House Bill No. 227, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE.

Mr. GIBBON. Mr. Speaker, I move that the vote by which House Bill No. 227, passed finally be reconsidered.

Mr. MILLER. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. GIBBON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. MILLER. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. GIBBON. Mr. Speaker, I ask animous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title, page 1, line 5, by inserting after the word "hundred" the word "and"

Amend section 1, page 2, line 2, by inserting after the word "hundred" the word "and"

Amend section 5, page 5, line 4, by inserting after the word "hundred" the word "and"

Amend section 5, page 5, line 7, by striking out the word (direction) and inserting in lieu thereof the word "directions"

Amend section 5, page 5, line 7, by striking out the word (and)

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 10, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor House Bill No. 540, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE.

Mr. GIBBON. Mr. Speaker, I move that the vote by which House Bill No. 540, passed finally be reconsidered.

Mr. MILLER. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. GIBBON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. MILLER. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. GIBBON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title on page 1, line 3, by striking out the words (knowingly having) and inserting in lieu thereof the words "taking possession of"

Amend title, page 1, line 4, by striking out the words (in the possession) and inserting in lieu thereof the following: "with the knowledge of such concealment, change or destruction"

Amend Section 1, page 1, line 10 by striking out the words (Knowingly have) and inserting in lieu thereof the word "take"

Amend Section 1, page 2, line 3, by adding after the word "apparatus" the words "knowing at the time of taking possession of such removal, alteration, defacement, covering or destruction"

Amend Section 1, page 2, line 7, by adding at the end thereof the following: "Provided that this act shall not operate to repeal or affect any law relating to motor vehicles."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 920.

An Act to amend Section one of the act approved the fourteenth day of April one thousand nine hundred and five (Pamphlet Laws one hundred and sixty-nine) entitled "An act making it unlawful to trespass upon land posted as private property and providing the penalty therefor"

with the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 9, after the word "land," by striking out "aputenant," and inserting in lieu thereof the word "appurtenant."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202.

Albert,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Baker,
Baldi,
Beaver,
Behney,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.
Smith, H. J.
Smith, H.
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affimative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 906.

An Act to amend section twenty-one of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws four hundred and eighty-three) entitled "An act relating to practice in the courts of common pleas in actions of assumpsit and trespass except actions for libel and slander prescribing the pleadings and procedure to be observed therein and giving the courts power to enforce its provisions" by requiring objections to th form of any pleadings to be filed and served upon the opposite party within ten days after the service of such objecttionable pleading.

with the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, after the word "within", by striking out the word "ten" and inserting in lieu thereof the word "fifteen."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon.
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar.
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey.
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener.
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Whitehouse,
Whiteman.
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 975.

An Act to amend section six as amended and section eight of the act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and sixty-five) entitled "An act defining commodities regulating the sale thereof and providing penalties for violations hereof" changing the legal weight of certain commodities and providing for the disposition of certain fines

with the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 7, line 12, after the word "Onions" by striking out the following: "(fifty) fifty-seven pounds," and inserting in lieu thereof the word "fifty."

Amend section 2, page 9, line 23, after the word "act," by striking out the following: "shall be for the use of and."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—202.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley;
Brown,
Brownmiller,
Burchinal,
Burns,
Bush.
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig.
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahoe,
Driggs,
Drinkhouse,
Dunn,
Earley,
Eaches,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haines,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure.
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller.
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Ogle,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz.
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wells,
Wettach.
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,

Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED SENATE BILL NONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has noncurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 435.

An Act to further amend section three hundred eighty-six clause four of the act approved the fourteenth day of July one thousand nine hundred seventeen (Pamphlet Laws eight hundred forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto"

Mr. GELDER. Mr. Speaker, on behalf of the Roads Committee, I move that the House insist upon its amendments non-concurred in by the Senate.

Mr. WELLS. Mr. Speaker, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION RELATIVE TO JOINT SESSION.

Mr. KELLY offered the following resolution, which was twice read, considered and adopted.

In the House of Representatives May 15th, 1923.

Whereas, This is the day fixed by the concurrent resolution for the convening of the joint session in the Hall of the House, at One O'Clock P. M.

Therefore, Be it Resolved, that the Speaker appoint three Members of the House to wait upon the Senate and escort them to the Hall of the House for the said joint meeting.

APPOINTMENT OF COMMITTEE.

The SPEAKER. The chair appoints as such committee the gentleman from Allegheny, Mr. Kelly; the gentleman from Armstrong, Mr. Armstrong; and the gentleman from Clearfield, Mr. Charles B. Jones.

BILLS ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. JEFFERSON W. SMITH.

The House resumed the consideration on third reading of House Bill No. 345, entitled:

An act Imposing a State license tax upon public slot machines used for vending weighing telephon or other service amusement entertainment or any other purpose imposing certain powers and duties upon the Auditor General prescribing penalties for the violation fo the provisions of this act and providing for the confiscation of certain machines

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JEFFERSON W. SMITH. Mr. Speaker this bill is part of the laborious work of the Ways and Means Committee which has been working for the last four months, but unfortunately the greater portion of the structure which was erected by that Committee was wiped away by the cyclone that hit the House last night, but it did leave the foundation of that house in this bill, which was the first bill reported by the Ways and Means Committee for the purpose of raising some revenue for the state of Pennsylvania. Now this bill provides for what? It merely states that public slot machines of which there are many hundreds of thousands in the state of Pennsylvania, shall be taxed. Probably not one-fifth of the inventors of these machines are residents of the state of Pennsylvania and most of the agents are residents of other states. In many of the states of the union slot machines for commodities and amusements are licensed. This bill simply licenses those machines in this state. The collection of the license fees will not cost the state a very large amount of money because it provides that the licenses shall be issued by the Auditor General. We are all aware that in public places there are weighing machines, candy machines, and numerous machines, and the owners of these machines derive all the profit from the dimes and pennies gathered from the general public and they pay no license to the state for the permission of exposing them to the public. I believe without exaggeration that if this bill were enacted into law that the revenues derived biennually from public slot machines scattered throughout the state of Pennsylvania would amount to in the neighborhood of one million dollars, and as it is clearly evidenced that this is the last bill that will appear from the Ways and Means Committee, I think this bill should pass. The public will not be directly taxed by it and the only people to be taxed are those who profit by the exposure of these machines in public places. I believe that should be taken into consideration by the members of this House. This bill calls for a license fee of $1.00 for every automatic machine from 1c to 5c, and a fee of $2.00 for every machine from 5¢ upwards. I believe this is a just tax inasmuch as the profits derived from these slot machines run as high as fifty, seventy-five and one hundred percent. As I said before, I hope the House will consider this bill in the manner in which I have offered it.

Mr. CHAPLIN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Jefferson W. Smith, permit himself to be interrogated?

Mr. JEFFERSON W. SMITH. Yes, Mr. Speaker.

Mr. CHAPLIN. Section 2 of this bill provides as follows:

Section 2 An annual State license tax is hereby imposed upon all public slot machines except such as are maintained without profit to the owner lessee or possessor thereof as follows (a) On all public slot machines in which coins of the denomination of one cent or of five cents or both can be dropped or inserted the sum of one dollar (b) On all public slot machines in which coins of the denomination of five cents and over can be dropped or inserted or in which only coins of a denomination greater than five cents can be dropped or inserted the sum of two dollars

Will that apply to street cars, in the case where a passenger gets on a street car and puts the fare in the box?

Mr. JEFFERSON W. SMITH. Not at all.

Mr. STOFFLET. Mr. Speaker, I have an interest in this bill to this extent: The Dixie drinking cup is manufactured in my own town. That concern employs 400 girls and 80 men. They have one of the finest manufacturing plants in the country. They came there about 4 years ago and during the war years they were fairly prosperous but at the present time those two boys are skating on thin ice, and if this bill passes it will mean $15,000 a year to them in the state of Pennsylvania alone. If another state passes a similar bill it will break that concern. I wanted the sponsor of this bill to amend it by cutting out the towel machine and the drinking cup. These two things are public utilities, practically demanded by the State Board of Health, and there is no reason why they should be included in this measure. I am not opposed to placing a license or tax on weighing machines and other non-essentials, but I do not think this House should pass this bill. I do not mean to say that the manufacturers of the Dixie Drinking Cup and towels are philanthropists. They are in business for profit, but at the same time they have to do with sanitary conditions in the state, and I think this measure should be defeated.

Mr. JEFFERSON W. SMITH. Mr. Speaker, in reply to my good friend and colleague from Northampton, I wish to state that with relation to the Dixie Cup, those machines are placed out in the rotunda and at other public places, and it is necessary to insert a penny to get a cup. It was my good fortune this morning to inquire from the Superintendent of Public Grounds as to the revenue the state got from the Dixie cup machine, and he told me that there was 33 1-3 percent profit on them. The state owns these machines and the state buys the cups. In a great many other places throughout the state they are making a like profit of 33 1-3 percent out of these drinking cup machines.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—67.

Alexander,
Aston,
Baldi,
Beaver,
Bell, F. A.,
Bentley,
Bidelspacher,
Blair,
Bluett,
Bromley,
Brown,
Conner,
Craig,
de Young,
Dilsheimer,
Drinkhouse,
Earley,
Edmonds,
Gallaher,
Gibbon,
Glasgow,
Goehring,
Golder,
Goss.
Griffith,
Grimes,
Hall,
Harer,
Haslett,
Haws,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hoover,
Horne,
Irvin,
Jones, D. J.,
Lynch,
MacKinney,
Marcus, J.,
Marcus, J. C.,
McKim,
McVicar,
Metcalf,
Moffatt,
Parkinson,
Raymond,
Sample.
Smith, J. W.,
Spangler,
Speiser,
Stark,
Storer,
Thomas, M. G.,
Thompson,
Van Alen,
Walker,
Wells,
Whitehouse;
Whiteman,
Williams, G. W.
Williams, J. M.
Woner,
Wood, W. P.,
Goodnough,
Speaker.

NAYS—104.

Albert,
Allman,
Arthur,
Blumberg,
Boback,
Brenneman,
Brewster,
Brownmiller,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Diehm,
Dietz,
Driggs,
Eaches.
Eshelman,
Evans, B. P.,
Fields,
Flinchbaugh,
Fowler, D.,
Fratt,
Frazier,
Gelder,
Gilchrist,
Gorham.
Greeby,
Gundy,
Haas,
Harter,
Heffernan,
Heffran,
Himes,
Hontz,
Howell,
Johnson,
Jones, E. P.,
Keene,
Kennedy.
Kunkle,
Labar,
Lauver,
Long,
Lucas,
Ludlow,
Mack,
Mangan,
Marcus, J.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
Millar,
Miller,
Minehart,
Moore,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Peelor,
Pitts,
Posey,
Post,
Price,
Rhodes,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Soffel,
Sowers,
Staudenmeier,
Stavitski.
Steedle,
Sterling,
Stevens, A. J.,
Stofflet,
Storb,
Thomas, L. D.,
Vickerman,
Wettach,
Wheeler,
Wood, N.,
Wright,
Zook,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The bill having been caled up from the postponed calendar by Mr. MOFFATT,

The House resumed the consideration on third reading of House Bill No. 819, entitled:

An Act to amend section six of the act approved the third day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred and thirty-eight) entitled "An act relating to the appointment of persons to the fire department in cities of the third class constituting a civil service board in relation thereto providing for and regulating examinations the manner of appointments and the manner and power or removal of employes of said department and providing a method for fixing compensation of a secretary"

On the question,

Will the House agree to the bill on third reading?

Mr. MOFFATT. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, page 2, line 16, by inserting after the word "fined" the word "or"

Amend section 1, page 2, line 19, by inserting after the word "them" the following: "Provided however, That said superintendent of said department may for misconduct or violation as aforesaid suspend any employee of said fire department for a period of ten days with or without pay without preferring charges and without a hearing of council and"

Amend section 1, page 2, line 19, by inserting after the word "Provided" the word "further"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

APPOINTMENT OF MEMORIAL COMMITTEE.

Mr. HEYBURN. Mr. Speaker, in pursuance of the memorial resolution adopted by this House, I move that a committee of five members of the House be appointed by the Speaker.

Mr. ALEXANDER. Mr. Speaker, I second the motion.

The motion was agreed to.

The SPEAKER. The Chair appoints as such committee the gentleman from Delaware, Mr. Heyburn; the gentleman from Chester, Mr. Long; the gentleman from Cambria, Mr. Horne; the gentleman from Philadelphia, Mr. Golder; and the gentleman from Westmoreland, Mr. Whiteman.

SENATE RECEIVED BY HOUSE TO MEET IN JOINT SESSION.

The Sergeant at arms announced the return to the Hall of the House of the Committee appointed on the part of the House to escort the members of the Senate to the Hall of the House.

Mr. KELLY. Mr. Speaker, your committee appointed to escort the Senate to the Hall of the House has performed that duty and presents to you the honorable body of the Senate.

The SPEAKER. The Committee is discharged with thanks. The Senators wil be seated. The President of the Senate is invited to preside over the joint session, and the President pro tempore is invited to a seat at the desk.

JOINT SESSION.

LIEUTENANT GOVERNOR DAVID J. DAVIS presiding.

LIEUTENANT GOVERNOR DAVIS. The Assembly will be in order.

Mr. WOODWARD offered the following resolution, which was twice read, considered and adopted.

Resolved, That in accordance with the provisions of section two of the act approved the seventh day of May, one thousand nine hundred and twenty-three, entitled "An Act creating a Legislative Reference Bureau, providing for the election of a Director by the General Assembly, designating the officers and employees of such Bureau, defining their duties, fixing their salaries, abolishing the present Legislative Reference Bureau and making an appropriation," the Senate and House of Representatives in joint convention assembled elect James N. Moore as Director of the Legislative Reference Bureau.

OATH OF OFFICE ADMINISTERED TO MR. JAMES N. MOORE.

At the request of the President Mr. James N. Moore, the duly elected Director of the Legislative Reference Bureau, presented himself at the bar of the House and the oath of office, as required by law, was administered to him by the President.

LIEUTENANT GOVERNOR DAVIS. The duly elected Director has presented the following, which will be read by the Clerk:

Mr. President and Members of the General Assembly: On behalf of myself, Mr. Fertig and the employees of the Bureau, I desire to thank each one of you for passing the bill requested and sponsored by Senator Woodward, and for the honor which you have conferred upon me in my election as Director of the Legislative Reference Bureau, which now, for the first time, becomes solely a unit of the Legislative Branch of the State Government. I wish to assure the Members of the General Assembly that the Bureau will continue to function as efficiently as heretofore, and in addition to its legislative service, will gladly render such assistance to the Executive and other Departments as provided for in said act.

In accordance with the Act of Assembly approved the seventh day of May, one thousand nine hundred and twenty-three, I desire to announce that I have reappointed the present staff in the Bureau, namely:

Assistant Director, John H. Fertig, Pottsville, Schuylkill County.
Chief Compiler, S. Edward Hannestad, Millersburg, Dauphin County.
Compiler and Bill Drafter, Robert S. Frey, York, York County.
Compiler and Bill Reading Clerk, Burt R. Glidden, Lancaster, Lancaster County.
Messenger & File Clerk, William J. Marks, Harrisburg, Dauphin County.
Chief Clerk, E. Grace Crownshield, Harrisburg, Dauphin County.
Reference Librarian, Irma A. Watts, Harrisburg, Dauphin County.
Stenographer, May B. Richter, Dauphin County.
Stenographer, Helen R. Ard, Harrisburg, Dauphin County.
Stenographer, Anna M. Aikens, Perry County.

There is a vacancy in the position of Search Clerk, due to the death of Carrison C. Breisch, during this present session. Owing to the reduction of three thousand dollars in the appropriation for the next fiscal biennium, which reduction was requested to be in accord with the policy of the Executive, this position can not be filled until the beginning of the fiscal year 1924-25.

There remain in addition on the pay roll of the Bureau the following temporary session appointees:

Assistant Bill Book Clerk, George Runkel, Jr., Harrisburg, Dauphin County.
Stenographer, Jane Houston, Carlisle, Cumberland County.

These positions will cease between this date and the end of the session.

The Director acknowledges his indebtedness to Mr. S. Edward Moore, who has furnished to the Bureau the record of House actions required to keep the House Bill Book of the Bureau properly posted.

ADJOURNMENT OF JOINT SESSION.

Mr. VARE. Mr. President, I move that the joint session do now adjourn.

Mr. LESLIE. Mr. President, I second the motion.

The motion was agreed to.

LIEUTENANT GOVERNOR DAVIS. The Senators will proceed to the Senate chamber to continue the business of the calendar.

SPEAKER C. J. GOODNOUGH IN THE CHAIR.

BILL ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. JOSEPH MARCUS.

The House resumed the consideration on final passage of House Bill No. 1149 (Senate Bill No. 346), entitled:

An Act authorizing the sheriffs of the several counties of this Commonwealth to organize themselves into a State Association for the purpose of holding annual meetings to secure more uniformity and co-operation in the conduct of their offices and providing for the payment of certain expenses in connection with such meetings by the various counties

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. JOSPH MARCUS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. SOWERS. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. JOSEPH MARCUS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information

The Clerk then read the amendments as follows:

Amend section 2, page 2, line 8, by inserting after the word "Association" the following: "but not in excess of fifty dollars in any one year".

Amend section 2, page 2, line 11, by striking out the word "four" and inserting in lieu thereof "three"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. JOSEPH C. MARCUS.

The House resumed the consideration on third reading of House Bill No. 992 entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania by adding thereto section thirty-five

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—126.

Armstrong,
Arthur,
Beaver,
Bell, F. A.,
Bentley,
Blair,
Bluett,
Blumberg,
Brenneman,
Brown,
Brownmiller,
Burns,
Bush,
Chaplin,
Coldsmith,
Colville,
Conner,
Coyne,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Dunn,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Fowler, D.,
Fratt,
Gelder,
Glasgow,
Golder,
Gorham,
Goss,
Greeby,
Grimes,
Guerin,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Himes,
Holcombe,
Horne,
Howell,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kunkle,
Lucas,
Ludlow,
Mack,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Mathay,
McBride,
McCann,
McCaig,
McDermott,
McGowan,
McKim,
McVicar,
Minehart,
Moffatt,
Moore,
Nolte,
Peelor,
Pitts,
Posey,
Post,
Price,
Raymond,
Rippman,
Sau[illegible]e
Schaeffer,
Schoener,
Schwartz,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Speiser,
Sowers,
Stark,
Stavitski,
Steedle,
Stofflet,
Stoner,
Storb,
Sterer,
Thomas, L. D.,
Thompson,
Van Alen,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—18.

Alexander,
Aston,
Brewster,
Craig,
Gallaher,
Gibbon,
Gilchrist,
Griffith,
Gundy,
Heyburn,
Hollis,
Hoover,
Irvin,
Metcalf,
Miller,
Ogle,
Rinn,
Sample,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 234.

Mr. WHITEMAN called up the report of the Committee of Conference on House Bill No. 234.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 234.

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania:

Gentlemen: The Committee of Conference to which was referred the differences existing between the two houses on House bill No. 234, entitled "An Act concerning game and other wild birds and wild animals, and amending, revising, consolidating and changing the law relating thereto," respectfully beg leave to submit the following amended bill as our report.

J. O. CLARK,
R. S. QUIGLEY,
CLARENCE J. BUCKMAN,
Committee on the part of the Senate.
THOS. M. WHITEMAN,
PARIS E. EACHES,
GROVER C. MEYERS,
Committee on the part of the House of Representatives.

An Act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto

CONTENTS

			Sections
Article	I	Preliminary Provisions	101-104
Article	II	Board of Game Commissioners, Executive Secretary	201-213
Article	III	Hunting Licenses	301-316
Article	IV	Special Licenses	401-412
Article	V	Hunting Seasons, Bag Limits .	501-512
Article	VI	Fur-bearing Animals	601-607
Article	VII	General Hunting Regulations, Protected Birds	701-725
Article	VIII	State Game Lands, Hunting Grounds and Game Refuges ..	801-842
Article	IX	Unnaturalized Foreign-born Residents	901-905
Article	X	Bounties	1001-1004
Article	XI	Enforcement of Act, Procedure, Penalties	1101-1116
Article	XII	Game Fund	1201-1202
Article	XIII	Acts of Assembly Repealed, Saving Clause	1301-1302

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the laws relating to game and other wild birds and wild animals are amended revised consolidated and changed as hereinafter provided

ARTICLE 1

PRELIMINARY PROVISIONS

Section 101 DEFINITIONS Whenever used in this act unless a contrary intention is evident from the context word "person" shall include individuals copartnerships associations and corporations the singular shall include the plural and the masculine the feminine and neuter

The word "Board" shall mean the Board of Game Commissioners

The word "Secretary" shall mean the Executive Secretary of the Board of Game Commissioners

The term "game-birds" shall include (a) the anatidae commonly known as swan geese brant and river and sea ducks and (b) the pygopodes commonly known as loons and grebes (the members of these two orders being commonly known as wild water-fowl) (c) the rallidae commonly known as rails coots mudhens and gallinules (d) the limicolae commonly known as shore-birds plover surfbirds snipes woodcock sandpipers tattlers and curlew (e) the gallinae commonly known as wild-turkey grouse pheasants partridges and quail and (f) the birds commonly known as reed-birds and black birds

The term "game animals" shall include (a) the wapiti or elk (b) the deer (c) the bear (d) the wild rabbit and hare (e) the red gray black and fox squirrel and (f) the raccoon

The word "game" shall include "game-animals" and "game-birds"

The term "fur-bearing animals" shall include (a) the mink (b) the muskrat (c) the opossum (d) the otter (e) the raccoon (f) the skunk commonly called the polecat and (g) the beaver

The word "vermin" shall include all wild animals not classed as game animals or fur-bearing animals and all wild birds other than game birds and protected birds

The term "unprotected birds" shall include (a) the blue jay (b) the English sparrow (c) the European starling (d) the kingfisher (e) the buzzard (f) the goshawk (g) the sharpshinned hawk (h) the Cooper's hawk (i) the red-tailed hawk (j) the red-shouldered hawk (k) the broad-winged hawk (l) the marsh hawk (m) the rough-legged hawk (n) the duck-hawk (o) the pigeon hawk (p) the barred owl (q) the great gray owl (r) the great-horned owl (s) the snowy owl (t) the hawk owl and (u) the crow

The term "protected birds" shall include all wild birds not included within the terms "game birds" and "unprotected birds"

The term "wild birds" includes all birds other than domestic birds

The term "open season" shall mean the time during which game or fur-bearing animals may be legally taken or killed and shall include both the first and the last day of the season or period designated by this act

The term "close season" shall mean the time during which game or fur-bearing animals may not be legally taken or killed and includes all periods of time not included within the open season

Section 102 SHORT TITLE This act shall be known and may be cited as "The Game Law"

Section 103 EFFECT OF ACT ON EXISTING LAWS The provisions of this act so far as they are the same as those of existing laws shall be construed as a continuation of such laws and not as new enactments The repeal by this act of any provision of law shall not revive any law heretofore repealed or superseded nor shall such repeal affect any act done liability incurred or any right accrued or vested or affect abate or prevent any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws

Section 104 CONSTITUTIONALITY The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not effect the validity of the remaining provisions of this act It is hereby declared as a legislative intent that this act would have been adopted by the General Assembly had such unconstitutional provisions not been included therein

ARTICLE II

BOARD OF GAME COMMISSIONERS

Section 201 APPOINTMENT OF BOARD OF GAME COMMISSIONERS The Governor with the advice and consent of the Senate shall appoint six competent citizens of this State to be and act as a Board of Game Commissioners no two of whom shall be from the same Senatorial district The members of the Board shall hold office for the term of six years and shall receive no compensation for their services

Section 202 PRESENT BOARD CONTINUED The game commissioners in office at the date of the approval of this act shall until the expiration of their respective terms of office or until their successors are appointed hold their positions on the Board created by this act subject to removal by the Governor Of the first members of the Board of Game Commissioners appointed under the provisions of this Act two members shall be appointed for terms expiring the third Tuesday of January one thousand nine hundred and twenty-nine two members for terms expiring the third Tuesday of January one thousand nine hundred and twenty-seven and two members for terms expiring the third Tuesday of January one thousand nine hundred and twenty-five Thereafter such appointments of members shall be for terms of six years

SECTION 203 VACANCIES BY DEATH RESIGNATION OR REMOVAL Upon the death resignation or removal from office of any persons so appointed as aforesaid the Governor shall appoint a competent person to serve for the unexpired term

Section 204 MEETINGS OF BOARD ELECTION OF OFFICERS The Board shall have an office at the Capitol and shall hold meetings at such office on the first Thursday of January and July and at such other times and places within the State as the Board shall appoint for the transaction of business At the meeting held on the first Thursday of January of each year the Board shall elect one of its members as president and one of its members as vice-president Such officers shall hold office for a period of one year

Section 205 EXECUTIVE SECRETARY DUTIES AND POWERS The Board shall select a competent person to be known as the Executive Secretary who shall be their chief administrative officer and have charge of all activities under the jurisdiction of the Board He shall remain such during the pleasure of the Board and shall take the oath of office prescribed by the Constitution and file the same with the Secretary of the Commonwealth The Executive Secretary shall be the Chief Game Protector and shall have charge of direct supervise and control all other Game Protectors and employees of the Board The compensation of the Executive Secretary unless fixed by statute shall be fixed by the Board The Executive Secretary shall give bond to the Commonwealth in the sum of forty thousand dollars conditioned for the faithful performance of the duties of his office

The Executive Secretary shall occupy as his permanent headquarters the rooms assigned to the Board and shall be supplied from time to time by the Board of Public Grounds and Buildings such furniture equipment and office supplies as may be necessary for the use of the Board

The Executive Secretary shall have authority to have printed the biennial report of the Board and such bulletins literature posters and other printing as may be necessary to the work of the Board

Section 206 GAME PROTECTORS AND EMPLOYEES The Board shall appoint such number of competent men as in their opinion may be needed not exceeding the number approved by the Governor which number however shall not be less than eighty to discharge properly the duties devolving upon said Board whose powers and duties are hereinafter defined and who shall be known as Game Protectors Such number shall include men appointed Game Protectors and detailed to such administrative or office duty as in the opinion of the Board may be advisable The Board shall also appoint such employees and stenographers as may be deemed necessary The compensation and duties of such Game Protectors employees and stenographers unless fixed by statute shall be fixed by the Board All Game Protectors shall give bond in the amount of five hundred dollars unless a larger amount is required by the Board

Section 207 DEPUTY GAME PROTECTORS The Board may appoint competent men throughout the Commonwealth to be known as Deputy Game Protectors in such number as may be agreed upon with the Governor who shall possess the rights and powers given by law to game protectors and be subject to all requirements and regulations either of the law or of rules of the Board controlling the action of such game protectors Such Deputy Game Protectors shall not be entitled to recompense from either the county or Commonwealth for services rendered or expenses incurred in the performance of their duties unless specifically employed for special duties by written order of the Board or the Executive Secretary All Deputy Game Protectors shall give bond in the amount of three hundred dollars

Section 208 PRESENT GAME PROTECTORS CONTINUED All Game Protectors holding office at the date of the approval of this act shall remain in office until removed by the Board and the commissions of said officers shall continue in force under the provisions of this act with the same effect as prior to the passage of this act

Section 209 PURPOSE OF BOARD It is the duty of said Board to protect propagate and preserve the game fur-bearing animals and protected birds of the State and to enforce by proper action and proceedings the laws of this Commonwealth relating to the same The Board shall collect classify and preserve all such statistics data and information as in their judgment will tend to promote the objects of this act to take charge of and keep all reports books papers and documents which shall in the discharge of their duties hereunder come into their possession or under their control

Section 210 BIENNIAL REPORT It is the duty of said Board on or before the first day of June of each even numbered year to prepare and present to the Governor of this State a biennial report showing what has been done by them during the two calendar years immediately preceding the amount of money received by them and from what sources and the amount expended by them and for what purposes with such recommendations for legislative action as the Board may deem wise The Governor shall lay said report before the Legislature convening next after its receipt

Section 211 SECRETARY TO MAKE MONTHLY RETURN TO STATE TREASURER The Secretary to the Board shall at least once a month make return of all moneys received and collected under the provisions of this act to the State Treasurer to be applied to the purposes otherwise provided for in this act

Section 212 REPORTS BY PROTECTORS Each Game Protector shall keep a record of his official acts receipts and expenditures and at the close of each month make summary of such record with such statements in detail as shall be necessary and report the same to the Secretary At such intervals as the Secretary may direct not to exceed a period of six months each Game Protector shall file an affidavit covering the correctness of all accounts and reports rendered during the intervening period The Secretary shall report to the Board any negligence or dereliction of duty or incompetency on the part of any Protector with the facts relating thereto and shall make such further reports as may be required by the Board

Section 213 POWERS OF MEMBERS OF BOARD SECRETARY AND GAME PROTECTORS Each member of the Board the Secretary and each Game Protector shall have the power

(a) To enforce all laws relating to game and other wild birds and wild animals and to go upon any property outside of buildings posted or otherwise in the performance of his duty

(b) To execute all warrants and search warrants for the violation of the laws relating to game and other wild birds and animals

(c) To serve subpoenas for the examination investigation and trial of all offenses against the laws relating to game and other wild birds and animals

(d) To carry fire arms or other weapons concealed or otherwise in the performance of their duties

(e) To arrest without warrant any person found in the act of violating any of the provisions of this act or in pursuit immediately following such violation or any unnaturalized foreign-born resident when such person has in possession a firearm or a dog of any kind

(f) To call upon any citizen of this Commonwealth for assistance in making arrests

(g) To search without warrant and examine any person or any boat conveyance vehicle game bag game coat or other receptacle for game or any camp tent or cabin in the presence of any person stopping at or belonging to such camp tent or cabin or any roster when he has reason to believe and has stated to the suspected person or person in charge his reason for believing that any of the laws relating to game or other wild birds and animals have been violated

(h) To secure and execute search warrants and in pursuance thereof to enter any building enclosure or car and to break open any apartment chest locker box trunk crate basket bag package or container and to examine the contents thereof

(i) To seize and take possession of all bird or animals which have been caught taken or killed or had in possession or under control or which have been shipped or about to be shipped at any time in any manner or for any purpose contrary to the laws of this Commonwealth

(j) To seize all guns shooting or hunting paraphernalia traps dogs boats decoys or other appliances used in violation of any of the laws relating to game or other wild birds or wild animals when making an arrest or found in the execution of a search warrant

(k) To administer any oath required by the provisions of this act or relative to any violation of any law relating to game or other wild birds or wild animals and where game is found in a camp or in possession or under control of any individual or hunting party to question such persons or persons under oath relative to the taking ownership or possession of the same

ARTICLE III

HUNTING LICENSES

Section 301 RESIDENTS OF STATE For the purposes of this article any person who has been a bona fide resident of this Commonwealth for a period of thirty days next preceding his application and was born in the United States of America or was fully naturalized under the laws of the United States shall be entitled to the license herein referred to as the Resident Hunter's License upon the further fulfillment of the requirements of this article

Section 302 RESIDENT LICENSE FEE Each such resident as provided in the preceding section upon application made verbally or in writing to any County Treasurer within the Commonwealth and the presentation of proof that he is a citizen of the United States and a bona fide resident of this Commonwealth under the requirements of this article and in the case of naturalized foreign-born applicants the production of such applicant's Naturalization papers and the payment to said County Treasurer of one dollar and twenty-five cents shall be entitled to the license herein designated as a "Resident Hunter's License" and a tag with the number of the license thereon

It is unlawful for any County Treasurer or any of his representatives to knowingly issue a Resident Hunter's License to any person physically or mentally unfitted to carry or use firearms

Section 303 NON-RESIDENT LICENSE FEE Every non-resident of this Commonwealth upon application made verbally or in writing to any County Treasurer or to the Secretary of the Game Commission at Harrisburg and the presentation of proof that he is a citizen of the United States and the payment of fifteen dollars to said County Treasurer or Secretary shall be entitled to the license herein designated as a Non-Resident Hunter's License" and a tag with the number of the license thereon

It is unlawful for any County Treasurer or any of his representatives to knowingly issue a Resident Hunter's License to any person physically or mentally unfitted to carry or use firearms

Section 304 THE LICENSE CERTIFICATE Said licenses shall be issued on a form prepared and supplied by the Board Such license shall bear a description of the person applying for the same setting forth the occupation the color of the hair and eyes any marks or scars peculiar to the applicant and such other description as the Board may require with the date of its issue In the case of foreign-born applicants such license shall contain the nationality of the person and all dates and numbers of the naturalization papers All licenses legally issued shall authorize the person named therein to hunt for and kill any wild animals or wild birds under the restrictions and requirements of existing laws during the period for which the license is issued the date of which is inscribed thereon Said Certificate before being valid must be countersigned by the licensee

The license certificate issued with either a Resident or Non-Resident Hunter's License shall be carried on the person of the licensee at all times while hunting or trapping and shall be shown immediately upon demand by any officer whose duty it is to protect wild animals and birds or upon demand by any owner or lessee or by any employee or representative of such owner or lessee upon whose lands such person may be found

Section 305 LICENSE PERIOD All licenses issued after January first one thousand nine hundred and twenty-three shall be in force until the thirtieth day of April one thousand nine hundred and twenty-four After the thirtieth day of April one thousand nine hundred and twenty-four all licenses shall be issued for the year beginning the first day of May and ending the thirtieth day of April of the year following In all cases however application for such license may be made and a license issued prior to the date upon which such license is in force

Section 306 LICENSE TAG The Board shall also furnish free of charge and there shall be issued with each license a tag bearing the license number in figures at least one inch in height which tag said licensee is required to display on the outer garment on the back between the shoulders in such manner that all figures are plainly visible at all times while hunting The license tag for the current year only shall be displayed

Section 307 PERSONS AUTHORIZED TO TAKE APPLICATIONS FOR LICENSES It is lawful for any justice of the peace magistrate or notary public to take applications for such licenses for which service the applicant shall pay fifteen cents in addition to the license fee prescribed said fifteen cents to be retained by said official as his fee for taking such application and remitting payment therefore to the county treasurer of the county in which said official is located Such application and remittance shall be forwarded to the County Treasurer within twenty-four hours No license shall be issued at any place other than the office of the County treasurer except in the case of a non-resident who may secure his license at the office of the Board

Section 308 COUNTY TREASURER TO KEEP RECORD AND MAKE REPORT Each County Treasurer of this Commonwealth shall keep in a book to be supplied by the Board a correct and complete record of all "Resident and Non-Resident Hunter's Licenses" issued by him Such book shall be in the form of an alphabetical index Each County Treasurer shall enter therein at the close of each week the name and place of residence of each individual to whom a license shall have been issued during that week and to forward weekly to the Board on blanks furnished to him a complete list of licenses granted with names and addresses of licenses and such other information and data as the Board may require Said index shall be open at any reasonable hour to the inspection of any officer of the Commonwealth whose duty it is by law to protect the game of the Commonwealth

Section 309 COUNTY TREASURER TO COLLECT AND REMIT LICENSE FEES REPORTS COMPENSATION The County Treasurers of the several counties shall be agents of the Commonwealth for the collection of said license fees and for services rendered in collecting and paying over the same the said agents shall be allowed to retain for their own use the sum of ten cents from the amount paid for each Resident Hunter's License and fifty cents from the amount paid for each Non-Resident Hunter's License which amount shall be full compensation for services rendered by him in each case under the provisions of this act Each County Treasurer shall remit all balances arising from this source at least once a month to the State Treasurer upon a form to be supplied by the Board at the cost of the Commonwealth and shall in every instance forward a duplicate of such report to the Secretary All such moneys shall be placed in the game fund by the State Treasurer

Any County Treasurer who shall fail to comply with any of the provisions of this act relating to hunting licenses shall not be entitled to retain the sum hereinbefore fixed for his services but such sums shall be paid to the State Treasurer and if not so paid may be recovered by the Board by suit in the same manner as like amounts are now by law recoverable

Section 310 REVOCATION OF LICENSE RIGHT TO HUNT DENIED The Board may revoke any hunter's license and deny any person the right to secure a license or to hunt anywhere in this Commonwealth with or without a license for a period of from one to two years if said licensee or person has either been convicted or signed an acknowledgment of violating any game law or if such licensee or person has been convicted in any court of record of having destroyed or carried away notices posted by the Commonwealth or personnel property or crops of any kind on lands on which such licensee or person may have been hunting or has been convicted of being careless in the use of firearms while hunting and thereby caused injury to human life or live stock or has been convicted of causing forest fires or of being intoxicated while using firearms for the purpose of hunting The license of any person convicted of a second or subsequent offense of violating any of the game laws shall be revoked by the Board as herein provided and such person is hereby denied the right to secure a license or to hunt anywhere in this Commonwealth with or without a hunter's license for a period of not less than two or more than three years from the date of such conviction to revoke a license then in force or to deny by action of the Board any person the right to secure a license or to hunt anywhere in this Commonwealth for any period the Board shall send a written notice to that effect to such person at his address either by registered mail or have it delivered in person by a representative of the Board The Board shall furnish in writing to the County Treasurer of each county the name address and the term for which such person has been denied the right to secure a license or to hunt in this Commonwealth together with any other data said Board may deem necessary

Section 311 CERTAIN ACTS DECLARED UNLAWFUL It is unlawful for any person

(a) Except in the defense of person or property to hunt or chase or to shoot at or kill or pursue with intent to take kill or wound any wild birds or wild animals with firearms or with a device of any kind propelling with force a leaden or metal pellet or bullet or through the use of traps or with any other device or instrument or by the use of dogs without first securing a license and license tag and wearing such tag and showing and displaying such license as required by the provisions of this article Nothing in this clause shall be construed to prevent any person under the age of sixteen years to tray for fur-bearing animals or vermin without securing a license

(b) Under the age of fourteen years to receive a hunting license under any circumstances whatsoever

(c) Under the age of sixteen years to receive a hunting license without presenting a written request therefor bearing the signature of his father or mother or legally constituted guardian

(d) Under the age of sixteen years to use firearms of any kind for the purpose of hunting any wild birds or wild animals unless accompanied by a person twenty-one years of age or over unless such hunting is done on the premises whereon such person resides

(e) To procure a license under an assumed name or in which an address other than his legal place of residence is given or to make any false statement whatsoever in securing a license

(f) To lend or transfer a license or tag to another

(g) To knowingly issue or aid in securing a license under the provisions of this act for himself or any other person not legally entitled to the same

(h) After being denied the right to hunt by action of the Board to hunt anywhere during the period such right has been denied with or without a hunter's license or

(i) After conviction of a second or subsequent offense of violating any of the game laws to hunt anywhere with or without a hunters license for a period of two years from the date of such conviction

Section 312 LEGAL HUNTING BY RESIDENTS WITHOUT LICENSE

Nothing in this article shall be construed to prevent any citizen of the United States residing within this Commonwealth from having a gun in his home or from using such gun in defense of either person or property or from shooting at targets or to prevent any bona fide owner or any bona fide lessee of lands within this Commonwealth or any member of the family or household or regularly hired help of such owner or lessee if such person is a citizen of the United States actually residing upon and cultivating such lands in this Commonwealth from hunting thereon or by and with the consent of the owner thereof from hunting upon the lands immediately adjacent and connected with his own lands without securing the license provided for by this article unless the Board has denied or this act does deny to such person the right to hunt anywhere

Section 313 PRIMA FACIE EVIDENCE OF HUNTING For the purpose of this act the fact that any person shall be found in possession of a gun trap or other device of any description usable for the purpose of killing or taking wild birds or wild animals or in the possession of the dead body of any wild bird or wild animal either in the field in the forests on the public highways or on the waters of this Commonwealth shall be considered "prima facie evidence" that such person is hunting and shall require him at all times to display his license tag for the current year as provided in this article and to show immediately upon demand his "Resident or Non-Resident Hunter's License" to any officer whose duty it is to protect the wild animals and birds or to show his license immediately upon demand by any owner or lessee or by any employe or representative of such owner or lessee upon whose lands such person may be found

Section 314 REBUTTAL OF PRIMA FACIE EVIDENCE DEPOSIT AND RETURN OF PENALTIES In all cases of arrest for violation of any of the provisions of the preceding section except where the dead body of any wild bird or wild animal is found in possession of the accused the affidavit of the person charged with such violation denying the charge made shall overbalance what is termed "prima facie evidence" in said section

Any person displaying his license tag properly but unable to produce immediately upon demand his hunter's license at once sign a proper acknowledgement and deposit with the officer accosting him the fine of twenty dollars stipulated in this article for which such officer shall give an official receipt such fine shall as soon as possible be forwarded by the officer in question to the Board with a report covering the case if the defendant desires a return of a fine so paid he shall file at the office of said Board at Harrisburg within twenty days an affidavit stating fully the reasons why he was unable to display said license immediately and give his description place of residence license number where same was secured and its date or attach the license itself whereupon said Board if satisfied that the purpose was not to violate the provisions of this article shall return such fine to the defendant otherwise the fine shall be deposited as hereinafter provided and the case considered closed

Section 315 REPORT OF GAME KILLED Not later than thirty days after the expiration of any Resident or Non-Resident Hunter's License issued under the provisions of this Article it shall be the duty of the licensee to forward to the Board at Harrisburg on a form attached to such license or on a form supplied by the Board upon request if the original form has been mislaid or lost a report of all wild birds and wild animals killed by such licensee during the period for which said license was issued

Section 316 PENALTIES Any non-resident of this Commonwealth who shall hunt chase trap take shoot at wound or kill or attempt to hunt chase trap take shoot at wound or kill any wild birds or animals without a non-resident hunting license having been lawfully issued to him shall be sentenced to pay a fine of forty dollars and costs of prosecution for each offense and each day shall be considered a separate offense

Any person who shall fail to sign his license certificate as hereinbefore provided shall be sentenced to pay a fine of five dollars and costs of prosecution

Any person who violates any of the provisions of this article except as above provided shall be sentenced to pay a fine of twenty dollars and costs of prosecution for each offense Provided That an additional fine of twenty dollars and costs of prosecution shall be imposed when any person is convicted of

(a) Hunting anywhere during any period of time that such right has been denied him by the Board or by this act or

(b) Securing a hunters' license either in his own or an assumed name during any period of time that he has been denied such privilege by the Board Each day shall be considered a separate offense

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall in the discretion of the court suffer imprisanment one day for each dollar of fine imposed

ARTICLE IV

SPECIAL LICENSES

Section 401 ACT NOT TO APPLY IN CERTAIN CASES This act shall not be construed to apply to or prohibit the taking of game and wild birds by any public zoological garden of the State or any public institution of the State wherein animals or birds are maintained alive for educational purposes or for the purpose of scientific study or experiment or to the Board or to its duly authorized agents acting for the State in any manner or to prevent the Board through its duly authorized agents from destroying birds or animals destructive to game in such manner as it may direct

Section 402 BOARD EMPOWERED TO GRANT LICENSES Under the conditions and limitations hereinafter prescribed the Board may grant licenses at their discretion good for the term of one year from their date Such licenses shall not be transferable Such licenses may be issued (a) to any person within this Commonwealth of known scientific attainment in ornithology or mammalogy (b) to any agent of any public museum in this Commonwealth (c) to a teacher or ornithology in any school within this Commonwealth (d) to any person within the Commonwealth desiring to breed or raise game in captivity and to sell the same (e) to any person desiring to possess breed or sell ferrets (f) to any person qualified to practice taxidermy and (g) to fur dealers or persons purchasing or receiving raw furs for commercial purposes

No person so long as he is legally acting under the authority of a license issued by the Board shall be liable to any of the penalties provided for in this act

Section 403 REPORTS BY HOLDERS OF LICENSES INSPECTIONS At the expiration of any license the holder thereof shall file a sworn statement on blanks supplied by the Board covering all his transactions thereunder before a renewal license may be granted The holder of each license shall keep a record of all transactions under his license and such record together with all plants and premises shall be open to inspection upon demand of any member or officer of the Board He shall also answer without evasion any question relative to the ownership of any bird or animal or part thereof found in his posession or under his control or that has passed through his hands that may be asked by any member or officer of the Board

Section 404 APPLICATIONS FOR LICENSES Any person firm association or corporation desiring a license as provided for in this article shall present a petition therefor on forms supplied by the Board and shall pay to the Secretary one dollar except in the case of breeders and dealers in ferrets in which case he shall pay to the Secretary twenty-five dollars All such license fees shall be paid into the State Treasury for the use of the game fund The petition shall be accompanied by the written statement of at least two well known citizens of the community in which the applicant resides certifying to his good character and to his fitness to be intrusted with the authority granted by such special license

In the case of applications for licenses by firms associations or corporations the petitions shall bear the name of the president or general manager and the license shall be issued in his name all petitions for propagating licenses shall be accompanied by the written description of the premises to be used for such purpose with the location thereof upon notification of the favorable consideration of any petition for a propagating license the applicant shall file with the Board a duly executed bond in the sum of five hundred dollars given to the Commonwealth conditioned for the faithful observation by the principal named in the license and his agents and employes of all the provisions of this act upon the conviction of the principal named in any such bond or any of his agents or employes of violating any of the provisions of this act such bond shall be forfeited to the Commonwealth

Section 405 COLLECTING LICENSES Licenses authorizing the holder to collect birds their nests with eggs found therein and animals protected by this Act for exhibition in public museums or scientific study or school instruction may be issued to (a) persons of known scientific attainment in either ornithology or mammalogy for scientific study or (b) agents of public museums for exhibition purposes or (c) teachers of ornithology in any school within the Commonwealth During the period covered by such licenses birds and animals may be taken in numbers not to exceed the following

	Number of Specimens of Each Species	Number of nests of Each Species and Eggs Found Therein
(a) Scientists in Ornithology or Mammalogy		
Protected birds,	Unlimited	Unlimited
Game birds,	Unlimited	Unlimited
Game and Fur-bearing animals,	Unlimited	Unlimited
(b) Agents of Public Museums		
Protected birds,	8	3
Game birds,	4	3
Game and Fur-bearing animals,	5	----------
(c) Teachers of Ornithology		
Protected birds,	4	1

The license shall be on a form prepared by the Board and shall indicate the classification of said license and the number of specimens that may be taken thereunder It is unlawful for the holder of a Collecting License to sell or exchange or ship from or remove out of this Commonweatlh without the written consent of the President of the Board any birds or nests or eggs or animals collected It is unlawful for the holder of any Collecting License to take in one year more than the number of birds nests with eggs or animals of any species than herein stipulated

Section 406 LICENSES TO PROPAGATE GAME Licenses issued to persons residing within this Commonwealth and of the age of twenty-one years or upwards and to associations and corporations resident within this Commonwealth shall authorize the holder thereof and his or its assistants to breed or raise game of any kind and to sell the same dead or alive or the eggs of game birds at any time under the regulations hereinafter provided

It is unlawful to breed or raise game of any kind in captivity or to sell eggs of game birds without a propagating license except game bred or raised and released for stocking purposes in a wild state or sold to the Board or bred and raised for home consumption only

Section 407 PREMISES USED BY PROPAGATING LICENSES For raising small game the premises used by holders of propagating licenses may be in such form as to the operator thereof seems best suited to his purposes so long as wild game is prevented from coming onto such property

For raising elk or deer the premises shall be surrounded by a wire fence of approved pattern with a height of not less than eight feet so constructed and maintained as to absolutely prevent wild elk or deer from entering in any manner into said premises Before the fence surrounding any such premises shall be closed all wild elk and deer that may be upon said territory shall as far as possible be driven therefrom by the owner under the direction of an officer of the Board

Section 408 DISPOSING AND REMOVING GAME FROM PROPAGATING PREMISES Where game of any kind is raised or eggs of game birds are produced on premises under authority of any propagating license it may be sold or given away and shipped alive from said enclosure for propagating purposes or may be killed within said enclosure for sale or gift without regard to sex or numbers at any time of the year under the following regulations

Before any live game of any kind raised under authority of any propagating license is shipped out of the Commonwealth it must be offered to the Board for propagating purposes and the Secretary shall within ten days advise the licensee whether it desires to purchase the same If not purchased by the Board it may be shipped to any other state or nation if properly tagged as hereinafter provided Game so raised when dead may be shipped anywhere if tagged properly

Before any game raised or eggs produced under authority of any propagating license are shipped or removed from any premises the licensee shall apply to the Board for a tag which shall be supplied at cost said tag shall be composed of two parts and when detached one part thereof containing the name and address of the purchaser and the kind and number of game or eggs shipped or removed shall be attached to the container or the bird or animal the other part of the tag containing the information required shall be immediately be returned to the Board the tag attached to a container or a bird or animal shall so remain until the eggs are removed from the container or the living bird or animal is released from the container or the dead body of any bird is sold or the dead body of any animal is cut up for retail purposes or final consumption at which time the tag shall be removed by the person receiving the eggs or finally disposing of the bird or animal and shall at one be forwarded to the Board

It is unlawful for any licensee or his agent or employee to neglect to return to the Board any tag with the information thereon required or to kill sell give away remove or ship any game bred or raised or eggs of game birds produced under the authority of any propagating license except in compliance with the provisions of this section

It is unlawful for any person to neglect to remove and return to the Board any tag attached to any container or to any bird or animal except in compliance with this section

It is unlawful for any person to wilfully or wantonly remove or mutilate or destroy any tag attached to any container or bird or animal according to the provisions of this section except in the manner and at time and place provided for in this section

It is unlawful for any person to wilfully or wantonly remove or mutilate or destroy any tag attached to any container or bird or animal according to the provisions of this section except in the manner and at the time and place provided for in this section

It is unlawful for any person to wilfully use any tag of the kind provided for in this section for the carrying removal or shipment of game or the eggs of game birds taken or killed outside of premises used for propagating game under authority of a license or for the purpose of a second shipment of game or eggs from any such premises

Nothing contained in this section requiring the tagging of game or eggs shall apply to any game released within this Commonwealth or hatched from the eggs of game birds and released for stocking purposes or sold to any representative of the Board for propagating purposes

Section 409 POSSESSION BREEDING AND SELLING OF FERRETS It is unlawful for any person to breed or to sell ferrets or to offer to sell ferrets either for himself or as the agent of another or to have any ferret in his possession except by virtue of a license issued by the Board It is unlawful for any breeder or dealer in ferrets to sell or for any common carrier or the agent of any common carrier to deliver any ferret to any person within this Commonwealth unless the person to whom such ferret is to be sold or delivered shall possess a proper license to have such animal in possession Proof to the satisfaction of the person selling or delivering any ferret of the possession of any such license must be required by the production of the license or by inquiry made to the Board and a record shall be made of all sales by dealers showing the name address ferret license number and date of such license before the sale is consummated

Section 410 LICENSES TO TAXIDERMISTS Licenses issue to persons residing within this Commonwealth desiring to practice taxidermy for profit shall authorize the holder thereof to receive from any person any bird or animal that has been legally or accidentally killed and to keep such specimen or any part thereof in possession indefinitey and to tan or cure or mount the same either himself or through any legitimate employe It is unlawful for any person within this Commonwealth to practice taxidermy for profit without a license issued by the Board It is unlawful for the holder of any such license to sell or to ship from or remove or permit the removal out of the Commonwealth of any specimen of a bird or animal protected by this act without the written consent of the president of the Board The Secretary may issue a permit subject to the conditions or regulations therein stipulated to any licensed taxidermist authorizing the shipment of any specimen to fur-dressing tanning or taxidermy firms in other States for dressing tanning or mounting and return to said taxidermist

Section 411 LICENSES TO FUR DEALERS Licenses issued to persons to act as fur dealers shall authorize the holder thereof to receive or to purchase and to resell raw furs for commercial purposes It is unlawful for any person to purchase or receive or resell raw furs for commercial purposes without a license issued by the Board

Section 412 PENALTIES Any person violating any of the provisions of this article shall be sentenced to pay the following fines and costs of prosecution for each offense

(a) For the sale or exchange or shipment or removal out of this Commonwealth of birds or nests or eggs or the taking of birds or eggs or nests contrary to the provisions of this article by agents of museums of teachers of ornithology or persons of scientific attainment in ornithology or mammalogy acting under the authority of any license twenty-dollars

(b) For the practice of taxidermy for profit without a license as provided in this article twenty-five dollars and in addition thereto twenty-five dollars for each specimen of a bird or animal protected by this act mounted or in possession for mounting

(c) For the sale or shipment from or removal from or the permitting of the removal from the Commonwealth by the holder of any taxidermy license of each mounted specimen of a bird or animal protected by this act without the written consent or permit required by this act twenty-five dollars

(d) For the breeding or raising of game in captivity without a propagating license contrary to the provisions of this article twenty-five dollars for each bird or animal so bred or raised

(e) For neglecting to return to the Board the part of the tag not attached to the container or bird or animal with the information thereon required or for the killing or selling or giving away or removing or shipping of game bred or raised or eggs produced by the holder of any propagating license or his agent or employe contrary to the provisions of this article fifty dollars

(f) For neglecting to remove and to return to the Board as provided in this article the tag attached to any container or to any bird or animal ten dollars

(g) For wilfully or wantonly removing or mutilating or destroying a tag attached to a container or bird or animal contrary to the provisions of this article fifty dollars

(h) For wilfully using any tag for the carrying or removing or shipping of game or the eggs of game birds taken or killed outside of premises for propagating game under authority of license or for the purpose of a second shipment of game from any such premises contrary to the provisions of this article fifty dollars

(i) For the breeding or selling or offering for sale or having in possession or delivering any ferret contrary to the provsions of this article twenty-five dollars for each ferret

(j) For purchasing or receiving or re-selling raw furs for commercial purposes without a license as provided in this article twenty-five dollars

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall in the discretion of the court suffer imprisonment one day for each dollar of fine imposed

ARTICLE V.

HUNTING SEASON. BAG LIMITS.

Section 501. OPEN SEASON. The open season for game-birds and game-animals, Sundays and other periods fixed by special regulations for particular counties excepted, is as follows:

KIND OF GAME	OPEN SEASON
Black birds and upland or grass plover, ...	From Aug. 1st to Nov. 30th.
Rail, coot or mud-hen, reedbird, sand-piper, tatler, curlew, Wilson or jacksnipe, or any other kind of shore-bird excepting Woodcock,	From Sept. 1st to Nov. 30th.
Woodcock, ...	From Oct. 1st to Nov. 30th.
All birds known as wild water-fowl, ...	From Oct. 1st to Jan. 15th.
Raccoon, ...	From Oct. 1st to Feb. 15th.
Wild turkey, ruffed grouse, commonly called pheasant, male ring-neck pheasant, Virginia partridge, commonly called quail, Gamble quail Valley quail, and Hungarian quail, and gray, black and fox squirrel, ...	From Nov. 1st to Nov. 30th.
Red Squirrel, ...	From Nov. 1st to Aug. 15th next following.
Wild Rabbit and Hare, ..	From Nov. 1st to Dec. 15th.
Bear, ...	From Nov. 1st to Dec. 15th.
Male deer, with two or more points to one antler: provided, a male deer with an antler six or more inches long without points, measuring from the top of the skull as the deer is in life, shall be considered legal, ...	From Dec. 1st to Dec. 15th.
Male elk, with four or more points to one antler,	From Dec. 1st to Dec. 15th.

Section 502 BAG LIMIT It is unlawful for any person to kill in any one day or in any one season more game-animals or game-birds than hereinafter enumerated

Kind of Game	In one Day	In one season
Wild Turkey	1	1
Ruffed Grouse	3	15
Male Ring-neck Pheasants	2	6
Quail also known as partridge of the combined kinds	8	25
Woodcock	6	20
Squirrels including the fox black and gray combined	6	20
Wild rabbits	5	40
Hares	3	15
Bear	1	1
Bear (By hunting party)	4	4
Deer	1	1
Deer (By hunting party)	6	6
Elk	1	1
Elk (By hunting party)	1	1

Except as hereinafter otherwise provided every deer taken shall be a male deer having two or more points to one antler Provided a male deer having an antler six or more inches long without points measuring from the top of the skull as the deer is in life shall be considered legal

Every elk taken shall be a male elk killed through the method known as "Still Hunting" only having not less than four points to one antler

Nothing contained in this section shall prohibit any owner who raises ring-neck pheasants strictly in captivity from killing any number of such birds during the open season on lands he may own or control

Secton 503 TRAPPING CERTAIN GAME BIRDS It is unlawful to trap quail of any kind and ring-neck pheasants from the first day of December to the first day of April next following the purpose of keeping them alive during the winter of for the purpose of separating a covey to increase the chances of propagation but for no other purpose whatever it is unlawful for any person to transport from one locality to another locality in this State any such quail or pheasant excepting by written permission of the president of the Board of Game Commissioners all birds thus taken shall be liberated in the spring as soon as the weather will permit

Section 504 POWER OF BOARD TO CLOSE COUNTIES TO HUNTING For the purpose of adding to the protection of game or fur bearing animals and assist in its or their increase the Board upon petition may close throughout the year or any part of the general open season for a term of years any county to the hunting of game birds game animals of any kind

Section 505 PETITIONS FOR CLOSE SEASONS Whenever at least two hundred citizens of any county representing a majority of the townships or boroughs at least fifty per centum of whom were regularly licensed during the preceeding season shall through petition certify to the Board that in their opinion an absolute close season or a reduction in the period of the general open season is necessary to insure the better protection and consequent increase of game or fur bearing animals of any kind in that county and asking that such county be closed to hunting for a period or a portion of the general open season the Board shall forward to said petitioners and others a form setting forth such question as they may consider best suited to determine the game conditions in said county and the necessity for closing said county to hunting or trapping which forms with replies to entitles such answer to consideration before said Board shall be returned to the Board on or before the return day as fixed upon said forms such petitioners shall also publish for at least three consecutive weeks at their own expense in at least two prominent newspapers in the county the statement that such petition has been filed with its purposes and the return day as fixed by the Board and shall file with said Board duly certified copies of such notices on or before the return day

Section 506 PROCEDURE BEFORE BOARD If the written answers as returned shall fail to satisfy the Board that such close season or reduction in the length of the general open season is necessary or those opposing such action shall demand a hearing before said Board then a hearing shall be had such date and at such place within the county affected as may be decided upon by the Board The expenses of such hearing shall be paid by those demanding the same If after the receipt of the written answers or the public hearing or both the Board is satisfied such close season is necessary it is empowered to declare a close season throughout the year or such part of the general open season as may be deemed advisable for a period not to exceed five years for such animals or birds or any of them

Section 507 ACTION OF BOARD TO BE ADVERTISED The Board to make such close season or reduction in the length of the general open season effective and binding shall be required to publish annually their decision and action regarding this matter in at least three newspapers if there be that many in each county affected thereby and to have notices of such action declaring such county closed to hunting or trapping or reducing the length of the general open season printed and annually distributed in reasonable numbers throughout the affected territory

Section 508 PENALTIES Any person taking wounding or killing any game or fur-bearing animal in any county closed to hunting or trapping by action of the Board pursuant to the provisions of this article shall be liable to the fines provided for a violation of this article

Section 509 EXTENDING SEASON FOR SQUIRRELS RABBITS AND WOODCOCK REMOVAL OF PROTECTION

Upon receipt of a petition from any county containing the signatures of not less than two hundred citizens at least fifty per centum of whom were regularly licensed during the preceding season setting forth their desire for an extension of the open season for squirrels rabbits or woodcock or that squirrels or rabbits have become a nuisance in that county or any portion thereof stating the manner in which squirrels or rabbits have become a nuisance or their reasons for such desire with such other information as the petitioners may deem advisable the Board if after investigation is satisfied the conditions in such county warrant may declare such county or any township or townships thereof open during an additional season not exceeding one month at such time of the year as may be deemed necessary except between January first and August twentieth During any such special open season squirrels rabbit and woodcock may be killed and disposed of only under the same conditions and in the same number as during the general open season

The Board may extend such special open season from year to year so long as in their opinion conditions in such county warrant without a new petition being filed each year

To open a county or any portion thereof to the killing of squirrels rabbits or woodcock during a special season as herein provided a notice to that effect shall be published by the Board before the beginning of such special open season in not less than three newspapers of general circulation if there be so many published in the county affected once a week for at least two consecutive weeks setting forth the dates of any such special open season and the conditions governing same

Section 510 REMOVAL OF PROTECTION FROM BEARS Upon the receipt of a petition from any county containing the signatures of not less than two hundred citizens setting forth that bears have become a nuisance in that county stating the manner in which such animal are a nuisance and such other information as the petitioners may deem advisable the Board after investigation if satisfied the conditions in such county warrant may declare such county or portion thereof open during a special season to the killing in any number by it specified and at any time during the year of bears by any method except by the use of steel-traps or dead-falls It is unlawful for any person to kill bears during such special season unless such person shall comply with the provisions of this act relating to hunters licenses and such regulations as the Board may prescribe

To either open a county to the killing of bears as herein provided or to revoke such declaration a notice to that effect shall be published by the Board in not less than three newspapers of general circulation if there be so many published in the county affected once a week for three consecutive weeks setting forth the date such action becomes effective and the regulations adopted Bears killed during any special season shall be disposed of only in the manner provided for the disposition of bears legally killed during the general season

Section 511 REMOVAL OR PROTECTION FROM FEMALE DEER SPECIAL DEER LICENSE Upon receipt of a petition signed at least two hundred residents of any county setting forth that deer have become a nuisance in that county or any township thereof stating the manner in which such animals are a nuisance the Board if satisfied that conditions warrant or if in their opinion the sexes are not balanced properly may declare such county or any township thereof open to the killing of large female deer through the use of legal firearms as hereinafter provided by residents of the Commonwealth during a special season not exceeding three days following the regular open season for deer During such special season the killing of female deer shall be in accordance with such rules and regulations as the Board may adopt

Ninety or more days prior to the date of any such special open season a notice shall be published by the Board in at least two newspapers of the county one time each week for three consecutive weeks setting forth the date or dates of such special season and the conditions governing same

Before any person shall hunt for female deer during a special open season declared by the Board such person shall have a Resident Hunter's License before hunting on any property where this act requires such license and shall also apply to and obtain from the board at Harrisburg a SPECIAL FEMALE DEER LICENSE the fee for which is hereby fixed at Five Dollars such license shall entitle the holder to kill one female deer Such special female deer licenses shall be issued only in such number for each county or township as the Board may deem advisable and shall be issued in the order of the applications made to the Board

It is unlawful for any person to hunt for or kill or attempt to kill female deer during any special open season declared by the Board unless complying with the provisions of this section relative to licenses and complying with the rules and regulations prescribed by the Board Deer killed during such special season shall be disposed of only in the manner provided for the disposition of deer legally killed during the general open season but no provisions of this act relative to the number of deer that may be killed by any person or any hunting party or camp shall be construed to prevent the killing of female deer by any resident if legally authorized as herein provided

Section 512 PENALTIES Any person violating any of the provisions of this article shall be sentenced to pay the following fines and costs of prosecution for each offense

For taking wounding killing or transporting from one locality to another within this State or for attempting to take kill or wound contrary to this article or any rules and regulations adopted by the Board

(a) Each elk two hundred dollars and in the discretion of the court six month's imprisonment
(b) Each deer one hundred dollars
(c) Each bear fifty dollars
(d) Each wild turkey ruffed grouse ring-neck pheasant quail or woodcock twenty-five dollars
(e) Each other bird or animal ten dollars

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition shall in the discretion of the court suffer imprisonment one day for each dollar of fine imposed

ARTICLE VI

FUR-BEARING ANIMALS

Section 601 OPEN SEASON FOR FUR-BEARING ANIMALS The open season for fur-bearing animals excepting racoons and beavers is from the first day of November to the last day of February next following The open season for racoons is from the first day of October to the fifteenth day of February Next following Sundays excepted

There is no open season for beavers

Section 602 UNLAWFUL TAKING KILLING POSSESSION ETC OF FUR-BEARING ANIMALS Except as otherwise provided in this act it is unlawful for any person to take or kill or wound or capture or attempt to take or kill or wound or capture any fur-bearing animal except during the open season or to have in possession the green pelt of any fur-bearing animal or any part thereof except during the open season therefor and for fifteen days thereafter

It is unlawful to buy or sell or offer to buy or sell or to ship out of this State any fur-bearing animal or any part thereof knowing the same to have been unlawfully taken

This section does not prohibit the possession at any time of fur-bearing animals killed or taken outside of this State or the possesion of the tanned or cured skins or any parts thereof of fur-bearing animals not unlawfully killed or the possession of live fur-bearing animals legally taken within this State during the open season

Section 603 ILLEGAL METHODS OF TAKING FUR-BEARING ANIMALS EXCEPTIONS In the taking or killing of fur-bearing animals it is unlawful to use poison explosives or chemicals or to smoke out or dig out any den or house of any kind or to cut den trees or to use steel traps unless visited at least once every thirty-six hours except when prevented by sickness or storm All traps so used must be marked with a metallic plate or tag attached to the trap or chain bearing in plain English the name and address of the owner and must be taken up or sprung at the end of the season

Nothing contained in this section shall prevent persons residing upon cultivated lands from digging out dens or houses of fur-bearing animals excepting beavers during the close season in fields which are under cultivation or from preventing any person from killing or capturing alive any fur-bearing animals excepting beavers at any time in any manner when found in the act of destroying personal property or in the immediate pursuit thereafter but in no case shall the pursuit be carried beyond the limits of the property upon which the damage is done The person killing or capturing any such fur-bearing animal or accidentally killing or capturing and injuring a fur-bearing animal during the close season while legally hunting or trapping for other animals in season shall immediately notify the secretary at Harrisburg and such animal or the pelt thereof shall be disposed of as may be directed by the Secretary Failure to notify the Secretary as herein provided shall constitute prima facie evidence of the unlawful killing or capturing of fur-bearing animals

Section 604 DISTURBING TRAPS OF ANOTHER LARCENY It is unlawful for any person to disturb the traps of another or to take a fur-bearing animal from the traps of another unless specifically authorized by the owner Any person taking a trap or taking a fur-bearing animal from a trap set by another is guilty of the larceny of personal property and punishable accordingly

Section 605 BEAVERS AND THEIR DAMS PROTECTED It is unlawful to kill or capture or to attempt to kill or capture any beaver within this Commonwealth or to destroy or disturb in any manner interfere with the dams or houses of such animals except upon special permit from the Board

Section 606 ARTICLE NOT TO APPLY TO BOARD Nothing contained in this article relating to the taking killing and possession of fur-bearing animals shall apply to the Board or any of its officers or agents while acting for the Commonwealth

When it is proven to the satisfaction of the Board that fur-bearing animals are excessively destroying property or otherwise becoming a nuisance in any section the Board may at any time remove or have removed such animals from that locality or direct the killing and disposition of same in such manner as the case may require

Section 607 PENALTIES Any person killing or capturing or attempting to kill or capture any beaver or destroying or disturbing or interfering with their dams or houses contrary to the provisions of this article shall be sentenced to pay a fine of one-hundred dollars and costs of prosecution for each offense

Any person violating any of the provisions of this article except as otherwise provided for shall be sentenced to pay a fine of ten dollars and costs of prosecution for each offense

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall in the discretion of the court suffer imprisonment one day for each dollar of fine imposed

ARTICLE VII

GENERAL HUNTING REGULATIONS

Section 701 UNLAWFUL TAKING KILLING POSSESSION ETC OF GAME Except as otherwise provided in this act it is unlawful for any person to take or kill or wound or attempt to take or kill or wound any game except during the open season or to have in possession either living or dead any game or any part thereof except game lawfully taken during the open season which may be had in possession during the open season therefor and for thirty days thereafter The burden of proof that game or any part thereof found in possession of any person after the close of the open season was lawfully taken shall be upon the person in whose possession such game or part thereof is found This clause does not prohibit the possession at any time of game killed or taken outside of this State or the possession of the tanned or cured skins or any parts thereof of birds or animals not unlawfully killed or the possession of live raccoons when lawfully taken during the open season

It is unlawful for any person to knowingly use any game that has been unlawfully killed or taken or to knowingly aid or assist in the concealment of any game unlawfully killed or to knowingly have in possession with intent to use or conceal the same any game or part thereof that has been unlawfully killed or taken

Section 702 HUNTING ON SUNDAY AND AT NIGHT It is unlawful for any person to hunt for or shoot at or chase or catch or kill or attempt to shoot at or chase or catch or kill with or without dogs any game upon the first day of the week commonly called Sunday or to hunt for or shoot at or catch or kill or attempt to hunt for or shoot at or catch or kill any game between one half hour after sunset of one day and sunrise Eastern Standard Time of the day following except that raccoons and woodchucks may be hunted for and killed at any time either day or night during the open season Sundays excepted

Any person violating any of the provisions of this section shall be liable to the fine hereinafter provided

Section 703 LAWFUL METHODS OF HUNTING It is lawful to hunt for or catch or take or wound or kill game of any kind only through the use of a gun pistol or revolver of a kind the use of which is not hereinafter prohibited except

(a) That raccoons may be killed or captured in any manner if complying with the provisions of this act when using traps except that unless as a protection to property as hereinafter provided such animals may not be taken through the use of automatic firearms or poisons or explosives or chemicals or by smoking out or digging out dens or houses or cutting den trees

(b) That blinds and decoys in number as provided for in this act may be used in hunting wild water fowl

(c) That residents under the age of fourteen years may take rabbits not exceeding the bag limits provided by this act through the use of box-traps during the open season upon the lands whereon such persons reside if visited at least once every thirty-six hours

(d) That it is lawful to use steel traps with a spread of jaws not exceeding six and one-half inches if a metallic plate or tag is attached to each trap or chain bearing in plain English the name and address of the owner for the purpose of taking vermin so long as such traps are not set where rabbits or other game may be caught and such traps are visited once every thirty-six hours unless prevented by sickness or storm and at the end of the trapping season all traps are sprung or removed and

(e) In any manner for scientific purpose pursuant to a license issued by the Board

Section 704 UNLAWFUL METHODS OF HUNTING

(a) Unlawful methods and Devices

It is unlawful for any person to shoot at or to shoot for game unless the same is plainly visible to him or to dig cut or smoke live game out of its den or place of refuge

It is unlawful to hunt for or catch or take or kill or wound or attempt to catch or take or kill or wound game of any kind excepting raccoons through the use of what is commonly known as an automatic gun or an automatic firearm of any kind or a swivel gun or an air-rifle or the apparatus known as a silencer or from an automobile or vehicle or boat or craft of any kind propelled by any mechanical power or to set lay or prepare for use or to use any trap snare net bird-lime deer-lick pit-fall turkey-blind turkey-call or turkey-pen or to make use of or to take advantage of any artificial light battery or other contrivance or device or to make use of any method or device not specifically permitted by this act for the purpose of catching or taking or wounding or killing game

It is unlawful to hunt for or catch or take or kill or wound or attempt to catch or take or kill or wound raccoons except in the manner provided in the preceding section

(b) Unlawful Manner of Hunting Elk Deer or Bear

It is unlawful to kill or attempt to kill any elk or deer or bear except through the use of a gun propelling one all-lead or lead alloy or soft-nosed or expanding bullet or ball at a single discharge or to take an elk in any manner except through the method known as still-hunting

(c) Unlawful to Kill Elk or Deer in Water

It is unlawful for any person at any time to shoot at or kill or wound or capture or attempt to kill or wound or capture either an elk or a deer while taking refuge in or swimming through the waters of any of the streams ponds or lakes

(d) Use of Dogs in Hunting Deer Elk Wild Turkey

It is unlawful for any person to make use of a dog in hunting elk or deer or wild turkey and every person who takes a dog into the woods or who has possession or control of a dog in the woods and every person in a camp which has a dog in their possession or control or in which a dog is harbored shall be liable to the fines prescribed in this article for the unlawful chasing taking or killing of elk or deer or wild turkey as the case may be if such dog within a radius of ten miles from said camp or from any point where such dog has been accompanied by such person or persons runs after pursues or follows upon the track of any elk or deer for a distance of one-half mile or does pursue or scatter wild turkeys

(e) Hunting with Ferrets

Except as otherwise provided in this act it is unlawful for any perosn to hunt for or catch or kill or cause or permit the hunting of hares or rabbits with or through the use of a ferret The fact that any person shall place a ferret in any hole or opening outside of buildings in which a rabbit might be found or shall be caught in the act of using a ferret in taking hares or rabbits or shall have a ferret in possession or under control in either the fields or forests or any vehicle upon the highways or on railroad or railway cars shall render such person liable to the penalty prescribed in this article Any ferret found running at large or found in the possession or under the control of a person not possessed of a ferret license or of a person convicted of violating any provision of this act shall be forfeited to the Commonwealth and shall be immediately killed by the officer or citizen into whose hands such animal may come

(f) Unlawful Crafts

It is unlawful to hunt for or pursue or to follow after with intent to kill game of any kind from or with or through the use of any boat or craft propelled by any means other than oars or pole or hand-paddle Any person using a craft or boat for such purposes contrary to this section or the captain or owner or other person in charge of such boat or craft who shall allow or knowingly permit the same to be used contrary to this section shall be liable to the fines provided for in this article

(g) Hunting with Decoys

It is unlawful for any person or for any number of persons acting together to place in any of the waters of this Commonwealth for the purpose of attracting wild waterfowl more than thirty-six specimens of artificially prepared wooden ducks or ducks of any character commonly used as decoys or to shoot over or attempt to control more than thirty-six such decoys so placed as to cover not exceeding one-fourth of a mile upon any stream or lake

It is unlawful for any person or for any number of persons acting together to use decoys unless each specimen is marked with a metallic plate or tag giving in plain English the name and address of the owner or owners or to have such decoys in the water more than thirty-six hours without removing them for at least twelve hours before replacing in the water

Section 705 UNLAWFUL KILLING OF ELK AND DEER It is unlawful for any person at any time by standing on watch or otherwise to kill or attempt to kill a second male elk or a second male deer in one season It is unlawful for any person at any time to shoot at or wound or kill or attempt to shoot at or wound or kill or have in possession a female elk or a female deer or any part thereof or a male elk or a male deer found in a wild state or any part thereof that may not be lawfully taken except as otherwise provided by the laws of this Commonwealth relating to the taking of game animals and game birds under authority of a license issued by the Board

Section 706 POSSESSION OF DEER OR ELK WITHOUT HEAD ATTACHED

The possession or control of a deer or elk or of any portion of either of such animals shall be prime facie evidence that such animal was killed unlawfully in this Commonwealth unless the head bearing antlers as hereinbefore provided is attached in a natural way Each person in whose possession or under whose control the same may be found or whom may be proven to have had such animal or part thereof in possession or under control shall be liable to the penalty provided in this article for the unlawful killing of elk or deer as the case may be unless such person shall immediately upon demand made by an officer of the Commonwealth whose duty it is to protect game produce the head bearing such antlers or shall swear that the flesh in question found in his possession or proven to have been under his control is a part of a deer or elk legally killed in the Commonwealth both or either as in the mind of the officer investigating may be considered necessary

Section 707 HUNTING REGULATIONS FOR PARTIES HUNTING LARGE GAME TAGGING LARGE GAME

Each camp or body of men hunting together for elk or deer or bears shall at all times while hunting maintain a roster or record giving in plain English the name address and license numbers of all persons hunting with that party at any time during that season such roster or record shall be kept at the camp boarding house or other stopping place and if not in a camp or stopping together in the possession of the leader or captain of such party such roster or record shall at all times be open to inspection by any officer whose duty it is to protect the game of the Commonwealth and shall be produced upon the demand of any such officer every failure to keep or produce any such roster or record shall render the person responsible for such neglect or refusal individual as quickly as possible after the said Board is liable to penalties provided in this article

It is unlawful for any body of men either camping together or hunting in unison or in any manner cooperating with each other to kill or be possessed of in one season more than six legal male deer or more than one legal male elk or more than four bears found in a wild state

Every person in a camp or body of men hunting together or in any manner co-operating with others in hunting for elk or deer or bear shall be individually liable to the full penalty imposed in this article for each elk or deer or bear killed in excess of the number provided for in this section after the time the various members of such party hunting together have had ample opportunity to go together not exceeding the close of said day and ascertain that the legal limit of such animals has been killed in any case where more than the lawful number of elk or deer or bear are killed unintentionally by any camp or hunting party any excess animals shall be turned over to the nearest game protector or paid representative of the Department of Forestry within eighteen hours after killing for delivery to a charitable institution and the head and skin shall be disposed of by the Board

Every person who may hunt individually or with another camp or party hunting in unison for elk or deer or bear or in any manner co-operating with others hunting for such animals after having participated in any manner in killing during the season the number of such animals prescribed in this section for camps or hunting parties shall be liable to the full penalty and costs of prosecution prescribed in this article for killing such animals contrary to the provisions of this article and such penalty shall be imposed for every day such person shall hunt contrary to the provisions of this section

Each person killing an elk or deer or bear found in a wild state shall attach thereto a tag or marker within six hours after such killing bearing in plain English his name address license number and county number with the location where such game was killed Every failure to have said tag attached as herein provided shall subject the person so neglecting to the penalties provided in this article Any game found in the possession of any person and not tagged as herein provided shall be confiscated If the person responsible for such neglect to tag any such game cannot be located each member of the samp or party shall be individually liable to such penalty

Section 708 KILLING GAME FOR HIRE It is unlawful for any person to kill game for wages or hire or in evasion of this provision and to that end it shall be unlawful for any person acting as a guide to deliver or in manner cause to be delivered to the benefit of his employer or the person he may be guiding game killed by him or for the employer of any employe acting in the capacity of a guide to receive game killed by such employe or guide while in his employ

Nothing in this act shall be construed to prevent any person from using a dog or dogs belonging to him or under his control to locate or chase legal game while acting as a guide for others during the open season or from acting as a guide when not carrying a rifle or shot gun loaded with a ball shell after such person has killed his limit of large game or participated in killing the lawful limit of large game as prescribed for camps or parties hunting in unison

Section 709 KILLING GAME BY MISTAKE RETURN OF PENALTY Each individual who may by mistake kill any game or fur-bearing animal contrary to the provisions of this act shall have returned to him one-fourth of the penalty imposed by law for such offense and actually paid by him to a legally authorized representative of the Commonwealth if such individual to the best of his ability shall at once dress and hang up or deliver the carcass of the game or fur-bearing animal so killed and shall immediatey after such killing and caring for or delivering of the carcass make report of the wrong done to any Game Protector or the District Attorney of the County or a justice of the peace or a representative of the Department of Forestry in the neighborhood where the offense was committed and shall give to such person definite information regarding the place where such carcass may be found or deliver the carcass to such official for disposition as hereinafter provided and shall within twenty-four hours after such killing forward to the Board at Harrisburg a statement in writing under oath explaining when and where and how such mistake was made

Said one-fourth of the penalty imposed by law and paid into the hands of the Board shall be returned to the said satisfied that said killing was by mistake and was not intentional or by carelessness

Section 710 SHIPPING GAME BY PARCEL POST Except as in this act otherwise provided it is unlawful for any person to ship game or any part thereof killed in a wild state in this Commonwealth by parcel post Nothing contained in this section shall be construed to prevent the shipment of skins of raccoons or bears legally killed if marked properly to show the contents

Section 711 TRANSPORTING SMALL GAME It is unlawful for any person to ship or transport by common carrier of any description or by automobile or vehicle of any kind any small game or part thereof killed in a wild state in this Commonwealth or for any common carrier or his or its agent to transport small game of any kind from one point to another point in this Commonwealth unless such small game is accompanied by the owner thereof or is carried upon the same train or automobile or vehicle with such owner in the following manner Such game shall be carried upon the person in the hunting-coat or game-bag or openly as hand-baggage without cover in such manner as to be easily seen and inspected When such game is carried in baggage or boxed for shipment each package or box or receptacle of any description containing such game shall have attached thereto a card or marker bearing in English the name of the person owning same with the place of his residence the name of the county wherein such game was killed and the number of each species of small game contained in said package

Section 712 TRANSPORTING LARGE GAME It is unlawful for any person or for any common carrier or his or its agent to ship or transport large game of any kind unless the carcass shall in all instances have attached thereto a card or marker bearing the name and address of the owner with the name of the county wherein the same was killed It is unlawful for any person to cut up large game and ship or transport or carry or convey any art thereof or for any common carrier or his or its agent to transport any such part unless each division thereof shipped uncovered or each package container or baggage of every description containing any part of such game shall have attached a card or marker bearing in English the name of the owner of such game with his home address and the character of the contents of such package so that such contents may be determined by an outside inspection of such package

Section 713 TRANSPORTATION OF GAME OUTSIDE OF STATE Except as otherwise provided in this act it is unlawful for any person at any time to ship or transport or remove or attempt to ship or transport or remove or cause or attempt to have shipped or transported or removed out of this State any game-animal or game-bird or protected bird or to catch or take or kill or have in his possession or under his control any game-bird or game-animal or protected bird with intent to allow or aid in the shipment or removal thereof out of this State and it is unlawful for any person acting in the capacity of a common carrier or his or its agent or as the operator of an automobile or in control of a vehicle of any kind to knowingly receive for transportation or remove or aid or assist in removing or attempt to remove beyond the limits of the State any game-animal or game-bird or protected bird

Nothing contained in this section shall be held to impose any penalty upon the transportation of game in unbroken packages in transit through this State from another State nor upon the shipment out of the State at any ime of game legally killed or taken in another State whether the same be in original packages or otherwise nor upon the shipment of game legally killed in this Commonwealth which is delivered in good faith to a common carrier for transportation from one point to another point in this State if necessarily carried out of this State to reach its destination but actually delivered at the point of destination within this State and in the case of small game is accompanied by the owner thereof

Any non-resident licensed hunter may take with him personally when leaving the State in the manner prescribed by law relating to the shipment of game from one point to another point in this Commonwealth and the tagging of game any game except elk that such licensee has lawfully taken or killed not exceeding during the season the number that any one person may lawfully take or kill in any two days

Section 714 SHIPPING GAME TO TAXIDERMISTS Nothing contained in this article relative to the shipment of parts of game within or out of the Commonwealth shall apply to the shipment of a bird or animal or part thereof of either legally or accidently killed that the holder thereof may desire to preserve as a trophy or as a specimen and shall send to a licensed taxidermist for tanning or mounting when the package is properly marked showing the contents thereof Provided that all such shipments out of the Commonwealth shall be legal only pursuant to a permit secured from the Secretary

Section 715 BUYING AND SELLING GAME It is unlawful for any person at any time to knowingly buy or sell or barter or expose for sale or barter or have in possession for sale or barter any game or parts thereof no matter where such game has been killed excepting deer or rabbits killed in another state and the skins of raccoons and bears no matter where killed

Nothing in this section shall be construed to prevent the purchase or sale of game raised under authority of a propagating license or the purchase or sale or introduction into this State at any time of live game for propagating purposes that has been inspected and legally passed by a representative of the Bureau of Animal Industry of the Department of Agriculture or to prevent at any time the sale within the State or the shipment out of the State without a license of any kind of any animal raised in captivity and not found in a wild state in this Commonwealth or the purchase or sale of the tanned cured or mounted heads or skins or parts thereof of any game not killed in a wild state in this Commonwealth

Section 716 DOGS PURSUING ELK OR DEER LIABILITY OF OWNERS Any dog pursuing or following upon the track of an elk or deer is hereby declared to be a public nuisance Such dog may be killed by any person when pursuing or following upon the track of an elk or a deer for a distance believed by such person to be one-half mile or more or by any officer whose duty it is to protect the game of the State upon affidavit being made by any person acqainted with the facts that said dog is in the habit of or has been seen or heard running upon the track of or pursuing any elk or deer for a distance of one-half mile or more within a period of two years before the date of such affidavit The owner or person harboring or in control of a dog either killed in conformity with the law or proven to have pursued an elk or deer for the distance of one-half mile or more shall be liable to a penalty of fifty dollars for each elk and twenty-five dollars for each deer pursued and one hundred dollars for each elk and fifty dollars for each deer killed or caused to be killed by such dog running at large without the aid or direction of its master Where the owner or person harboring or in control of a dog shall neglect or refuse to take such action as may be necessary to prevent such dog from running elk or deer after notice in writing from an officer whose duty it is to protect the game to the effect that the dog in question is in the habit of pursuing elk or deer he shall be liable to double the amount as fixed before for the first offense

Section 717 DOGS PURSUING SMALL GAME OR PROTECTED BIRDS IN CLOSE SEASON Any dog pursuing or following upon the track of any small game or protected bird during what is known as the close season for such animal or bird is hereby declared to be a public nuisance and may be killed by the owner or lessee of land whereon it is found or by an employee of such owner or lessee or by an officer of the Commonwealth whose duty it is to protect the game or wild birds unless such dog shall wear a collar having attached thereto a metallic tag or plate upon which shall be plainly incribed in English the name and address of the owner of such dog and also a dog license tag as provided by the laws of the Commonwealth Any dog thus wearing a collar inscribed and tagged as before mentioned pursuing small game or protected birds during what is known as the close season may be killed by the owner or lessee of any land upon which such dog may be found or by any employee of either the owner or lessee or by any officer of the State whose duty it is to protect the game of the State when such dog is seen upon the track of such game after notice in writing from that particular person or from the Secretary of the Board has been given to the owner or reputed owner or person in control of such dog to the effect that the dog in question is in the habit of destroying or pursuing or following upon the track of game or protected birds contrary to this section

Any person who shall or negligently permit his dog or a dog under his control to pursue small game during the close season on land other than his own or which he may control shall be liable without notice of any kind to a penalty of ten dollars for each day small game or protected birds may be pursued in violation of this section and to an additional penalty of five dollars for each such annimal or bird killed by such dog without the aid or direction of its master together with costs of prosecution

Section 718 TRAINING OF DOGS ON CERTAIN GAME During the period between one hour before sunrise and nine o'clock Post Meridian Eastern Standard Time dogs when accompanied by and under control of their owner or handler may be trained upon any game in this State excepting elk or deer or wild-turkey from the twentieth day of August to the last day of February next following Sundays excepted so long as no firearms usually raised at arm's length and fired from the shoulder are carried and no injury is inflicted upon said animals or birds this section does not prohibit the training of dogs on rassoons during the night-time Under control is hereby defined to mean within call except when actually on a trail or track of legal game

Any person who shall train a dog or dogs or permit a dog or dogs under his control to pursue or follow upon the track of any small game contrary to the foregoing provisions shall be liable to a fine of ten dollars for each offense

Section 719 IMPORTING SELLING AND RELEASING CERTAIN BIRDS EGGS AND ANIMALS It is unlawful for any person to bring or in any manner to have transported into this Commonwealth from any other State or country any living specimen or any egg thereof of the bird known as the European starling or any other bird or any living animal the importation of which is prohibited by the Secretary of Agriculture of the United States under the provisions of any law of the United States or to release within this Commonwealth any fox wild cat mink or weasel brought into this State from another state or country or reared in captivity

It is unlawful to bring into or to sell within this Commonwealth living game of any kind either birds or animals that have been imported from any other state or nation or to release within this Commonwealth for propagating purposes imported game of any kind excepting under a certificate to be issued from the Department of Agriculture of Pennsylvania after inspection by a representative of the Bureau of Animal Industry of that Department and quarantine when necessary Any person violating any of the provisions of this section shall be sentenced to pay the fine provided for in this article

Section 720 REMOVAL OR KILLING OF GAME DESTROYING PROPERTY When it is proven to the satisfaction of the Board that game is excessively destroying property or otherwise becoming a nuisance in any section of the State the Board may at any time remove or have removed such animals or birds from that neighborhood or direct the killing and disposition of the same as the case may require

Nothing in this act shall be construed to prevent any person actually residing upon or cultivating lands within this Commonwealth as either the owner or lessee or the herein contemplated and shall subject any person killing any animal or bird named in this section to the full fine herein- or raccoon or the birds commonly known as blackbirds regardless of sex or age which he may find on such lands actually engaged in the material destruction of cultivated employee of such owner or lessee from killing in any manner at any time any elk or deer or bear or rabbit or squirrel fruit-trees cultivated crops vegetables live-stock poultry or bee-hives or in the case of red squirrels or blackbirdes destroying either the eggs or young of protected or game birds or from estroying such animals or birds anywhere on the property under their control immediately following such destruction Any such person shall at all times prove that material damage was being done by the animal or bird killed and report such killing except in the case of red squirrels and blackbirds within twenty-four hours either verbally or in writing to the nearest game protector or the office of the Board at Harrisburg and shall also remove the entrails hang up and care properly for the carcass of any animal killed for delivery to such charitable institution as such officer or board may direct

Failure to prove material damage or make the report herein required or dress and care for such carcass properly shall be prima facie evidence that the purpose of such killing was not to relieve the destruction of property as after provided for unlawfully killing such animal or bird

Nothing in this act shall be construed to prevent any person from killing a bear at any time or in any manner when such animal is inflicting or attempting to inflict injury to either the person or personal property of any individual or the killing of such bear in a pursuit commenced within forty-eight hours after the commission of such offense or to prevent any person from killing a bear at any time in any manner when such animal is found within one-half mile of his regular place of residence if such person has just cause to fear injury to persons or his personal property No steel traps shall be used for the purposes stipulated in this provision relative to bear An bear killed under this provision shall be reported and the carcass dressed and cared for and disposed of in the same manner as directed in this section

Section 721 POSSESSION OR INTERFERENCE WITH NEST OR EGGS OF BIRDS Except as otherwise provided in this act it is unlawful for any person to take or have in possession or under control of either the nest or any egg found therein of any game-bird or protected bird or to wantonly interfere with or destroy any such nest or egg Any person violating any of the provisions of this section shall be liable to the fine hereinafter provided

Section 722 UNLAWFUL KILLING AND POSSESSION OF PROTECTED BIRDS Except as otherwise provided in this act it is unlawful for any person at any time to shoot at or wound or take or kill any protected birds or to have such bird either living or dead or any part thereof in his possession

Nothing contained in this section shall be construed to prevent any person from killing any eagle or hawk or owl or heron protected by this act when caught in the act of destroying domestic livestock poultry game other protected birds their nests or young or fish in private rearing ponds or to prevent such killing immediately following such destruction No protected bird or any part thereof killed as herein provided or by accident shall be mounted or retained in possession except pursuant to a permit obtained from the Board

Any person violating any of the provisions of this section shall be liable to the penalty hereinafter provided

Section 723 UNLAWFUL SALE OF PROTECTED BIRDS AND PLUMAGE Except as otherwise provided in this act it is unlawful for any person acting either for himself or as the agent or representative of another to have any protected bird or any part of the plumage or sk thereof or any bird or part of the plumage or skin of a bird that may have been brought into this Commonwealth from another state or country which belongs to the same family as those found in a wild state in this Commonwealth in possession or under control for the purpose of sale or t offer or expose the same for sale or to transport or sh or remove or attempt to transport or ship or remove from this Commonwealth for any purpose any such bird either living or dead or any part of the plumage or skin thereof

Any persons violating any of the provisions of this section shall be liable to the fine hereinafter provided

Section 724 OWNERSHIP OF CARCASS OF GAME. The ownership of the carcass of game lawfully shot and killed shall be deemed to be in the person who inflicts a mortal wound which causes the death of the bird or animal and which enables the hunter to obtain possession of the carcass

When a mortal wound has been lawfully inflicted on any game but the same is not killed immediately and continues in flight and is thereafter lawfully shot by another hunter who inflicts a mortal wound thereby stopping th flight of such game and killing it enabling such hunter to take possession of the carcass the ownership of the carcass shall be deemed to be in the hunter whose fatal wound stopped the flight of such game and enabled him to take pos session of the carcass In case of a dispute a disinterested person other than an officer whose duty it is to enforce the game laws may be called in to arbitrate the matter

Section 725 PENALTIES Any person violating any of the provisions of the sections of this article shall upon conviction be sentenced to pay the following fines and costs of prosecution for each offense

(a) For hunting or shooting or chasing or catching or killing any game or attempting to shoot or chase or catch or kill with or without dogs any game upon the first day of the week commonly called Sunday or for hunting for or shooting at or catching or killing or attempting to hunt for or shoot at or catch or kill any game between one-half hour after sunset of one day and sunrise of the day following contrary to the provisions of this article twenty-five dollars

(b) For using a boat or craft or permitting the same to be used contrary to the provisions of this article fifty dollars for each day

(c) For using decoys contrary to the provisions of this article ten dollars for each decoy

(d) For using traps in taking vermin contrary to the provisions of this article ten dollars for each trap

(e) For failure to keep or produce upon demand by an officer the roster or record of a hunting party as required by the provisions of this article twenty-five dollars

(f) For failure to tag or mark a deer or elk or bear within six hours after killing as required by the provisions of this article twenty-five dollars

(g) For shipping transporting carrying or conveying parts of large game in any package container or baggage of any description without having a card or marker attached as provided by this article twenty-five dollars

(h) For a common carrier or his or its agents to knowingly or negligently transport game from one point to another in this Commonwealth contrary to the provisions of this article twenty-five dollars

(i) For violating any of the provisions of this article relating to living birds and the eggs thereof and living animals imported or brought into or released within this Commonwealth fifty dollars for each bird or egg or animal imported or sold or released contrary to said provisions

(j) For interfering with or destroying the nest or egg of any game bird contrary to the provisions of this article fifty dollars for each nest

(k) For interfering or destroying the nest or egg of a protected bird contrary to the provisions of this article ten dollars for each nest

(l) For shooting at or wounding or taking or killing or possessing any protected bird contrary to the provisions of this article ten dollars

(m) For selling or offering for sale or possessing for the purpose of sale or transporting or shipping or attempting to transport or ship any protected bird or any bird that may have been brought into this Commonwealth which belongs to the same family or the skins or plumage of any such bird twenty dollars

(n) Except as otherwise herein provided for hunting or chasing or catching or taking or killing or wounding or receiving or delivering or transporting or shipping or using or concealing or assisting to conceal or having in possession or attemptin to hunt for catch take kill wound or transport contrary to this article or for violating any of the provisions of this article relating to the shipping or transportation or removal out of this Commonwealth or relating to the buying or selling or bartering of

I Each elk two hundred dollars and in the discretion of the court six months' imprisonment

II Each deer one hundred dollars

III Each bear fifty dollars

IV Each wild turkey ruffed-grouse ring-neck pheasant quail or woodcock twenty-five dollars

V Each other game-bird or game animal ten dollars

In any case where any game-bird or game-animal was legally taken and held in possession after the time permitted by this article the fine shall be one-half of the fine above prescribed

In addition to the fine above prescribed any person who shall make use of or have in possession or under control a ferret contrary to the provisions of this article shall be liable to a fine of twenty-five dollars for each ferret and costs of prosecution

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall in the discretion of the court suffer imprisonment one day for each dollar of fine imposed

ARTICLE VIII

STATE GAME LANDS HUNTING GROUNDS AND GAME REFUGES

(a) STATE GAME LANDS

Section 801 ACQUISITION The Board may acquire title to or control of lands within the Commonwealth suitable for protection and propagation of game or for hunting purposes or to be used as hereinafter provided by purchase gift or otherwise to be known as State Game Lands The Board may also acquire title to such lands by condemnation proceedings in the same manner as provided for the condemnation of lands for State Forests The Board may purchase or erect such buildings as may be deemed necessary properly to maintain and protect such lands The Board may purchase or lease land from which the ownership of minerals oil or gas and the right to mine and drill for the same have been expected All purchases and leases shall be made only with the consent of a majority of the Board The President shall represent the Board in all purchases and leases

Section 802 TITLE AND CONTROL The title to any land acquired by purchase gift or otherwise shall be approved by the Attorney General and shall be taken by the Board in the name of the Commonwealth The deed to any such land shall be deposited with the Secretary of Internal Affairs The entire control of such land shall be under the direction of the Board

Section 803 PURCHASE PRICE No land shall be purchased at a price to exceed ten dollars per acre except where buildings or cultivated lands deemed necessary to the proper maintenance and administration of Game Refuges or for game propagation are included The Board may expend for the purchase of lands during any year such amount as in their opinion can be allotted to that purpose

Section 804 SALE AND EXCHANGE Whenever the Board shall deem it to the best interests of the Commonwealth it may by resolution adopted by unanimous vote at a meeting when a majority of the Board are present and voting and with the consent of the Governor authorize the exchange of any lands or any part thereof to which title has been acquired by purchase gift or otherwise together with the buildings improvements and appurtenances thereof for privately owned lands of equal or greater value and adapted for State Game lands or game propagation or may authorize the sale of any lands to which title has been acquired as aforesaid or any part thereof to the party or parties offering the highest price thereof after advertisement once each week for three successive weeks in at least two newspapers published in the county or counties in which the land is situate

Such lands may also be sold to the State Forest Commission of the Commonwealth or the United States of America for National Forest Reserves in the same manner as above except no advertisement shall be required

The Attorney General shall prepare the necessary deeds to consummate such exchange or sale and the deeds shall be executed by the President of the Board The proceeds of such sale shall be deposited in the game fund

Section 805 FIXED CHARGES Lands acquired by purchase gift or otherwise shall be exempt from the payment of all taxes except such fixed charges as apply to and are imposed upon State Forests

Section 806 USE OF LANDS Lands to which title has been acquired by the Board or which have been leased or any part thereof may be used for the purpose of creating and maintaining State Game Refuges and Hunting Grounds either or both for the propagation of game and as much thereof as deemed necessary may be used for the administration of such lands The Board after consultation with the Department of Forestry may cut and remove and sell or permit the cutting and removing and selling of timber on lands to which title has been acquired by the Board by purchase gift or otherwise the net proceeds from which shall be deposited in the Game Fund The Board may grant rights-of-way on and across lands acquired as aforesaid when such grant will not adversely affect game protection and propagation The Board may also at its discretion grant leases for church or school purposes for a period not to exceed ten years

(b) STATE GAME REFUGES

Section 815 STATE GAME REFUGES The Board may establish and maintain State Game Refuges for the protection and propagation of game on all or any portion of State Game Lands wherein game and fur-bearing animals shall not be hunted pursued disturbed or molested at any time The Board may also with and by the consent of the State Forest Department or proper Federal authority locate State Game Refuges on State Forests or National Forests No such Refuge shall exceed in area one-half of the total area of the State or National Forest on which it is located No State Game Refuge shall be established within ten miles of another State Game Refuge nor shall a Refuge exceed ten miles at its greatest transverse dimension

Section 816 BOUNDARY LINES NOTICES Each State Game Refuge shall be surrounded by a well defined fire-line road or other clear strip of land and by at least one wire at the boundary thereof On the boundary of each State Game Refuge there shall be posted in conspicuous places not more than one hundred and fifty yards apart notices bearing the following "State Game Refuge Hunting is Unlawful" and such other information or rules and regulations as the Board may deem advisable

(c) AUXILIARY STATE GAME REFUGES

Section 825 APPLICATION FOR AUXILIARY REFUGES Whenever the owner or owners or persons in control of suitable lands having an area of not less than two hundred acres desiring to have said lands or part thereof set apart as a Refuge for game and wild birds they may make application to the Board giving a description of said lands including (a) specific location (b) map or sketch showing an outline or said lands and the location of all buildings roads streams and fences (c) the type of such lands whether woodland abandoned farmland or cultivated land The Board may have an examination made of said lands and if found suitable for game protection and propagation purposes shall notify the owner or owners or persons in control of said lands to that effect The owner or owners or persons in control of said lands may then present a petition as hereinafter provided to the Board on forms supplied by the Board declaring his or their desires

Section 826 CONTENTS OF PETITION FOR AUXILIARY REFUGES A petition for an Auxiliary State Game Refuge shall state clearly (a) that the owner or owners or persons in control of such lands are willing to vest in the Commonwealth all hunting rights upon said lands without charge or for such remuneration as may be agreed upon between them (b) that neither they their families their agents their tenants nor any other persons shall hunt thereon by and with their authority (c) that they will make every effort to protect said refuge from forest fires hunting and from violations of any nature (d) that the agreements shall continue in force for an uninterrupted period of not less than ten years and such longer period as may be desired by the petitioners and (e) all such other information as the Board may require The petition shall be endoresd by at least fifty qualified electors of the county or counties wherein said lands are located

Section 827 ESTABLISHMENT OF AUXILIARY REFUGES If upon investigation the Board finds that the proposed Auxiliary Game Refuge is not within a radius of five miles from any State Game Refuge or other Auxiliary State Game Refuge and decides that the establishment of the proposed auxiliary game refuge is advisable it may enter into an agreement in the form of a lease with the owner or owners or persons in control of such property and shall thereupon declare said lands or any part thereof an Auxiliary State Game Refuge The Board shall surround that part of the lands set aside as a refuge by a single wire as a marker if the same is not already surrounded by a suitable enclosure and shall post notices along the boundary line of the refuge not more than one hundred and fifty yards apart Such notices shall bear the words "Auxiliary State Game Refuge Hunting is Unlawful" and such other information or rules and regulations as the Board may deem advisable

Section 828 ADVERTISEMENT OF THE ESTABLISHMENT OF AUXILIARY REFUGES The Board shall cause notice of its action declaring lands to be an Auxiliary State Game Refuge to be advertised at least one time each week for three consecutive weeks in at last two newspapers of general circulation in the county or counties wherein such refuge is located and shall also have a suitable notice published for at least two consecutive months in not less than two sportsmen's journals if there be so many published monthly in the State

(d) REGULATIONS PENALTIES

Section 840 RULES AND REGULATIONS The Board may formulate adopt and post such rules and regulations for the government of lands under its control and for protection and propagation of game thereon as it may deem necessary for their proper use and administration or as may be established pursuant to agreements with the State Forest Commission or proper Federal authority or lessors Such rules and regulations shall be the law of this Commonwealth controlling such lands and a violation of any of the provisions of such rules and regulations shall subject the offender to the payment of fines provided for in this article for the violation of such rules and regulations

Section 841 ENTRY UPON REFUGES Any citizen may go upon a State Game Refuge or an Auxiliary State Game Refuge without firearms or traps or dogs except during the months of October November and December The Board may through the Secretary by written permission grant to responsible persons the right to hunt or trap for vermin on State Game Refuges for Auxiliary State Game Refuges between December sixteenth and September thirtieth next following The Board may adopt rules and regulations setting forth the manner in which persons working upon or living within the boundaries of Auxiliary State Game Refuges may be or go upon such refuges at any time

The Board may under proper permit authority for the granting of which is hereby given the Secretary authorize the owner tenant or lessee of lands used for an Auxiliary State Game Refuge or any member of his family residing upon any part of said lands leased to the Board for the purpose of creating said refuge or hunting grounds in connection therewith to take not more than ten rabbits through the use of box traps during any season on said lands set aside as an Auxiliary State Game Refuge

Nothing contained in this Article shall be construed to prevent school children at a time other than the open season under proper supervision of an instructor from entering without firearms or traps or dogs an Auxiliary State Game Refuge at any time for the study of bird animal and plant life

In connection with their official duties it is unlawful for any member or employee or duly appointed agent of the Board or the Department of Forestry or the Federal Forest Service to go upon a game refuge at any time and in any manner with or without firearms or traps or dogs

Except as above provided it is unlawful for any person to carry firearms or traps within the limits of or take a dog upon a State Game Refuge or an Auxiliary State Game Refuge at any time

Except as above provided it is unlawful for any person to go upon a State Game refuge or an Auxiliary Game Refuge during the months of October November and December

Except as in this article otherwise provided it is unlawful for any person to hunt for or catch or kill or wound or drive or to attempt to hunt for or catch or kill or wound or drive any birds or animals within the limits of a State Game Refuge or an Auxiliary State Game Refuge

It is unlawful for any person to violate any of the rules and regulations adopted by the Board for the protection and preservation of protected birds and game on Auxiliary State Game Refuges

Section 842 PENALTIES Any person violating any of the provisions of this article shall be sentenced to pay the following fines and costs of prosecution for each offense

For catching or killing or wounding or driving or attempting to catch or kill or wound or drive

(a) Each elk	$200 and in the discretion of the court 6 months imprisonment
(b) Each deer	$100
(c) Each bear	$ 50
(d) Each wild turkey ruffed grouse ring-necked pheasant quail or woodcock	$ 25
(e) Each other bird or animal	$ 10

For violating any of the provisions of this article not above specifically provided for or for violating any of the rules and regulations of the Board $25 and costs of prosecution for each offense

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall in the discretion of the court suffer imprisonment one day for each dollar of fine imposed

ARTICLE IX

UNNATURALIZED FOREIGN-BORN RESIDENTS

Section 901 DEFINITION OF UNNATURALIZED FOREIGN-BORN RESIDENTS For the purpose of this article any unnaturalized foreign-born person who shall live or reside within the boundaries of the Commonwealth for ten consecutive days shall be considered a resident and shall be liable to the fines imposed for violations of the provisions of this article

Section 902 HUNTING ET CETERA POSSESSION OF FIREARMS OR DOGS It is unlawful for any unnaturalized foreign-born resident to hunt for in any manner or capture or kill any wild bird or animal of any description either game or otherwise except in defense of person of property and to that end it is unlawful for any unnaturalized foreign-born resident to either own or be possessed of a shotgun or rifle or pistol or firearm of any make or kind or a dog of any kind

Section 903 PRIMA FACIE EVIDENCE OF VIOLATIONS The possession of a shotgun or rifle or pistol or firearm of any kind or of a dog of any kind at any place outside of buildings by an unnaturalized foreign-born resident shall be prima facie evidence of a violation of the provisions of this article

The presence of a shotgun or rifle or pistol or firearm of any make or kind or of a dog of any kind in a room or house or building or tent or camp of any description occupied or controlled by an unnaturalized foreign-born resident shall be prima facie evidence that such firearm or dog is owned or controlled by the person occupying or controlling the property in which the same is found and shall render such person liable to the fines imposed by this article

Section 904 PENALTIES Any person violating the provisions of this article shall be sentenced to pay the following fines and costs of prosecution for each offense

For the capture or killing contrary to the provisions of this article any wild bird or animal

(a) Each elk two hundred dollars and in the discretion of the court six months imprisonment

(b) Each deer one hundred dollars

(c) Each bear fifty dollars

(d) Each wild turkey ruffed grouse ring-neck pheasant quail or woodcock twenty-five dollars

(e) Each other bird or animal ten dollars

For hunting in any manner or for owning or possessing a shotgun or rifle or pistol or firearm contrary to the provisions of this article twenty-five dollars and costs of prosecution

For owning or possessing a dog contrary to the provisions of this Article fifteen dollars and costs of prosecution

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second and subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall in the discretion of the court suffer imprisonment one day for each dollar of fine imposed

Section 905 FORFEITURE OF FIREARMS AND DOGS All shotguns rifles pistols firearms and dogs found in possession or under control of an unnaturalized foreign-born resident shall upon the conviction of any such person or upon his signing an acknowledgment of guilt as hereinafter provided in this act be forfeited to the Commonwealth All such firearms shall be sold by the Board as hereinafter provided All such dogs shall be either killed in a humane manner or disposed of in such manner as the Board or the magistrate alderman or justice of the peace hearing the case may direct

ARTICLE X

BOUNTIES

Section 1001 BOUNTIES ON CERTAIN ANIMALS A reward or bounty shall be paid for the killing within the Commonwealth only of the following animals For each Canada or bay lynx commonly called bobcat or wildcat fifteen dollars for each gray fox four dollars and for each red fox two dollars and for each weasel one dollar

Section 1002 MAKING CLAIM FOR BOUNTY Any person having killed within this Commonwealth any such animal and being desirous of securing the reward or bounty provided for such killing shall produce such slain animal or the entire pelt thereof before any game protector or deputy game protector or any other person authorized to administer oaths within this Commonwealth and shall make affidavit on forms supplied by the Board that (a) he or some member of his family or household naming such person killed the same (naming it) (b) stating clearly the approximate time of such killing (c) that it was killed in a wild state (d) that the place (naming it) where such animal was killed was within the Commonwealth and (e) that such animal was not reared in captivity

No person shall include in one affidavit more than ten claims for bounties for animals killed Each officer other than a salaried game protector shall receive a fee of twenty-five cents for each affidavit containing one claim and fifty cents for each affidavit containing more than one claim Game Protectors and deputy game protectors are authorized to administer the oath required by this section Deputy game protectors shall supply seals at their own expense

The person administering the oath shall without splitting the face or otherwise mutilating the skin deliver said affidavit and skin or pelt to the claimant for bounty who shall as soon as may be forward such affidavit and the unmutilated salted cured or tanned skin or pelt of the animal or animals to the Secretary of the Board at Harrisburg

Section 1003 PAYMENT OF BOUNTIES MONTHLY ACCOUNTING Upon the receipt of such affidavit and skins or pelts in proper form if the Secretary is satisfied that the skins or pelts presented to him are the skins or pelts of animals for the killing of which a bounty is offered by this act and that such claims are in all respect legitimate he shall split the face of the skin from a point between the eyes through the end of the nose and shall as quickly as may be forward his check to the claimant for the amount found to be due and shall if requested return all such skins or pelts at the expense of the game fund to such address as the owner may direct The Secretary shall at least once a month render an accounting to the Auditor General in such form as he may prescribe of all claims paid giving the name and address of the payee the number of the check given and the amount so paid

Section 1004 UNLAWFUL COLLECTION OF BOUNTY PENALTIES It is unlawful for any person to collect or to attempt to collect a bounty for the killing of any animal the face of which is split before presentation to a person authorized to take affidavits or to collect or attempt to collect a second bounty for the killing of any animal or to collect or attempt to collect such bounty through the presentation of the skin or carcass or any part thereof of any animal not named in this act or through deception of any character or to present for the purpose of securing a bounty the skin or carcass or any part thereof of an animal that has been reared or held in captivity or the skin or carcass or any part thereof of any animal killed or captured outside of this Commonwealth

Any person who shall wilfully or fraudulently collect or attempt to collect any reward or bounty to which he is not legally entitled under the provisions of this act or shall aid or abet or assist in any capacity official or otherwise in any attempt to defraud the State through the collection or payment of any reward or bounty shall be guilty of a misdemeanor and upon conviction thereof shall in addition to the penalty that may be imposed for perjury where a false affidavit is made be sentenced to pay to the Commonwealth for the use of the game fund a fine of not less than one hundred dollars or more than five hundred dollars and in default of the payment thereof with costs shall suffer an imprisonment in the jail of the county in which the affidavit is made for a period of one day in jail for each dollar of fine and costs imposed and unpaid

ARTICLE XI

ENFORCEMENT OF ACT PROCEDURE PENALTIES

Section 1101 JURISDICTION Except in cases where the offense is designated a misdemeanor or a felony each magistrat alderman and justice of the peace shall have the power of summary conviction in matters pertaining to violations of any of the provisions of this act

Section 1102 PROCEDURE All summary proceedings under the provisions of this act shall be commenced by affidavit made within two years after the date of any violation Any magistrate alderman or justice of the peace on complaint made before him by affidavit charging any person with having violated any of the provisions of this act or any of the rules and regulations issued by the Board pursuant to this act shall issue his warrant under his hand and seal directed to any constable police officer game protector or any officer whose duty it is to enforce the game laws of the Commonwealth and cause such person to be brought before him When any person is arrested without warrant the officer making the arrest shall immediately take such person before a magistrate alderman or justice of the peace and make complaint by affidavit The magistrate alderman or justice of the peace shall in all cases hear the evidence and determine the guilt or innocence of the person accused If such person is convicted of the offense charged the magistrate alderman or justice of the peace shall also find as a fact any bird or animal or part thereof found in possession is unlawfully possessed and the defendant shall be sentenced to return to the Commonwealth any bird or animal or part thereof found to be unlawfully in his possession and to pay the full fine prescribed by this act for such violation together with the costs of prosecution and in default of the return of such bird or animal or part thereof or the payment of such fine and costs shall be imprisoned one day for each dollar of fine and costs so imposed posed

Section 1103 ACKNOWLEDGEMENT OF GUILT Any person charged with violating any provision of this act may sign an acknowledgement of the offense committed either before or after the beginning of suit and pay to any duly appointed and commissioned game protector or deputy game protector the fine provided by this act together with costs accruing to that date and surrender to the Commonwealth any bird or animal or part thereof unlawfully taken or possessed Such person shall receive a printed receipt therefor which shall bear the imprint of the seal of the Board and the signature of its secretary and shall be evidence of full satisfaction of the offense committed

Section 1104 ARRESTS WITHOUT WARRANT SEIZURE OF CERTAIN PROPERTY AND GAME Any officer whose duty it is to preserve the peace of the Commonwealth may arrest without warrant any person caught in the act of violating any of the laws relating to game or other wild birds or wild animals or in pursuit immediately following any such violation He may seize all guns shooting or hunting paraphenalia traps dogs boats decoys or other appliances used in violation of any such laws or which he may find in the execution of a search warrant and may seize all birds or animals found either in the possession or under the control of the suspected person

Section 1105 ARRESTS ON SUNDAY Any officer whose duty it is to enforce the game laws of the Commonwealth or any officer whose duty it is to preserve the peace of the Commonwealth may arrest on Sunday without warrant any person caught in the act of violating any of the laws relating to game or other wild birds or wild animals or in pursuit immediately following such violation and in such cases the person arrested may be committed to the jail or lockup for safekeeping for that day unless such person pays to the officer making the arrest in trust a sum of money equivadent to the amount of fine imposed for the violation committed. Such person shall be taken before a proper magistrate alderman or justice of the peace and be proceeded against as soon as may be on a week day following the arrest

Section 1106 SEARCH WARRANTS Whenever any individual makes complaint in writing before any magistrate alderman or justice of the peace supported by his oath or affirmation and subscribed to by him alleging that there is probable cause to believe and that he has just and reasonable grounds for believing and does believe that certain birds or animals have been caught taken killed possessed shipped or are about to be shipped or that a firearm or dog is concealed by an unaturalized foreign-born resident contrary to the provisions of this Act and describing as nearly as may be the things to be searched for and the place or places to be searched shall issue a search warrant and cause search to be made

Section 1107 PENALTY FOR RESISTING ARREST Any person who by force menance or in any manner resists arrest for violation of any of the provisions of this act or refuses to go with an officer after an arrest has been made or interferes with an officer of the Commonwealth in the performance of his duty under the provisions of this act shall be sentenced to pay a fine of one hundred dollars and cost of prosecution and in default of the payment of such fine and costs shall be imprisoned one day for each dollar of fine and costs

Section 1108 INVESTIGATIONS BY OFFICERS ETC The officer investigating any violation of the game-laws is hereby authorized to administer oaths relative to such matter and where birds or animals of any kind are found in a camp or in possession or under control of an individual or hunting party the person or persons in charge or in possession or control of such birds or animals shall answer satisfactorily immediately under oath if required such questions relating to the taking or ownership or possession of same as may be considered necessary by the officer investigating and in every case where such person or persons in charge or in possession or in control of such birds or animals refuse to so answer such questions the birds or animals thus found are hereby declared forfeited to the Commonwealth and such officer is directed to take charge of and dispose of same as provided by this act

Section 1109 REVIEW OF PROCEEDINGS BY COURT OF QUARTER SESSIONS Any person convicted of violating any of the provisions of this act may enter into good and sufficient recognizance to pay the fine imposed and costs within a period of ten days after the date of his conviction or may certiorari or appeal the proceedings within five days after such conviction to the court of quarter sessions of the county Any prosecutor dissatisfied with the finding of any magistrate alderman or justice of the peace may in like manner appeal to said courts within said period All such appeals shall be only on allowance of the court of quarter sessions or a judge thereof on cause shown and shall be determined by the court of quarter sessions without a jury

Section 1110 FINES TO BE FORWARDED TO SECRETARY All fines recovered in cases where the prosecutor is a salaried officer of the Commonwealth shall be immediately surrendered by the court receiving the same to the prosecutor who in turn as soon may be shall forward or deliver such fines and penalties to the secretary Where any officer of the Commonwealth other than a salaried officer is the prosecutor the fines and penalties shall as soon as the case is fully determined before him be forwarded by such magistrate alderman or justice of the peace to the secretary at Harrisburg together with a statement of the cause for which such fines were collected the cost of which statement is hereby fixed at fifty cents and made a part of the costs of prosecution All fines received by the Secretary shall be paid into the State Treasury monthly for the use of the game fund

Section 1111 RETURN OF FINES ERRONEOUSLY PAID INTO TREASURY Whenever the Board is satisfied that any fine paid into the State Treasury under the foregoing provisions was erroneously collected and deposited the Board within six months after such deposit may by resolution direct the Secretary to draw a requisition upon the fund with which such fine was deposited for the amount involved Upon receipt of such requisition and an extract of the minutes of the Board the Auditor General shall draw his warrant upon the State Treasurer in favor of the person from whom such fine was erroneously collected

Section 1112 WHEN CERTAIN CONVICTIONS TO BE DEEMED SECOND CONVICTIONS Any person convicted or pleading guilty or signing an acknowledgement of guilt under the provisions of this act who prior thereto was convicted or plead guilty or signed an acknowledgement of guilt for violating any of the game laws then in force shall be sentenced under this act and be denied by the Board or by this act the right to hunt anywhere with or without a hunter's license in the same manner as if such person had been convicted of a second offense against this act

Section 1113 DISPOSITION OF SEIZED BIRDS AND ANIMALS All birds and animals protected by this act or parts thereof found in the possession of any person not legally taken and seized under the provisions of this act shall be forfeited to the Commonwealth All dead game so forfeited shall be forwarded immediately to the most convenient charitable institution or to a charitable institution designated by the Secretary All live game and all other birds and animals or parts thereof not classed as game so seized shall be disposed of by the Board

Section 1114 DISPOSITION OF SEIZED PROPERTY

WHEN DEFENDANT CONVICTED When a defendant is convicted of violating any of the laws relating to game or other wild birds or wild animals and pays the fine and costs imposed all guns traps boats decoys dogs and other shooting or hunting paraphernalia seized in connection with his arrest shall if the use of the same is not forbidden by this act be returned to the defendant except in the case of the conviction of any unnaturalized foreign-born person and in case the fine and costs are not so paid in full all property other than illegal devices so seized shall be sold at public auction in such manner and subject to such conditions as the Board shall direct The cost of any such sale shall be part of the costs of prosecution Any fund arising from any such the payment of costs of prosecution and third to the payment of the fine imposed The remained if any shall be returned to the owner of the property thus seized The defendant shall be entitled for the first offense only to the credit of one day off his imprisonment for each dollar applied toward the payment of his fine

Property seized the use of which is forbidden by this act shall be forfeited to the Commonwealth and be disposed of by the Board

Section 1115 DISPOSITION OF SEIZED PROPERTY WHEN OWNER ESCAPES ARREST All guns traps dogs boats decoys and other shooting or hunting paraphernalia seized under the provisions of this act where the owner thereof escapes arrest and refuses to present himself and make claim to the property shall be held for a period of ten days after which time such property shall be sold in a manner prescribed for the sale of property seized where the defendant is convicted The fund arising from such sale shall be applied first to the payment of the costs of the sale second to any costs of prosecution accrued and the remainder thereof shall be forfeited to the Commonwealth

Section 1116 LIABILITY FOR COSTS NOT PAID BY DEFENDANT Whenever any officer whose duty it is to enforce the laws of this State protecting game fur-bearing animals and protected birds shall in good faith bring suit for any violation of such laws and for any legal cause shall fail to recover the costs of record Such costs shall be a charge upon the proper county and shall be audited and paid as are costs of like character in said county

ARTICLE XII

Section 1201 ESTABLISHMENT OF GAME FUND APPROPRIATION All license fees fines and other moneys received and collected (a) under the provisions of any law repealed and replaced by this act and now held in the State Treasury as a fund or any part of a fund seperate and apart for the various purposes designated by law or (b) that may be hereafter paid into the State Treasury under the provisions of any act so repealed or replaced or (c) that may be paid into the State Treasury under the provisions of this act shall be placed in a separate fund to be known as "The Game Fund" and shall be held seperately and apart solely for the purposes of the payment under the supervision of the Board (a) of the salaries and expenses of the officers and employes of the Board and contingent office expenses (b) for wild bird game and fur-bearing animal protection and propagation (c) for the purchase of game for propagation and stocking purposes (d) for feeding game and wild birds (e) for the creation acquisition maintenance and administration of hunting grounds and game refuges (f) for the purchase of other lands and buildings and for the erection of buildings (g) for the purchase and maintenance of equipment (h) for control of vermin the payment of bounties and expenses in connection therewith (i) for the payment of all or any part of the cost of any printing posters notices tags badges buttons and such other like materials as in the opinion of the Board may be necessary to its work (j) for the refund of fines erroneously collected and deposited

The sum of not less than twenty per centum of the net revenue received from resident hunters' licenses shall be set aside by the Board for the purchase and distribution of game feed for game and for the propagation or distribution of game for stocking purposes

All such moneys placed in the game fund under the provisions of this section are hereby made available immediately and are hereby specifically appropriated to the Board for the purposes herein specified

Section 1202 MONEY TO BE PAID MONTHLY UPON REQUISITION OF SECRETARY The money in such fund shall be paid to the use of said Board monthly in advance upon requisition by its secretary

The Auditor General shall upon requisition from time to time of the Secretary of the Board and the proper accounting for moneys already advanced from the fund draw his warrant upon the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund available for the purposes before specified at the time such requisition is made

ARTICLE XIII

ACTS OF ASSEMBLY REPEALED SAVING CLAUSE

Section 1301 REPEALS The following acts and parts of acts of assembly are hereby repealed as respectively indicate The repeal clause of the first section of an act shall not repeal the enacting clause of such act

I Sections one two three four five and eight of an act entitled "An act to prevent the hunting of deer and other wild beasts beyond the limits of the lands purchased of the Indians by the Proprietaries of this province and against killing deer out of season" approved the ninth day of April one thousand seven hundred and sixty (one Smith Laws two hundred twenty-seven) chapter four hundred fifty-six absolutely

II An act entitled "An act for the better preservation of Game and Insectivorous Birds" approved the twenty-first day of April one thousand eight hundred and fifty-eight (Pamphlet Laws three hundred seventy-one) absolutely

III An act entitled "A supplement to an act for the better Preservation of Game approved April twenty-first Anno Domini one thousand eight hundred and fifty-eight" approved the fourteenth day of April one thousand eight hundred and fifty-nine (Pamphlet Laws six hundred forty) absolutely

IV An act entitled "A supplement to an act for the better preservation of game and insectivorous birds approved the twenty-first day of April one thousand eight hundred and fifty-eight" approved the thirty-first day of March one thousand eight hundred and sixty-eight (Pamphlet Laws fifty-one) absolutely

V An act entitled "An act providing for the taking of game" approved the twenty-first day of April one thousand eight hundred and sixty-nine (Pamphlet Laws eighty-four) except in so far as it relates to fish

VI An act entitled "An act to amend and consolidate the several acts relating to game and game fish" approved the first day of May one thousand eight hundred and seventy-three (Pamphlet Laws eighty-nine) except in so far as it relates to fish

VII An act entitled "A supplement to an act approved the first day of May one thousand eight hundred and seventy-three entitled 'An Act to amend and consolidate the several acts relating to game and game fish'" approved the eighteenth day of March one thousand eight hundred and seventy-five (Pamphlet Laws twenty-six) absolutely

VIII An act entitled "An act to amend and consolidate the several acts relating to game and game fish" approved the fifth day of May one thousand eight hundred and seventy-six (Pamphlet Laws one hundred and four) except in so far as it relates to fish

IX An act entitled "A supplement to an act entitled 'An act to amend and consolidate the several acts relating to game and game fish' approved the fifth day of May Anno Domini eighteen hundred and seventy-six" approved the twenty-fourth day of March one thousand eight hundred and seventy-seven (Pamphlet Laws forty-five) number forty-four absolutely

X An act entitled "An act regulating the hunting and killing of web-footed wild fowl" approved the seventeenth day of May one thousand eight hundred and eighty-three (Pamphlet Laws thirty-four) absolutely

XI An act entitled "An act to permit the killing at any season of the year of the small bird known as the English sparrow" approved the fourth day of June one thousand eight hundred and eighty-three (Pamphlet Laws sixty-eight) absolutely

XII An act entitled "An act to amend part of an act entitled 'An act to amend and consolidate the several acts relating to game and game fish' et cetera with the supplements thereto' approved the twenty-seventh day of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred and sixty three) number one hundred and fifty except in so far as it relates to fish

XIII An act entitled "An act to amend the first section of an act entitled 'An act regulating the hunting and killing of web-footed wild fowls' approved May seventeenth Anno Domini one thousand eight hundred and eighty-three' approved the sixteenth day of April one thousand eight hundred and eighty-five (Pamphlet Laws eight) number nine absolutely

XIV An act entitled "An act to amend the ninth section of an act entitled 'An act to amend and consolidate the several acts relating to game and game fish'" approved the twenty-third day of May one thousand eight hundred and eighty-seven (Pamphlet Laws one hundred and sixty-nine) absolutely

XV An act entitled "An act to amend the ninth section of an act entitled 'An act to amend and consolidate the several acts relating to game and game fish'" approved the twenty-fifth day of April one thousand eight hundred and eighty-nine (Pamphlet Laws fifty-three) absolutely

XVI An act entitled "An act prohibiting the killing or taking of song and wild birds except in certain cases and providing a penalty therefor" approved the fourteenth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws two hundred and eighteen) absolutely

XVII An act entitled "A supplement to an act approved May fourteenth one thousand eight hundred and eighty-nine entitled 'An act prohibiting the killing and taking of song and wild birds except in certain cases and providing a penalty therefor' amending the first sixth and eighth section thereof" approved the fifteenth day of April one one thousand eight hundred and ninety-one (Pamphlet Laws twenty) absolutely

XVIII An act entitled "An act to provide for the appointment of game commissioners for the Commonwealth of Pennsylvania defining their duties and empowering them to appoint game protectors" approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred and seventy-three) absolutely

XIX An act entitled "An act for the better protection of game and game mammals game birds song and insectivorous birds limiting the number of game birds and game mammals to be killed by any one person in one day or in one season prohibiting the sale of the same and the shipment thereof out of the State and providing penalties for the violation thereof" approved the fourth day of June one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred and twenty-three) absolutely

XX An act entitled "An act to amend the title to an act approved the fourth day of June Anno Domini one thousand eight hundred and ninety-seven" approved the sixth day of May one thousand eight hundred and ninety-nine (Pamphlet Laws two hundred and fifty-three) number one hundred and forty-nine absolutely

XXI An act entitled "An act authorizing and empowering the owners and lessees of real estate within this Commonwealth to kill hare or rabbits upon their own premises at all seasons of the year" approved the eleventh day of April one thousand nine hundred and one (Pamphlet Laws seventy-three) number forty-two absolutely

XXII An act entitled "A supplement to an act entitled 'An act to provide for the appoinment of game commissioners of the Commonwealth of Pennsylvania defining their duties and empowering them to appoint game protectors' approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five extending the powers of said protectors making disposition of fines received by them and regulating their pay" approved the twenty-first day of May one thousand nine hundred and one (Pamphlet Laws seventy-three) number forty-two absolutely

XXIII An act entitled "An act to prohibit the capture or killing of beaver within the Commonwealth of Pennsylvania and providing penalties for the violation of its provisions" approved the seventeenth day of March one thousand nine hundred and three (Pamphlet Laws twenty-eight) absolutely

XXIV An act entitled "An act to provide for the appointment of deputy game protectors for the Commonwealth of Pennsylvania and defining their duties" approved the eleventh day of April one thousand nine hundred and three (Pamphlet Laws one hundred and sixty-three) absolutely

XXV An Act entitled "An Act fixing the liability for record costs in cases where officers whose duty it is to enforce the game laws of this Commonwealth fail for any legal cause to receive the same from the defendant" approved the sixteenth day of April one thousand nine hundred and three (Pamphlet Laws two hundred and thirteen) absolutely

XXVI An act entitled "An act to provide for the appointment of special deputy game protectors for the Commonwealth of Pennsylvania and defining their duties and powers" approved the eighteenth day of April one thousand nine hundred and five (Pamphlet Laws two hundred and one) absolutely

XXVII An act entitled "An act to provide for the protection and preservation of game game-quadrupeds and game-birds and song insectivorous and other wild birds and prescribing penalties for violation of its several provisions" approved the twenty-second day of April one thousand nine hundred and five (Pamphlet Laws two hundred and forty-eight) absolutely

XXVIII An act entitled "An act regulating the hunting and killing and possession of wild-water-fowl in the Commonwealth of Pennsylvania and prescribing penalties for violation of its provisions approved the fifteenth day of April one thousand nine hundred and seven (Pamphlet Laws sixty-three) number fifty-seven absolutely

XIX An act entitled "An act to provide for the better protection of deer in the Commonwealth of Pennsylvania and prescribing penalties for violation of its several provisions" approved the fifteenth day of April one thousand nine hundred and seven (Pamphlet Laws seventy) absolutely

XXX An act entitled "An act to provide for the taking or killing of rabbits or hares in this Commonwealth and prescribing penalties for violation of its several provisions" approved the fifteenth day of April one thousand nine hundred and seven (Pamphlet Laws seventy-two) absolutely

XXXI An act entitled "An act to amend sections six and twenty-three of the act entitled 'An act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions' approved the twenty-second day of April Anno Domini one thousand nine hundred and five changing the open season for ruffed-grouse commonly called pheasant prohibiting the killing of game birds in the night-time limiting the kind of guns to be used in killing game regulating prosecutors for the violation of the provisions of this act and the disposition of the fines and penalties imposed therefor" approved the fifteenth day of April one thousand nine hundred and seven (Pamphlet Laws seventy-four) absolutely

XXXII Sections two three and four of an act entitled "An act to provide for the better protection and preservation of song and insectivorous birds and other wild birds and providing penalties for violation of its several provisions" approved the eighth day of May one thousand nine hundred and seven (Pamphlet Laws one hundred and eighty-six) absolutely

XXXIII An act entitled "An act prohibiting the use of automatic guns for the killing of game or wild-birds within this Commonwealth and prescribing a penalty for violation of its provisions" approved the thirty-first day of May one thousand nine hundred and seven (Pamphlet Laws three hundred and twenty-nine) absolutely

XXXIV An act entitled "An act to give additional protection to wild birds and animals and game within the Commonwealth of Pennsylvania prohibiting the hunting for or capture or killing of such wild birds or animals or game by unnaturalized foreign-born residents forbidding the ownership or possession of shot gun or rifle by any unnaturalized foreign-born resident within the Commonwealth and prescribing penalties for violation of its provisions" approved the eighth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred and sixty-six) absolutely

XXXV An act entitled "An act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received" approved the seventeenth day of April one thousand nine hundred and thirteen (Pamphlet Laws eighty-five) absolutely

XXXVI An act entitled "An act to provide for the better protection and preservation of deer and elk squirrels and certain birds classed as game-birds within the Commonwealth providing a method through which certain lands in the Commonwealth may be closed to hunting for a term of years and prescribing penalties for violation of its several provisions" approved the ninth day of April one thousand nine hundred and fifteen (Pamphlet Laws seventy-three) absolutely

XXXVII An act entitled "An act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same and providing the method of furnishing evidence of said destruction and penalties for the violation of the several provisions hereof" approved the fifteenth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and twenty-six) absolutely

XXXVIII An act entitled "An act providing for the establishment regulation and maintenance by the Board of Game Commissioners of State Game Preserves on the Forestry Reservations and elsewhere and providing penalties for violation of this act" approved the sixteenth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and thirty-five) absolutely

XXXIX An act entitled "An act to give additional protection to wild birds and animals and game within the Commonwealth of Pennsylvania prohibiting the hunting for or capture or killing of such wild birds or animals or game by unnaturalized foreign-born residents forbidding the ownership or possession of dogs by any unnaturalized foreign-born resident within the Commonwealth and prescribing penalties for violation if its provisions" approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred and forty-four) absolutely

XL An act entitled "An act for the better protection of wild animals and birds and game within this Commonwealth requiring non-residents to procure a license before hunting in this Commonwealth providing penalties for violation of any of its several provisions and prescribing the disposition of license fees and penalties received" approved the third day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred fifty-one) absolutely

XLI An act entitled "An act to provide for the protection and preservation of game game-quadrupeds and game birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws five hundred and seventy-two) absolutely

XLII An act entitled "An act to amend sections one three and four of an act approved the eighth day of May one thousand nine hundred and nine entitled 'An act to give additional protection to wild birds and animals and game within the Commonwealth of Pennsylvania prohibiting the hunting for or capture or killing of such wild birds or animals or game by unnaturalized foreign-born residents forbidding the ownership or possession of shot-gun or rifle by any unnaturalized foreign-born resident within the Commonwealth and prescribing penalties for violation of its provisions' by providing that pistol and firearm of any kind be added to the firearms enumerated in said act" approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and seventy-nine) absolutely

XLIII An act entitled "An act to amend section twelve of the act of April seventeenth one thousand nine hundred and thirteen entitled 'An act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received by making available these funds as soon as paid into the State Treasury" approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and ninety-six) absolutely

XLIV An act entitled "An act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same and providing the method of furnishing evidence of said destruction and penalties for the violation of the several provisions hereof" approved the twenty-third day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and seventy) absolutely

XLV An act entitled "An act providing a method for the abatement of the penalty as fixed by law for killing by mistake a deer or an elk in this Commonwealth" approved the twenty-third day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and eighty-four) absolutely

XLVI An act entitled "An act taking protection from the red squirrel and changing the open season for blackbirds" approved the fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws three hundred and ninety-nine) absolutely

XLVII An act entitled "An act relating to the disposition of penalties collected under the provisions of the act of May eighth one thousand nine hundred and nine amended by the act of July eleventh one thousand nine hundred and seventeen (Pamphlet Laws four sixty-six and seven seventy-nine respectively) also the act of June first one thousand nine hundred and fifteen (Pamphlet Laws six forty-four) relating to the possession by unnaturalized foreign born residents of firearms and dogs respectively" approved the seventh day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred and twenty-three) absolutely

XLVIII An act entitled "An act authorizing the Board of Game Commissioners or the Conservation Commission to acquire through purchase or gift lands for game-preserve purposes" approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and thirty-three) absolutely

XLIX An act entitled "An act to amend section three of an act entitled 'An act to provide for the appointment of Game Commissioners for the Commonwealth of Pennsylvania defining their duties and empowering them to appoint game protectors approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five as amended by the Act of the fifteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred sixty) as further amended by the act of the twenty-second day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred sixty eight) authorizing the Board of Game Commissioners to increase its force of game protectors to eighty if so many be needed" approved the twelfth day of July one thousand nine hundred and twelve (Pamphlet Laws nine hundred and thirty-two) absolutely

L An act entitled "An act providing for the establishment of auxiliary State game preserves" approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand fifty-nine) absolutely

LI An act entitled "An act to amend section one of an act approved the twenty-third day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and seventy) entitled 'An act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same and providing the method of furnishing evidence of said destruction and penalties for the violation of the several provisions hereof" approved the first day of April one thousand nine hundred and twenty-one (Pamphlet Laws ninety) absolutely

LII An act entitled "An act to further amend section four and amend section six of an act approved the seventeenth day of April one thousand nine hundred and thirteen (Pamphlet Laws eighty-five) entitled 'An act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received'" approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred and fifty-nine) absolutely

LIII An act entitled "An act to amend and further amend sections five seven fourteen fifteen sixteen nineteen twenty-one twenty-two and twenty-six of an act approved the seventh day of June one thousand nine hundred seventeen (Pamphlet Laws five hundred seventy-two) entitled 'An act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violaition of its several provisions' sections fourteen and fifteen previously having been amended" approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and fifty-three) absolutely

LIV An act entitled "An act to amend section twenty-four of an act approved the seventh day of June one thousand nine hundred seventeen (Pamphlet Laws five hundred seventy-two) entitled 'An act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and twenty-six) absolutely

LV An act entitled "An act to amend section eight of an act approved the seventeenth day of April one thousand nine hundred and thirteen (Pamphlet Laws eighty-five) entitled 'An act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the law of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received'" approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and thirty-two) absolutely

LVI An act entitled "An act relating to the taking of certain fur-bearing animals" approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred) absolutely

LVII All other acts or parts of acts inconsistent herewith are hereby repealed Provided however this act shall not repeal or in any manner affect any of the provisions of an act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An act relating to dogs and the protection of livestock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to livestock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain state county city borough town and township officers and employees directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" or any of its amendments

Section 1302 SAVING CLAUSE The repeal of any of the aforesaid acts of Assembly shall not effect any prosecution pending at the date of the passage of this act nor prevent the institution of any prosecutions for violations of any of the provisions of the aforesaid acts committed prior to the passage of this act but all such pending prosecutions shall be terminated and all such violations shall be prosecuted in the same manner and under the same authority and with like effect as prior to the passage of this act

On the question,

Will the House adopt the report of the Committee on Conference.

Mr. SHAMBACH. Mr. Speaker, I would like to interrogate the chairman of the House Committee on this report.

The SPEAKER. Will the gentleman from Westmoreland, Mr. Whiteman, permit himself to be interrogated?

Mr. WHITEMAN. Yes, Mr. Speaker.

Mr. SHAMBACH. Mr. Speaker, I would like to inquire from the gentleman from Westmoreland as to what is the amount of the hunter's license fee, as contained in this report?

Mr. WHITEMAN. $1.25.

Mr. SHAMBACH. What is the amount that is set aside for game propogation?

Mr. WHITEMAN. One-fifth of the receipts.

Mr. SHAMBACH. Twenty percent?

Mr. WHITEMAN. Yes.

Mr. SHAMBACH. Did it not seem to the members of this Committee to be out of proportion for any public utilities to expend 80 percent in overhead expenses and to apply only 20 percent in the purchase of game and in propagation?

Mr. WHITEMAN. Mr. Speaker, I would like to say in answer to the gentleman's interrogation, that while the amount specifically designated is one-fifth, as a matter of fact the Game Commission spends much more than that amount annually in the propogation and purchase of game, so the conferees felt it was unwise to tie the hands of the Game Commission to a larger amount than one-fifth, because of the fact that the game sellers in other states, knowing that the Game Commission would have a larger amount to spend, would be in the position to put up the price and compel the Game Commission to pay it, and the committee thought it unwise to tie the hands of the Game Commission in this particular. I might say that the gentleman's interrogation contains a wrong implication, and he is trying to give to this House the intimation that the Game Commission has so much of an overhead, but if he and the members of this House will examine the Game Commission's annual report they will find that that is not the case, that this Game Commission is operating with a very small overhead expense. The gentleman can find the financial statement for the year 1922 printed, and it will show him that the overhead is exceedingly small for an organization that conducts so much work as this.

Mr. SHAMBACH. I would like to know in the last ten years what percentage has been expended for the propogation of game. That seems to be a pertinent question?

Mr. WHITEMAN. Mr. Speaker, I am not sufficiently familiar with the books of the Game Commission for the last ten years to answer the gentleman's question. I would say that every sportsman knows, and every member of the House knows, that a very large proportion of the Game Commission's receipts have been expended for the purchasing and propogating and distributing of fish and game. I think the gentleman himself knows that.

Mr. SHAMBACH. Mr. Speaker, in view of the fact that we cannot get any absolute figures on the question, and knowing that a large number of hunters in Pennsylvania feel that they are not getting the expenditures for game propogation that they should, I shall have to voice the sentiment of the sportsmen of this class and vote no on this bill.

Mr. SARIG. Mr. Speaker, the two principal objections against this bill, which were in it last week when it was under consideration, are still in the bill. Now the first one is the raising of the hunter's license fee from $1.00 to $1.25, an increase of 25 percent. Now last night this House went on record as voting down all tax bills yet here we are this morning raising the license fee from $1.00 to $1.25. Now I agree that this may be satisfactory to a large number of the organized sportsmen of the state, but we must not forget the fact that for every organized sportsman of the state, there are at least two dozen unorganized sportsmen in the state .

The organized sportsman of the state always have their say and have a voice in the making of legislation of this sort, but the unorganized sportsmen are not represented here and they have nobody here practically to protect their interests. I feel that the interest of the unorganized sportsman, the ordinary fellow, the farmer, the working man and the small business men, in the interest of these people, we should vote down this bill. Now, in my own county, as I said last week, they will collect from sixteen to eighteen thousand dollars every year by this bill. And what are we getting? We have never gotten even a drop in the bucket during the last ten years. From what I understand they wanted to make the fee $1.50, and they compromised on $1.25. Next year it will be $1.50 then $2.00 and by and by, it will be up to $5.00, and that will mean ultimately that we are going to eliminate the little fellow and will make a special privilege out of this sporting business in Pennsylvania. They have agreed to spend 20 percent of this money in the propogation of game. When this hunter's license law was first enacted, it was distinctly promised and understood that this money or the greater part of it, or the bulk of it, was to be used for the propogation of game, so that our hunters would have something when they actually did go out to hunt. They come here and say that 20 percent of it shall be expended for the propogation of game, leaving 80 percent for overhead expenses. I leave it to you, are we willing to do this? Are we willing to place this House on record as a 20 percent House, or place this Legislature on record as a 20 percent legislature, or as a legislature we stand for 20 percent expenditures and 80 percent overhead? If you are willing to vote for a measure of that kind, it is your privilege to do so, but I for one shall voice my emphatic protest against legislation of tnis character.

Mr. EACHES. Mr. Speaker, as a member of the Conference Committee I want to call your attention to the facts, to see whether the Game Committee has not been fair. Ever since the organization of this House, this Committee has been working faithfully, and many many hours have we spent trying to draw up some bill that would be a compromise, we might say in a way, in this great state. Now the people in the northern part were not willing to go along with the people in the southern part, and the people in the western part would not go along with the people in the eastern part of the state. We could not come together properly as a Game Committee of the House, so it seemed to devolve upon the speaker of the House to appoint a conference committee On that conference committee, there was Senator Clark of Indiana county, Senator Quigley of Clinton county, and Senator Buckman of Bucks county. From the House of Representatives there was Representative Myers, Representative Whiteman and myself. Last week we came together and we were in session until away after midnight over in the Senate. We agreed to go 50-50 one the proposition. The subject was so divided up in the committee that we thought we could not reach an agreement on the objectionable features. After sometime, the members of the House Committee got more than they really expected, more than we got in our own committee, and I am asking you here today to support this report. I believe it is the fairest proposition that was ever presented to the House in the line of Game legislation.

Mr. WHITEMAN. Mr. Speaker I am not going to take up any time to go into details, but I simply point out to you that the gentleman from Berks, Mr. Eaches, represents what I think should be the attitude of this house upon this important measure. The gentleman from Berks himself was opposed to the $1.25 fee, but in order to reach a compromise and in order to save what is a very meritorious measure, he went along with the members of the Senate committee, as did the rest of the supporters of the particular proposition, because the Senate committee had gone along with us upon so many other propositions which we knew this House favored. I do not intend to go into the details of the conference report. I simply plead with you men of the House to stand by an honest work, an honest effort to humanize and to make more comprehensive the game laws of the State of Pennsylvania. I simply ask you, as the majority members of the two committees, I simply ask you to stand behind the Game Commission, the commission which won the approval of the Pinchot investigating committee in every way the commission whose members for years have been giving their time without any renumeration whatever in trying to build up the State of Pennsylvania as a State for game, as a State in which the hunters could have sport, and as a State to which all other states in the Union are pointed to as an example to be followed in the protection and propagation of game. Men, this is a case where we are asked to stand by our own commission, the commission which we have created as a part of the government, and I think that in all fairness and in deference to their honest efforts to give us a concrete, composite game code that is human in many respects in which the old law was not human we should stand by them upon this occasion.

Mr. CHAPLIN. Mr. Speaker and ladies and gentlemen of the House, this bill, as amended, gives the sportsmen of Pennsylvania an opportunity to pay an additional fifteen cents. There isn't any reason why the members of this House should object to such a comparitively small increase in the hunters' present license fund. It is absolutely necessary, for the very reason that under the Governor's administration code it was compulsory on the part of the Game Commission to pay for all of the printing and the advertising of that department, a large part of which will be consumed for that purpose. I feel certain that the sportsmen of Pennsylvania will be delighted to have the pleasure of paying the fifteen cents, or even more. You ladies and gentlemen know that if a man pays a dollar to go out gunning and doesn't have the opportunity to shoot at some game he would much prefer paying twenty-five cents more and know that the State Game Commission of Pennsylvania is continuously purchasing game and planting it in the various sanctuaries throughout this Commonwealth. We have one of the greatest sportsmen's organizations in Cambria county that there is in Pennsylvania, and I might say, one of the largest, and they are unanimously for the increase in this bill. Now, this additional fifteen cents that is asked for here is only one of the little minor changes that is in this general game code. Under the old law, if a man would go out gunning without a hunting license and a game warden or an officer would some up to him in an attempt to arrest him, he could say that he wasn't out hunting game, that he was out hunting foxes or something else. Under this present bill, as amended, the man must have a license before he can go into the woods. Now, you all know that our non-resident hunters' license law in Pennsylvania is the cheapest of any other, almost, in the United States, and I don't know of a state in the United States that is spending more money for the propagation of protection of game than Pennsylvania is. In our surrounding states here, a non-resident license costs you from twenty to fifty dollars. In Pennsylvania you only pay ten dollars. The Game Commission has incorporated some of the amendments, and one is that the non-resident license fund shall be raised five dollars, which is right and proper; and I feel certain that the sportsmen of Pennsylvania will concur in the opinion of the Game Commission. Now there are many others. The penalty under the present law for a man who fails to sign his license receipt that he receives when he gets his license is twenty dollars. The Game Commission now has reduced that to five dollars, leaving it simply as a general reminder to the gunner that when he takes out a resident hunter's license, that it is his duty to sign it so that the crooked gunner may not take another man's license and go out into the woods, knowing that if the game warden comes up to him it will be necessary to again sign his name so that he may compare it. It is the purpose of the Game Commission to make it easier, not only for the sportsmen but for the department.

On the question recurring,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—97.

Albert,
Alexander,
Allman,
Armstrong,
Aston,
Beaver,
Behney,
Bell, F. A.,
Bentley,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brewster,
Bromley,
Brown,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dilsheimer,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, J.,
Fields,
Fratt,
Frazier,
Gelder,
Gibbon,
Golder,
Gorham,
Grimes,
Hall,
Harer,
Haslett,
Heffernan,
Heffran,
Heyburn,
Henderson,
Himes,
Holcombe,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, D. J.,
Lucas,
Ludlow,
Mack,
Mangan,
Mathay,
McDaniel,
Millar,
Moffatt,
Moore,
Munley,
Myers, G. C.,
Pitts,
Posey,
Raymond,
Sautter,
Schwartz,
Smith, H. J.,
Smith, H.,
Spangler,
Speiser,
Sprowls,
Stark,
Steedle,
Sterling,
Stevens, A. J.,
Stofflet,
Storb,
Thomas, L. D.,
Thompson,
Van Alen,
Walker,
Wells,
Wheeler,
Whiteman,
Williams, G. W
Woner,
Wood, N.,
Wood, W. P.,
Wright,

NAYS—61.

Anderson,
Berger,
Boback,
Brenneman,
Dietz,
Evans, B. P.,
Flinchbaugh,
Fowler, D.,
Glasgow,
Goehring,
Goss,
Greeby,
Griffith,
Gundy,
Hollis,
Hontz,
Jones, C. B.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kunkle,
Long,
Lynch,
MacKinney,
Marcus, J. C.,
Marshall, W. F.
McBride,
McCann,
McClure,
McCurdy,
McDermott,
McKim,
McVicar,
Myers, P. M.,
Nolte,
Ogle,
Parkinson,
Patterson,
Peelor,
Perry,
Post,
Price,
Rhodes,
Rippman,
Sarig,
Schaeffer,
Schoener,
Shambach,
Sheridan,
Smith, G. A.,
Sowers,
Staudenmeier,
Stavitski,
Storer,
Vickerman,
Wettach,
Whitehouse,
Williams, J. M.,
Zook,
Goodnough,
Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the Report of the Committee on Conference was not adopted.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 654.

An Act to amend sections one two three and four of an act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An Act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools"

SENATE BILL No. 690.

An Act authorizing and empowering counties of the second class in this Comomnwealth to acquire by lease purchase or condemnation proceedings any land within the county for the purpose of establishing and maintaining airdromes or aviation landing fields providing for the procedure in case of condemnation and the extent of title acquired authorizing the lease by the county of portions of said land to individuals or corporations upon such terms as may be fixed and the lease thereof to the Government of the United States upon nominal rental authorizing and empowering the county to use land now owned by it for such purposes and authorizing joint operation by said county and any city within the county of airdromes or aviation landing fields where such city is authorized to establish and maintain the same

SENATE BILL No. 691.

An Act authorizing and empowering the cities of the second class in this Commonwealth to acquire by lease purchase or condemnation proceedings any lands within or without the limits of said cities for the purpose of establishing and maintaining municipal airdromes or aviation landing fields providing for the procedure in cases of condemnation and the extent of title acquired authorizing the lease by the cities of portions thereof to individuals or corporations upon such terms as may be fixed and the lease thereof to the Government of the United States upon nominal rental and empowering said cities to operate and maintain said fields jointly with any county within which said city is situate where the county is empowered to operate and maintain an airdrome or aviation landing field

SENATE BILL No. 734.

An Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania by adding thereto an additional section

SENATE BILL No. 285.

An Act making a deficiency appropriation to the Cottage State Hospital situated in Connellsville Fayette county Pennsylvania

SENATE BILL No. 345.

An Act to amend section two of the act approved the eleventh day of July one thousand nine hundred and one (Pamphlet Laws six hundred and sixty-three) entitled "An Act to regulate and establish the fees to be charged by Sheriffs in this Commonwealth and to provide for the taxation and collection of the same"

SENATE BILL No. 347.

An Act empowering any chief deputy appointed by deed of any sheriff in any county of this Commonwealth to perform any duty incumbent upon such sheriff until a written revocation of such appointment be recorded with like effect as if such official act had been done by the sheriff in person regardless of the ability or temporary disability of such sheriff to act while such sheriff continues in office

SENATE BILL No. 343.

An Act to amend section two of an act approved the twenty-sixth day of May one thousand eight hundred and ninety-seven (Pamphlet Laws ninety-five) entitled "An Act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff and claimed to belong to others than the defendant in the execution or process" as amended

SENATE BILL No. 341.

An Act fixing the mileage chargeable by sheriffs requiring its payment in advance in certain cases and providing for its taxation and collection as sheriff's costs when unpaid

SENATE BILL No. 629.

An Act to amend part of section three of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An Act to provide for the incorporation and regulation of certain corporations" by authorizing certain corporations of the first class to be incorporated by the Governor

SENATE BILL No. 337.

An Act to amend section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenanace and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority in the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain roads and of all acts or parts of acts inconsistent herewith acts relating to Highway Department and improvement of and providing that existing contracts are not affected by provisions of this act" as amended by providing for appeals from assessments of damages

SENATE BILL No. 761.

An Act to amend section two of an act approved the twenty-second day of April one thousand nine hundred and nine (Pamphlet Laws one hundred twenty-one) entitled "An Act restricting the use of the word 'trust' as part of a corporate name forbidding advertising or doing business as a trust company except by corporations under the supervision of the banking department and providing a penalty for violations thereof"

SENATE BILL NO. 746.

An Act relative to the disposition of fines and forfeitures in counties of this Commonwealth of the fourth class and authorizing the expenditure of a portion of all of said fines for the support and maintenance of a law library in said counties

SENATE BILL NO. 798.

An Act to amend sections two and twenty of an act approved the seventh day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and eighty-eight) entitled "An act regulating through the Commissioner of Labor and Industry the business of assisting employers to obtain employes and persons to secure employment including the business of collecting information to the same end and prescribing penalties"

SENATE BILL NO. 775.

An Act requiring supervisors and commissioners of townships to apply for county aid in the construction and maintenance of roads upon application therefor by property owners

SENATE BILL NO. 770.

An Act fixing the salary of sheriffs in counties of the eighth class providing for the payment for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county and prescribing penalties

SENATE BILL NO. 769.

A Supplement to an act approved March 10, 1921 (App. Acts, page 11) entitled "An act making an appropriation to the State Highway Department for the construction of Permanent State Highways, for the payment of the Commonwealth's share in the expenses of constructing State-aid highways; for the maintenance and repair of State Highways within the limits of boroughs; for the maintenance and repair of State-aid highways; for the payment of rewards due townships of the second class; for the payment of damages to property caused or occasions in connection with the work of the State Highway Department;" by extending the date for the apportionment of State-aid appropriations made by said act.

SENATE BILL NO. 685.

An Act to amend sections one two three five and seven as amended of an act approved the first day of May one thousand nine hundred and nine Pamphlet Laws three hundred and twenty-one entitled "An act to provide for State registration of Nurses to establish a State Board of Examiners in connection therewith and to provide penalties for the violation of certain provisions regarding such registration" by providing for a change in membership of the Board for a change in salary of the secretary treasurer the educational director and of the members of the Board

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RECESS.

Mr. RHODES. Mr. Speaker, I move that this House do now take a recess until 4:00 o'clock this afternoon.

The motion was agreed to and at 2:10 P. M. the House took a recess until 4:00 o'clock P. M.

AFTER RECESS.

The House reconvened at 4:00 o'clock P. M.

The SPEAKER (C. J. Goodnough) in the Chair.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 15, 1923.

Resolved, (if the Senate concur), That House Bill No. 1345, Printer's No. 966, File Folio 6701, entitled "An Act to enable an incorporated hospital association to acquire by lease or purchase any State owned hospital specially devoted to the reception, care and treatment of injured persons or of any State owned general, medical and surgical hospital, and to provide for the regulation and management thereof," be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 1138. (HOUSE BILL No. 1529.)

An Act to amend section nine of article nineteen of an act approved the ninth day of June one thousand nine hundred eleven (Pamphlet Laws seven hundred fifty-six) entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith."

Referred to the Committee on Mines and Mining.

SENATE BILL No. 1166. (HOUSE BILL No. 1530.)

An Act fixing the salary of county commissioners in counties of the first class.

Referred to the Committee on Judiciary Special.

SENATE BILL No. 162. (HOUSE BILL No. 1531).

An Act to amend section one of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven) entitled "An Act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes.

Referred to the Committee on Ways and Means.

SENATE BILL No. 743. (HOUSE BILL No. 1532).

An Act to further amend clause three of section one of an act approved the eighth day of May one thousand eight hundred and fifty-four (Pamphlet Laws six hundred and forty-four) entitled "A further supplement to the act entitled 'An act concerning divorces'" as amended making the degree of cruelty as a ground for divorce the same for husband and wife.

Referred to the Committee on Judiciary Special.

SENATE BILL No. 758. (HOUSE BILL No. 1533.)

An Act to amend section eight clause (a) of an act approved the seventeenth day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred and three) entitled "An Act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to spendthrifts trusts to forfeitures of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such election and of decrees thereto and to the fees therefor" by giving to the sole surviving parent the right to appoint a testamentary guardian for his or her minor child.

Referred to the Committee on Judiciary Special.

SENATE BILL No. 1136. (HOUSE BILL No. 1534.)

An Act to amend section eleven of an act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws eight hundred thirty-one) entitled "An Act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth prescribing the qualification defining the powers and duties and fixing the compensation of such examiners providing for the appointment and removal of inspectors of anthracite mines prescribing their qualifications and regulating their salaries and term of office and abolishing the terms of office of the present mine inspector of the anthracite mines."

Referred to the Committee on Mines and Mining.

SENATE BILL No. 1137. (HOUSE BILL No. 1535.)

An Act to amend paragraph one of article nineteen of an act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws page seven hundred fifty-six) entitled "An Act to provide for the health of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" authorizing the Chief of the Department of Mines to determine the maximum number of days for which the members of the Bituminous Mine Inspectors' Examining Board shall receive compensation.

Referred to the Committee on Mines and Mining.

SENATE BILL No. 1140. (HOUSE BILL No. 1536.)

An Act giving the consent of the Commonwealth of Pennsylvania to the purchase by the United States of about one hundred and forty-seven and five hundred and forty-three thousandths acres of land in O'Hara township Allegheny County Pennsylvania for use in the care and treatment of discharged sick and disabled soldiers or for other uses of the United States and ceding jurisdiction over such land and also providing for the retention of a concurrent jurisdiction by the Commonwealth of Pennsylvania with the United States on such land for the service of legal process thereupon.

Referred to the Committee on Judiciary General.

SENATE BILL No. 1148. (HOUSE BILL No. 1537.)

An Act to amend section three, paragraph one, of an act, approved the eighteenth day of July, one thousand nine hundred and and seventeen (Pamphlet Laws, ten hundred and forty-three), entitled "An Act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contribution by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and proivding for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties", by extending the time for a "present employe", as defined in the act, to elect to be covered by the retirement system, and including among "present employes" those employed in certain educational institutions.

Referred to the Committee on Education.

SENATE BILL No. 266. (HOUSE BILL No. 1538).

An Act providing for only one assessment of all property for taxation in cities of the third class within the Commonwealth directing said assessment to be made by the city assessors of said cities and said city assessors in addition to their duties as such assessors to perform all other duties now performed by the county assessors in said cities and requiring said cities to furnish copies of said assessment to each of the boards of school directors in said cities to each of the boards of county commissioners of the respective counties wherein said cities are located and to all other boards or authorities levying and collecting taxes in said cities and all taxes city school county poor and other taxes to be levied on said assessment

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 573. (HOUSE BILL No. 1539.)

A Joint Resolution proposing an amendment to section twelve of article three of the Constitution of Pennsylvania.

Referred to the Committee on Elections.

SENATE BILL No. 869. (HOUSE BILL No. 1540).

An Act to amend section fourteen of an act approved the twentieth day of June, one thousand nine hundred and nineteen (Pamphlet Laws five hundred and five), entitled "An Act relating to and regulating the solicitation of moneys and property for charitable and patriotic purposes."

Referred to the Committee on Judiciary Special.

SENATE BILL No. 985. (HOUSE BILL No. 1541).

An Act to amend section three hundred and twenty-nine as amended and section five hundred and fifty-four of an act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the volation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith.

Referred to the Committee on Education.

SENATE BILL No. 1018. (HOUSE BILL No. 1542.)

A Joint Resolution proposing an amendment to section seven of article three of the Constitution of Pennsylvania.

Referred to the Committee on Elections.

SENATE BILL No. 1135. (HOUSE BILL No. 1543.)

An Act to amend section one, paragraph three, of an act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, eight hundred thirty-one), entitled "An Act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth; prescribing the qualifications, defining the powers and duties, and fixing the compensation of such examiners; providing for the appointment and removal of inspectors of anthracite mines, prescribing their qualifications and regulating their salaries and term of office; and abolishing the terms of office of the present mine inspectors of the anthracite mines;" authorizing the Chief of the Department of Mines to determine the maximum number of days for which the members of the Anthracite Mine Inspectors' Examining Board shall receive compensation.

Referred to the Committee on Mines and Mining.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Represetnatives numbered and entitled as follows:

HOUSE BILL No. 610.

An Act to amend section seventy-four of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth"

HOUSE BILL No. 461.

An Act to better secure all bonds stocks mortgages or other securities deposited with the State Treasurer by providing for their inspection examination and verification and the verification of the books containing a record of such bonds stocks mortgages or other securities by the Auditor General or his agents

HOUSE BILL No. 623.

An Act to amend section five of an act approved the nineteenth day of May one thousand eight hundred and seventy-four (Pamphlet Laws two hundred and six) entitled "An act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof" as amended by changing the provisions for appointment of first assistant clerks so as to conform to the Constitution and giving to the Court and Register of Wills joint power to modify the salaries fixed for any assistant clerk

HOUSE BILL No. 440.

An Act to provide for the licensing of transient retail merchants in cities boroughs and townships and providing a penalty for the failure to obtain such license

HOUSE BILL No. 18.

An Act to provide for the welfare of all persons confined (whether such persons be tried or untried prisoners) in any Penitentiary or County Prison in this Commonwealth

HOUSE BILL No. 148.

An Act authorizing cities boroughs and incorporated towns to require and permit the laying and constructing of sanitary sewers and sewer pipes outside the cartway and the curblines thereof in all streets and highways and prescribing the uses thereof and providing for the assessment of the costs and expenses of any such sewer against the abutting property in the front of which the said sewer is laid

HOUSE BILL No. 671.

An act to amend sections one and three of the act approved the tenth day of July one thousand nine hundred and nineten (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for asistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties

HOUSE BILL No. 197.

An Act to amend section two of an act approved the twenty-third day of March one thousand nine hundred and twenty-one (Pamphlet Laws forty-two) entitled "An Act appropriating to the State Highway Department for the purpose of assiting in the construction maintenance improvement and repair of State highways and State-aid highways all moneys derived from registration and from license fees for the year one thousand nine hundred and twenty-one and subsequent years under the provisions of the act of assembly approved June thirtieth one thousand nine hundred and nineteen relating to and regulating motor vehicles and amendments thereto and providing for salaries and other expenses of the department"

With the information that the Senate has passed the same without amendment.

BILL ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. BLUMBERG,

The House resumed the consideration on final passage of House Bill No. 956, entitled:

An Act to amend section one of the act approved the twenty-fifth day of June one thousand eight hundred and eighty-five (Pamphlet Laws one hundred and eighty-one) entitled "An Act to authorize certain corporations to become sole surety for the faithful performance of any trust or duty and to authorize certain officers to approve the same" by requiring the approval thereof when the certificates issued bv the Insurance Department to said corporations have been filed in the prothonotary's office

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. BLUMBERG. Mr. Speaker, I move that the vote by which House Bill No. 956, passed third reading, be reconsidered.

Mr. NOLTE. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. BLUMBERG. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend section 1, page 4, line 15, by striking out the word "right" and inserting in lieu thereof: "qualification"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING.

Mr. MOFFATT asked and obtained unanimous consent to call out of order, House Bill No. 435, on page 14 of today's calendar bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 435, entitled:

An Act to amend clause forty-six of section three of article five of the act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and sixty-eight) entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" as amended giving to said cities the right to exercise the power and authority of local self-government in municipal affairs

On the question,

Will the House agree to the bill on third reading?

Mr. MOFFATT. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend section 1, page 3, line 15 by striking out the words "judgment of" and insert in lieu thereof (judgment or)

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 107, entitled:

An Act making an appropriation to the Woman's Medical College of Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry.
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.
Smith, H. J.,
Smith, H.
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stoffiet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 817, entitled:

An Act making an appropriation to the board of trustees of the Pennsylvania Soldiers' and Sailors' Home at Erie Pennsylvania for maintenance of said home and the payment of expenses of administration including salaries of officials and clerks and providing that all moneys received from the United States Government by the Governor of Pennsylvania on account of maintenance shall be paid into the State Treasury

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Flynn,
Fowler, A. I.,
Fowler, D.,
Little,
Long,
Lucas,
Sarig,
Sautter,
Schaeffer,

Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville.
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook.
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 803, entitled:

An Act making an appropriation for the payment of the expenses required by an act approved the twenty-fifth day of May one thousand eight hundred and eighty-nine entitled "An Act to provide for the continuance of the education and maintenance of the destitute orphans of deceased soldiers sailors and marines and the destitute children of permanently disabled soldiers sailors and marines of the State" also making an appropriation to carry out the provisions of an act to provide for the education and maintenance of the children admitted to the Pennsylvania Soldiers' Orphan Industrial School and the Soldiers' Orphans Schools approved May twenty-seventh one thousand eight hundred and ninety-three and its supplements

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Flynn,
Fowler, A. I.,
Fowler, D.,
Long,
Lucas,
Ludlow,
Sautter,
Schaeffer,
Schilling,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley.
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Schleiter,
Schoener,
Shambach,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H..
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet.
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 108, entitled:

An Act making an appropriation to the trustees of the Philadelphia School of Design for Women at Philadelphia Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur.
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Sample,
Sarig,
Sautter,
Schleiter,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,

Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kunkle,
Labar,
Lafferty,
Lauver,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffat,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 96, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kunkle,
Labar,
Lafferty,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1489, (Senate Bill No. 736), entitled:

An Act authorizing the State Highway Commissioner to use funds appropriated for State-aid highway purposes by the act of March tenth one thousand nine hundred and twenty-one entitled "An Act making an appropriation to the State Highway Department for the construction of permanent State Highways for the payment of the Commonwealth's share in the expenses of constructing State-aid highways for the maintenance and repair of State Highways within the limits of boroughs for the maintenance and repair of State-aid highways for the payment of rewards due townships of the second class for the payment of damages to property caused or occasioned in connection with the work of the State Highway Department" for the construction or reconstruction of State highways and to enter certain charges against the State-aid highway accounts of those counties in which State Road Bond Fund money has been used to pay State-aid highway contracts so as to reimburse accounts available heretofore for highway purposes which were used for State-aid highway purposes and making an appropriation thereof

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Flynn.
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,

Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1436, (Senate Bill No. 505), entitled:

An Act to repeal an act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Appropriation Acts Page two hundred sixty-nine) entitled "An act making an appropriation to the Washington and Jefferson College Washington Pennsylvania"

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Flynn,
Fowler, A. L,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1419, (Senate Bill No. 399), entitled:

An Act making an appropriation to reimburse the fund in the Mechanics Trust Company of Harrisburg standing to the credit of the Water Supply Commission for the improvement of French Creek for moneys inadvertently paid into the State treasury

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,

Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner.
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Henderson,
Hetrick,
Heyburn.
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W
Williams, J. M
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough.
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1431, (Senate Bill No. 776), entitled:

An Act making an appropriation for the restoration of buildings and property at the State Hospital for the Insane of the Southeastern District of Pennsylvania located at Norristown Pennsylvania damaged and destroyed by a Cyclone

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert.
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush.
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy.
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffat,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Sampie,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,

Coyne,
Craig,
de Young,
Diehm.
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1412, (Senate Bill No. 553), entitled:

An Act for the appointment of a commission to study conditions relating to blind persons in Pennsylvania and make recommendations and making an appropriation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander.
Allman,
Anderson.
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal.
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville.
Conner,
Coyne,
Craig,
de Young,
Diehm.
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallagher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Sample,
Sarig,
Sautter,
Schaeffer.
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,

Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Williams, J. M
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1462, (Senate Bill No. 201), entitled:

An Act directing the State Librarian to cause certain old church records of this State to be translated preserved and published and making an appropriation therefor

Whereas The records of the old churches of this State contain much valuable historical information which records by reason of their age and frequent handling are rapidly becoming illegible therefore

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Schleiter,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz.
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 602, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the Veterinary School of Medicine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton.
Coldsmith,
Colville,
Conner.
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Golder,
Gibbon,
Gilchrist,
Glasgow,
Goehring.
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz.
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling.
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen.
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner
Wood, N.,
Wood, W. P.,
Wright,
Zook.
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1131, entitled:

An Act making an appropriation to the Board of Trustees of The Philadelphia Museum

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver.
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1171, as follows:

An Act to amend section one of an act approved the eighteenth day of July one thousand nine hundred and nineteen (Appropriation Acts two hundred and forty-six) entitled "An Act making an appropriation to the Water Supply Commission of Pennsylvania or the Department of Conservation for the purpose of cooperating with the Government of the United States in making investigations examinations and surveys and in preparing plans and estimates of cost with a view of devising and carrying into effect plans for controlling the flood waters of rivers and their tributaries being either in whole or in part within this Commonwealth" saving said appropriation from lapsing

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eighteenth day of July one thousand nine hundred and nineteen (Appropriation Acts two hundred and forty-six) entitled "An Act making an appropriation to the Water Supply Commission of Pennsylvania or the Department of Conservation for the purpose of cooperating with the Government of the United States in making investigations examinations and surveys and in preparing plans and estimates of cost with a view of devising and carrying into effect plans for controlling the flood waters of rivers and their tributaries being either in whole or in part within this Commonwealth" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary be and the same is specifically appropriated to the Water Supply Commission of Pennsylvania or the Department of Conservation and that the sum of fifteen thousand dollars ($15,000) remaining unexpended from an appropriation made to the Water Supply Commission of Pennsylvania by an act of Assembly approved the twenty-fifth day of July one thousand nine hundred and seventeen or as much thereof as may be necessary be and the same is hereby made available to the Water Supply Commission of Pennsylvania or the Department of Conservation for the purpose of cooperating with the Government of the United States in making examinations investigations and surveys on rivers of this Commonwealth and on tributaries of such rivers whether the same be wholly within or partly within and partly without or wholly without this Commonwealth and in preparing plans and estimates of cost with a view to devising and carrying into effect plans for controlling the flood waters of rivers which are either in whole or in part within this Commonwealth For the purpose of such cooperation the Water Supply Commission of Pennsylvania or the Department of Conservation is hereby authorized on behalf of the Commonwealth of Pennsylvania to enter into such contracts and agreements with the Secretary of War or other proper officer bureau deparment or agency of the Government of the United States duly authorized thereto as to the said Water Supply Commission of Pennsylvania or the Department of Conservation may seem proper Nothing contained in any act of assembly lapsing appropriations made by any General Assembly into the general fund of the State treasury at the end of the fiscal year shall be construed as affecting the appropriation herein made or to in any manner affect or lapse said appropriation but the same shall continue appropriated and be available for the purposes for which originally appropriated and reappropriated

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwarts.
Shambach,
Sheridan,
Smith, G. A.,

Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Heffernan,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Rippman,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffat,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Lauver,
Sample,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sheridan,
Stevens, A. J.,
Stevens, A. J.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 495, entitled:

An Act making an appropriation to the State Highway Department for the payment of rewards to townships of the second class

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander.
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
Rippman,
Sample,
Sarig,
Sautter.
Schleiter,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Minehart,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse.
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 89, entitled:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries for the maintenance of a nautical school to be located at the port of Philadelphia for two years from June first one thousand nine hundred and twenty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,

Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Eaches,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 83, entitled:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries for two years from June first one thousand nine hundred and twenty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1476 (Senate Bill No. 772), entitled:

An Act to amend an act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand fifty-seven) entitled "An act to amend section one and to supplement an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and two) entitled 'An act providing for the appointmennt and expenses of a commission of five persons to codify and revise the law relating to banks private bankers and trust companies doing business within this Commonwealth and making an appropriation' extending the powers and duties of the commission so as to include the codification and revision of the law relating to all corporations persons partnerships and associations under the supervision of the Banking Department and making an appropriation" extending said commission for a further period of two years and making an appropriation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,

Colville, Conner, Coyne. Craig, de Young, Diehm Dietz, Dilsheimer, Donahue Driggs, Drinkhouse, Dunn, Eaches, Earley, Edmonds, Eshelman, Evans, B. P., Evans, J., Fields, Flinchbaugh, Holcombe, Hollis, Hontz, Hoover, Horne, Howell, Huber, Irvin, Johnson, Jones, C. B., Jones, D. J., Jones, E. P., Keene, Kelly, Kennedy, Kohler, Kunkle, Labar, Lafferty, Lauver, Myers, G. C., Myers, P. M., Nolte, O'Boyle, Ogle, Orr, Parkinson, Patterson, Peelor, Perry, Pitts, Posey, Post, Price, Raymond, Rhodes, Richards, Rinn, Rippman, Sample, Van Alen, Vickerman, Walker, Weamer, Wells, Wettach, Wheeler, Whitehouse, Whiteman, Williams, G. W Williams, J. M., Woner, Wood, N., Wood, W. P., Wright, Zook, Goodnough, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1375 (Senate Bill No. 58)), entitled:

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Anthracite Coal Region of Pennsylvania at Ashland Schuylkill County Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert, Alexander, Allman, Anderson, Armstrong, Arthur, Asbury, Aston, Baker, Baldi, Beaver, Behney, Bell, F. A., Bell, W. T., Bentley, Berger, Bidelspacher, Blair, Bluett, Blumberg, Boback, Brenneman, Brewster, Bromley, Brown, Brownmiller, Burchinal, Burns, Bush, Chaplin, Clutton, Coldsmith, Colville, Conner, Coyne, Craig, de Young, Diehm, Dietz, Dilsheimer, Donahue, Driggs, Drinkhouse, Dunn, Eaches, Earley, Edmonds, Eshelman, Evans, B. P., Evans, J., Fields, Flinchbaugh, Flynn, Fowler, A. I., Fowler, D., Fratt, Frazier, Gallaher, Gelder, Gibbon, Gilchrist, Glasgow, Goehring, Golder, Gorham, Goss, Greeby, Griffith, Grimes, Guerin, Gundy, Haas, Haines, Hall, Harter, Harter, Haslett, Haws, Heffernan, Heffran, Henderson, Hetrick, Heyburn, Himes, Holcombe, Hollis, Hontz, Hoover, Horne, Howell, Huber, Irvin, Johnson, Jones, C. B., Jones, D. J., Jones, E. P., Keene, Kelly, Kennedy, Kohler, Kunkle, Labar, Lafferty, Lauver, Little, Long, Lucas, Ludlow, Lynch, Mack, MacKinney, Malie, Mangan, Marcus, J., Marcus, J. C., Marshall, J. G., Marshall, W. F. Mathay, McBride, McCann, McCaig, McClure, McCurdy, McDaniel, McDermott, McGowan, McKim, McVicar, Metcalf, Millar, Miller, Minehart, Moffatt, Moore, Morrison, Munley, Myers, G. C., Myers, P. M., Nolte, O'Boyle, Ogle, Orr, Parkinson, Patterson, Peelor, Perry, Pitts, Posey, Post, Price, Raymond, Rhodes, Richards, Rinn, Rippman, Sample, Sarig, Sautter, Schaeffer, Schilling, Schleiter, Schoener, Schwartz, Shambach, Sheridan, Smith, G. A., Smith, H. J., Smith, H., Smith, J. W., Soffel, Sowers, Spangler, Speiser, Sprowls, Stark, Staudenmeier, Stavitski, Steedle, Sterling, Stevens, A. J., Stevens, A. F., Stofflet, Stoner, Storb, Storer, Thomas, L. D., Thomas, M. G., Thompson, Van Alen, Vickerman, Walker, Weamer, Wells, Wettach, Wheeler, Whitehouse, Whiteman, Williams, G. W., Williams, J. M., Woner, Wood, N., Wood, W. P., Wright, Zook, Goodnough, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1377 (Senate Bill No. 128), entitled:

An Act making an appropriation to the Western Pennsylvania School for the Blind located at Pittsburgh Pennsylvania to cover deficiency in maintenance and education of State pupils

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert, Alexander, Allman, Anderson, Armstrong, Arthur, Asbury, Aston, Baker, Baldi, Beaver, Behney, Bell, F. A., Bell, W. T., Bentley, Berger, Bidelspacher, Blair, Bluett, Blumberg, Boback, Brenneman, Brewster, Bromley, Brown, Brownmiller, Burchinal, Burns, Bush, Chaplin, Clutton, Coldsmith, Colville, Conner, Coyne, Craig, de Young, Diehm, Dietz, Dilsheimer, Donahue, Driggs, Drinkhouse, Dunn, Eaches, Earley, Edmonds, Eshelman, Flynn, Fowler, A. I., Fowler, D., Fratt, Frazier, Gallaher, Gelder, Gibbon, Gilchrist, Glasgow, Goehring, Golder, Gorham, Goss, Greeby, Griffith, Grimes, Guerin, Gundy, Haas, Haines, Hall, Harer, Harter, Haslett, Haws, Heffernan, Heffran, Henderson, Hetrick, Heyburn, Himes, Holcombe, Hollis, Hontz, Hoover, Horne, Howell, Huber, Irvin, Johnson, Jones, C. B., Jones, D. J., Jones, E. P., Keene, Kelly, Kennedy, Kohler, Little, Long, Lucas, Ludlow, Lynch, Mack, MacKinney, Malie, Mangan, Marcus, J., Marcus, J. C., Marshall, J. G., Marshall, W. F., Mathay, McBride, McCann, McCaig, McClure, McClure, McDaniel, McDermott, McGowan, McKim, McVicar, Metcalf, Millar, Miller, Minehart, Moffatt, Moore, Morrison, Munley, Myers, G. C., Myers, P. M., Nolte, O'Boyle, Ogle, Orr, Parkinson, Patterson, Peelor, Perry, Pitts, Posey, Post, Price, Raymond, Rhodes, Sarig, Sautter, Schaeffer, Schilling, Schleiter, Schoener, Schwartz, Shambach, Sheridan, Smith, G. A., Smith, H. J., Smith, H., Smith, J. W., Soffel, Sowers, Spangler, Speiser, Sprowls, Stark, Staudenmeier, Stavitski, Steedle, Sterling, Stevens, A. J., Stevens, A. F., Stofflet, Stoner, Storb, Storer, Thomas, L. D., Thomas, M. G., Thompson, Van Alen, Vickerman, Walker, Weamer, Wells, Wettach, Wheeler, Whitehouse, Whiteman, Williams, G. W., Williams, J. M., Woner, Wood, N., Wood, W. P., Wright, Zook,

Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Kunkle,
Labar,
Lafferty,
Lauver,
Richards,
Rinn,
Rippman,
Sample,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1492 (Senate Bill No. 638), entitled:

An Act to amend section four of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and ninety) entitled "An act authorizing the sale of certain property owned by the State the title to which is in the State Livestock Sanitary Board and providing for the use of the proceeds of such sale"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet.
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1374, (Senate Bill No. 21), entitled:

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker.
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Brenneman,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes.
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet.
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1477 (Senate Bill No. 785), entitled:

A Supplement to the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand two hundred and seventy) entitled "An Act providing for the erection of a dam at the outlet of Pymatuning Swamp and the establishment of a reservoir to conserve the waters thereof providing for the taking of land and materials necessary thereto vesting certain powers and duties in the Water Supply Commission and making an appropriation" providing for the sale and leasing of property acquired under said act and making an appropriation of the proceeds thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan.
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet.
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

RESOLUTION RECALLING HOUSE BILL NO. 225 FROM THE GOVERNOR.

Mr. VAN ALEN offered the following resolution, which was twice read, considered and adopted:

In the House of Representatives, May 15, 1923.

Resolved, (if the Senate concur) That House Bill No. 225 entitled, "A supplement to an act approved the twenty-seventh day of May, one thousand nine hundred and twenty-one, (Pamphlet Laws one thousand one hundred and seventy-three) entitled 'An act constituting a commission to make an investigation of the battlefields of France and Belgium, and to select points for the erection of monuments and markers of appropriate design to commemorate the achievements of Pennsylvania soldiers during the World War, defining the powers and duties of the commission, and making an appropriation', continuing said commission, providing for the erection of certain memorials in France and Belgium, and making an appropriation", be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. HENDERSON.

The House resumed the consideration on final passage of House Bill No. 1450 (Senate Bill No. 497), entitled:

An Act relating to county bridges authorizing counties to issue and sell bonds for the erection thereof and providing for the division of the cost of construction and erection of joint county bridges and the collection of tolls thereon

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. HENDERSON. I move that the vote by which House Bill 1450, (Senate Bill No. 497) passed third reading, be reconsidered.

Mr. BUSH. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. HENDERSON. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information

The Clerk then read the amendments as follows

Amend section 2, page 2, line 11, by inserting after the word "may" the following: "with the consent of the State Highway Department if the cost of such bridge was in excess of four hundred thousand dollars"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

QUESTION OF PERSONAL PRIVILEGE

Mr. WELLS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. WELLS. Mr. Speaker and members of the House, in a recent issue of the North American, a paper published in the city of Philadelphia, there appeared articles that are misleading as to my standing on the question of the item in the general appropriation bill of $250,000 for the enforcement of law, as requested by the administration. I want to say that in the Committee of Appropriations, of which I have the privilege of being a member, I have at all times voted for this item of $250,000, requested by the Administration; that when the general appropriation bill was under consideration in the House last week for final passage, and the House had resolved itself into a Committee of the Whole for the purpose of amendment, I voted against the motion of the gentleman from Allegheny, Mr. Marcus, to strike out this $250,000 item from the bill. On the question of the House going into a Committee of the Whole, I voted in favor of the motion to do so because I believe that in all questions of important legislation the majority vote of the House should decide rather than the vote of a small number composing one of our committees.

I am asking this privilege as I know the newspaper articles referred to have created an erroneous impression, and further that I deem them to be absolutely unfair, and, in the case of the issue of yesterday, untrue.

The SPEAKER. The remarks of the gentleman under his question of personal privilege, will be spread upon the journal.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1126, entitled:

An Act to amend section one thousand four hundred and one of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183.

Albert,
Alexander,
Allman,
Armstrong,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Bidelspacher,
Bluett,
Blumberg,
Brenneman,
Brewster,
Brown,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Lynch,
Mack,
MacKinney,
Malie,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stoner,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gelder,
Heyburn,
Himes,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE.

AMENDED SENATE BILL FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 47.

An Act to amend section eleven of the act approved the thirteenth day of June one thousand eight hundred and forty (Pamphlet Laws six hundred and eighty-three) entitled "A supplement to an act entitled 'an act relating to the elections of this Commonwealth' passed the second day of July Anno Domini one thousand eight hundred and thirty-nine and for other purposes" allowing constables mileage for advertising elections and compensation for advertising elections where there is more than one polling place in a district said milage and compensation to be paid by counties

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend section 1, page 2, line 21, by inserting after the word "elections," the following: "but not more than fifteen dollars ($15.00) for this purpose for any one election."

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Gorham,
Goss,
Griffith,
Grimes,
Guerin,
Gundy,
Lucas,
Ludlow,
Lynch,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
Schaeffer,
Schilling,
Schleiter,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Speiser,
Sprowls,
Stark,
Stavitski,

Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Hollis,
Hontz,
Horne,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Peeler,
Perry,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Steedle,
Sterling,
Stevens, A. J.,
Stofflet,
Stoner,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 439.

An Act to amend section one thousand one hundred five, and one thousand one hundred thirty-four of an act, approved the eighteenth day of May, one thousand nine hundred and eleven, (Pamphlet Laws, three hundred nine), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 24, by striking out the word "day" and inserting in lieu thereof the word "Monday"

Amend section 1, page 2, line 24, by inserting after the word "following" "Provided That on the second Tuesday of April one thousand nine hundred and twenty-six (1926) county superintendents shall be elected as herein provided to serve from the first Monday of May one thousand nine hundred and twenty-six (1926) until the first Monday of July one thousand nine hundred and thirty (1930)."

Amend section 2, page 3, line 18, by striking out the word "day" and inserting in lieu thereof the word "Monday".

Amend section 2, page 3, line 19, by inserting after the word "election" the following: "Provided That on the second Tuesday of April one thousand nine hundred and twenty-six (1926) such district superintendents shall be elected as herein provided to serve from the first Monday of May one thousand nine hundred and twenty-six until the first Monday of July one thousand nine hundred and thirty (1930)"

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
Diehm,
Dietz,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gallaher,
Gelder,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes.
Guerin,
Gundy,
Haines,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Ogle,
Orr,
Parkinson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schilling,
Schleiter,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 1235.

An Act authorizing the Department of Forestry to grant on terms conditions and stipulations rights to occupy and use any portions of the State Forests for dams reservoirs canals pipe lines and other water conduits for water supply purposes and providing for forfeiture and other remedies for breach of such terms conditions and stipulations

With the information that the Senate has passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title page 1, lines 5, 6 and 7 by striking out after the "providing" the words "for forfeiture and other remedies for breach of such terms conditions and stipulations" and inserting in lieu thereof the following: "remedies for violations of this act or regulations or orders hereunder or of such terms conditions or stipulations and providing for revocation of the grant in certain cases."

Amend section 2, page 3, line 3, by striking out after the word "such" the word "permittee" and inserting in lieu thereof the word "grantee".

Amend section 2, page 3, line 4, by striking after the word "the" the word "permittee" and inserting in lieu thereof the word "grantee"

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Storer,
Thomas, L. D.,
Thompson,
Van Alen,
Vickerman,
Walker,
Wells,
Wettach,
Whitehouse,
Whiteman,
Williams, G. W.,
Woner,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 1216.

An Act authorizing certain corporations to create and issue and convert their authorized or outstanding capital stock into shares of any class or kind either with or without nominal or par value and validating the creations and issues of stock heretofore made by corporations in accordance with the provisions hereof

With the information that the Senate has passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 1, by striking out, after the word "issue" the following: "and convert their authorized or outstanding capital stock."

Amend section 1 page 2, line 3, by striking out after the word "kind" the following: "by a majority vote of the outstanding common capital stock."

Amend section 2, page 3, line 2, by striking out the word "this", and inserting in lieu thereof the word "the."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Blair,
Bluett,
Blumberg,
Boback,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Conner,
Coyne,
Craig,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lauver,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Malie,
Marcus, J.,
Marshall, J. G.,
Mathay,
McCann,
McCaig,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Parkinson,
Patterson,
Peelor,
Perry,
Posey,
Post,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sautter,
Schaeffer,
Schleiter,
Shambach,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Staudenmeier,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stoner,
Storb,
Thomas, L. D.,
Thompson,
Vickerman,
Weamer,
Wettach,
Whitehouse,
Williams, G. W.,
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL NO. 1086

An Act providing for the public health safety and welfare requiring owners and operators of coal mines and operations to furnish and sell fuel coal at current or market prices to and for the use of Hospitals poor houses or other charitable institutions school churches and buildings of municipal or quasi municipal character and providing penaltes for the violations of this act

With the information that the Senate has passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 5, by striking out after the word "institutions" the word "school" and inserting in lieu thereof the word "schools."

Amend title, page 1, line 2, by inserting after the word "of" the word "anthracite"; also line 3, by inserting after the word "sell" the word "anthracite."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Perry,
Pitts,
Posey,
Post,
Price,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stofflet,
Stoner,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Wells,
Wettach,
Whitehouse,
Whiteman.
Williams, G. W.,
Williams, J. M.
Wood, N.,
Wood, W. P.,
Wright,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 351.

An Act to amend section forty-two of the act approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws five hundred and thirty-seven) entitled "An act relating to counties and township and county and township officers" by making county treasurers agents of the Commonwealth in collecting and transmitting money for the Commonwealth and providing their compensation for such services

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 1, line 8, by striking out the words "which reads," and inserting in lieu thereof the words "is hereby amended to read."

Amend section 1, page 1, line 9, by striking out the following:

"Section 42 Each county treasurer shall be entitled to deduct from the gross amount of money received by him for the use of the Commonwealth on each separate account he is required to keep and settle a commission in the following proportions namely where the whole sum accounted for and paid into the State Treasury or otherwise for the use of the Commonwealth as directed by law arising from either of the accounts specified in this act does not exceed one thousand dollars at the rate of five per centum when it exceeds that sum and does not exceed two thousand dollars one per centum for such excess over the one thousand dollars and on all beyond the sum of two thousand dollars one-half of one per centum Provided That no commission shall be allowed to any county treasurer unless the amount due to the Commonwealth and received by him be paid over within the times hereinbefore specified and unless his accounts shall be transmitted and settled on or before the second Tuesday of December in each and every year" is hereby amended to read as follows

Amend section 1, page 2, line 26, by striking out the word "namely" and inserting in lieu thereof the word "viz."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Bluett,
Blumberg,
Boback,
Brenneman,
Bromley,
Brown,
Burchinal,
Fowler, D.,
Fratt,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Lafferty,
Little,
Long,
Lucas,
Ludlow,
Lynch,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McKim,
McVicar,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stofflet,
Stoner,

Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley.
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Fowler, A. I.,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. **BURNS.**

The House resumed the consideration on final passage of House Bill No. 1314, entitled:

An Act to give concurrent jurisdiction to the municipal court in actions for divorce in any judicial district in which such court shall exist and providing that all laws relating thereto are hereby made applicable to said court

On the question,

Shall the bill pass finally?

Mr. EDMONDS. Mr. Speaker and members of the House, the bill which is pending, No. 1314, file folio 6413, refers to the action of divorce and provides that henceforth the municipal court shall have concurrent jurisdiction in matters relating to divorce with the common pleas. I understand that this bill relates to the city of Philadelphia alone, because ours is the only city with a municipal court. In Allegheny county, they have a county court with similar jurisdiction, but it does not work under the same name. I fail, personally, to find any good reason why the jurisdiction in matters of divorce should be taken away from or shared with the old common pleas court. The common pleas court is a court of higher dignity, and questions that relate to divorce or the separation of family ties are questions of the highest importance. It seems to me that it would be a mistake to have two courts having jurisdiction over that same kind of subject matter. Those courts work under the acts of Assembly, and they also work under the rules that they themselves adopts. If any court adopts easier rules than another court, it naturally becomes easier to get divorces. We would not want that. It seems to me that there are no objections in Philadelphia to the present plan. I fail to see any reason why that plan should be changed. I therefore ask the members of the House who agree with me to vote against this bill.

Mr. BURNS. Mr. Speaker and members of the House, the municipal court is more familiar with the domestic relations than any other body. According to their report they have reconciled about eighty per cent of all the cases in the domestic relations court that have come before them and with the advance knowledge in many of the divorce cases, they have records of the domestic relations up to the time that they apply for their divorces.

Mr. BLUMBERG. Mr. Speaker and members of the House, in answer to the argument of the gentleman from Philadelphia that he does not see any reason why the municipal court should have jurisdiction in divorce cases, because the municipal court may adopt looser rules, is of no effect, because at the present time in Philadelphia, the rules of the common pleas court are the rules of the municipal court. The same rules and procedure prevail in both courts. As to the capability of the municipal court to handle divorce cases, the gentleman from Philadelphia, Mr. Burns, just forwarded a reason which makes them probably more efficient, that at the present time, having exclusive jurisdiction in the question of husband and wife cases, as also the questions in the juvenile cases, they maintain a large and efficient force of probation officers who always follow up a case as soon as a report is made, and continue following up a case after the case has reached the court. In Phildelphia we have a large number of divorce cases. I noticed by a paper this morning that one of our common pleas judges says they have one case of divorce in eight cases of marriage; and in Chicago, I noticed it was one in five, so that there seems to be plenty of business, so far as the divorce business is concerned, to be distributed between the common pleas and the municipal court. So that I say for those two reasons, this bill ought to be passed, first, because the municipal court is in as good, if not a better position to handle domestic relation cases, and second, because the same rules of procedure prevail in both. In addition to that, however, divorces in Philadelphia are not handled by the court directly. They merely have supervisory jurisdiction. In other words, after an application for divorce has been made, the case is referred to a master, a practicing member of the bar, who receives a fee for taking the testimony, considering it and filing his report. This report gives his recommendations and after being filed with the court is read by one of the judges and approved or disapproved. That same supervisory power can, of course, be exercised by the judges of the municipal courts, and as a matter of fact their greater familiarity with domestic relations cases and trouble renders them probably more efficient, so for those reasons I think that this bill should be adopted.

Mr. DILSHEIMER. Mr. Speaker and members of the House, this bill to my estimation, is of wide importance to the public in general in Philadelphia, and for this reason: In the first place, at the present time divorce proceedings are actually instituted in the common pleas court. Our domestic relation cases are altogether handled by the municipal court. I made an investigation of my own of the municipal courts records, and I find that in a little over nine years, since the municipal court has been established in the city of Phialdelphia, in over 55,0000 cases which have been tried on domestic relation questions, over sixty percent of them have been satisfactorily adjusted between the litigants, in other words, between man and wife, and out of that percentage, over forty percent of them, man and wife, have been brought together permanently and are living together happily. Now, ladies and gentlemen of this House, I want to say to you that the facilities which the municipal court has in its possession, they have quite a number of investigators, when proceedings are brought into the municipal court, if this bill passes, giving it jurisdiction in divorce cases, by the investigation, and the proper investigation, which there is no doubt will be made, there will be many a case where the man and wife can be brought together before the master is appointed.

At the present time, I want to say to you the majority of our attorneys have to hire detectives to look for evidence, and we all know that more or less a detective works for his fees, and many times evidence is manufactured. Therefore, I think this bill is a good bill, and it protects the public better than the law does as it is at the present time with reference to divorce proceedings, and I ask you in all fairness to vote for this bill. I thank you.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—52.

Allman,
Arthur,
Baldi,
Blair,
Bluett.
Blumberg,
Bromley,
Burns,
Coldsmith,
Colville,
Diehm.
Dilsheimer,
Drinkhouse,
Dunn,
Earley,
Evans, J.,
Fowler, D.,
Gallaher,
Gibbon,
Glasgow,
Goehring,
Golder,
Greeby,
Hall,
Harer,
Haslett,
Haws,
Keene,
Kohler,
Kunkle,
Lafferty,
Lucas,
Marcus, J.,
Marshall, J. G.,
Miller,
Moffatt,
Munley,
Myers, P. M.,
Nolte,
O'Boyle,
Patterson,
Perry,
Posey,
Sautter,
Schilling,
Schwartz,
Shambach,
Smith, H.,
Sowers,
Spangler,
Sprowls,
Stevens, A. F.,
Whitehouse,

NAYS—104.

Alexander,
Anderson,
Armstrong,
Aston,
Beaver,
Behney,
Bell, F. A.,
Bentley,
Berger,
Bidelspacher,
Boback,
Brenneman,
Brown,
Brownmiller,
Bush,
Chaplin,
Clutton,
Conner,
Craig,
de Young,
Dietz,
Driggs,
Eaches,
Edmonds,
Evans, B. P.,
Fields,
Flinchbaugh,
Fratt,
Frazier,
Gorham,
Goss,
Griffith,
Grimes,
Gundy,
Harter,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Honts,
Hoover,
Horne,
Howell,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Labar,
Lauver,
Ludlow,
Mack,
MacKinney,
Mangan,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCann,
McCaig,
McCurdy,
McDermott,
McKim,
McVicar,
Metcalf,
Minehart,
Moore,
Myers, G. C.,
Ogle,
Parkinson,
Peelor,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Richards,
Sample,
Schaeffer,
Schleiter,
Schoener,
Sheridan,
Stavitski,
Steedle,
Sterling,
Storer,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wheeler,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

RESOLUTION TO REDUCE NUMBER OF HOUSE EMPLOYEES.

Miss MACKINNEY offered the following resolution which was twice read and laid over under the rules:

RESOLUTION.

Be it resolved by the House of Representatives of the Commonwealth of Pennsylvania, that

Whereas the number of officers and employes of the House of Representatives as fixed by an Act of the General Assembly, approved the first day of July, 1919, entitled "An Act fixing the number, compensation, mileage, and duties of the officers and employes of the General Assembly, and providing for their election or appointment, term of office, and manner of filling vacancies," has provided for employes greatly in excess of the number actually required to properly perform the duties imposed upon them; and

Whereas a considerable number of such employes not being needed to assist in the performance of said duties have been giving little or no time in the service for which they have been appointed; and

Whereas the same has resulted in the useless and needless expenditure of money and a less number of employes could properly and efficiently perform all the duties necessarily required.

Therefore, be it resolved that the members of the House of Representatives at the Session of 1923 recommended to th members of the Session of 1925 that said Act of Assembly be amended to decrease the number of said employes in order that said useless extravagance and the unwarranted expenditure of the State funds be eliminated.

And be it further resolved that it is hereby recommended to the House of Representatives for the Session of 1925, that the number of officers and employes be fixed as follows:

Six Assistant Sergeants-at-Arms; two messengers; four Pasters and Folders; five Clerks to committees; five Custodians of the Hall of the House and Committee Rooms and Wash Rooms and Basement; three Transcribing Clerks, and one Desk Clerk, which said number of employes together with the other officers and employes as designated by said Act of Assembly are ample and sufficient to properly and efficiently serve the House of Representatives and to perform all the duties required of them.

Gertrude Mackinney
Thomas M. Whiteman
Alice M. Bentley
Nelson McVicar
George I. Woner
Brooks Haslett
C. L. Kelly
Joseph H. Hollis
Simon F. Zook
Sarah M. Gallaher
Robert E. Haas
W. I. Goss
Franklin T. Edmonds

BILL ON THIRD READING.

Agreeably to order

The House proceeded to the third reading and consideration of House Bill No. 1407 (Senate Bill No. 509), entitled:

An Act to require the teaching of the Constitution of the United States in the public and private schools

On the question,
Will the House agree to the bill on third reading?
On the question,
Shall the bill pass finally?

Mr. SCHLEITER. Mr. Speaker, we do not hear the announcements from the Chair or by the Clerk in the last few rows. This morning I was on the verge of asking, if it was in order, but of course I knew that such a thing was not in order but I was on the verge of asking that those members occupying the last three or four rows be excused from any participation in the discussions before the House because it was utterly impossible either this morning or this afternoon to hear either the Speaker or the Clerks.

The SPEAKER. The Chair feels that the members in the rear of the House have some cause for complaint. The loud talking in the rear of the Hall is most inexcusable. It is not only that you are annoying one member, but you are annoying several. You are preventing them from participating intelligently in the affairs of this House. The Chair has used a great deal of effort to prevent this talking. We have stationed the sergeant-at-arms in the rear of the

Hall, but it seems that no matter what we do, no courtesy is extended by those visiting the House. The Chair has received a great many complaints of late regarding the lobbyist coming upon the floor of the House. They annoy the members and prevent them from doing the things they want to do. It apparently makes no difference whether a roll call is in progress, whether a debate is being held upon a bill or whatnot. The aisles are clogged, and the member's attention is taken up at a time when he ought to be attending to the business before the House. Now the Chair dislikes to resort to stern measures, and we trust that a word to the wise will be sufficient.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182.

Alexander.
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Glasgow,
Goehring,
Golder,
Gorham,
Greeby,
Griffith,
Grimes,
Gundy,
Haas,
Haines,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Sample,
Sarig,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz.
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. J.,
Stofflet,
Stoner,
Storb.
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Wener,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

BILL ON FINAL PASSAGE.

Agreeably to order,
The bill having been called up from the postponed calendar by Mr. GIBBON.

The House resumed the consideration on final passage of House Bill No. 1392 (Senate Bill No. 600), entitled:

An Act to amend section one of the act approved the eighth day of June, one thousand nine hundred and fifteen (P. L. 915) entitled "An Act to fix the salaries of the deputies in the offices of the clerk of the courts county controller, recorder of deeds, county treasurer, chief deputy sheriff, and chief clerk to the county commissioners, in counties of this Commonwealth having over two hundred and fifty thousand population and less than four hundred thousand population; by changing the manner of fixing salaries and prescribing the minimum thereof; and making the act apply to counties of the third class.

On the question,
Shall the bill pass finally?

Mr. KUNKLE. Mr. Speaker, this bill applies to Westmoreland County, from which I come, and it raises the salaries of the deputy in the different offices from $2500 to $3000. Representing probably 280,000 inhabitants of our county, I feel that this bill is unnecessary. There is no movement on foot in our county to increase the salaries so far as I can see. There is an organization, I believe, of the deputies of the State that has advocated this bill, but on behalf of the taxpayers of my county I protest and I wish to state that we have been getting excellent service in our county from the deputies. We have no trouble whatever in getting deputies to do the work. They are a fine body of men and women and they are willing to go on at the present salary. Therefore I see no necessity of raising these salaries and I would ask this House to vote down this bill.

BILL POSTPONED.

Mr. GIBBON. Mr. Speaker, I have been advised that there is an error on page 2 of this bill, a typographical error, and I would therefore move that further consideration of this bill be postponed for the present.

Mr. MILLER. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL.

Mr. BIDELSPACHER. Mr. Speaker, I move that the time on House Bill No. 1383 (Senate Bill No. 434) file folio 1011 entitled:

An Act to further amend section one of an act, approved the twelfth day of June, one thousand nine hundred and nineteen, entitled "An Act permitting counties of the Commonwealth of Pennsylvania to appropriate and expend moneys and to incur indebtedness and issue bonds and other obligations, for the improvement and maintenance of State highways and State-aid highways or any public highway in any county of the Commonwealth, and providing the method for applying for said moneys and for the approval thereof by the State Highway Department in certain cases."

on page 25 of today's calendar, bills on final passage postponed be extended five days.

Mr. HEYBURN. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL.

Mr. ALEXANDER. Mr. Speaker, I move that the time on House Bill No. 581 file folio 6673 entitled:

An Act imposing a poll tax for county purposes on male and female residents over the age of twenty-one years and abolishing the occupation tax

on page 26 of today's calendar, bills on final passage postponed be extended five days.

Mr. HEYBURN. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL.

Mr. LUDLOW. Mr. Speaker, I move that the time on House Bill No. 88 file folio 6635, entitled:

A further supplement to an act, approved the eighteenth day of July, one thousand nine hundred and nineteen, entitled "An act authorizing the appointment of a commission to supervise the revising, amending, consolidating, and simplifying of the laws relating to the assessment, levy, and collection of taxes for all purposes; prescribing the power and duty of such commission; imposing certain duties on the Legislative Reference Bureau; and making an appropriation": continuing the commission appointed under the provisions of said act for a further period of two years and making an appropriation.

on page 27 of today's calendar, bills on final passage postponed be extended five days.

Mr. STORB. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL.

Mr. LAURER. Mr. Speaker, I move that the time on House Bill No. 1460 (Senate Bill No. 793) file folio 1949, entitled:

An Act to repeal the act approved the tenth day of May one thousand eight hundred and seventy-one (Pamphlet Laws six hundred sixty-seven) entitled "An Act to empower the school directors of Tuscarora and Spruce Hill townships in the county of Juniata to annex certain lands in Spruce Hill township and Tuscarora township in the county of Juniata for school purposes

on page 26 of today's calendar, bills on final passage postponed be extended five days.

Mr. HARTER. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL.

Mr. PRICE. Mr. Speaker, I move that the time on House Bill No. 607 file folio 4509 entitled:

A Joint Resolution proposing an Amendment to Section Fifteen of Article Five of the Constitution of the Commonwealth of Pennsylvania

on page 23 of today's calendar, bills on third reading postponed be extended five days.

Mr. PEELOR. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL

Mr. PRICE. Mr. Speaker, I move that the time on House Bill No. 991, file folio 4887 entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania by adding thereto section thirty-four

on page 23 of today's calendar, bills on third reading postponed be extended five days.

Mr. PEELOR. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL

Mr. POSEY. Mr. Speaker, I move that the time on House Bill No. 1457 (Senate Bill No. 657) file folio 2025 entitled:

An Act empowering School Districts to employ a Police Force

on page 24 of today's calendar, bills on third reading postponed be extended five days.

Mr. MATHAY. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL

Mr. VICKERMAN. Mr. Speaker, I move that the time on House Bill No. 1252 file folio 4825 entitled:

An Act providing for the licensing of certain stills and other distilling apparatus imposing certain duties upon the Secretary of the Commonwealth providing for the search for and seizure and destruction of unlicensed stills and distilling apparatus and providing penalties

on page 24 of today's calendar, bills on third reading postponed be extended five days.

Mr. McVICAR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. ORR,

The House resumed the consideration on final passage of House Bill No. 1421 (Senate Bill No. 268), entitled:

A Joint Resolution proposing an amendment to article four section eight of the Constitution of the Commonwealth of Pennsylvania prohibiting after adjournment the appointment to office of any person whose nomination the Senate failed to confirm

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. ORR. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. HOWARD SMITH. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. ORR. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend on page 1 by striking out of lines 10 and 11 the words "not confirmed" and inserting in lieu thereof the word "rejected".

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. HOWARD SMITH.

The House resumed the consideration on third reading of House Bill No. 1318, entitled:

An Act imposing a State tax on the premiums paid into the State Workmen's Insurance Fund and providing for collection thereof

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. DAVID FOWLER. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Howard Smith, permit himself to be interrogated?

Mr. HOWARD SMITH. I will, Mr. Speaker.

Mr. DAVID FOWLER. Mr. Speaker, I would like the sponsor of this bill to explain the purpose of the bill.

Mr. HOWARD SMITH. Mr. Speaker, this bill imposes a tax of eight mills on the premium paid into the workmen's insurance fund. This fund is exempt from the State tax which all other insurance companies pay. This State insurance fund has accumulated a surplus of $5,000,000, which the State cannot touch, the money really belonging to the policyholders. Since this insurance fund is not a State department there is no reason why it should not be taxed the same as any other insurance companies. This bill was prepared by the Auditor General. I have here a letter from the former insurance commissioner stating that the bill meets with his approval. I also have a letter from the present commissioner approving this bill.

Mr. DAVID FOWLER. Mr. Speaker, if this bill should pass would it increase the premiums on the insurance policy?

Mr. HOWARD SMITH. No, it would not.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—109.

Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baldi,
Beaver,
Bell, F. A.,
Bell, W. T.,
Bentley,
Bluett,
Blumberg,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Colville,
Conner,
Coyne,
de Young,
Diehm,
Dietz,
Dilsheimer,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Fratt,
Gelder,
Gibbon,
Glasgow,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Gundy,
Haas,
Haines,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Henderson,
Himes,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Jones, D. J.,
Kelly,
Lafferty,
Lucas,
Ludlow,
MacKinney,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McClure,
McGowan,
McKim,
Myers, P. M.,
Nolte,
Orr,
Parkinson,
Patterson,
Perry,
Post,
Posey,
Price,
Raymond,
Sample,
Sautter,
Smith, H.,
Soffel,
Sowers,
Spangler,
Sprowls,
Steedle,
Stevens, A. F.,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Wells,
Wettach,
Wheeler,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Goodnough,
Speaker.

NAYS—43.

Alexander,
Behney,
Bidelspacher,
Chaplin,
Clutton,
Coldsmith,
Craig,
Driggs,
Eshelman,
Fowler, D.,
Gallaher,
Gorham,
Harter,
Hetrick,
Heyburn,
Hollis,
Hontz,
Johnson,
Jones, C. B.,
Jones, E. P.,
Kunkle,
Labar,
Little,
Mack,
Malie,
McCurdy,
McDermott,
Miller,
Moore,
Myers, G. C.,
Ogle,
Peelor,
Post,
Rhodes,
Sarig,
Schaeffer,
Schleiter,
Schoener,
Sheridan,
Smith, G. A.,
Stavitski,
Wright,
Zook,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECESS.

Mr. STEEDLE. Mr. Speaker, I move that this House do now take a recess until 9:00 o'clock this evening.

The motion was agreed to and at 6:10 P. M., the House took a recess until 9:00 o'clock P. M.

AFTER RECESS.

The House reconvened at 9:00 o'clock P. M.

The SPEAKER (C. J. Goodnough) in the Chair.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 924.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 15, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 924, entitled, "An Act to amend part of section one of an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled 'An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representatives districts as provided by the Constitution.' "

GIFFORD PINCHOT.

REPORTS FROM COMMITTEES.

Mr. SOWERS, from the Committee on Elections, reported as committed House Bill No. 478, entitled:

An Act to provide for the nomination of candidates for President of the United States at primaries and the appointment of delegates to the national conventions by the candidates of each party receiving the largest number of votes.

Mr. ALEXANDER, from the Committee on Judiciary General, reported as committed House Bill No. 646, entitled:

An Act requiring safety gates to be erected or watchmen stationed at certain railroad crossings; and providing, that in suits growing out of accidents at crossings where act has not been complied with negligence of company shall be presumed and defense of contributory negligence forfeited.

Mr. CRAIG, from the Committee on Judiciary Special, reported as committed House Bill No. 996, entitled:

An Act to amend section twelve of the act approved the day of June, one thousand nine hundred and eleven (Pamphlet Laws, six hundred thirty-nine), entitled "An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania; and providing a Bureau of Medicine and Licensure as a bureau of the Department of Public Instruction; and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained, and exemptions therefrom; and providing for an appropriation to carry out the provisions of said act; and providing for revocation or suspension of licenses given by said bureau; and providing penalties for violation thereof, and repealing all acts or parts of acts inconsistent therewith;" for the reinstatement of licenses in certain cases.

Mr. McBRIDE, from the Committee on Counties and Townships, reported as committed House Bill No. 1506 (Senate Bill No. 796), entitled:

An Act providing for the alteration of the boundaries of counties in certain cases for the adjustment of the indebtedness thereof, providing the effect thereof.

Mrs. De YOUNG, from the Committee on Judiciary Special, reported as committed House Bill No. 1527 (Senate Bill No. 998), entitled:

An Act to repeal the act approved the fourteenth day of February, one thousand eight hundred and sixty-seven (Pamphlet Laws, two thousand and five), entitled "A supplement to an act passed the thirteenth day of April, Anno Domini, one thousand eight hundred and fifty-nine, relating to billiard saloons et cetera, in the counties of Chester and Delaware, extending the same to the county of Bradford.

Mr. CRAIG, from the Committee on Judiciary Special, reported as committed House Bill No. 1518 (Senate Bill No. 1058), entitled

An Act for the encouragement of unincorporated cooperative associations of agricultural and industrial workers; providing that membership therein and interest in the funds and property thereof may be made non-transferable and imposing penalties upon persons making or accepting unlawful assignment transfer or pledge of such membership or interest.

Mr. WALKER, from the Committee on Counties and Townships, reported as committed House Bill No. 1514 (Senate Bill No. 394), entitled:

An Act to amend section fifteen as amended and section seventeen of chapter six of article seven of the act approvide the fourteenth day of May, one thousand nine hundred and fifteen (Pamphlet Laws, three hundred and twelve), entitled "An act providing a system of government for boroughs and revising, amending and consolidating the law relating thereto."

Mr. BROMLEY, from the Committee on Judiciary Special, reported as committed House Bill No. 1530 (Senate Bill No. 1166), entitled:

An Act fixing the salary of county commissioners in counties of the fist class.

Mr. PRICE, from the Committee on Judiciary Special, reported as committed, House Bill No. 1424, (Senate Bill No. 464), entitled:

An Act providing a means whereby real estate devised upon a trust to divide it among other persons and the trustee has died without performing the trust may be divided amicably by the interested persons with the approval of the Orphans Court and the legal title be vested in them by judicial decree.

Mr. METCALF, from the Committee on Public Roads, reported as amended, House Bill No. 1445, (Senate Bill No. 24), entitled

An Act providing for an industrial State Highway from the city of Chester to the city of Philadelhpia.

Mr. GOEHRING, from the Committee on Judiciary General, reported as amended House Bill No. 1187, entitled:

An Act conferring upon cities of the second class power and authority to create and conduct as part of the Legal Department a Bureau of Conciliation, Small Claims and Legal Aid.

Mr. WELLS, from the Committee on Public Roads, reported as amended House Bill No. 1158, entitled:

An Act to amend sections twenty-four as amended, section twenty-six as amended, twenty-nine as amended, section thirty, thirty-one, thirty-two, thirty-three as amended, and thirty-four and thirty-five of an act approved the thirtieth day of June, one thousand nine hundred and nineteen, (P. L. 678), entitled, "An Act relating to and regulating the use and operation of motor vehicles and vehicles propelled by, or trailing after, motor vehicles; requiring the registration of the same, and the licensing of all operators thereof; providing the fees therefor, and the disposition of such fees; prohibiting the unauthorized use of, and tampering with, motor vehicles; limiting and defining the powers of cities, boroughs, incorporated towns, townships, and counties, as to the regulation of the use and equipment of motor vehicles, and the taxing, registration, or licensing thereof; imposing certain duties on the State Highway Commissioner, and on proprietors of public garages; providing procedure and penalties for violations thereof, and the disposition of fines collected, and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle," by providing for the hearing and disposition of certain violations thereof by traffic courts, creating traffic courts and providing for the appointment and compensation of the judges thereof.

Mr. GOEHRING, from the Committee on Judiciary General, reported as committed House Bill No. 1524 (Senate Bill No. 744), entitled:

An Act to amend section one of an act approved the fifteenth day of March, one thousand eight hundred and fifteen (Pamphlet Laws one hundred and fifty) entitled "An act concerning divorces," making the degree of cruelty as a ground for divorce the same for husband and wife and to repeal section ten of the said act.

Mr. HOLLIS, from the Committee on Judiciary Special, reported as committed House Bill No. 1500 (Senate Bill No. 984), entitled:

An Act granting water companies organized after April the thirteenth one thousand nine hundred and five the rights of eminent domain and requiring such water companies and also water companies incorporated under clause eighteen section two of the act approved April the twenty-ninth one thousand eight hundred and seventy-four entitled "An act to provide for the incorporation and regulation of certain corporations," to secure certificates from the Water Supply Commission prior to the exercise of the power of condemnation.

Mr. LUDLOW, from the Committee on Judiciary General, reported as amended House Bill No. 1481 (Senate Bill No. 613), entitled:

An Act amending sections one two and eleven of an act approved the twenty-third day of April, one thousand nine hundred and three (Pamphlet Laws two hundred and seventy-four) entitled "An act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care, treatment and control of dependent, neglected, incorrigible and delinquent children under the age of sixteen years and providing for the means in which such power may be exercised," providing that the Juvenile Courts in the several counties of this Commonwealth shall have exclusive jurisdiction in all cases of juvenile delinquency.

Mr. GOEHRING, from the Committee on Judiciary General, re-reported as amended House Bill No. 1509 (Senate Bill No. 1077), entitled

An Act to amend section ten of an act approved the twelfth day of July, one thousand nine hundred and eleven entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers, providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia, regulating the procedure therein and appeals therefrom, and providing for the expenses thereof," as amended.

REPORT OF SUBCOMMITTEE ON BANKS AND BANKING.

Mr. BROMLEY. Mr. Speaker, I desire to offer the report of the sub-committee appointed by the Chairman of the Committee on Banks and Banking in pursuance with a resolution passed by this House to investigate the State Banking Department.

The SPEAKER. The report will be noted upon the Journal and printed in the Appendix to the Legislative Journal.

(For Report see Appendix)

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 406.

An Act authorizing corporations incorporated under the laws of any other state of the United States to acquire use encumber and dispose of such real estate and rights and interests in the nature of or in respect to real estate in Pennsylvania as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful for them to exercise in this State defining certain of their powers rights and liabilities in connection therewith regulating the exercise of said rights by foreign public service corporations repealing certain acts and validating certain titles rights and interests heretofore acquired

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend titled, page 1, line 4, by inserting after the word "interests" the word "in".

Amend section 1, page 2, line 1, by striking out the vord "interest" and inserting in lieu thereof the word "interests".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Aston,
Baker,
Baldi,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Bidelspacher,
Bluett,
Blumberg,
Brenneman,
Brewster,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin.
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Fowler, D.,
Frazier,
Gallaher,
Gelder,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Long,
Lucas,
Lynch,
Mack,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay.
McBride,
McCann,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McVicar,
Metcalf,
Millar,
Minehart,
Moffatt,
Moore.
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Post,
Raymond,
Rhodes,
Richards,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schwartz,
Shambach,
Sheridan,
Smith, H. J.,
Smith, H.
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGF

SENATE INSISTS ON AMENDMENTS NON-CONCURRED IN BY HOUSE.

The Clerk of the Senate being introduced informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 693, entitled:

An Act providing for the quarantine and control of the Japanese Beetle imposing certain powers and duties on the Department of Agriculture providing penalties and making and appropriation

Mr. HEYBURN. Mr. Speaker, I move that the House insists in its non-cocurrence in the amendments made by the Senate to House Bill No. 639 and that a committee of conference be appointed.

Mr. ALEXANDER. Mr. Speaker, I second the motion.

The motion was agred to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 693.

The SPEAKER. The chair appoints as a committee of conference, Messrs. Heyburn, Haines, and Edward P. Jones.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Gibbon,

The House resumed the consideration on final passage of House Bill No. 1392 (Senate Bill No. 600), entitled:

An Act to amend section one of the act approved the eighth day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred and fifteen) entitled "An Act to fix the salaries of the deputies in the offices of the clerk of the courts county controller recorder of deeds county treasurer chief deputy sheriff and chief clerk to the county commissioners in counties of this Commonwealth having over two hundred and fifty thousand population and less than four hundred thousand population by changing the manner of fixing salaries and prescribing the minimum thereof and making the act apply to counties of the third class

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. Gibbon. Mr. Speaker, I move that the vote by which House Bill No. 1392, (Senate Bill No. 600) passed on third reading be reconsidered.

Mr. SCHAFFER. Mr. Speaker, I second the motion.

The motion was agreed.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. GIBBON. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Amend section 1, page 2, line 15, by inserting a parenthesis before the word "twenty-five" and after the figures "($2,500,00)"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Gibbon,

The House resumed the consideration on third reading of House Bill No. 1143, (Senate Bill No. 292), entitled:

An Act to amend section ten of the act approved the twenty-seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and three) entitled "An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand inhabitants and over prescribing his duties and abolishing the office of county auditor in said counties"

On the question,

Will the House agree to the bill on third reading?

Mr. GIBBON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, page 2, line 6, by striking out the brackets before and after the word "[our]"

Amend section 1, page 2, line 6, by striking out the word "three"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McBride.

The House resumed the consideration on final passage of House Bill No. 890, (Senate Bill No. 240), entitled

An Act to amend section six of an act approved the twentieth day of June one thousand nine hundred and seventen (Pamphlet Laws six hundred and eighteen) entitled "An act relating to the appointment of persons to the police department in cities of the third class providing for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation" as amended

On the question,

Shall the bill pass finally?

Mr. CRAIG. Mr. Speaker and members of the House, at every session of the legislature there are a number of bills introduced dealing with the police regulations of cities of the third class. Why this is done, I do not know, because I think these cities that are most interested are the best judges of the regulation that should be passed. At this session we had bills regarding police pension funds, wages for police, hours for police and umbrellas for police.

Mr. Speaker, the bill in question is an amendment to the act of 1917, and its amendment of 1919, known as the Civil Service act for police in cities of the third class. In 1917, the Legislature pased the so-called Civil Service act I say, so-called, because it had only to do with the examination of the police. It created a civil service board for examination only. The trial board, the judge and the jury, were the mayor and the four councilmen, three of whom are a majority. That act also provided that if a mayor suspended a policeman for any term whatever whether he was compelled to present charges to council, which was not a very fair thing to do because the mayors in these towns are human, and it is often the case that the mayor wishes to remind a policeman of a little infraction of his duty. In cities of the third class the mayor is elected by the people and his first duty it to supervise departments of the city, and more especially the Department of Police. The Act of 1917 places in the hands of the majority of council, which is three, there being only the mayor and four councilmen, the power to tie the hands of the mayor in the conduct of police, so in 1919 the legislature passed an amendment which provides that the mayor shall have the power to suspend for a period of ten days without preferring charges to council, but if suspended for more than ten days the Mayor must present charges to council.

For four years this act has worked without any trouble whatever without any hardship, and with considerable betterment of the department of police in the cities of the third class. There has been no trouble except in one case where in one city the mayor did overstep the mark, or at least it was so stated. Now, because that one mayor has overstepped the mark, this bill would tie the hands of the mayors of every third class city in this Commonwealth.

Ladies and gentlemen of the House, I think this is very unfair. I think that the people of McKeesport, if they think their mayor is wrong, can elect a new mayor. This bill has had a public hearing, in fact, it has had two hearings, and I, therefore, ask you to vote "no" on this bill.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—55.

Beaver,
Behney,
Boback,
Brownmiller,
Dietz,
Driggs,
Eaches,
Eshelman,
Flinchbaugh,
Fowler, D.,
Gallaher,
Goehring,
Gorham,
Goss,
Grimes,
Gundy,
Horne,
Huber,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kunkle,
Labar,
Lynch,
Malie,
Mangan,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McCann,
McClure,
McDermott,
Miller,
Minehart,
Moore,
O'Boyle,
Fosey,
Post,
Rinn,
Sarig,
Schilling,
Schleiter,
Sheridan,
Smith, G. A.,
Smith, H. J.
Soffel,
Stavitski,
Thomas, L. D.,
Thompson,
Vickerman,
Wells,
Wheeler,
Whitehouse,
Williams, J. M.,
Goodnough,
Speaker.

NAYS—88.

Albert,
Alexander,
Armstrong,
Arthur,
Baker,
Baldi,
Bell, F. A.,
Berger,
Bluett,
Blumberg,
Brewster,
Bromley,
Burns,
Bush,
Edmonds,
Evans, B. P.,
Evans, J.,
Fields,
Fratt,
Gibbon,
Glasgow,
Golder,
Greeby,
Griffith,
Harer,
Harter,
Haslett,
Heffernan,
Johnson,
Keene,
Lucas,
Ludlow,
MacKinney,
Marcus, J.,
Mathay,
McCurdy,
Metcalf,
Moffatt,
Myers, G. C.,
Myers, P. M.,
Nolte,
Orr,
Schwartz,
Shambach,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Sterling,
Stevens, A. F.,
Thomas, M. G.,
Van Alen,
Walker,
Weamer,

Clutton,
Colville,
Craig,
de Young,
Diehm,
Dilsheimer,
Drinkhouse,
Earley,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Howell,
Irvin,
Parkinson,
Pitts,
Price,
Raymond,
Richards,
Sample,
Sautter,
Schaeffer,
Wettach,
Williams, G. W
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in he negative and the bill falls.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCAIG,

The House resumed the consideration on final passage of House Bill No. 1456, (Senate Bill No. 570), entitled:

An Act providing for the merging of moneys held in certain special funds in the State Treasury with moneys in the general fund providing for the use of all moneys in the general fund for the payment of appropriations and for the payment from the general fund of moneys appropriated and dedicated for special purposes

On the question,

Will the House agree to the bill on third reading?

Mr. McCAIG. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend the title page one line one by striking out the word "merging" and inserting in lieu thereof: "temporary transfer".

Amend the title page one line two by striking out all after the word "treasury" and inserting in lieu thereof: "for the payment of appropriations payable from the general fund and for the return of said moneys to said special funds".

Amend section one page one line four by inserting after the word "into" the words "special fund in".

Amend section one page two line two by striking out after the word "board" all of said section and inserting in lieu thereof "and all moneys in such special funds in the State Treasury at the date of the approval of this act other than those hereinbefore excepted may be temporarily transferred into the general fund of the State Treasury upon order of the Governor in such amounts and for such time and for such specific purpose or purposes as the order of the Governor may direct with the approval of the head of the department, board, commission or other agency authorized to expend such moneys.

Amend section two line thirteen by inserting after the word "shall" the words "continue to".

Amend section two by striking out in line seventeen after the word "special" all the remainder of said section and inserting in lieu thereof "fund or funds shall be transferred as provided above the State Treasurer shall on the date stated in the Governor's order repay said moneys from the general fund into the said special fund or funds. It is not the intent of this act to abolish any special fund now existing in accordance with law but only to make available temporarily the moneys held in certain special funds for the payment of appropriations payable from the general fund under the conditions specified above."

The SPEAKER. Will the House give unanimous consent to the insertion the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. BLAIR,

The House resumed the consideration on third reading of House Bill No. 320, entitled:

An Act to prevent fraud at elections providing a system of authenticating and marking ballots and of locking ballot boxes providing for the installation of counties of certain mechanical equipment and for the use and custody thereof providing for the appointment by the Governor of a commission to select and approve such equipment and fixing penalties

On the question,

Will the House agree to the bill on third reading?

Mr. BLAIR. Mr. Speaker and members of the House, the nature of this Bill is such that I believe it needs some explanation.

When this session of legislature convened I had no intention of introducing such a measure, for I did not believe a device existed for voting purposes that was really meritorious, but I am glad to sponsor this bill because of the great good it will do if it becomes a law and its provisions are carried out.

There has been so much publicity about election frauds in the past few years that the people expect their legislators to provide a remedy at their first opportunity. I believe this to be a real opportunity.

Little wonder it is that after such wide publicity the voters have become discouraged and are not coming out to vote. They have lost confidence in the ballot and say it is useless to go to the polls any longer. This lost confidence must be restored, and that is one of the purposes of this bill. It is not that we want change in the present methods casting and counting ballots, but that we want a ballot that cannot be tampered with, and we want the marking of that ballot done in such a manner that the voter can see for himself that he has protection in order that confidence may be restored.

Since the days of Ancient Babylon an embossing die has been used for security. Every coin you are now carrying in your pocket bears the impression of a die put there under governmental supervision to make it official. Every important paper or document bears an embossed die to make it official and for security. To argue that our election ballots should not have the same protection is to argue that they are not important papers is to argue that the will of the people does not mean anything and that we as voters are not really supposed to exercise our dearly bought right of franchise at all but are to go through the performance only as camouflage.

This bill provides for the installation of such time controlled recording seal press for the protection of the ballot, and will limit all voting to the booths between the legal opening and closing time on election day, and prevents the substituting or altering of ballots.

Specific results are called for in this bill, but specific mechanism to produce such results are not called for. No such device can be installed for use until approved by a commission created by this act. The commission has full power to set prices and determine equipment to be used, and may refuse to permit installation if for any reason they so desire, provided they will make that reason or reasons known to the Committee on elections at the next session of this legislature.

They will have ample time and opportunity to determine any point that may be disputed here.

The equipment being demonstrated here in this building is absolutely flexible in every sense of the word and will meet any conditions to which the paper ballot can be subjected.

During our stay here at the Capitol our time is necessarily limited and the demonstrations have been short, but I assure you that any points that are not clear to you could be easily cleared up had you the time to go into it.

There is one or two points, however, that I want to mention in answer to questions that have been asked by those who hurried through the demonstrations.

The counter cannot be run around by stamping 1000 ballots and throwing them away like the counter on the voting machine.

If a crowd is on hand at closing time they may be accommodated without any chance of fraudulent manipulation.

The only mechanism that is at all likely to get out of order is that the clock would stop. But if it should it would not interrupt the progress of the election, it only being necessary for the officials to turn it off at the close of the voting in order to gain access to the ballot box.

All the discussions that I have heard so far regarding election frauds convinces me that the entire trouble is the fact that the ballot can be tampered with in various ways and that we are unable to prove the fact in court although it is to be a fact

The enactment of laws during the years past has failed to produce results because they are not obeyed by the parties for whom they are intended, and where it is absolutely certain that the law is being violated we are unable to produce evidence that will secure convictions.

We have been in this bad way so long that many of us seem to have become reconciled to the disease and would rather die than be cured. But these un-American and undemocratic practices have gone on too long and we must awaken to this fact and put a stop to them or danger lies in the not distant future.

It is my firm conviction that this bill enacted into law will do more towards giving the voters their full rights than all the measures ever discussed in this room along this line.

I ask you all to support this measure, as there is not a reason in the world why this matter should not be passed on to a commission to determine its value to the Commonwealth, and I feel absolutely confident that the voters back home who sent you here to look after their interest will concur in such action on your part.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. DAVID FOWLER. Mr. Speaker, I, too, am in favor of honest elections, but I have been investigating some of the voting machines, not only in this State, but in some of the other states, and you will always find some fellow that is handling the machine who will tell you how easy it is to beat the other machine. The ballots may be marked all right, I am not going to talk at length on this question, but I might relate a little experience I had in an election when I was allied with an organization at one time. It was an honest election. They happened to have a Polish friend of mine, who hadn't much experience in voting, but he was a good fellow in bringing in the Polish votes. I said to Felix, "I want you to go on a committee and I want you to vote as I tell you to do," and Felix said, "All right, I fix him all right." So it happened that one candidate was White and the other candidate was Walker, and we were all in favor of White. So, when the Polish that couldn't read English would come up to the polls, we would say, "Which man do you want? You want Mr. White?" "No, I don't want Mr. White." "All right," he says, "We will cross him out." The next fellow would come along, and he would say, "Who are you for?" "I'm for Mr. White." "All right, you can vote." So, with the machine that my friend was just speaking about, I believe that Felix would mark all the votes in the ward. All he would have to do was ask them who they wanted to punch out, and Felix would punch them out. If a man said he was against a candidate, Felix would say, "All right, we will punch him out;" and if he was for him, he would say, "We will punch him in." So, you can see there is always a way to beat a machine. But I am not against the voting machine, I am not against anything that will make an honest vote, but this is a session of economies. We are economical, and I want to say to you I don't feel that we lawmakers should spend thousands and millions of dollars for creating machines when we are now threshing out tax questions, and for that reason I believe we ought to vote this bill down.

Mr. MILLER. Mr. Speaker, I desire to interrogate the gentleman from Erie, Mr. Blair.

The SPEAKER. Will the gentleman from Erie, Mr. Blair, permit himself to be interrogated.

Mr. BLAIR. Yes, sir, Mr. Speaker.

Mr. MILLER. Mr. Speaker, isn't it a fact that this machine is being made up in the county of Erie?

Mr. BLAIR. This machine is not made any place at the present time. It is just simply a sample of the machine that will be made.

Mr. MILLER. Isn't it a fact that the sample produced here was made up in Erie?

Mr. BLAIR. Yes, that is true.

Mr. MILLER. Isn't it a fact that you are more or less interested in the construction and manufacture of this machine?

Mr. BLAIR. It is not. I have no interest in this machine, financial or any other way. I didn't know anything more about this machine, gentlemen, when I came down here, than the rest of you did. It was a new thing to me when I came here, even though I live in the county of Erie, and it was made in my home county.

Mr. BREWSTER. Mr. Speaker, I would like to interrogate the gentleman from Erie, Mr. Blair.

The SPEAKER. Will the gentleman from Erie, Mr. Blair, permit himself to be interrogated?

Mr. BLAIR. Yes, sir, Mr. Speaker.

Mr. BREWSTER. Mr. Blair, I could not hear all of your discussion on this measure, but as I understand the bill, if it should become a law, it will be mandatory upon all the counties, or the commissioners of the respective counties to adopt this voting machine or device that is referred in the bill?

Mr. BLAIR. Yes, I think this device should be put in universally.

Mr. BREWSTER. There is no discretion allowed or would there be any discretion allowed the county commissioners in the matter at all? It would be compulsory or mandatory upon them to place these machines in operation in all the counties?

Mr. BLAIR. I understand it that way, after it is approved by the commission.

Mr. BREWSTER. Mr. Speaker and ladies and gentlemen of the House, to express the sentiment of one of the smaller counties of this Commonwealth and one that needs all the money that we can save for them, I feel that I ought to rise in protest against the passage of this measure. We don't know very much out in our rural districts about fraudulent elections, and I think we are well able to conduct our elections in the old-fashioned way and vote just as we have been voting for the last hundred years without the aid of machines. If this bill simply authorized the county commissioners of the various counties to place these machines there, then I might favor the measure, since in that way, each county could use their own judgment; the commissioners of each county could use their own judgment in that matter. But I speak here, for the counties, as I say, that need their money; and to make it compulsory on the smaller counties of this Commonwealth to buy their voting machines as Mr. Fowler has said, when we need all the money for taxes, I would advise and protest against the passage of this bill, and I would suggest that every member, at least of the rural districts, vote against this measure.

On the question recurring,

Shall the bill pass finally?

MOTION TO RECOMMIT BILL.

Mr. BLAIR. Mr. Speaker, it has been suggested that this bill be referred to the committee on Elections, and I therefore move that House Bill No. 320, be recommitted to the committee on Elections for the purpose of amendment.

Mr. MORRISON. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion.

The Speaker declared the noes appeared to have it,

Whereupon a division was called for, sixty-four members having voted in the affirmative and seventy-eight in the negative, and the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—44.

Albert,
Anderson,
Bentley,
Blair,
Bush,
Clutton,
Edmonds,
Fratt,
Goss.
Harer,
Haslett,
Heffran,
Henderson,
Horne,
Jones, C. B.,
Jones, E. P.,
Kelly,
Kunkle,
Labar,
Lauver,
MacKinney,
McCurdy,
Moore,
Morrison,
Myers, G. C.,
Ogle,
Peelor,
Post,
Raymond,
Richards,
Schilling,
Schleiter,
Smith, G. A.,
Stevens, A. J.,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wheeler,
Woner,
Wood, W. P.,
Zook,

NAYS—114.

Alexander,
Allman,
Arthur,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bidelspacher,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brownmiller,
Burns,
Chaplin,
Colville,
Conner.
Craig,
de Young,
Diehm,
Eshelman,
Evans, B. P.,
Evans, J.,
Fowler, D.,
Gallaher,
Gelder,
Gibbon,
Glasgow,
Goehring,
Gorham,
Greeby,
Grimes,
Gundy,
Haas,
Hall,
Haws,
Heffernan,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hontz,
Hoover,
Lucas,
Ludlow,
Lynch,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
McBride,
McCann,
McCaig,
McClure,
McDermott,
Metcalf,
Millar,
Miller,
Moffatt,
Myers, P. M.,
Nolte,
O'Boyle,
Parkinson,
Patterson,
Sarig,
Sautter,
Schaeffer,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Spangler,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Storb,
Storer,
Van Alen,
Wells
Wettach,
Whitehouse,
Dietz,
Dilsheimer,
Drinkhouse,
Dunn,
Eaches,
Earley,
Huber,
Irvin,
Jones, D. J.,
Keene,
Kohler,
Lafferty,
Pitts,
Posey,
Rhodes,
Rinn,
Rippman,
Sample,
Williams, G. W.,
Williams, J. M.
Wood, N.,
Wright,
Goodnough,
Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. HARER.

The House resumed the consideration on final passage of House Bill No. 48, entitled:

An Act relating to public services companies limiting their charges to services actually rendered or furnished requiring such companies to supply all instruments and devices necessary and incidental to their service prohibiting the discontinuance of service as a means collectng charges in certain cases and prescribing penalties

On the question,

Shall the bill pass finally?

Mr. STORER. Mr. Speaker, ladies and gentlemen of the House, this bill was before this House last week and was voted down. Since that bill has been voted down this House has voted an appropriation of $640,000 to take care of just such matters as appear in this bill. I do not think that this Legislature should try to tell the Public Service Commission what they are to do in the matter of making rates. This is simply a rate making measure and such measures are in the province of the Public Service Commission. That is what we have the Public Service Commission for. Now, if you are going to make that power away from them you had better abolish the Public Service Commission and save the $640,000.00. These charges must be paid in some way or other, if you don't pay a ready to serve charge you just pay it in the commodity which is purchased, and I don't see that there is any difference, and the upshot of it would be simply the disturbing of the rates that are made by all public service companies in Pennsylvania and when they disturb those the customer generally gets the worse of the bargain. Just like when the Standard Oil Company was dissolved, and put in a different number of forms, the customer paid more all the time.

Mr. BIDELSPACHER. Mr. Speaker and members of this House, I believe this bill has a great deal of merit, otherwise I would not rise to defend it. I have practiced before the Public Service Commision, and I yield to no one in my esteem and admiration for that tribunal, but when we remember that these ready to serve charge rates go into effect almost immediately after the public service company has presented its side to the Public Service Commission, without any redress on the part of the public, and with a big array of figures from the standpoint of the public service company going before that Commission, and when we remember that at the public hearings that were held on this bill the public service companies could not define logically and scientifically the charges that the public service commission allowed, then I think it is only fair and just that we should establish certain fixed principles that would guide the Public Service Commision in arriving at the ready to serve charges. That is what this bill proposes to do. In the first place, ladies and gentlemen of this House, a public service company when it furnishes you with a commodity, either gas, electricity, or water, as the case may be, it charges a commodity charge plus a ready to serve charge. Now that ready to serve charge in most localities expresses itself in a fixed charge, whether you use the commodity or not, of fifty cents and upwards. Suppose, for instance, that you are consuming gas. The public utility company furnishes you with gas, and if you consume $5.00 worth of gas during the month you have added to your bill 50 cents as a ready to serve charge. If you don't consume any gas at all, of course, you pay the 50 cents charge.

Now, this bill is fair in this respect that it admits there is a necessity for a ready to serve charge, but it limits that ready to serve charge to certain well defined things. When the representatives of public service companies appeared before this committee that had in charge the hearing on this bill, they said, among other things that a consumers charge was the fair, basis for the ready to serve charge so we have included in this bill that these charges which are commonly called customers costs or consumers costs or charges, inculding these four things: meter reading, meter inspection, billing and book-keeping, may be equally divided among the customers receiving such service. We are willing to admit that these four things should enter into a ready to serve charge, whether the person uses the commodity or not. For instance, if I am a customer of the Gas Company, the Gas Company must come and inspect my meter, it must read my meter, it must bill me my bill, and it must keep the books. That far I am willing to go that a ready to serve charge is just and equitable, and should be borne equally by all customers, whether they use the commodity or not. But from there on whatever charge they have put on is not a scientific charge but is simply a convenient way for the public utility company to pass the buck to the small consumer, and of hitting him hard so that they can keep the rates down on the large consumer, and in defense of that position I want to quote from a memorandum filed by one of the public utilities companies before the committee at the hearing. Among other things they say: "While on the subject of large consumers, it might be well to mention that if schedule composed exclusively of consumption charges makes the cost of water, for instance to an industrial establishment such as a factory or a railroad, much higher than they could furnish the service themselves through the sinking of an artesian well, or securing water from a nearby stream, the Company would lose the revenue from such establishments as may decide to supply their own water."

That is quoted from their own brief, in other words they take the position that unless they soak the small consumer, and soak him unduly and unjustly, they will have to raise all their rates and then they will lose some of their big customers. That is unfair and unjust, and that is what this bill seeks to correct.

I have been a member of this House for four sessions, and I think I can say without egotism that I have tried to stand by legislation along conservative lines, and constructive lines, only, and I believe this is a conservative, constructive bill; fair to the Public Service Commission, fair to the public service utilities, fair to the public, and for that reason I ask you to vote for this bill.

Mr. ALEXANDER. Mr. Speaker and members of the House, I have often had my doubts as to the fairness of the ready to serve charge. We have, however, by an Act of Assembly, a Public Service Commission. Now, the duties of that commission are to examine into the different elements that enter into these charges of one company, another company and another company. Now two companies have the same question involved; no two questions are raised, as far as rates are concerned; that can be compared between two companies. Now, certainly, when we put it up to the Public Service Commission to investigate these charges, with the different elements entering into all the different companies, it won't do for us to pass acts of legislation here, tying their hands and saying, "You shall take this rule, this hard and fast rule," to every one of these companies and expect to get any kind of a fair deal from them. Now, if what is laid down in this Act of Assembly, here in this bill, if that is a proper thing to do, I have no doubt that on an appeal from some of these rates if the question were taken before the Public Service Commission, that if the gentleman from Lycoming could show to these gentlemen; whose experience is far better than mine, that this is a good rule in some instances, I have no doubt that the Public Service Commission would adopt that rule. But for us to tie their hands by a hard and fast rule, by an act of this kind, is unfair, and sooner or later, somebody is goin to get an unfair decision and you can't expect to get a fair decision from a tribunal of that kind. If, on the other hand, we have a Public Service Commission that is able to act on these cases, the next method is to change them and get men who will look into it in a different light, but as long as that commission exists, let us try the other end of it. In other words, we argue a case in court; we don't pass a law to compel the judge to decide a certain case in a certain way, according to the facts, but we leave the facts in each case, and all the facts in every case, as you all know, differ; and therefore, you leave it to the judge and the jury to find those facts as they exist in that particular case, and each case must rest upon its own facts. Therefore it is not a good thing to do when we have a tribunal like the Public Service Commission to tie their hands by an Act of Assembly as this does.

Mr. HARER. Mr. Speaker, I should like to interrogate the gentleman from Montgomery, Mr. Storer.

The SPEAKER. Will the gentleman from Montgomery, Mr. Storer, permit himself to be interrogated.

Mr. STORER. I will Mr. Speaker.

Mr. HARER. Mr. Storer, are you the president of a public service company?

Mr. STORER. Yes, I am the president of the Pottstown Gas and Water Company.

Mr. HARER. Do you use the service charge?

Mr. STORER. No sir.

Mr. HARER. Why?

Mr. STORER. Well, we never started it and we don't use it, that is all. We never started it; I have been in that company for thirty years, and we didn't know what a ready to serve charge was for thirty years, and we never change our rates.

Mr. HARER. You are perfectly satisfied the way you are making your rates?

Mr. STORER. Yes.

Mr. HARER. You are perfectly satisfied with the decitions of the Public Service Commission?

Mr. STORER. Sure, I want to say further that the various public utilities companies that furnish these different services furnish them in such a different way that it is hard to make a fixed rule. Now, in the house in which I live, I get service from five companies. I get service from the telephone company, from a gas company, from a water company, from an electric light company and from a sewer company. Now, then, I pay a ready to serve charge in different ways in cash one of these five companies. The one company that I pay a ready to serve charge to is the gas company. I pay a ready to serve charge to the Bell Telephone Company because they charge me so much a month for my telephone. I pay to the water company, they made me put in my own service, and that cost me $150.00 to put it in, and that is a ready to serve charge, and I never get the principle back. It is the same way with the sewer company. The sewer went into my house last year, and it cost me $425.00 to put that in. Is not that a ready to serve charge? and I have got to pay a tax anyway to run that sewer, but it is a ready to serve charge, and I lose the principle and interest on $425.00 and that is furnished by the municipality which charges at least three times as much as any other company. I say these different utilities that you have in your house are so varied that it is impossible to make a fixed rule and that is what I am speaking against. I am not speaking for my own company, because we don't charge it. I pay another ready to serve charge in another corporation of $3,000 and I am glad to pay it, because I have been consuming steam and we are saving over 40% on the cost after paying the $3,000 ready to serve charge.

Mr. HARER. Mr. Speaker and members of the House, I would like just to use Mr. Storb's own argument in regard to this bill. He does not charge the ready to serve charge, because they have found no necessity for it, and I believe he has also found that it is not a very popular charge. In making the restriction in this charge, we have done so only with the idea that the customer is legally paying what he should pay. Now, if the Public Service Commission has not seen its way clear to decide what elements shall go into a ready to serve charge, then I think it is up to us as representatives of the people to tell them.

Our good friend, Mr. Alexander, has told us that the judges decide on the merits of a case, yet you are continually making laws for them, governing their actions every day right here. Now, why should not we tell the Public Service Commission what things should honestly enter into this charge. I believe it is the only fair and just way to regulate charges, so that the small consumer will be paying for what he actually gets and will not be paying for the larger consumer. I think this bill is very fair and should pass.

Mr. SPANGLER. Mr. Speaker and members of the House, as I recall this bill came before the Judiciary General Committee some months ago. There was a public hearing here in the House Caucus Room to which the people generally of the state were invited. The oponents of this measure were almost legion; the proponents of this measure resolved themselves down to the distinguished Chairman of the Committee on Appropriations, and he spoke for about two minutes. So far as I have been able to discover there has been no demand for the introduction of a bill of the character of this before us at the present time. The policy that is represented by the public service companies in the ready to serve charge is a well established policy. It is predicated upon equitable principles and I think that it meets with the approval of the general public of the Commonwealth of Pennsylvania. We do not know where this bill emanated from, all that we have has come from somebody in Lycoming county, or Williamsport, and if the gentleman from Lycoming can show any good reason why this well established practice should be abrogated at this time, I wish he would stand forth now and tell us.

Mr. HARER. Mr. Speaker, in reply to the gentleman from York, I wish to say that I have stated my position on the floor of the House, and it didn't emanate from any source other than myself and the public of Lycoming County. The people there have been getting gas from the Penn Power and Light Company, who started in with a service charge of 68 cents and cut it three or four times until they got down to 50 cents. Now, anybody knows that if they changed that five or six times, that there is something wrong with the charge; yet the Public Service Commission continually allows them to do this and the Public Service Commission has not passed upon rates that were asked for up there at least two years ago, and for these very reasons, some restrictions should be placed upon the Public Service Commission.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—113.

Albert,
Anderson,
Beaver,
Behney,
Bell, F. A.,
Bentley,
Bidelspacher,
Blair,
Bluett,
Boback,
Brenneman,
Brewster,
Bromley.
Burchinal,
Burns,
Bush,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Evans, J.,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Gelder,
Gibbon,
Glasgow,
Gorham,
Grimes,
Gundy,
Haas.
Haines,
Harer,
Harter,
Haslett,
Haws,
Heffran,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Irvin,
Johnson,
Jones, D. J.,
Kelly,
Kunkle,
Labar,
Lauver,
Long,
Lucas,
Ludlow,
Lynch,
McBride,
McClure,
McCurdy,
McDermott,
Metcalf,
Millar,
Minehart,
Moffatt,
Moore,
Munley,
Myers, G. C.,
O'Boyle,
Parkinson,
Patterson,
Peelor,
Perry,
Post,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Schaeffer,
Schilling,
Schleiter,
Sheridan,
Smith, G. A.,
Smith, H. J.
Smith, H.,
Smith, J. W.,
Soffel,
Sprowls,
Stark.
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Thompson,
Van Alen,
Walker,
Weamer,
Wells,
Whitehouse,
Williams, G. W.,
Williams, J. M.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—64.

Alexander,
Allman,
Armstrong,
Arthur,
Aston,
Baker,
Baldi,
Blumberg,
Brown,
Brownmiller,
Diehm,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Fields,
Flynn,
Fratt,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Hall,
Henderson,
Hetrick,
Huber,
Jones, C. B.,
Jones, E. P.,
Keene,
Lafferty,
Malie,
Mangan,
Mack,
MacKinney,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McCann,
McCaig,
Miller,
Morrison,
Myers, P. M.,
Nolte,
Ogle,
Orr,
Pitts,
Posey,
Raymond,
Sarig,
Sautter,
Schoener,
Schwartz,
Shambach,
Sowers,
Spangler,
Steedle,
Thomas, L. D.,
Thomas, M. G.,
Vickerman,
Wettach,
Wheeler,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. GIBBON,

The House resumed the consideration on third reading of House Bill No. 1393, (Senate Bill No. 294), entitled:

An Act to amend sections two and five of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179.

Albert,
Alexander,
Allman,
Anderson,
Arthur,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gelder,
Gibben,
Gilchrist,
Glasgow,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDermott,
McGowan,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M..
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storer,
Thomas, M. G.,
Van Alen
Vickerman,
Walker,
Weamer,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate, with the information that the House has passed the same without amendment.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. STERLING.

The House resumed the consideration on third reading of House Bill No. 314, entitled:

An Act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business through a bureau in the department of the Secretary of the Commonwealth

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STERLING. Mr. Speaker, a word of explanation might be fitting at this time before the House votes on this measure. This bill is commonly known as the real estate brokers and salesmen license bill, and it provides, as its name indicates, a method for the licensing of those men who are brokers and salesmen of that commodity commonly called real estate. The bill provides for the appointment of a commission of three men having seven years of experience in their profession, the appointment to be made by the Chief Executive, and the Commission to be under the control of the Secretary of State. The bill provides for a license fee of $20.00 for those who trade as brokers; $20.00 per annum; for those who trade as salesmen $5.00 per annum, and for members of firms, after the first licensee, $10.00 per annum. The bill provides, by simple machinery, for hearings of complaints against those who are in the group, and provides further that the right of appeal to the Common Pleas Courts, giving thereby the same rights as we all have in the defense of any action that may be brought against us. There is a demand because there is a need for this kind of legislation, and those who are traders are directly behind this bill. In other words, this is not an effort to legislate against real estate brokers and salesmen, but on the contrary it is a request brought to you by brokers and salesmen in real estate that they be licensed. There is a tendency towards elevating the standard of those who trade in real estate, both brokers and salesmen, and this bill is the best thought of the thirty-four real estate boards scattered throughout the State. The benefits of the bill are the results of the experience of fourteen sister states, in which a similar act is on the statute books. It is estimated that the net return from the license fees collected will aggregate about $125,000 and that the cost to administer the commission will be approximately $25,000. The bill provides, however, on that particular feature, that the cost of administration shall not exceed at any time the aggregate fees collected, so that there will be no expense incurred by the state in the licensing of real estate brokers and salesmen. This is not the first time that the state has seen fit, if this bill is passed and signed, to license trades. I mention trades as against professions, because I take it that professions may be considered licensed, for you well know that in the judgment of those who have gone before in the days when in the insurance field there was considerable fraud and cheating and misrepresentation that that condition brought about the licensing of those who sold insurance, both life and fire. So that today, as a part of our government, we have a department, the great part of whose time and energy is spent in the control of those who trade in the commodity known as insurance. This bill is not presented to you by any group with the thought to exclude men who are traders in real estate, whether as brokers or salesmen. On the contrary, it is presented to you for your consideration with the thought that all who trade in real estate be included within its terms and provisions so that the public will ultimately be benefitted by being protected against the frauds and cheating that are fresh in your memory, from your own experience and the experience of your constituents, in connection with transactions in real estate in which they may be involved. I submit to you sincerely that this bill deserves your support and I, therefore, ask it and ask you to give it your vote.

Mr. JOHN G. MARSHALL. Mr. Speaker and members of the House, I am very sorry indeed to have to differ with my good friend from Philadelphia on this measure, which is being considered at this time. This bill provides for what is termed in the caption of the bill the definition of real estate brokers and real estate salesman and providing for the licensing, regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business through a bureau in the department of the Secretary of the Commonwealth. Section 2 of this bill defines real estate brokers. If you read it carefully it takes in almost every conceivable case where a man would engage either in the renting or buying or selling or leasing real estate of any kind, either for himself or for another. Then in section 3 it provides for the creation in the department of the Secretary of the Commonwealth of a bureau to be known as the Pennsylvania Real Estate License Commission for the issuance of real estate brokers' and salesmen's licenses under the provisions of this act and the supervision and control, and so forth. This commission shall consist of three members. On page 4, in section 4, of the act it says, "Each member of the commission shall receive as full compensation for each day actually spent on the work of said commission the sum of $25.00 per day and his actual and necessary expenses incurred in the performance of the duties pertaining to his office." $25.00 a day on full time of 300 days a year means $7500 a year for three members.

Section 5 provides that a secretary of this commission shall be appointed by the Governor to hold office during his pleasure and subject to the approval of the Governor. It further provides that the commission shall employ and at its pleasure discharge such deputies, clerks and assistants as shall be deemed necessary to discharge the duties imposed by the provisions of this act, and shall fix their salaries. In the first place, I do not understand why this legislature should be called upon to create a commission to control things of this kind. I do not think it is necessary. I can readily understand why if a man studies a profession such as a doctor or a denist or something of that kind if that is proper to have a state board to regulate their practice, but when it comes to providing that a man cannot go out and sell his neighbor's property on a proper commission basis without coming to Harrisburg or sending here and getting a permit from a board, I think we are going too far. We have had some experience during the past few sessions in creating commissions, and you know the desire exists throughout the state at this time to repeal an act passed here a few years ago creating a commission for one line of work. I think we are attempting to create a monopoly by legislation of this kind. I see no more reason why real estate brokers should be licensed and regulated from Harrisburg anymore than we should regulate hardware men and grocery men throughout the outlying districts. One man has just as much right to be regulated from Harrisburg, as the other. One is just as important from the standpoint of the public as the other, and so far as the protection of the public is concerned, I can see no advantage in that, for the reason that we have our law courts open for proper relief to anyone whose rights have been violated by an unscrupulous real estate broker. Personally I do not think that the granting of a license on an application, as provided in this bill, is going to reach the result represented to us, or is going to be of any benefit to the public at large. For that reason, and on account of the expense entailed in this bill. I am opposed to it and hope that you will vote it down.

Mr. SCHLEITER. Mr. Speaker, I have heard for the first time the welcome sound of the welcome voice, one that we have waited for ever since this Legislature was organized and for which most of the members claim they were elected, and that was the sound of economy. Now we have another bill which we are asked to consider and asked to pass, providing for just the reverse. It is alleged that this is going to cost the State nothing, but it certainly must come out of the pockets of the people. Now it seems to me we have enough commissions here on capitol hill. It seems to me it is time to call a halt. It would seem well for some of these people who expect to get these jobs to take a pick and shovel and go to work. Now we have in many communities men who are engaged in the real estate business in a small way. Take communities of, say, five hundred or a thousand people. Occasionally there is a piece of real estate to be sold, but you will penalize these men or in many cases women by imposing upon them a license fee of $100, and their total earnings for the year may not exceed more than that amount. It looks to me to be a bill presented here by the great real estate interests who are trying to drive the small real estate dealers out of business. And if there were no other expense in connection with it, I think we ought to vote the bill down. We are doing nothing but legislate, legislate, legislate, and the time will come when we will not be able to turn around until we first go or write to Harrisburg to find out whether we turn to the right or turn to the left. It seems to me that it is time we cease creating commissions and cease burdening the people with extra expenses, and get off the people's backs where we have been altogether too long.

Miss GRIMES. Mr. Speaker and members of the House, I am very much in favor of the passage of this bill, because I believe it is going to result in more homes and better homes. In reply to the gentleman from Beaver, who spoke about the expense, if he reads the law carefully he will find that the expense of the twenty-five dollars a day comes out of interest, and there is no expense to the State. Many measures have come before us this session that have had in them clauses against profiteering by the real estate men, and there seems to be a very general sentiment that real estate men generally are profiteers. I think it is a very healthy sentiment that the real estate men themselves are attempting to regulate their business and raise the standards of the real estate business in their own profession instead of allowing us to legislate against profiteers. This bill seems to be fair, honest and honorable, and a right-thinking real estate man tends to impress a standard on the real estate business and to drive out the faults, while a profiteering real estate man is bringing down the standard of living. If you would ask me what is the greatest need of our country at the present time, I should say the need is for more homes. It has been the greatest need for years, and if I were asked what has been the greatest tragedy of American life, I would say that it is the passing of the American home. Where is the home that you and I used to know in our younger days that now seems so far away? The men of this assemblage courted their wives in the old-fashioned home, where there was plenty of room. You met there, and you met the members of her family, who came in and gave you the "once-over" and then they passed on to another part of the house, and you had plenty of food and plenty of solitude and plenty of privacy, and she was there in the bosom of her family, and under their protection. What kind of homes do we have today? Cheap, profiteering kinds of shacks, where the rain comes in through the roof, the plaster falls off the walls and the wind comes up through the floor and the rent man comes into the door and takes all the money. There is no privacy, no solitude; the young girl of today is driven out to a park bench, and Mr. Vickerman comes along and passes a law so that you can watch the girl on the park bench. The young man of today has to go out of his home into the poolroom, and Mr. Woner passes a law about screen doors. Because of the wrong kind of homes today, we are obliged to pass laws to watch people. What we need more than anything else is the kind of a home where young people are trained in self-restraint and right living, and learn to be a law unto themselves. I say we need more homes, and this bill is a tendency in that direction. Women would be back in the home more than they are at the present time if they had them and because we can't get these kind of homes ourselves, we women have got to come to you and ask you to get them for us.

Houses are built of bricks and stones,
And floors and doors and tiers,
But a home is made of loving deeds
That last for a thousand years.

Men would only build houses of mortar and brick and stone, but the women, the women build the homes. We ask you to pass this bill in the interests of better homes and more homes as a step in the right direction.

Mr. McCURDY. Mr. Speaker, I am opposed to the passage of this bill, because it takes away from the citizens of this State the right to employ their neighbors to look after their real estate during their absence from home for the leasing of the same, and the collection of the rent and subjects them to go to one of the licensed real estate brokers. Another feature is that it takes away from the man his constitutional rights to engage in a laudable undertaking without first coming to Harrisburg or some other place to secure a permit to engage in that undertaking. In regard to the expense to the State, there is a clause here wherein it states that the Commissioner of Public Grounds and Buildings—Mr. Speaker and members of the House, you may be very sorry that you did not listen to the arguments against the passage of this bill. If this bill, if it would pass and become a law, because it takes away from you your rights to handle your own piece of real estate according to your own judgment. There are sufficient places in this State where you can get reliable information as to who are competent real estate brokers. You can go to your banker, who is familiar with all of them, and he will recommend you to the very best. It is my mistake if I place my property in the hands of an irresponsible real estate broker. If I want to purchase a piece of real estate, it is my mistake if I don't inquire as to the reliability of the man from whom I propose to make my purchase. As I have said before, it takes away from a man the right to engage in a laudable undertaking. The constitution, I believe, grants the rights for every man to earn for himself an honest livelihood, and he should not have any chains around his neck of this character, and I hope that this bill will not pass.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—47.

Armstrong,
Bell, F. A.,
Bromley,
Burns,
Bush,
Colville,
Conner,
Craig,
de Young,
Dunn,
Eaches,
Edmonds,
Evans, J.,
Fields,
Flynn,
Fowler, D.,
Frazier,
Gibbon,
Grimes,
Haas,
Haines,
Harer,
Haws,
Henderson,
Howell,
Jones, D. J.,
Lucas,
Ludlow,
MacKinney,
Mathay,
McDermott,
Millar,
Pitts,
Posey,
Schilling,
Schwartz,
Smith, H. J.,
Soffel,
Sowers,
Spangler,
Steedle,
Sterling,
Stevens, A. F.,
Stoner,
Van Alen,
Whiteman,
Woner,

NAYS—115.

Albert,
Alexander,
Allman,
Arthur,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Berger,
Blair,
Bluett,
Blumberg,
Boback
Brewster,
Brown,
Brownmiller,
Chaplin,
Clutton,
Coldsmith,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Eshelman,
Evans, B. P.,
Flinchbaugh,
Fratt,
Gelder,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Gundy,
Haslett,
Hetrick,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Irvin,
Johnson,
Jones, C. B.,
Jones, E. P.,
Keene,
Kelly,
Kunkle,
Labar,
Lafferty,
Lauver,
Long,
Lynch,
Malie,
Marcus, J. C.,
Marshall, W. F.
McBride,
McCann,
McCaig,
McClure,
McCurdy,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Post,
Raymond,
Rhodes,
Richards,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schleiter,
Schoener,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H.,
Smith, J. W.,
Stark,
Staudenmeier,
Stevens, A. J.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Wells,
Wettach,
Wheeler,
Whitehouse,
Williams, G. W.,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

Less than the majority required by the Constitution having voted in the infirmative, the question was determined in the negative and the bill falls.

RESOLUTION.

RECALLING HOUSE BILL NO. 316 FROM THE GOVERNOR.

Mr. HOLLIS offered the following resolution, which was twice read, considered and agreed to:

In the House of Representatives, May 14, 1923.

Resolved (if the Senate concur), That House Bill No. 317, File Folio 1015, entitled "An act to amend section one of the act, approved the seventeenth day of May, one thousand nine hundred and nineteen (Pamphlet Laws two hundred and eight), entitled 'An act prohibiting under certain conditions the commutation, encumbrance or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto; prohibiting the attachment of such proceeds and income, and authorizing life insurance companies to hold such proceeds as part of the general corporate funds' by extending the same to the proceeds and income from policies issued by both domestic and foreign companies", be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS SIGNED BY SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor and the same being correct, the titles were publicly read as follows:

HOUSE BILL NO. 1.

An Act fixing the pay of election officers and clerks in cities of the first class

HOUSE BILL NO. 142

An Act making an appropriation to the County of Philadelphia for the payment of a judgment obtained by the said county against the Commonwealth of Pennsylvania

HOUSE BILL No. 366

An Act to amend section two of an act approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Law two hundred and seventy-nine) entitled "An act relating to the time and manner of taking exception in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purposes of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case"

HOUSE BILL No. 403.

An Act to enable city county poor ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties of the surety or sureties have paid the taxes to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective bonds or by the expiration of the authority of their respective warrants or by the expiration of their terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act

HOUSE BILL No. 598.

An Act declaring the construction to be given deeds wills and other instruments in writing in which real and personal property is donated granted devised or bequeathed either directly or in trust for the benefit of one or more persons for years or for life or upon condition with remainder over to the heirs or next of kin or to the persons thereunto entitled under the intestate laws or other similar or equivalent phrase

HOUSE BILL No. 681.

An Act to amend the supplement to an act approved the twenty-first day of May one thousand eight hundred eighty-nine (Pamphlet Laws two hundred fifty-eight) entitled "A supplement to an act 'to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane' approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three" as amended by fixing the maximum amount for maintenance weekly per capita

HOUSE BILL No. 719.

An Act to amend sections two three and thirteen and to repeal section eleven of the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and nine) entitled "An Act prescribing the powers and duties of the Bureau of Markets in the Department of Agriculture providing for co-operation with the Bureau of Standards of the Department of Internal Affairs to establish standard receptacles for farm products and to promulgate regulations for the enforcement thereof and prescribing penalties for violations of the provisions of this act" by clarifying certain provisions extending said act to cover the manufacture of standard receptacles for farm products and providing that violations be prosecuted by summary proceeding

HOUSE BILL No. 818.

An Act to amend an act approved the twentieth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and forty-three) entitled "An Act relating to free public non-sectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public nonsectarian libraries as may have been already established by the several counties cities boroughs towns and townships and providing that all library property and all gifts devises grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relation to the above subjects"

HOUSE BILL No. 820.

An Act authorizing the sale of real estate held by entireties by husband and wife when an order of support has been secured against the husband who has neglected to comply with the same or whose whereabouts is unknown or who has absented himself from this Commonwealth prescribing the procedure to be followed permitting husband and wife to testify providing for the disposition of the proceeds of such sale and granting a divorced woman the same rights under this act as a wife

HOUSE BILL No. 906.

An Act to amend section twenty-one of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws four hundred and eighty-three) entitled "An act relating to practice in the courts of common pleas in actions of assumpsit and trespass except actions for libel and slander prescribing the pleadings and procedure to be observed therein and giving the courts power to enforce its provisions" by requiring objections to the form of any pleading to be filed and severed upon the opposite party within fifteen days after the service of such objectionable pleading.

HOUSE BILL No. 920.

An Act to amend Section one of the act approved the fourteenth day of April one thousand nine hundred five (Pamphlet Laws one hundred and sixty-nine) entitled "An act making it unlawful to trespass upon land posted as private property and providing the penalty therefor"

HOUSE BILL No. 975.

An Act to amend section six as amended and section eight of the act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and sixty-five) entitled "An act defining commodities regulating the sale thereof and providing penalties for violations hereof" changing the legal weight of certain commodities and providing for the disposition of certain fines

House Bill No. 1012.

An Act validating ordinances and proceedings by councils in boroughs for the paving and curbing of public highways and validating municipal liens therefor

HOUSE BILL No. 1084.

A Supplement to an act approved the twenty-third day of June one thousand nine hundred eleven (Pamphlet Laws one thousand one hundred twenty-three) entitled "An act establishing in each county a Board of Viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" as the same was amended and supplemented by subsequent acts by providing for the compensation to be paid to the members of the Board of Viewers in counties of the second class

HOUSE BILL No. 1095.

An Act relating to debts of municipalities

HOUSE BILL No. 1234.

An Act authorizing the creation of a commission to negotiate with the duly constituted agents of the states of New York and New Jersey for the regularization of the flow of the Delaware River the conservation apportionment and utilization of the water resources thereof providing the method of ratification of such compact by this Commonwealth and prescribing the conditions of its being in full force and effect

HOUSE BILL No. 1264.

An Act providing for the depositing of money as a forfeit for the appearance of persons arrested for certain offenses for hearing before a mayor or chief burgess and providing for the forfeiture and payment of the same into the city or borough treasury in case of non-appearance of person arrested

HOUSE BILL No. 1305.

An Act to confer upon the Courts of Quarter Sessions of the several Counties of the Commonwealth jurisdiction and power to authorize the removal of the remains of the dead from private burial grounds which have or shall become unsightly and unsuitable places for interment

HOUSE BILL No. 1319.

An Act to amend section one article four chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" as amended

HOUSE BILL No. 1338.

An Act providing a means whereby the individual justice of the peace may better inform himself as to the law changes in the law and decisions of the Courts on the law of this Commonwealth

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ADJOURNMENT.

Mr. ALEXANDER. Mr. Speaker, I move that this House do now adjourn until 11:00 o'clock tomorrow morning.

The motion was agreed to, and at 11:15 P. M., the House adjourned until tomorrow morning at 11:00 o'clock.

PRINTER'S ERROR.

In the Legislative Journal of Monday May 14th, 1923, on page 2877, after the Point of Order raised by Mr. Harer, during the debate on House Bill No. 1041, known as the "Gasoline Tax Bill," the "yea" and "nay" vote on the motion to postpone consideration of the bill, was omitted by the printer. The following is the "yea" and "nay" vote which should have been printed:

The yeas and nays were required by Mr. Steedle and Mr. Perry were as follows:

YEAS—79.

Allman,
Arthur,
Baldi,
Behney,
Bluett,
Blumberg,
Bromley,
Burns,
Colville,
Conner,
Coyne,
de Young,
Diehm,
Dilsheimer,
Drinkhouse,
Dunn,
Eaches,
Evans, B. P.,
Evans, J.,
Fields,
Flynn,
Fowler, D.,
Glasgow,
Goehring,
Golder,
Goss,
Greeby,
Guerin,
Haws,
Heffernan,
Huber,
Keene,
Kohler,
Lafferty,
Lucas,
Lynch,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McGowan,
McKim,
McVicar,
Millar,
Myers, P. M.,
Nolte,
Orr,
Patterson,
Perry,
Pitts,
Posey,
Rinn,
Sautter,
Schaeffer,
Schilling,
Schwartz,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Speiser,
Sprowls,
Steedle,
Sterling,
Stevens, A. F.,
Stofflet,
Stoner,
Van Alen,
Vickerman,
Weamer,
Wettach,
Williams, G. W.,
Williams, J. M.,

NAYS—115.

Albert,
Alexander,
Anderson,
Armstrong,
Baker,
Beaver,
Bell, F. A.,
Bentley,
Bidelspacher,
Blair,
Boback,
Brenneman,
Brewster,
Brown,
Brownmiller,
Bush,
Chaplin,
Clutton,
Coldsmith,
Craig,
Dietz,
Driggs,
Earley,
Gibbon,
Gilchrist,
Gorham,
Griffith,
Grimes,
Gundy,
Hall,
Harer,
Harter,
Haslett,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Irvin,
Johnson,
Lauver,
Long,
Ludlow,
Mack,
MacKinney,
Marshall, W. F.,
McCurdy,
McDaniel,
McDermott,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
O'Boyle,
Ogle,
Parkinson,
Peelor,
Post,
Price,
Schoener,
Shambach,
Sheridan,
Smith, G. A.,
Soffel,
Spangler,
Stark,
Staudenmeier,
Stavitski,
Stevens, A. J.,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Walker,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Woner,
Wood, N.,
Wood, W. P.,
Edmonds,
Eshelman,
Flinchbaugh,
Fowler, A. I.,
Frazier,
Gallaher,
Gelder,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kunkle,
Labar,
Raymond,
Rhodes,
Richards,
Rippman,
Sample,
Sarig,
Schleiter,
Wright,
Zook,
Goodnough,
Speaker.

So the question was determined in the negative, and the motion was not agreed to.

PRINTER'S ERROR.

In the Legislative Journal of Monday, May 14th, 1923, on page 2879, after the discussion on House Bill No. 1041, known as the "Gasoline Tax Bill," the roll call was omitted inadvertently by the printer. The following is the roll call which should have been printed:

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—30.

Alexander,
Beaver,
Bidelspacher,
Edmonds,
Frazier,
Goehring,
Goss,
Grimes,
Kelly,
Kennedy,
Ludlow,
MacKinney,
Marshall, J. G.,
McKim,
McVicar,
Moffatt,
Parkinson,
Price,
Spangler,
Stoner,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Wheeler,
Whiteman,
Woner,
Goodnough,
Speaker.

NAYS—.163.

Albert,
Allman,
Anderson,
Armstrong,
Arthur,
Baker,
Baldi,
Behney,
Bell, F. A.,
Bentley,
Berger,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Golder,
Gorham,
Greeby,
Griffith,
Guerin,
Gundy,
Haas,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Long,
Lucas,
Lynch,
Mack,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
Metcalf,
Millar,
Miller,
Minehart,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.
Smith, J. W.,
Soffel,
Sowers,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Storb,
Van Alen,
Weamer,
Wells,
Wettach,
Whitehouse,
Williams, G. W.,
Williams, J. M.,
Wood, N.,
Wood, W. P.,
Wright,
Zook,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

Session 1923 125th of the General Assembly

Vol. 7. HARRISBURG, PA., WEDNESDAY, MAY 16, 1923. No. 58.

SENATE

WEDNESDAY, MAY 16, 1923.

The Senate met at 11 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Our Father in Heaven: Bless the Senators as they come together for another day's business. They will need clear minds as they take up the work that lies before them. Help them to put first things first. May they ignore petty issues and be guided by great principles. May they never forget that the final accounting will not be made to any Party or to any Constitutency but to Almighty God, and above all else may they seek to know and to do Thy will. Bless the House of Representatives; bless our Governor and all the State Officials, and grant that every one may be actuated by the highest motives.

We ask it in the name of Jesus Christ. Amen.

JOURNAL APPROVED.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceeding session, when, on motion of Mr. CLARK, the further reading was dispensed with, and the Journal was approved.

REPORTS FROM COMMITTEES.

Mr. PHIPPS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1131, (House Bill No. 1411), entitled:

An Act to amend section one of an act approved the twenty-seventh day of April, one thousand nine hundred and eleven, (P. L. 86), entitled "An Act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants; providing for the payment of the same by the particular county limiting the number of tipstaves to be appointed; and repealing an act of Assembly entitled 'An Act to regulate the fees of court criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants' approved the twenty-nineth day of April, Anno Domini one thousand nine hundred and nine" as amended.

Also from the Committee on Public Roads and Highways, reported as amended, Senate Bill No. 818, (House Bill No. 579), entitled:

An Act providing for the location construction operation maintenance and vacation of public roads or highways bridges tunnels subways and under ground roads within second class counties of this Commonwealth either wholly or partly within the territorial limits of cities boroughs and townships thereof and the taking over by the county of such improvements from townships making such improvements county improvements establishing procedure for undertaking or vacating of improvements by the county commissioners and the mode of taking exceptions thereto providing for the entry upon and appropriation of property for the purpose of planning and making improvements the compensation to be paid therefor and the payment of damages and the assessment of benefits resulting from such improvements and the manner in which such damages and benefits may be determined providing for the filing reviving and collecting of liens arising from any assessment of benefits thereunder providing for the payments of the costs and expenses of such construction and improvement and the maintenance and operation thereafter providing for the letting of contracts for such improvements or maintenance and for the making of such improvements or the maintenance thereof by the county commissioners themselves defining the duties of the county commissioners with reference to such county improvements authorizing them to employ the necessary persons and maintain the necessary equipment to perform their duties providing for the contracting by counties of the second class with railway or transportation companies for the concurrent use of county improvements authorizing the levy of a tax and the issuance of bonds by counties of the second class to provide funds for said purposes providing for the entry upon and appropriation by said counties of highways streets and properties of cities and boroughs necessary for such improvement and for the maintenance and control of said highways streets and properties by said counties after said entry and appropriation requiring the county commissioners of said counties to prepare a county road plan and prohibiting the award of damages for the taking of improvements made by persons within the lines located on said plan after its adoption and requiring the removal by the owner of improvements made within the lines of relocated highways on said plan authorizing the county commisioners of said counties to appoint persons to inspect repair and control county roads with power to enforce laws and authorizing the county commissioners of said counties to establish regulations for the use of county roads including penalties for violations

Mr. SNYDER from the Committee on Public Health and Sanitation, reported as amended, Senate Bill No. 949, (House Bill No. 1075), entitled:

An Act for the prevention and treatment of mental diseases, mental defect, epilepsy and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition and deportation of mental patients; providing for the payment by individuals, counties or the Commonwealth of the cost of the admission, care and discharge of mental patients; and imposing penalties.

Also from the Committee on Public Roads and Highways, re-reported as amended, Senate Bill No. 753, entitled:

An Act to amend section seven hundred and twenty-seven of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" as amended authorizing the State Highway Department to charge permit fees for construction in over or under township highways and making an appropriation thereof.

Also from the Committee on Public Health and Sanitation re-reported as amended, Senate Bill No. 1106, entitled:

An Act to amend section 2 of an act approved June 12, 1913, (P. L. 471), entitled "An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class, and defining their powers and duties; providing for the appointment of members of such boards of health by the president of the borough councils, or by the chairman of the board of commissioners of such townships; providing for the election of a Secretary and a health officer; providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class, when conditions therein, in his opinion, constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class, or when it may be known to him that such borough or township of the first clas is without an existing or efficient board of health; and providing the manner in which the expenses of boards of health or the Commissioner of Health, incurred in administering health laws in any borough or township of the first class shall be paid."

Mr. CRAIG from the Committee on Game and Fisheries, re-reported as committed, Senate Bill No. 956, (House Bill No. 1203), entitled:

An Act providing a method through which the Commonwealth may co-operate with individuals in building fences to protect farm crops and fruit orchards against damages from wild deer and making an appropriation.

Also from the Committee on Game and Fisheries, re-reported as committed, Senate Bill No. 831, (House Bill No. 793), entitled:

An Act to amend section seven of the act approved May 22, 1889 (P. L. 261) entitled "An act for the protection of shad and game fish in the river Delaware"

Also from the Committee on Public Roads and Highways, re-reported as amended, Senate Bill No. 811, (House Bill No. 333), entitled:

An Act authorizing the State Highway Department, the Public Service Commission, counties, cities, boroughs, townships and railroad and railway corporations to purchase or condemn by the right of eminent domain free and unobstructed view over and across lands at certain highway, railroad and railway intersections and curves so as to prevent and permit removal of interference with and obstruction of the vision of users of said highways, railroads and railways; and providing for the use of such lands in such manner as not to interfere with a free and unobstructed view.

Mr. MILLER, from the Committee on Public Roads and Highways, reported as amended, Senate Bill No. 752, entitled:

An Act to amend section seventeen of an act approved May 31, 1911, (P. L. 468), entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the Counties or townships of the Commonwealth certain existing public roads connecting County-seats, principal cities, and towns and extending to the State line; precribing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and, procedure therein providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State providing, aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads, and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways, making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads; and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, authorizing the Department to collect fees for permits and making an appropriation thereof.

Mr. SMITH, from the Committee on Public Health and Sanitation re-reported as amended, Senate Bill No. 990, entitled:

An act to preserve the purity of the sources of public water supplies authorizing the Advisory Board of the Department of Health to make orders and regulations therefor and the Commissioner of Health to enforce the same providing penalties for violation thereof and for abatement of nuisances by injunction.

Also from the Committee on Public Health and Sanitation, re-reported as amended, Senate Bill No. 918, (House Bill No. 377), entitled:

An Act to amend section one, section six as amended and section ten of an act approved June 7, 1895, (P. L. 167) entitled "An Act to provide for the better protection of life and health by diminishing the danger from infectious and contagious diseases through the creation of a State Board of Undertakers in the cities of the first second and third classes with systematic examinations, registration and licenses for all entering the business of burying the dead and penalties for violation of the provisions thereof" by prescribing the qualifications and compensation of members of the State Board of Undertakers providing for employes of the board requiring applicants for undertakers' license to have a common school education, providing for the auditing of its books and the disposition of funds remaining in its treasury.

Mr. SONES, from the Committee on Game and Fisheries, re-reported as committed, Senate Bill No. 941, (House Bill 939), entitled:

An act providing for the payment of certain claims for damages done to livestock poultry or bees by bear providing a method for the ascertainment of such damages and making an appropriation.

Also from the Committee on Public Health and Sanitation, re-reported as committed, Senate Bill No. 1197, (House Bill No. 1190), entitled:

An Act providing for the granting of licenses to practice dentistry to certain persons who served in the army or navy of the United States or any branch or unit thereof.

Mr. MANSFIELD, from the Committee on Public Health and Sanitation, reported as Committed, Senate Bill No. 585, entitled:

An Act authorizing and empowering local boards of health of the Commonwealth to organize districts health associations for the purpose of holding annual meetings; providing for the representation of each board of health in said district associations and providing for the payment of the expenses thereof.

Mr. CHRISTLEY, from the Committee on Judiciary General, reported as amended, Senate Bill No. 964, (House Bill No. 1269), entitled:

An act to amend section three of an act approved the tenth day of April, one thousand eight hundred and sixty-seven, (P. L. 62), entitled "An act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth," by requiring the drawing of jury panels from the wheel to take place publicly in the court room and in the presence of one of the Judges of the court of common pleas.

Mr. BETTS, from the Committee on Game and Fisheries, re-reported as committed, Senate Bill No. 916, (House Bill No. 358), entitled:

An Act to amend sections one and eighteen of the act approved the sixteenth day of May, one thousand nine hundred and twenty-one, (Pamphlet Laws five hundred and fifty-nine), entitled "An Act for the better protection of fish; requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth, or in the waters bounding or adjacent thereto, and regulating the issuance of such license; providing penalties for the violation of this act, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the penalties recovered and license fees received;" changing the age limit of persons required to procure licenses; and providing for the purchase with surplus moneys of lands and waters, and the impounding of waters.

Mr. HOMSHER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1228, entitled:

An Act to amend section one of the act approved June 28, 1917 (P. L. 645) entitled "An act making it unlawful for any individual or individuals to carry on or conduct any business under an assumed or fictitious name style, or designation, unless upon the filing of a certificate to that effect in the office of the Secretary of the Commonwealth and of the prothonotary; requiring county commissioners at the expense of the county, to provide books for the entry of such certificates; fixing the fees of the Secretary of the Commonwealth and prothonotary; and providing penalties;" authorizing the Secretary of the Commonwealth to grant certificates to be received in evidence.

Mr. STINEMAN, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 853, (House Bill No. 1052), entitled:

An Act relating to salaries, compensation, bonds, offices and supplies of certain county officers, their deputies and clerks in counties of the sixth class.

Mr. STITES, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 739, entitled:

An Act to amend section four of an act approved May 1st, 1909, (P. L. 307) entitled "An act to provide for the recovery by bureaus of health, boards of health, and boards of school directors, of cities, boroughs and townships of this Commonwealth, of money expended to care for and maintain persons sick of contagious or infectious diseases, when the person so sick has a settlement in some other city, borough, or township of the Commonwealth, and providing for the payment of all expense by the party falling sick, except poor persons, and defining a settlement for the purposes of this act," defining the settlement of a married woman.

Also from the Committee on Public Health and Sanitation reported as committed, Senate Bill No. 1098, (House Bill No. 998), entitled:

An Act to amend section one of the act approved the twenty-fourth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, one thousand one hundred sixteen), entitled, "An act appropriating to the Department of Health any moneys to be received from the United States Government in the promotion of sanitation, public health, and health education, the protection and care of maternity infancy and old age, and the prevention, treatment, and cure of disease."

Also from the Committee on Judiciary General, re-reported as committed, Senate Bill No. 415, (House Bill No. 449), entitled:

An act to amend paragraph one section five of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy--three) entitled "An act to provide for the incorporation and regulation of certain corporations" as amended changing the effect of the by-laws of corporations.

Mr. BALDWIN, from the Committee on Finance, reported as amended, Senate Bill No. 1017, (House Bill No. 1256), entitled:

An act imposing a State tax on Liquid Fuels including all liquids ordinarily practically and commercially usable in internal combustion engines for the generation of power and all distillates of and condensates from petroleum natural gas coal coal tar and vegetable ferments so useable to be paid by dealers as herein defined providing for the collection of such tax and for the distribution and use of the revenues derived therefrom providing for the filing of certificates and reports of the sale of such liquid fuels and the collection of such tax and fixing penalties.

Mr. WOODWARD, from the Committee on Public Health and Sanitation, re-reported as amended, Senate Bill No. 452, entitled:

An Act for the protection of the public health in the manufacture and sale of non-alcoholic beverages; providing for the registration thereof; prohibiting the sale, offering or exposing for sale, exchange or giving away thereof in certain cases unless registered; regulating the manufacture, bottling, preparation, mixing and compounding of non-alcoholic beverages, and the sale of dispensing thereof; creating a special fund in the State Treasury, and making an appropriation therof; and prescribing penalties.

BILLS INTRODUCED.

Mr. SMITH, read in his place and presented to the Chair Senate Bill No. 1254, entitled:

A Supplement to the act approved June 17, 1915 (P. L. 1012) entitled "An Act regulating the business of loaning money in sums of three hundred ($300) dollars or less, either with or without security to individuals pressed by lack of funds to meet immediate necessities; fixing the rates of interest and charges therefor; requiring the licensing of lenders, and prescribing penalties for the violation of this act," as amended by the act of June 4, 1919, (P. L. 375), entitled "An act to amend sections one, two and three of the act approved the seventeenth day of June, one thousaid nine hundred and fifteen, (P. L. 1012) entitled 'An act regulating the business of loaning money in sums of three hundred ($300) dollars or less, either with or without security to individuals pressed by lack of funds to meet immediate necessities, fixing the rate of interest and charges therefor; requiring the licensing of lenders, and prescribing penalties for the violation of this act.'"

Which was committed to the Committee on Judiciary General.

Mr. DERRICK, read in his place and presented to the Chair Senate Bill No. 1255, entitled:

An Act to further amend section three of an act approved the twentieth day of April, 1874, (P. L. 65) entitled "An Act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," by designating the place for the holding of electione for the purpose of increasing indebtedness of independent school districts.

Which was committed to the Committee on Education.

RESOLUTION AUTHORIZING PRINTING OF 2500 COPIES OF PROCEEDINGS OF MEMORIAL SERVICES HELD IN HONOR OF THE LATE HONORABLE WILLIAM E. CROW.

Mr. Brown offered the following resolution, which was twice read, considered and agreed to.

In the Senate, May 16, 1923

Resolved (if the House of Representatives concur), That two thousand five hundred (2,500) copies of the proceedings of the memorial services, held in honor of the late Honorable William E. Crow, be printed for the use of the Senate.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION AUTHORIZING PRINTING OF 2,500 COPIES OF PROCEEDINGS OF MEMORIAL SERVICES HELD IN HONOR OF THE LATE HONORABLE EDWIN H. VARE.

Mr. PATTON offered the following resolution, which was twice read, considered and agreed to.

In the Senate May 16, 1923.

Resolved (if the House of Representatives concur), That two thousand five hundred (2,500) copies of the proceedings of the memorial services, held in honor of the late Honorable Edwin H. Vare, be printed for the use of the Senate.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION AUTHORIZING PRINTING OF 2,500 COPIES OF PROCEEDINGS OF MEMORIAL SERVICES HELD IN HONOR OF THE LATE HONORABLE BOIES PENROSE.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE offered the following resolution, which was twice read, considered and agreed to.

In the Senate May 16, 1923.

Resolved (if the House of Representatives concur) That two thousand five hundred (2,500) copies of the proceedings of the memorial services, held in honor of the late Honorable Boies Penrose, be printed for the use of the Senate, and two thousand five hundred (2,500) copies for the use of the House.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION FOR APPOINTMENT OF COMMITTEE TO DRAFT RESOLUTIONS ON THE DEATH OF THE LATE HONORABLE NORMAN A. WHITTEN.

Mr. HARRIS offered the following resolution, which was twice read, considered and agreed to.

In the Senate, May 16, 1923.

Resolved, That a committee of eight members of the Senate be appointed to draft suitable resolutions on the death of the late Senator Norman A. Whitten, who died on March 17, 1922, and present such resolutions at a special meeting to be held on Tuesday, May twenty-two, one thousand nine hundred and twenty-three, at four o'clock, post meridian.

REPORT FROM COMMITTEE

Mr. WEAVER. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WEAVER from the Committee on Judiciary General, reported as committed, Senate Bill No. 1254, entitled:

A Supplement to the act approved June 17th, 1915, (P. L. 1012), entitled 'An Act regulating the business of loaning money in sums of three hundred ($300) dollars or less, either with or without security to individuals pressed by lack of funds to meet immediate necessities; fixing the rates of interest and charges therefor; requiring the licensing of lenders, and prescribing penalties for the violation of this act," as amended by the act of June fourth, 1919, (P. L. 1012), entitled 'An act regulating the business of loaning money in sums of three hundred ($300) dollars or less, either with or without security to individuals pressed by lack of funds to meet immediate necessities, fixing the rate of interest and charges therefor; requiring the licensing of lenders, and prescribing penalties for the violation of this act.' "

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 282.

Mr. STITES offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 16, 1923.

Resolved (if the House of Representatives concur), That Senate Bill No. 282, File Folio 901, entitled "An act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 242, as follows:

An Act to amend sections ten eleven twelve and fourteen of and to add sections eleven (a) and eleven (b) to an act entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" approved the nineteenth day of March one thousand nine hundred and nine (Pamphlet Laws forty-six) changing the preliminary educational requirements creating a board to examine and license osteopathic physicians to practice operative surgery providing for such examination and licensing regulating the practice of the same and requiring additional qualifications therefor defining osteopathy and providing for the effect of reports and certificates made by osteopathic physicians and granting additional powers to the Board of Osteopathic Examiners to revoke licenses

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of an act approved the nineteenth day of March one thousand nine hundred and nine (Pamphlet Laws forty-six) entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" which was last amended by section two of the act approved the seventeenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and twenty-nine) entitled "An Act amending sections eight and ten of an act approved the nineteenth day of March one thousand nine hundred nine entitled 'An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic

Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act' as amended by providing for the extension of time necessary for graduation by revising the fee for reciprocity licenses and by further regulating the preliminary educational requirements for matriculation into colleges" is hereby amended to read as follows

Section 10 Applicants examined and licensed by the State Boards of Osteopathic Examiners of other States on the payment of a fee of fifty dollars to the State Board of Osteopathic Examiners and filing in the office of the State Board of Osteopathic Examiners a copy of said license certified by the affidavit of the president or secretary of such board showing also that the standard of requirements adopted by said board of examiners is substantially the same as is provided by section eight of this act shall without further examination receive a license conferring on the holder thereof all the rights and privileges provided by section eleven of this act

Candidates for license to practice osteopathy in this State who present their applications and undergo examination after the first day of January Anno Domini one thousand nine hundred and twelve shall be obliged to present to the State Board of Osteopathic Examiners one of the following credentials satisfactory to the said board covering their preliminary education prior to their beginning the study of osteopathy in some legally incorporated reputable osteopathic college to wit A diploma of graduation from a reputable college or university granting the degree of bachelor of arts or science or equivalent degree or a diploma of graduation from an educational institution maintaining a four years' course of study equivalent to a standard four year high school course that is a State Normal School or a high school a seminary an academy or a college preparatory school or a certificate of having passed examination for admission to the freshman class of a reputable literary or scientific college or university or a certificate of having passed an equivalent examination conducted by the Bureau of Professional Education Nothing herein shall be construed as being incompatible with the following additional requirement namely That the preliminary education shall include one year's credits in physics chemistry and biology as approved by the Bureau of Professional Education

After the first day of July one thousand nine hundred and twenty-eight applicants for licensure under the provisions of this act shall furnish prior to any examination by the State Board of Osteopathic Examiners satisfactory proof that he or she has had a general education of not less than a standard four years' high school course or its equivalent and not less than one year of college credits in chemistry biology and physics all of which have been received before admission to osteopathic study On said date the provisions of the foregoing paragraph of this section are hereby repealed

Section 2 That section eleven of said act be and the same is hereby amended to read as follows

Section 11 Every license to practice as an osteopathic physician issued by the State Board of Osteopathic Examiners shall authorize the holder thereof to practice osteopathy in all its branches including minor surgery and obstetrics without restriction as the same is herein defined and taught and practiced in the legally incorporated reputable colleges of osteopathy but it shall not authorize the holder thereof to practice operative surgery without obtaining an additional license to practice such surgery as provided in section eleven (b) of this act Any use or practice by osteopathic physicians of the agencies or means hereinafter named as embraced within the fundamentals of the principles and practice of the system of osteopathy when used for the purposes in the manner and to the extent as taught and practiced in the legally incorporated reputable colleges of osteopathy shall not be construed the practice of medicine or deemed to be in violation of or contrary to any of the laws of this Commonwealth relating to the practice of medicine or regulating the public health

The word "osteopathy" as used in this act means a complete and independent scientific system for the preservation of health and the relief and cure of bodily disorders embracing a distinct etiology prophylaxis and therapeutics applicable to all types and conditions of disease which in its practice deals with the human body as an intricate machine holding as its foremost fundamental (a) that the body when in perfect structural alignment will function correctly and health ensue (b) that disease is the effect of anatomical abnormalities producing physiological discord emphasizing malposed part or parts of the spinal column its appendages and attachments as the chief predisposing and producing cause of disease to cure which the abnormal part or parts must be adjusted to the normal that Pathogenis Bacteria are secondary to the predisposing anatomical cause and (c) which regards and uses non-drug adjunctive measures as palliatives (d) Embraces obstetrics subscribes to sanitation and hygiene and to surgery when indicated and practiced from an osteopathic view point (e) employs antiseptics anaesthetics and germicides in case of necessity and antidotes in case of poisoning and (f) opposes the introduction of drugs into the body organism as curative agencies

Section 3 Said act is hereby amended by adding thereto the following sections to be sections eleven (a) and eleven (b)

Section 11 (a) For the purpose of licensing osteopathic physicians to practice operative surgery until other provisions are made by the General Assembly there is hereby created in the Department of Public Instruction a special examining board to be known as the Osteopathic Surgeons' Examining Board Such board shall consist of the director of the Pre-Professional and Professional Credentials Bureau of the Department of Public Instruction who shall be a member ex-officio and four other members who shall be appointed by the Governor Two of such members shall be appointed from four persons nominated by the Bureau of Medical Education and licensure of the Department of Public Instruction who at the time of their appointment are licensed and qualified to practice medicine and surgery and have practiced the same in this Commonwealth for a period of not less than ten years immediately prior to their appointment and two from four persons nominated by the Board of Osteopathic Examiners who at the time of their appointment are licensed and qualified to practice osteopathy and have practiced the same in this Commonwealth for a period of not less than ten years and who have practiced surgery for a period of not less than five years immediately prior to their appointment The members of the board shall receive fifteen dollars each for each day of actual service and railroad and hotel expenses All clerical work of the board shall be furnished by the Department of Public Instruction

All fees for the examination and licensing of osteopathic surgeons shall be paid to the Director of the Pre-Professional and Professional Credentials Bureau and by him be paid into the State Treasury All expenses of the Osteopathic Surgeons' Examining Board shall be paid out of appropriations made to the Department of Public Instruction

Section 11 (b) Any person licensed to practice osteopathy in this State and desiring to enter upon the practice of operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy may deliver to the Director of the Pre-Professional and professional Credentials Bureau of the Department of Public Instruction upon the payment of a fee of twenty-five dollars a written application for license together with satisfactory proof in such form as may be required by the Osteopathic Surgeons' Examining Board that the applicant has served for a period of not less than two years as an interne or assistant surgeon in an approved osteopathic hospital which shall have at least ten beds per interne devoted to the treatment of diseases shall maintain a thoroughly equipped modern pathological and clinical laboratory proportionate to the necessities of the hospital and shall maintain a department of anaethesia consisting of one or more anaesthetists who shall have supervision over all the anaesthesia given in the institution and whose duty it shall be to instruct all internes in the administration of anaesthetics The Osteopathic Surgeons' Examining Board shall examine and fix the rating of all osteopathic colleges and hospitals for graduate students and provide interne positions as hereinbefore provided for this inspection and rating as it relates to surgery only The same standard for graduates in medicine shall be used for examination by the Osteopathic Examining Board in the examination of osteopathic graduates for licenses to practice surgery Provided That any person duly licensed as an Osteopath who has had at least three years of actual practice as a surgeon may be examined by the board without being required to prove that he has had two years' experience as an interne or assistant surgeon in a hospital as hereinbefore provided

Thereupon the Osteopathic Surgeons Examining Board if satisfied with said proof shall admit said applicant to examination as to his or her qualifications for the practice of operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy Such examination shall include the subjects of surgical diagnosis and operative surgery and such other subjects as the said Board may deem necessary to test the qualification of the applicants The Osteopathic Surgeons' Examining Board shall issue forthwith to each applicant who shall have obtained a general average of not less than seventy-five per centum and who shall have been adjudged by the said Board of Examiners to be duly qualified for the practice of operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy a license to practice such operative surgery in the State of Pennsylvania Such license shall be issued and recorded in the same manner as licenses to practice osteopathy are now issued by the State Board of Osteopathic Examiners under the provisions of this act Provided however That no such license shall be issued if any objection thereto is filed by the State Board of Osteopathic Examiners

Each person to whom a license is issued to practice operative surgery by the Osteopathic Surgeons' Examining Board shall likewise register in the office of the prothonotary of the court of common pleas of the county or counties in which he or she desires to practice by exhibiting to the prothonotary of said county or counties a license duly granted to him or her as hereinbefore provided whereupon he or she shall be entitled upon the payment of one dollar to be duly registered in the office of the prothonotary of the court of common pleas of said county or counties as an osteopathic surgeon

Every license issued by said board to practice surgery shall authorize the holder thereof to practice major or operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy and the use of anaesthetics antiseptics narcotics and germicides when used for the purpose in the manner and to the extent only as taught and practiced under surgical procedure in the legally incorporated reputable colleges of osteopathy shall not be considered the practice of medicine or in violation of any of the laws relating to the practice of medicine or regulating the public health

Any osteopathic physician who has been practicing operative surgery for a period of not less than five years prior to the passage of this act shall not be required to take the examinations required by this section and shall be eligible to appoint as a member of the Osteopathic Surgeons' Examining Board

Section 4 That section twelve of said act be and the same is hereby amended to read as follows

Section 12 Osteopathic physicians and osteopathic surgeons shall observe and be subject to all State and municipal regulations relating to the control of contagious diseases the reporting and certifying of births and deaths and all matters pertaining to public health the same as physicians of other schools and all such reports and certificates when made or issued by osteopathic physicians licensed under the laws of the Commonwealth shall be accepted by the persons partnerships corporations officers boards bureaus or departments to whom the same are made with the same force and effect as reports or certificates issued by physicians of other schools and such osteopathic physicians shall be entitled to the same fees and compensation as is provided by law for physicians of any other school Provided That no report or certificates made under the provisions of this section in connection with a case involving operative surgery shall be valid unless the same is made by an Osteopathic Surgeon duly licensed to practice operative surgery under the provisions of this act

Section 5 That section fourteen of said act be and the same is hereby amended to read as follows

Section 14 On and after the approval of this act the State Board of Osteopathic Examiners shall refuse to grant a license to an applicant to practice osteopathy in this State and is empowered to revoke a license conferring on a person the right to practice osteopathy upon the presentation to said State Board of Osteopathic Examiners of a court record showing the conviction in due course of law of said person for procuring aiding or abetting in producing a criminal abortion or miscarriage by any means whatsoever Th State Board of Osteopathic Examiners upon such evidence and proof shall cause the name of said convicted licentiate to be removed from the record in the office of any prothonotary in the State The State Board of Osteopathic Examiners may refuse revoke or suspend the right to practice osteopathy in this State upon any or all of the following reasons to wit The conviction of a crime involving moral turpitude habitual intemperance in the use of ardent spirits or stimulants narcotics or any other substance which impairs intellection and judgment to such an extent as to incapacitate the performance of professional duties the violation of the practices of the principles of the system of osteopathy as defined in this act 'Any person who is a licentiate under this act or who is an applicant for examination for licensure to practice osteopathy in this State against whom any of the foregoing charges are preferred for causing the revocation or suspension of license or for causing the refusal of the right to be examined for licensure shall be furnished by the State Board of Osteopathic Examiners with a copy of the complain and shall have a hearing before said board in person or by attorney and witnesses may be examined by said board respecting the guilt or innocence of said accused The suspension of license of any licentiate under this act shall be removed when said narcotic or vicious habit hereinbefore specified shall have been adjudged by the proper authorities to be cured or overcome and said suspended licentiate deemed again capable of practicing the healing art

Section 6 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WOODWARD. Mr. President, I wish to say a few words in opposition to this bill. I also wish to state that I represent no one but myself. I may be in a minority of one, but I wish to make the point clear to the Senate before the bill comes up for final passage, and I wish at the same time to pay respect to the Senator from Crawford, Mr. Miller, who has worked like a horse over this bill, and who has shown the disposition of an angel; also the Chairman of the Committee, and to the Senator from Montgomery. I had the honor of serving with them on the sub-committee until the Chairman of the Committee gave a dinner party at the Penn-Harris Hotel, and that finished me. We had as guests one allopath, one homeopath, one eclectic and one osteopath, and it was not a question of dinner at all.

Mr. President, I do not want to crack jokes about this bill because it is too serious a matter, but I want the Senate to understand that the State of Pennsylvania has a Board of Medical Examiners and Licensure, made up of five people; there are two allopaths, two homeopaths and one eclectic, on this board. They examine all candidates for the healing art in the fundamentals of medicine, including surgery, and when it comes to the practice of medicine they have a different set of questions for the candidates who practice those different schools. Now I have great sympathy for the underdog and the osteopath in this case is the underdog. I have no prejudice, as a graduate of the University of Pennsylvania, whatever against them. I believe that any school of medicine ought to toe the mark, as the homeopaths have done, and send their candidates to be examined by the regular Board of Examiners and Licensure. This bill creates a special examining board in what is called osteopathic surgery. Now every man knows that if he is to be put on the operating table and go under an anaesthetic he is not very much interested whether the surgeon is an osteopath or what he is, he wants a man who knows how to cut him right. Therefore, I say we might as well set up a board for any school of medicine, no matter what it is. They must be on the level, and any candidate who wants to be licensed to practice major surgery in this State should be man enough to come up and pass the examination of the board set up by the State of Pennsylvania for that purpose. That is my objection to the bill and I will have to vote against it.

Mr. DAVIS. Mr. President, I desire to interrogate the Senator from Philadelphia, Mr. Woodward.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Woodward, permit himself to be interrogated?

Mr. WOODWARD. Mr. President. I will.

Mr. DAVIS. Mr. President, I would like to ask the Senator if the doctors outside of the osteopaths object to the passage of this bill.

Mr. WOODWORD. Mr. President, I am speaking entirely for myself, I represent no one but myself.

Mr. DAVIS. Mr. President, I would like to ask the Senator further if he has any information relative to the question whether or not doctors advocate the passage of this bill.

Mr. WOODWARD. Mr. President, I only know that Senator Miller so informed me, and I have no doubt but what that is true, but if I were the only doctor in the State, I still have a right to this opinion, and I think I am correct in stating it.

Mr. DAVIS. Mr. President, I am not questioning the right of the Senator to his opinion. I have the information that the bill meets the approval of the doctors of the state and therefore if it meets the approval of all the doctors but Dr. Woodward, I feel as though I would like to vote for the bill.

Mr. WOODWARD. Mr. President, I sat in many hearings in this most difficult committee of Public Health and Sanitation, and have heard the representatives of the old school say that the ideal method is to treat everybody alike, that they want every school of medicine to be on the level. That was said a hundred times and I do not care whether the doctors of this county or the other county endorse this bill or not, I do not endorse it.

Mr. MILLER. Mr. President, I do not say that this bill in its present form satisfies all of the doctors in the state, but I do say that it satisfies their official representatives who were sent here to represent their legislative interests. The fact of the matter is the bill was amended only yesterday to make it suit them and therefore the doctors in the different districts do not know of the amendments that went in, but the bill in its present form satisfies Dr. Van Sicle the official representative of the Medical Society of the State of Pennsylvania at Harrisburg, who is also editor of their state publication, also Dr. Mills, who is official representative here of the Homeopathic school, also Dr. Knowles, who has been in conversation by long distance telephone with Dr. Van Sickle and who is chairman of the legislative committee of the State Medical Society. He has approved the bill. These men say, with the bill in its present form, they will not only remove all objection to the bill but actively support it and ask their friends in both houses to vote for it. After a long series of conferences around the dinner table that the Senator from Philadelphia, Doctor Woodward, has referred to, we have finally gotten together, and if you want to please the medical men vote for this bill; if you want to please the osteopaths vote for the bill; if you want to please the general public who are interested in raising the standard of all medical schools vote for the bill.

Mr. President and members of the Senate, I feel that this is a progressive piece of legislation which raises the school of osteopathy to a new plane of dignity and efficiency. We have raised their surgical standard to a seven year course, and in view of the fact that I have the personal word of medical men this morning, who represent the Medical Society, saying that they are in favor of the bill, I hope you will vote for it.

Mr. STITES. Mr. President, I rise to speak on this bill, not so much to discuss the merits of it, but to pay a tribute of gratitude and respect to the work done on this sub-committee by the Senator from Crawford, Mr. Miller. If at the outset of this session you would have asked me what I regarded as the most difficult thing to do in legislation I think I would have said to try to get the medical men, the osteopaths, the eclectics and the other schools of Pennsylvania to agree on any measure that might come before this body. This committee met to consider this bill with an almost hopeless prospect of securing any agreement upon its provisions, and it has only been due to the splendid energy, to the great patience and long suffering consideration by the Senator from Crawford that we have the result that we have to-day with the different schools of medicine being satisfied with this legislation in its present form. The thought of the committee in originally considering the matter was to preserve the splendid traditions of the medical history of Pennsylvania in insisting upon it that the osteopath who desred to be a surgeon should meet the same standard and prepare himself in the same way for his chosen profession that was required of the medical man in order that the public, who are obliged at times, unfortunately, to submit themselves to operations, should be entirely protected. We have done that by requiring, as Senator Miller has said, a preliminary High School training of four years, an additional year of preliminary training and finally two years of actual practice so that as it stands to-day the osteopath who desires to practice surgery is required in every respect to conform to all those things that practice and history has shown to be necessary to properly qualify the surgeon to practice his profession and the interesting spectacle is presented this morning of a bill before the Legislature of Pennsylvania upon which all the schools of medicine agree. Now I think the Senator from Crawford is entitled to the tribute that was once applied to Henry Clay of being the master compromiser. I think everybody ought to support this bill this morning because of the remarkable work that has been done on it by the Senator from Crawford. It is true that the dinners given were not altogether harmonious. There were many times when we sat down around the table that reminded us of the Irishman who walked into the saloon and seeing two men fighting asked "Is this a private fight or can anybody get into it?" But nevertheless all those difficulties have been ironed out, and to-day the medical schools all over the state, so far as their official representatives in Harrisburg are concerned, have agreed to support this bill, and I think they ought to urge members of this body to vote for it.

The PRESIDENT. I heartily subscribe to what the Senator from Montgomery has said and would include him in the same category. I have had some little pride in having made the motion to refer the bill to the sub-committee of which the two Senators are members.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Baldwin,
Barr,
Betts.
Brown,
Christley,
Clark,
Derrick,
DeWitt,
Harris,
Homsher,
Huffman,
Joyce,
MacDade,
McNichol,
Miller,
Norton,
Patton,
Quigley,
Snyder,
Steele,
Stineman,
Stites,
Vare,
Weaver,

Craig,
Culbertson,
Davis,
Krause,
Lanius,
Long,
Sisson,
Smith,
Eyre,
Pres. Pro Tem.

NAYS—5.

Buckman,
Heaton,
Mansfield,
Sones,
Woodward,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 865, (House Bill No. 1337), as follows:

An Act providing a method for deciding a tie vote in borough councils

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylavania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where by reason of a tie vote the council of any borough in this Commonwealth shall be unable to enact or pass any ordinance and such disagreement shall continue until the next regular meeting of council it shall be the duty of the burgess of such borough to attend said meeting and cast the deciding vote

Section 2 Any acts or parts of acts inconsistent herewith be and the same are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1095, (House bill No. 1238), as follows:

An Act authorizing the Department of Forestry to lease for periods of not more than fifty years on terms conditions and stipulations expressed in each lease any portions of the State Forests for dams reservoirs canals pipe lines and other water conduits power houses and transmission lines for the development of water power for steam raising and condensation and for the generation and transmission of electric energy

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Forestry is hereby authorized in its discretion to lease for periods of not more than fifty years any portions of the State Forests for use as sites for dams and other water obstructions reservoirs canals pipe lines and or other water conduits for the purpose of the development of water power and or for the main purpose of storage conveyance and or cooling of water for steam raising and or steam condensation in the generation of electric energy for public service and or for use as sites for power houses and or transmission lines for the generation and transmission of electric energy Every such lease shall be on such terms conditions and stipulations expressed in each lease as the Department shall deem necessary for the protection of the present and future interests of the Commonwealth and its people and suitable for affording a reasonable opportunity for a fair return on the actual investment prudently made on the faith of such lease which may include provisions not repugnant to the rights of the United States its permittees licensees or transferees existing at the time of the making of such lease reserving an option in the Commonwealth to renew or extend for not more than fifty (50) years such lease or to take over the project works by and for itself or by and for another prospective lessee upon payment by the Commonwealth or by such other prospective lessee of the actual net investment in the project works by which is meant a complete unit of improvement or development consisting of a power house and appurtenant works all water conduits all dams and works appurtenant thereto which are a part of said unit and all storagem diverting or forebay reservoirs directly connected therewith the primary line or lines transmitting power from the power house to the point of junction with the distribution system or with an interconnected primary transmission system all miscellaneous structures used and useful in connection with such unit or any part thereof and all water rights rights-of-way ditches dams reservoirs lands or interests in lands the use and occupancy of which are necessary or appropriate in the maintenance and operation of such unit

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. HUFFMAN. Mr. President, I move to reconsider the vote by which the bill passed third reading.

Mr. SONES. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill?

Mr. HUFFMAN. Mr. President, I ask unanimous consent to amend title line 1 by inserting after the word "forestry" the words "with the approval of the Governor and Attorney General"; also section 1, page 1, line 4 by inserting after the word "forestry" the words "with the approval of the Governor and Attorney General"; also page 2, line 7 by inserting after the word "department" the words "with the approval of the Governor and Attorney General".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1147, as follows:

An Act to authorize and provide for the transfer of person or persons confined in any penitentiary under sentence of law to some other prison or institution

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the court of quarter sessions of the county wherein any penitentiary of the Commonwealth of Pennsylvania is located is hereby authorized and empowered and shall upon petition being presented to it by the Board of Inspectors of such penitentiary located within the county setting forth that the said penitentiary cannot by reason of over-crowded condition or other existing conditions furnish proper and sufficient accommodations for the care custody control and safety of the inmates thereof and that it is requested that a certain number of inmates set forth in such petition should be transferred therefrom to make an order authorizing and directing the said Board of Inspectors to transfer to another prison or institution situated in said county established by law for the confining of a person sentenced for crime such person or persons whom the Board of Inspectors shall specify and designate the Board of Inspectors shall specify and designate

Section 2 That said petition shall set forth the names of the persons whom the said Board of Inspectors deem it advisable to transfer the date of their commitment and the term for which they were sentenced and shall further set forth the reasons for which authority is desired to transfer the persons therein named A copy of such petition shall be sent by registered mail to the county commissioners of the county from which the prisoner was committed

Section 3 That it shall be the duty of the warden sheriff superintendent board of managers or Board of Inspectors of such institution to which transfer is desired to be made to accept and receive the person or persons named in said order of the court to be transferred and thereafter in safe custody to keep and provide for such persons transferred until the expiration of the term of imprisonment as set forth in the said commitment in accordance with law

Section 4 Such person or persons as may be so transferred shall be subject to the same term of imprisonment as that imposed upon them at the time of sentence under law as attached to sentence at the time the same was imposed either as to parole or as to commutation by reason of good behavior The expenses of keeping such prisoners so transferred shall continue to be borne by the county in which such person was convicted and the same shall be paid to the authorities having charge of the transferred prisoner by the said county from time to time as bills are rendered

Section 5 It shall be the duty of the warden or keeper of the prison or institution to which a prisoner is transferred immediately upon such transfer to give notice in writing of the transfer to the county commissioners of the county in which the prisoner was convicted and to the clerk of the courts which sentenced the convict who shall file and enter the same of record

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 65, entitled:

An Act making an appropriation to the Sewickley Valley Hospital Association Incorporated of Allegheny County Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 77, entitled:

An Act authorizing the use of voting machines at any or all the elections and primary elections within the several counties of the Commonwealth; creating a State Board of Voting Machine Examiners; and defining its powers and duties; **authorizing County Commissioners to purchase voting machines; providing rules and regulations for the conduct of elections and primary elections held with voting machines**; and providing penalties for violation of the provisions of this act.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—17.

Barr,
Betts,
Christley
Clark,
Davis
Derrick,
Harris,
Homsher,
Huffman,
Lanius,
Long,
MacDade,
Mansfield,
Miller,
Snyder,
Steele,
Stites,

NAYS—18.

Baldwin,
Craig,
Culberston,
DeWitt,
Heaton,
Joyce,
Krause,
McNichol,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Sones.
Stineman,
Vare,
Woodward,
Eyre,
Pres. Pro Tem.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 93, entitled:

An Act making an appropriation to the Frederick Douglass Memorial Hospital and Training School of Philadelphia Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 101, as follows:

An Act for the registration and regulation of certain individuals and entities selling offering for sale or delivery soliciting subscriptions to or orders for or undertaking to dispose of inviting offers for or inquiries about or dealing in any manner in securities defined herein conferring powers and imposing duties on the Commissioner of Banking and otherwise providing for the administration of this act prescribing penalties and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 This act shall be known and may be cited as "The Securities Act"

Section 2 The following terms shall unless the context otherwise indicates have the following respective meanings

(a) The terms "security" or "securities" shall include any bond stock certificate under a voting trust agreement treasury stock note debenture certificate in or under a profit-sharing or participation agreement subscription or reorganization certificate oil gas or mining lease or cersificate of any interest in or under the same evidence of indebtedness or any certificate or instrument representing or secured by an interest in the capital assets or property of any corporation unincorporated organization association trust or public corporation or body or any other instrument commonly known as a security

(b) The term "company" shall include a corporation part-stock company partnership association company syndicate trust incorporated or unincorporated heretofore or hereafter formed under the laws of this state or any other state or territory of the United States or any foreign state or country as used herein The term "trust shall be deemed to include a common law trust but shall not include a trust created or appointed under or by virtue of a last will and testament or by a court of law or equity

(c) The term "dealer" shall include every person or company other than a salesman who engages for profit in this state either for all or part of his time directly or through an agent in selling offering for sale or delivery or soliciting subscriptions to or orders for or undertaking to dispose or to invite offers for or inquiries about or dealing in any manner in any security or securities within this state

None of the following transactions shall constitute the person or company engaging therein a "dealer" within the meaning of this act that to say a sale offer for sale solicitation subscription invitation dealing in or delivery

(1) Of a security issued or guaranteed by any of the following the United States of America or a state or territory insular possession political sub-division or agency thereof the District of Columbia a national bank corporation created or acting as an instrumentality of the Government of the United States pursuant to the authority of Congress

(2) At any judicial executor's administrator's guardian's committee's or conservator's sale or at any sale by a receiver or trustee in insolvency or bankruptcy

(3) In an isolated transaction in which any security is sold or offered for sale subscription or delivery by the owner thereof or by his representative or agent for the owner's account such sale or offer for sale subscription or delivery not being made in the course of repeated and successive transactions of a like character by such owner or on his account by such representative or agent and such owner or representative or agent not being the underwriter of such security

(4) By or for the account of a pledge holder or mortgagee selling or offering for sale or delivery in the ordinary course of business to liquidate a bona fide debt a security pledged in good faith as security for such debt

(5) To any bank savings institution or trust company created under the laws of this Commonwealth or to any person or company registered under the provisions of this act

(6) Wherein the securities disposed of consist exclusively of unsecured commercial paper

(7) Wherein the securities disposed of consist exclusively of mortgages upon real or personal property situated in Pennsylvania and the entire mortgage is sold or transferred with the note or notes secured thereby

(8) Wherein the issuer a company organized under the laws of this state disposes of its own securities in good faith and not for the purpose of avoiding the provisions of this act for the sole account of the issuer without any commission or fee and at a total expense of not more than three per centum of the proceeds realized thereon and where no part of the issue is used directly or indirectly in payment for patents services good will or for property located outside of this state

(9) Wherein the securities are the securities of any corporation organized under the laws of this State whose authorized capital stock added to its other outstanding securities does not exceed twenty-five thousand dollars ($25,000) shares of stock without nominal ro par value being considered for the purpose of this act to be of one hundred dollars ($100) each and such securities are issued and disposed of for the sole account of the issuer in good faith and not for the purpose of avoiding the provisions of this act

(10) In the original issuance and sale of any corporation organized under the laws of this State of its stock issued in good faith and not for the purpose of avoiding the provisions of this act for the sole account of the issuer so long as the number of stockholders of said corporation does not exceed twenty-five (25) and the securities are issued and disposed of without the use of advertisements circulars agents salesmen solicitors or any form of public solicitation

(11) The distribution by a corporation of capital stock bonds or other security to its stockholders as stock dividend or other distribution out of earnings or surplus or the issue of securities to the security holders or other creditors of a corporation in the process of a bona fide reorganization of such corporation made in good faith either in exchange for the securities of such security holders or claims of such creditors or partly for cash and partly in exchange for the securities or claims of such security holders or creditors or the issue of increased capital stock of a corporation sold or distributed by it entirely among its own stockholders

(12) The transfer or exchange by or on account of one corporation to another corporation of their own securities in connection with a proposed consolidation or merger of such corporations

(d) The term "salesman" shall except as provided in section four include every person or company employed or appointed or authorized by a dealer to sell offer for sale or deliver or solicit subscriptions to or orders for or dispose of inquiries about or deal in any manner in securities within this State whether by direct act or through sub-agents

(e) The term "commissioner" shall mean the Commissioner of Banking of the Commonwealth of Pennsylvania

(f) The terms "fraud" "fraudulent" or "fraudulent practice" shall include any misrepresentation in any manner of a relevant fact not made honestly and in good faith any promise or representation or predication as to the future not made honestly and in good faith or an intentional failure to disclose a material fact the gaining directly or indirectly through the sale of any security of an underwriting or promotion fee or profit selling or managing commission or profit so gross and exorbitant as to be unconscionable and fraudulent and any scheme device or other artifice to obtain such a profit fee or commission provided however that nothing herein shall limit or diminish the full meaning of the terms "fraud" and "fraudulent" as applied or accepted in courts of law or equity

Section 3 No dealer shall by direct solicitation or through agents or salesmen or by letter telephone telegraph circular or advertising sell offer for sale tender for sale or delivery or solicit subscriptions to or orders for or dispose or undertake to dispose of or invite offers for or inquiries about any securities within this state without first being registered as in this act provided No salesman or agent shall in behalf of any dealer sell offer for sale tender for sale or delivery or solicit subscriptions to or orders for or dispose or undertake to dispose of or invite offers for or inquiries about any securities within this state unless registered as a salesman or agent of a dealer under the provisions of htis act The list of dealers agents or salesman registered under the provisions of this act shall at all times be open to the public

Section 4 A dealer to be registered must submit a sworn application therefor to the Commissioner which shall be in such form as the Commissioner may determine and which shall state the principal place of business of the applicant wherever situated and the location of the principal place of business and all branch offices in this state if any the name or style of doing business and the address of the dealer the names residences and business addresses of all persons interested in the business as principals officers directors or managing agents specifying as to each his capacity and title the general plan and character of business of such applicant and the length of time during which the dealer has been engaged in business such application shall also contain such additional information as to applicant's previous history record and associations as may be required by the Commissioner Each application shall be accompanied by certificates or other evidences satisfactory to the Commissoner establishing the good repute in business of the applicant his directors officers copartners or principals If the applicant is a corporation organized under the laws of any other state or territory or government or shall have its principal place of business therein it shall accompany the application with a copy of its Articles of Incorporation certified by the proper officers of such state territory or government and of its regulations and by-laws if a limited partnership a copy of its Articles of co-partnership and if an unincorporated association organized under the laws of any other state territory or government or having its principal place of business therein a copy of its Articles of Association trust agreement or deed of settlement

Section 5 Every company organized under the Laws of any other state or having its principal office therein and every non-resident individual shall file with it or his application a written consent irrevocable that actions may be commenced against it or him in the proper court of any county of this Commonwealth in which the cause of action may arise or in which the plaintiff may reside by a service of process upon the Commissioner as its or his agent and stipulating and agreeing that such service of process shall be taken and held in all courts to be as valid and binding as if due service had been made upon the person or company itself according to the laws of this or any other state and such instrument shall be authenticated by the seal of such corporation or by the signature of all the members of such copartnership or by the signature of the president and secretary of the association if it is a corporation or association and shall be accompanied by a duly certified copy of the resolutions of the board of directors trustees or managers of the corporation authorizing the said secretary and president to execute the same

Section 6 If the Commissioner is satisfied that the applicant is of good repute and that the proposed plan of business of the applicant is not unfair unjust or inequitable he shall register the applicant and issue to him a registry certificate stating the principal place of issue to him business and address of the dealer the names residences and business addresses of all persons interested in the business as principals officers directors or managing agents and the fact that the dealer has been registered for the current calendar year as a dealer in securities Pending final disposition of an application the commissioner may for special cause show grant temporary permission revocable at any time and subject to such terms and conditions as the commissioner may prescribe to transact business as a dealer under this act

Section 7 If the Commissioner declines or fails to so register the applicant he shall immediately give notice of the fact to the applicant and upon request from such applicant filed within ten days after the receipt of such notice shall fix a time and place for hearing of which ten days' notice shall be given to such applicant and to other persons interested or protesting to offer evidence relating to the dealers application If satisfied as aforesaid as a result of said hearing the commissioner shall thereupon register the dealer

Section 8 The certificates shall in other respects be in such form as the Commissioner may determine Changes in the certificates necessitated by changes in the personnel of a partnership or in the principals officers directors or managing agents of any dealer may be made at any time upon written application setting forth the fact necessitating the change Upon the issue of the amended certificates the original certificate and the certified copies thereof outstanding shall be promptly surrendered to the Commissioner

Section 9 Upon written application by a registered dealer and upon satisfactory evidence as to the fitness and qualification the Commissioner shall register as agents or salesmen of such dealers such persons as the dealer may request The application shall be in such form as the Commissioner may prescribe and shall state the residences and addresses of the persons whose registration is requested together with such information as to such agent's or salesman's previous history record and associations as may be required by the Commissioner Such Application shall also be signed and sworn to by the agent or salesman for whom registration is requested The Commissioner shall issue to each person so registered a registration certificate stating his name residence and address of the dealer and the fact that he is registered for the current calendar year as an agent or salesman as the ase may be of the dealer The certificate shall in all other respects be in such form as the Commissioner shall determine Upon application by the dealer the registration of any agent or salesman shall be cancelled

Section 10 All registrations shall expire at the close of the calendar year but new registrations for the succeeding year shall be issued of course upon written application and upon payment of the fee as hereinafter provided without filing of further statements or furnishing any further information unless specifically requested by the Commissioner Applications for renewals must be made not less than thirty nor more than sixty days before the first day of January of the ensuing year All applications for renewals received otherwise shall be treated as original applications

Section 11 Any registered dealer may and any person or company named in the registration certificate as above provided as an agent or salesman may in behalf of any dealer sell offer for sale or delivery or solicit subscriptions to or orders for or dispose or undertake to dispose of or invite offers for or inquires about securities in this state But such dealer agent or salesman shall at all times when so engaged carry with him a registration certificate or a copy thereof certified by the Commissioner which shall at any time be shown to any prospective customers upon such customer's request

No dealer agent or salesman shall use the fact of his registry by public display or advertisement except as hereinafter expressly provided or the registry certificate or any certified copy thereof in connection with any sale or effort to sell any security except to a prospective customer upon such customer's request

Section 12 Immediately upon receipt of the dealer's registry certificate issued pursuant to the authority of this act the dealer named therein shall cause such certificate to be posted and at all times conspicuously displayed in such dealer's principal place of business if one is maintained in this state and shall likewise forthwith cause a duplicate of such certificate to be posted and at all times conspicuously displayed in each branch office located within this state

Section 13 No dealer agent or salesman shall issue or publish within this state any circular advertisement pamphlet prospectus program or other matter in the nature thereof concerning any security or securities which such dealer handles or proposes to sell until such dealer shall have been registered or temporary permission obtained as in this act provided Nor shallany dealer agent or salesman issue or publish within this state any circular advertisement phamphlet prospectus program or other matter in the nature thereof concerning any security or securities to be sold or offered for sale unless the name of the dealer shall be subscribed thereto and a true copy thereof filed in the office of the Commissioner or deposited in a United States Post Office property enclosed envelope addressed to the Commissioner of Banking at Harrisburg Pennsylvania with the postage duly prepaid thereon Nor shall any dealer agent or salesman issue or publish within this state any circular advertisement pamphlet prospectus program or other matter in the nature thereof after notice in writing given to him by the Commissioner that in the Commissioner's opinion the same contains any statement that is false or misleading or otherwise likely to deceive a reader thereof

Section 14 The Commissioner may at any time require a dealer to file with him a list of securities which within this state he has offered for sale or has advertised within the preceeding six months or which he is at the time offering for sale or advertising or any portion thereof and thereupon if it shall appear that any of such offerings of the dealer have not been made honestly and in good faith but have been made with intent to deceive or defraud he may prohibit the dealer from selling or offering such securities as have been so sold or offered or from in any way advertising them within this State

Section 15 If the Commissioner at any time has reason to believe any dealer has in any way violated or is violating or is about to violate any of the provisions of this act or has been guilty of any fraud or fraudulent practice then the Commissioner may after hearing and having reasonable cause to believe that the dealer has been guilty of such offense revoke said dealer's registration Notice of the time and place of any such hearing shall be sent to such dealer at least forty-eight hours prior thereto If the Commissioner believes the public interest may be endangered by such dealer cointinuing in business pending such hearing the Commissioner may also suspend such dealer's registration pending such hearing In either event the dealer shall not be regarded as registered under the provisions hereof until restored to registration by the Commissioner either on his own initiative or upon order of the court as in this act hereinafter provided In case of revocation or suspension all registration certificates shall at once be surrendered to the Commissioner upon his request The revocation or suspension of the dealer's registration shall constitute a revocation or suspension of any agent or salesman of the dealer and notice of its operation on such agent's or salesman's registration shall be forthwith sent by the Commissioner to each of such agents and salesmen

Section 16 If the Commissioner at any time has reason to believe any agent or salesman of any dealer has in any way violated or is violating or is about to violate any of the provisions of this act or has been guilty of any fraud or fraudulent practice then the Commissioner may after hearing and having reasonable cause to believe that the agent or salesman has been guilty of such offense revoke said agent's or salesman's registration Notice of the time and place of such hearing shall be sent to such dealer and to such agent or salesman at least seven days prior thereto If the Commissioner believes the public interest may be endangered by such agent or salesman continuing in business pending such hearing the Commissiiner may also suspend such agent's or salesman's registration pending such hearing In either event the agent or salesman shall not be regarded as registered under the provisions hereof until restored to registration by the Commissioner either on his own initiative or upon order of the court as in this act hereinafter provided In case of revocation or suspension as a result of proceedings under this section or in case of the revocation or suspension of an agent's or salesman's registration as a result of proceedings against a dealer under Section fifteen hereof in either such event all agent's or salesman's registration certificates shall at once be surrendered to the Commissioner upon his request

Section 17 Any notice required by this act shall be sufficient if sent by registered mail addressed to the dealer agent or salesman as the case may be at the address designated in the application for registration

All decisions of the Commissioner shall be in writing signed by him and shall briefly state the grounds therefor

Section 18 Any dealer salesman or agent aggrieved by any decision of the Commissioner may file within thirty days thereafter in the Court of Common Pleas of Dauphin County a petition against the Commissioner officially as defendant alleging therein in brief detail the action and decision complained of and praying for a reversal thereof Upon service of summons upon said defendant returnable within three days from its date the Commissioner shall within one week from such return date file an answer in which he shall allege by way of defense the grounds for his decision and such other grounds as shall in the meantime accrue or be discovered All allegations of the answer shall be deemed to stand denied without further pleading and upon application of either party the cause shall be advanced and heard without delay Mere technical irregularities in the procedure of such Commissioner shall be disregarded The Court's decision shall consult only the rights of the plaintiff and the protection of the public and the Commissioner shall prosecute no proceedings to obtain a reversal modification or a vacation of a judgment rendered in favor of the plaintiff A judgment sustaining the refusal of the Commissioner to grant or renew a registration shall not bar after one year a new application by the plaintiff for registration nor shall a judgment in favor of the plaintiff prevent such Commissioner from thereafter revoking or refusing to renew such registration for any proper cause which may thereafter accrue or be discovered The Court shall have full power to dispose of all costs

Section 19 The Commissioner may require by subpoena or summons issued by him the attendance and testimony of witnesses and the production of any books accounts records papers and correspondence except stock transfer books or other records or indices showing the names and addresses of stockholders relating to any matter which the Commissioner has authority by this act to consider or investigate and for this purpose the Commissioner may sign subpoena administer oaths and affirmations examine witnesses and receive evidence Provided however that all information of every kind and nature contained therein shall be treated as confidential by the Commissioner and shall not be disclosed to the public except under order of court In case of disobedience of any subpoena or of the contumacy of any witness appearing before the Commissioner the Commissioner may invoke the aid of the Court of Common Pleas within whose jurisdiction the principal place of business of the dealer in this State is located or of any Court of Common Pleas in which the witness may be found and such Court may thereupon issue an order requiring the person subpoenaed to obey the subpoena or to give evidence or produce books accounts records papers and correspondence touching the matter in question Any failure to obey such order of the Court may be punished by such Court as a contempt thereof

Each witness required to attend before the Commissioner shall receive for each day's attendance the sum of $2.00 and shall receive in addition the sum of ten cents for each mile circular travelled by such witness by the usual route between his home and the place where his presence is required All disbursements made in the payment of such fees shall be included in and paid in the same manner as is provided for the payment of other expenses incident to the administration and enforcement of this act as hereinafter provided for

The fees for serving a subpoena shall be the same as those paid the sheriff for similar services The fees expenses and cost of or in connection with any hearing may be imposed by the Commissioner upon any party to the record or may be divided between any or all parties to the record in such proportions as the Commissioner may determine

Section 20 In any prosecution or proceeding under this act the accused shall be deemed to have knowledge of any fact or circumstance where in the exercise of reasonable diligence he could or should prior to the commission of the offense complained of have secured such knowledge

Section 21 Any dealer agent salesman principal officer or employe who shall within this state sell offer for sale or delivery solicit subscriptions to or orders for dispose of invite offers for or inquiries about or who shall deal in any manner in any security or securities without being registered as in this act provided or who makes any false statement of fact in any statement or matter of information required by this act to be filed with the Commissioner or any advertisement prospectus letter telegram circular or in any other document containing an offer to sell or to dispose of or in or by verbal or written solicitation to purchase or in any commendatory matter concerning any securities with intent to aid in the disposal or purchase of the same or who makes any false statement or representation concerning any registration made under the provision of this act or who is guilty of any fraud or fraudulent practice shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than $5000.00 or imprisonment for not more than two years or both Any dealer officer agent salesman principal officer or employe who shall commit in whole or in part any other act declared unlawful by this statute shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than $1000.00 or imprisonment for not more than one year or both

Section 28 Copies of all papers instruments or documents filed in the office of the Commissioner certified under his hand and sel shall be admitted to be read in evidence in all Courts of Law and elsewhere in this Commonwealth in all cases where the originals would be admitted in evidence provided that in any proceeding the Court having jurisdiction may on cause shown require the production of the originals

Section 23 Nothing herein contained shall limit or diminish the liability of any person or company or of any officers or agents thereof now imposed by law to prevent the prosecution of any person or company or of the officers or agents thereof for the violation of the provisions of any other statute

Section 24 The administration of the provisions of this act shall be vested in the Commissioner of Banking The Commissioner shall with the approval of the Governor appoint one deputy who shall be learned in the investment banking business The deputy appointed under this act shall perform such duties as the Commissioner shall generally or specifically direct and shall have all the powers by this act conferred on the Commissioner which may be necessary for the complete discharge of such duties In case of vacancy in the office of the Commissioner or in case of inability of the Commissioner by reason of absence physical disability or other cause to properly administer the provisions of this act the Governor may designate a deputy appointed under this statute to act for and in such Commissioner's stead and thereupon the deputy thus designated shall have generally for the time being all the power and authority in this act conferred upon the Commissioner

Section 25 The Commissioner with the approval of the Governor shall employ from time to time such clerks investigators special agents and other employes as he may need to discharge in a proper manner the duties imposed on him by this act They shall perform such duties as the Commissioner shall assign to them and their compensation and the compensation of the deputies herein provided for shall be fixed by the Commissioner with the approval of the Governor

The deputies and each of the employes shall take and subscribe and file the oath of office prescribed by law for the Commissioner Bonds shall be given to the Commonwealth by the deputies and such of said employes in such amounts and with surety as may be determined by the Commissioner conditioned for the faithful performance of their duties The cost of all bonds given pursuant to this section shall constitute expenses for the administration of this act

Section 26 The Commissioner deputy or any person appointed or employed by the Commissioner shall be paid in addition to their salary or compensation the railroad fare board lodging and other travelling expenses necessary and actually incurred by each of them in the performance of the duties required by this act or performed by the direction of the Commissioner

Section 27 It shall be the duty of the Commissioner to see that the provisions of this act are at all times properly administered and obeyed and to take such measures and make such investigations as will detect the violation of any provisions thereof In the event he shall discover any such violation he shall in addition to revoking and registration take such measures as may be necessary to cause the apprehension and prosecution of all persons deemed guilty thereof The Commissioner shall have power to establish equip and maintain offices in the cities of Philadelphia and Pittsburgh and to place a deputy in charge of each with such power and authority as the Commissioner may determine necessary for the proper administration of the provisions of this act

Section 28 The Board of Commissioners of Public Ground and Buildings or its successor in authority shall furnish the Commissioner with such rooms in the Capital Building or other public buildings in the city of Harrisburg as may be necessary to properly administer the provisions of this act and shall furnish equip and maintain the same

Section 29 The Board of Commissioners of Public Ground and Buildings or a successor in authority shall upon requisition of the Commissioner furnish such books stationery furniture and supplies for the office of the Commissioner at Harrisburg as may be needed to properly administer the provisions of this act The Department of Public Printing and Binding shall do such printing as the Commissioner shall by requisition deem expedient to have done by the State Printer to conform to regulation now in force or that may be hereafter adopted in the banking department with respect to printing.

Section 30 The Commissioner shall charge and collect the following fees and shall daily cover all fees received into the State Treasury

(a) for the filing of any original or renewal application the sum of Ten $10.00 Dollars

(b) for each and every registration certificate whether on an original or renewal application of a dealer forty $40.00 dollars except as hereinafter provided

(c) for each and every registration certificate whether on an original or renewal application of an agent or saleeman ten $10.000 dollars

(d) for each and every registration certificate issued to a dealer after the first day of July of any year twenty $20.00 dollars

For copies of any papers filed in the office of the Commissioner or for the certification thereof the Commissioner shall charge such fees as he shall by general rule or regulation prescribe

Section 31 The expenses for the organization under and of the administration of the provisions of this act shall until the first January one thousand nine hundred and twenty-four be paid in whole or in part by the State on requisition of the Commissioner and on warrant of the Auditor General out of the monies appropriated by Section thirty-four of this act

Upon and after the effective date of this act all monies derived from fees assessments or charges under this act shall be paid by the Commissioner into the State Treasury for safe keeping and shall by the State Treasurer be placed in a separate fund to be available for the use of the Commissioner in the administration of this act upon requisition of the Commissioner All such monies so paid into the State Treasury are hereby specifically appropriated to the Banking Department for the purpose of paying the salaries of the deputy or deputies herein provided for of all employes appointed for the administration of this act and all other expenses necessary and proper for the administration of this act including rentals equipment and maintenance of and supplies for such offices or quarters as the Commissioner may deem necessary outside of the Capitol Building or other public building in the city of Harrisburg

The Auditor General shall upon requisition of the Commissioner from time to time draw warrants upon the State Treasury for the amounts specified in such requisition not exceeding however the amount in such fund at the time of the making of any requisition therefor

Section 32 In case at any time the funds on hand in the State Treasury and available under this act to the Commissioner are insufficient to insure the continuous and effectual administration of the provisions of this act the Commissioner shall be empowered to requisition from the State Treasurer by warrant from the Auditor General the amount of money sufficient to insure the effectual administration of this act but not exceeding the sum of five thousand dollars in any one year and such amount is hereby specifically appropriated annually to the Commissioner of Banking

Section 33 The provisions of this act are severable and in the event that any provision thereof should be declared unconstitutional it is hereby declared that the remaining provisions would have been enacted notwithstanding such judicial determinations of the invalidity of any particular provision or provisions in any respect

Section 34 The sum of ten thousand $10,000 dollars is hereby specifically appropriated to the Banking Department out of the general funds of the State for organization under and for the administration of the provisions of this act to be paid by the State Treasurer out of monies not otherwise appropirated upon warrant of the Auditor General and upon requisitio nof the Commissioner The monies hereby appropriated shall be available immediately upon the approval of this act and shall continue available until the first day of January one thousand nine hundred and twenty-four

A sum equal to the amount of this appropriation actually used for the organization and administration of the provisions of this act shall be returned and paid into the general funds of the State Treasury by way of reimbursement out of the fees collected hereunder but only at such time or times or in such instalment amounts as the Commissioner may deem expedient

Section 35 This act shall take effect on the first day of the second calendar month next succeeding the date of the Governor's approval of this act except that it shall be lawful for the Commissioner to perfect his organization and to appoint a deputy or deputies and such employes as herein provided for and except that application for registration may be filed prior to said time upon public announcement by the Commissioner that his office has been sufficiently organized to receive the same

Section 36 All acts or parts of act inconsistent with this act are repealed

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Amend Section 2, page 3, line 3, by inserting after the word "that" the word "is"; also page 5, lines 23 and 24, by striking out "except as provided in Section four"; also Section 6, page 10, line 8, by striking out the words "issued to him"; also Section 8, page 11, line 1, by striking out the words "in other respects"; also Section 9, page 11, line 29, by striking out the word "in"; also Section 9, page 12, line 1, by striking out the words "all other respects"; also Section 10, page 12, line 9, by striking out the words "of course"; also Section 15, page 15, lines 6 and 7, by striking out the words "forty-eight hours" and insert in lieu thereof the words "seven days".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

Mr. BARR. Mr. President, I ask unanimous consent to amend the bill on page 4, by striking out lines 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16.

The PRESIDENT. Is there objection?

Mr. CLARK. Mr. President, I object to the amendment.

The PRESIDENT. The Chair hears objection.

Mr. BARR. Mr. President, I move that the Senate go into Committee of the Whole for the purpose of special amendment.

Mr. LONG. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. CLARK. Mr. President, I object to that amendment. Section 1, subdivision (8), page 4 of Senate Bill 101, provides for the following exemption; which exemption should not be changed and I request the members of the Senate to vote down this amendment. The amendment that I refer to is as follows:

"(8) Wherein the issuer a company organized under the laws of this state disposes of its own securities in good faith and not for the purpose of avoiding the provisions of this act for the sole account of the issuer without any commission or fee and at a total expense of not more than three per centum of the proceeds realized thereon and where no part of the issue is used directly or indirectly in payment for patents services good will or for property located outside of this state"

There should be no objection to that exemption.

Mr. BARR. Mr. President, as a member of the subcommittee of the Committee on Banks and Building and Loan Associations, and in conjunction with the Senator from Indiana, Mr. Clark, the Senator from Bedford, Mr. Derrick, the Senator from Clearfield, Mr. Betts, and the Senator from Blair, Mr. Snyder, after spending a long time in the study of this bill I am convinced, and I am not only convinced from my own personal standpoint, but from the standpoint of men who have been in the banking business for years, that this bill will not accomplish what it sets out to do. But regardless of that fact, on account of being in the investment banking business, and in order to avoid any criticism, I am going to support this bill, regardless of how it comes to the floor of the Senate, but I do want the Senators to know that this bill under section 8, on page 4, allows to come into this state anybody that can organize a company and can sell its own stock at a cost not to exceed three per cent., and when the organization is done they can move out of the state and the people that have had the stock sold to them can hold the bag and the Commissioner under this act has no power to supervise the sale of that stock, and has no power to ask anything as to the assets of the company in which the stock is being sold. I mean if one set of men should be regulated then all men in the same business should be regulated and I do not think that this bill should contain any exception. As an investment banker if I am going to come under the jurisdiction, control and supervision of the Commissioner of Banking, or a man learned in the investment banking business delegated by the Commissioner of Banking, I do not think that there should be one exception in the examination or supervision of that business. It was intended to do that in Section 4, by exempting public service companies, railroad companies and so on, and there was so much opposition it was stricken out and the special privileges were not granted. Mr. President and gentlemen of the Senate, I think the amendment that I offer is a fair amendment. I have no objection that investment bankers should come under the supervision of the Commissioner of Banking, but when you have power to put me there, and other men in that business, legitimate dealer for twenty-five years, some fifty years, I say to you that the Senate and House of Representatives, or the Governor in signing the bill, have no right to exempt anybody that is going to continue a practice at which they aim to kill. That is the reason I made the motion to go into the Committee of the Whole to consider this amendment to strike out from the bill. From a standpoint of a square deal to the investment bankers who come under this act and who are willing to come under it, there is no legitimate dealer who fears it, I say do not leave a loophole so that they can climb in.

Mr. CLARK. Mr. President, and gentlemen of the Senate, I just want to emphasize this provision again by reading it:

"(8) Wherein the issuer a company organized under the laws of this state disposes of its own securities in good faith and not for the purpose of avoiding the provisions of this act for the sole account of the issuer without any commission or fee and at a total expense of not more than three per centum of the proceeds realized thereon and where no part of the issue is used directly or indirectly in payment for patent services good will or for property located outside of this state."

I do not know why that provision should be objected to and while I have respect for the opinion of the Senator from Allegheny, it does not carry much weight with me so far as that section is concerned.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Barr and Mr. Long, and were as follows, viz:

YEAS—9.

Barr,
Buckman,
Heaton,
Lanius,
Long,
Mansfield,
Quigley,
Steele,
Stites,

NAYS—28.

Baldwin,
Betts,
Brown,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Homsher,
Joyce,
Krause,
MacDade,
McClintock,
McNichol,
Miller,
Norton,
Phipps,
Sisson,
Smith,
Snyder,
Sones,
Stineman,
Vare,
Woodward,
Eyre,
Pres. Pro Tem.

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 103, entitled:

An Act making an appropriation to the North Pennsylvania General Hospital and Sanatorium at Austin Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 110, entitled:

An Act making an appropriation to the Grand View Hospital located near Sellersville Bucks County Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
Harris,
DeWitt,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Woodward,
Weaver,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 114, entitled:

An Act making an appropriation to the Allentown Hospital Allentown Lehigh County Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 116, entitled:

An Act making an appropriation to the Saint Luke's Hospital located at Bethlehem Lehigh County Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 121, entitled:

An Act making an appropriation to the Taylor Hospital Ridley Park Delaware County Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 187, entitled:

An Act making an appropriation to the Saint Vincent's Hospital Association of the city of Erie Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 189, entitled:

An Act making an appropriation to the Butler County General Hospital at Butler Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 204, entitled:

An Act making an appropriation to the West Philadelphia Hospital for Women in the city of Philadelphia

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 219, entitled:

An Act making an appropriation to the Franklin City Hospital Franklin Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 236, entitled:

An Act making an appropriation to the South Side Hospital of Pittsburgh Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
Harris,
DeWitt,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 244, entitled:

An Act making an appropriation to the Western Pennsylvania Hospital

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 245, entitled:

An Act making an appropriation to the Homeopathic Medical and Surgical Hospital and Dispensary of Pittsburgh

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 251, entitled:

An Act making an appropriation to the Mercy Hospital of Philadelphia

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 279, entitled:

An Act making an appropriation to the Children's Homeopathic Hospital of Philadelphia Pennsylvania

And said bill having been read at length the third time, and agreed to,
And the amendments made thereto having been printed as required by the Constitution,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 280, entitled:

An Act making an appropriation to the Reading Hospital of Reading Pennsylvania

And said bill having been read at length the third time, and agreed to,
And the amendments made thereto having been printed as required by the Constitution,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration fo Senate Bill No. 288, entitled:

An Act making an appropriation to the Berwick Hospital Berwick Pennsylvania

And said bill having been read at length the third time, and agreed to,
And the amendments made thereto having been printed as required by the Constitution,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 290, entitled:

An Act making an appropriation to the Bloomsburg Hospital Bloomsburg Pennsylvania

And said bill having been read at length the third time, and agreed to,
And the amendments made thereto having been printed as required by the Constitution,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 298, entitled:

An Act making an appropriation to the Lancaster General Hospital Lancaster Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 304, entitled:

An Act making an appropriation to the Polyclinic Hospital of the University of Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No 305, entitled:

An act making an appropriation to the Medico-Chirurgical Hospital of the University of Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 306, entitled:

An act making an appropriation to the Hospital of the University of Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 336, entitled:

An act making an appropriation to the Annie M. Warner Hospital Gettysburg Adams County Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. STITES. Mr. President, I move that Senate Bill No. 358, (House Bill No. 390), on third reading, entitled:

A joint resolution constituting a commission to examine the tax laws of the Commonwealth and of other states and countries and to prepare and submit bills to carry into effect its recommendations prescribing the powers and duties of said commission and making an appropriation

be recommitted to the Committee on Judiciary General.
Mr. MacDADE. Mr. President, I second the motion.
The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 361, entitled:

An act making an appropriation to the McKeesport Hospital McKeesport Pennsylvania.

And said bill having been read at length the third time, and agreed to,
And the amendments made thereto having been printed as required by the Constitution,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 370, entitled:

A Supplement to an act approved the thirteenth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and thirty-six) entitled "An act providing for the appointment and expenses of a commission of three persons to codify and revise the laws relating to poor districts and the care of the poor and making an appropriation" continuing the commission appointed under the provisions of said act for the further period of two years and making an appropriation

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 371, entitled:

An act making an appropriation to the Hospital of the Hahnemann Medical College and Hospital.

And said bill having been read at length the third time, and agreed to,
And the amendments made thereto having been printed as required by the Constitution,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 372, entitled:

An Act making an appropriation to the Wills Hospital for the relief of the indigent blind and lame Philadelphia Pennsylvania

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed a required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 384, (House Bill No. 374), entitled:

An Act to amend section one of an Act approved June first one thousand nine hundred and seven (Pamphlet Laws three hundred and eighty-three) entitled "An act regulating the collection of taxes and other claims and demands due the Commonwealth and providing for six per centum interest thereon and an attorney's commission

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 428, entitled:

An act making an appropriation to the Easton Hospital at Easton Pennsylvania

And said bill having been read at length the third time. and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce.
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 431, entitled:

An act making an appropriation to the Clearfield Hospital

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller.
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 443, entitled:

An act making an appropriation to the Allegheny General Hospital

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Snyder,
Sones,
Steele,
Stineman,
Stites,

Christley,
Clark,
Craig,
Culberston,
Davis,
Huffman,
Joyce,
Krause,
Lanius,
Long,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr STITES. Mr. President, I move that Senate Bill No. 478, on third reading, entitled:

An act making an appropriation to Eaglesville Sanatorium for Consumptives located at Eagleville Montgomery County

be recommitted to the Committee on Appropriations,

Mr. PHIPPS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 480, entitled:

An act making an appropriation to the Homeopathic Medical and Surgical Hospital of Reading Pennsylvania

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. SISSON. Mr. President, I ask that Senate Bill No. 536, (House Bill No. 551), on third reading, entitled:

An act to amend an act approved May fourteenth ne thousand nine hundred fifteen (Pamphlet Laws three hundred twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" by adding additional subsection to section nine of article seven of chapter six thereof to empower boroughs without petition of property owners to grade pave curb macadamize or otherwise improve public streets or parts thereof and assess the entire cost thereof against the owners of the property abutting thereon when said streets or parts thereof do not exceed one thousand feet in length and connect two streets theretofor paved and improved

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 561, entitled:

An act to amend section one two and three of an act entitled "A further supplement to the act regulating elections in this Commonwealth approved the thirteenth day of January Anno Domini one thousand eight hundred seventy-four as amended so as to abolish the December assessment of voters

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 591, entitled:

An act making an appropriation to the Stetson Hospital of Philadelphia Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 606, entitled:

An act providing for the rebuilding by the Commonwealth through the Department of Highways of certain county bridges the procedure therefor the payment of a portion of the cost thereof in certain cases by counties and railroads and the maintenance thereof when completed by the counties

And said bill having been read at length the third time and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis.
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 607, entitled:

An Act to amend sections one and two as amended, and sections three, five, six, eight, nine and ten of the act approved May 18, 1919 (P. L. 1049), entitled "An Act authorizing the Board of Commissioners of Public Grounds and Buildings to erect a Soldiers' and Sailors' Memorial Bridge with the approaches thereto and memorial pylons, in the city of Harrisburg, to commemorate the services of the soldiers and sailors of the Commonwealth; providing for the letting of contracts therefor; providing for a portion of the cost to be paid by the city of Harrisburg, and public service corporations using or affected by the building of said bridge; providing for acquiring any property necessary by eminent domain; giving the Board of Commssioners of Public Grounds and Buildings the right to sell a portion of the land to the Pennsylvania Railroad Company to conform to the plans of the architect; providing for the maintenance of said bridge; and making appropriation to carry out the provisions of this act," by transferring to the Secretary of Highways the powers and duties granted to and imposed on the Board of Commissioners of Public Grounds and Buildings by said act.

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 625, entitled:

An act making an appropriation to the American Hospital for Diseases of the Stomach of Philadelphia Pennsylvania

And said bill having been read at length the third time, and agreed to,
And the amendments made thereto having been printed as required by the Constitution,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 647, entitled:

An act making an appropriation to the Bonair Sanatorium Bells Camp McKean County Pennsylvania

And said bill having been read at length the third time, and agreed to,
And the amendments made thereto having been printed as required by the Constitution,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 658, entitled:

An act making an appropriation to the Philadelphia Orthopaedic Hospital and Infirmary for Nervous Diseases

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Culbertson,
Buckman,
Barr,
Craig,
Christley,
Betts,
Baldwin,
Brown,
Davis,

Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,

MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,

Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 659, entitled:

An act making an appropriation to the Gynecean Hospital

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,

Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,

MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,

Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 682, entitled:

An act making an appropriation to the Saint Christopher's Hospital for Children Philadelphia Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,

Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,

MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,

Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

RECONSIDERATION OF MOTION TO RECOMMIT SENATE BILL No. 358.

Mr. STITES. Mr. President, I move to reconsider the vote by which Senate Bill No. 358, (House Bill No. 390), entitled:

A Joint Resolution constituting a commission to examine the tax laws of the Commonwealth and of other states and countries and to prepare and submit bills to carry into effect its recommendations prescribing the powers and duties of said commission and making an appropriation

was recommitted to the Committee on Judiciary General.

Mr. LONG. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the original motion?

Mr. STITES. Mr. President, I withdraw the motion.

Mr. MacDADE. Mr. President, I withdraw my second to the motion.

The PRESIDENT. The original motion is withdrawn.

BILLS ON THIRD READING AND FINAL PASSAGE.

Mr. STITES. Mr. President, I move that the Senate do now proceed to the third reading and consideration of the bill.

Mr. LONG. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 358, (House Bill No. 390), entitled:

A Joint Resolution constituting a commission to examine the tax laws of the Commonwealth and of other states and countries and to prepare and submit bills to carry into effect its recommendations prescribing the powers and duties of said commission and making an appropriation

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—16.

Barr,
Brown,
Clark,
Craig,
Davis,
Derrick,
Heaton,
Krause,
McNichol,
Miller,
Phipps,
Quigley,
Stites,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—19.

Baldwin,
Betts,
Buckman,
Christley,
Culbertson,
DeWitt,
Harris,
Homsher,
Huffman,
Lanius,
Long,
MacDade,
Mansfield,
Sisson,
Smith,
Sones,
Steele,
Stineman,
Vare,

Less than a majority of the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 745, as follows:

An Act relating to depositories of county funds in counties of the second class providing for the selection thereof by the county treasurer county commissioners and controller if any there be and for the payment of interest on county funds for the use of the county imposing certain expenses upon counties in connection therewith and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all county treasurers of counties of the second class shall deposit all county funds in the bank banks trust company or trust companies only appointed as the depository or depositories of county funds in the manner hereinafter provided

Section 2 Each of said county treasurers shall within one month after the beginning of the term of his office advertise for and invite sealed bids from the various banks and trust companies located within the county for the deposit of county funds which notice shall contain a statement that the banks or trust companies offering bids shall therein specify the rate of interest which they will agree to pay upon monthly balances of county funds The county treasurer shall reserve the right to reject any and all bids with the consent of the county commissioners and the controller

Section 3 Such notice shall be advertised in at least two newspapers published within the county once a week for three weeks The cost of advertising shall be paid by the county

Section 4 All bids shall be opened by the county treasurer in the presence of the county commissioner and controller not latter than the first Monday of March after the induction into office of the county treasurer

Section 5 The county treasurer county commissioner and controller shall appoint as a depository or depositories of county funds one or more responsible banks or trust companies offering to pay the highest rate of interest on monthly balances of county funds during the term of the county treasurer and until other depositories are designated in accordance with the provisions of this act In appointing a depository the county commissioners shall have one vote the county treasurer one vote and the controller one vote In case of a tie the depository or depositories shall be appointed by the court of common pleas of the county in accordance with the provisions of this act

Section 6 No bid shall be considered where the rate of interest offered is less than two per centum per annum on monthly balances If the county treasurer county commissioners and controller reject all bids the treasurer shall immediately readvertise for bids in the manner hereinbefore provided and thereafter depositories shall be appointed as hereinbefore provided

Section 7 The banks or trust companies designated as depositories of county funds shall each enter into contract with the county treasurer acting for the county which contract shall contain a stipulation that the bank or trust company will agree to act as a depository of county funds during the term of the treasurer and until another depository has been duly appointed in accordance with this act such contract shall also specify the rate of interest which the depository agrees to pay

Section 8 The depositories so appointed shall furnish a bond to the county to save harmless the county from the loss of any moneys placed in its hands and for the faithful execution of the contract The surety on such bond shall be a surety or bonding company authorized to do business in the county The amount of the bonds shall in each case be fixed by the court of common pleas of the county and shall be approved by the court The said bonds shall be filed with the controller

Section 9 Whenever any county treasurer shall deposit any county funds with a depository appointed and qualified in all respects under the provisions of this act he shall thereafter be relieved from liability for the safe keeping of such funds while in the possession of the depository

Section 10 The county treasurer shall from time to time pay all interest received from any depository into the county treasury for the use of the county It is unlawful for any county treasurer to retain any interest received from such depository for his own personal use or for any use whatsoever except that of the county The depositories of county funds shall render to the couinty treasurer and controller a monthly statement showing the balance on hand at the close of the month the amount received and disbursed and the amount of accured interest on monthly balances

Section 11 It is unlawful for any county treasurer to deposit with any bank or trust company except the depositories of county funds appointed in the manner provided for in this act any funds of the county which may come into his possession

Section 12 Any county treasurer who shall violate the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five thousand dollars or be imprisoned for a term not exceeding one year or both

Section 13 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. MANSFIELD. Mr. President, I would like to state for the benefit of the members of the Senate that this bill only applies to counties of the second class. The title has been amended but it does not show on the calendar.

And the question recurring.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28.

Barr,
Betts,
Buckman,
Christley,
Clark,
Culberston,
Derrick,
Harris,
Homsher,
Huffman,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—2.

Davis,
DeWitt,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 875, entitled:

An Act making an appropriation to the Nesbit West Side Hospital Dorranceton Luzerne County Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 876, entitled:

An Act making an appropriation to the Columbia Hospital at Columbia Lancaster County Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 911, (House Bill No. 112), entitled:

An Act to amend section five of the act approved June 17, 1913, (P. L. 507) entitled "An act to provide revenue for State and County purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property, providing for the assessment and collection of the same, providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes providing for the assessment of property and the collection of taxes, interest and penalties in cases of the refusal or failure of taxables to make return and in the case of false or incomplete returns.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WOODWARD. Mr President, I have been asked to explain this bill. This bill was drawn for me by a lawyer in Philadelphia who has a great many wealthy clients who do not pay the four mill personal property tax. It would mean that this bill, if passed requires his wealthy clients to pay their tax. In Philadelphia county possibly one third of the personal property tax is not collected by the Board of Revision of Taxes, and if we do not jack up the personal property tax collection we are going to have an income tax in the State. That is one reason why I am interested in this bill, I do not want an income tax. The bill is endorsed by the Board of Revision of Taxes to correct a defect in the case where the Supreme Court ruled that back taxes could not be collected. This bill applies no matter how far back the negligence occurred that the four mill tax can be collected together with a penalty of six percent thereon.

Mr. VARE. Mr. President, I am in full accord with the sentiment expressed by my distinguished colleague from Philadelphia, Mr. Woodward, and I am very glad to cooperate with him in what I regard as very beneficial legislation.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constition, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 928, (House Bill No. 700), entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania providing for a budget system

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Derrick,
DeWitt,
Harris,
MacDade,
Mansfield,
McNichol,
Snyder,
Sones,
Steele,

Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
Miller,
Patton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 947, (House Bill No. 1025), entitled:

An Act to provide a method of relieving real estate of the charge of a life interest imposed thereon by any order judgment or decree of any court in this Commonwealth in any partition proceedings

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 982, entitled:

An act making an appropriation to the Misericordia Hospital of the Sisters of Mercy of Philadelphia Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 986, entitled:

An act making an appropriation to the Saint Joseph's Hospital of Philadelphia Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 989, entitled:

An act making an appropriation to the Mercy Hospital of Johnstown Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 991, entitled:

An act making an appropriation to the Saint Agnes' Hospital of Philadelphia Pennsylvania

And said bill having been read at length the third time, and agreed to,
And the amendments made thereto having been printed as required by the Constitution,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 994, entitled:

An act making an appropriation to the Saint Mary's Hospital of Philadelphia Pennsylvania

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 996, entitled:

An act making an appropriation to the Pittsburgh Hospital Association of Pittsburgh Pennsylvania

And said bill having been read at length the third time, and agreed to,
And the amendments made thereto having been printed as required by the Constitution,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Harris,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 997, entitled:

An act making an appropriation to the DuBois Hospital of DuBois Pennsylvania

And said bill having been read at length the third time, and agreed to,
And the amendments made thereto having been printed as required by the Constitution,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Harris,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 1002, entitled:

An act making an appropriation to the Mercy Hospital of Pittsburgh Pennsylvania

And said bill having been read at length the third time, and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Derrick,
DeWitt,
Harris,
MacDade,
Mansfield,
McNichol,
Snyder,
Sones,
Steele,

Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1004, entitled:

An act making an appropriation to the Jewish Hospital Association of Philadelphia

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. HOMSHER, Mr. President, I ask that Senate Bill No. 1014, (House Bill No. 1159) on third reading, entitled:

An act providing a system of registering titles to motor vehicles for the protection of owners of motor vehicles and to facilitate the recovery of motor vehicles stolen or unlawfully taken regulating the certificate of such titles the purchase sale and transfer of motor vehicles and their registration providing for the collection of fees for the certification of titles and for disposition thereof forbidding the destruction removal alteration covering or defacement of any engine manufacturer's or other distinguishing number or identification mark on motor vehicles and providing for the assignment of special numbers in certain cases imposing duties on the State Highway Commissioner sheriffs constables police officers and other peace officers and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1046, (House Bill No. 1306), entitled:

An Act to amend section seven of an act, entitled "An act to establish a Department of Mines, in Pennsylvania; defining its purposes and authority; providing for the appointment of a chief of said Department, and assistants, and fixing their salaries and expenses;" approved the fourteenth day of April, Anno Domini one thousand nine hundred and three (Pamphlet Laws one hundred and eighty); increasing fees paid by applicants for certificates of qualification as mine foremen and assistant mine foremen in the anthracite mines; providing for the disposition of fees received, and providing for copies of lost or destroyed certificates.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1048, (House Bill No. 1309), entitled:

An Act to amend Rule Thirty-four of Article XXV of an Act, approved the ninth day of June, one thousand nine hundred and eleven (Pamphlet Laws, seven hundred and fifty-six), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith;" by requiring mine operators to pay the Department of Mines for certain report and record books.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1056, as follows:

An Act making an appropriation to the Home for the Training in Speech of Deaf Children before they are of school age at Belmont Avenue and Monument Road Philadelphia

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighty-three thousand dollars ($83,000) or so much thereof as may be necessary is hereby specifically appropriated to the Home for the Training in Speech of Deaf Children before they are of school age in Philadelphia for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the following purposes

For maintenance and training of pupils in the home during the fiscal years the sum of seventy-eight thousand dollars ($78,000) or so much thereof as may be necessary

For painting repairs and furnishings the sum of five thousand dollars ($5,000) or so much thereof as may be necessary

Section 2 No part of this appropriation shall become available until the managers of this institution shall have filed with the Auditor General a declaration that thereafter all pupils received into the institution shall be taught exclusively by the oral method

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.
passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1064, entitled:

An Act making an appropriation to the Saint Joseph's Hospital and Dispensary of Pittsburgh Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1085, entitled:

An Act making an appropriation to the Saint Joseph's Hospital of Reading Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1094, (House Bill No. 1236), as follows:

An Act providing for a giant power survey creating a Giant Power Survey Board defining the power and duties thereof requiring officers Departments Commissions and other agencies of the Commonwealth to give information thereto and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor the Attorney General the Commissioner of Forestry the Secretary of the Water Supply Commission the Chairman of The Public Service Commission the Secretary of Agriculture the Commissioner of Labor and Industry the State Geologist a Deputy Attorney General to be designated from time to time by the Governor and a competent engineer to be designated from time to time by the Governor are hereby created a Giant Power Survey Board hereinafter called the Board The Governor shall be Chairman of the Board

Section 2 It shall be the duty of the Board to undertake an outline survey of the water and fuel resources available for Pennsylvania and of the most practicable means for their full utilization for power development and other related uses also to recommend in outline such policy with respect to the generation and distribution of electric energy as will in the opinion of the Board best secure for the industries railroads farms and homes of this Commonwealth an abundant and cheap supply of electric current for industrial transportation agricultural and domestic use The

Board shall investigate the practicability of and make recommendations concerning the establishment of giant power plants for the generation of electricity by fuel power near coal mines the transmission and distribution of the electric energy so and otherwise generated throughout the Commonwealth the saving and utilization of the by-products of coal to be consumed in such giant power and other plants the electrification of railroads the generation of electrical energy by water power and the co-ordination of water power and fuel power development with the regulation of rivers by storage and otherwise for water supply transportation public health and recreation and other beneficial uses

Section 3 In making its investigations and reports the Board shall make use of all available information heretofore collected by the Commonwealth and all other published or otherwise readily obtainable information within the scope of its inquiry Every officer Department Commission and other agency of the Commonwealth possessing such information shall furnish the same to the Board when and as the Governor may from time to time direct

Section 4 It shall be the duty of the Board in its investigations and report to study and consider the best practicable utilization of streams for navigation water supply purity of waters river regulation and flood prevention in relation to power and both as to waters and as to the generation and distribution of electric energy to keep in view the mutual interests of this Commonwealth and other States and to outline plans for the interchange of electrical energy with all other States within the practicable transmission distance

Section 5 The engineer designated as a member of said Board shall be paid such compensation as shall be fixed by the Governor of the Commonwealth The other members of the Board shall serve without additional compensation

Section 6 The report of the Board shall be submitted to the General Assembly at the opening of the regular session in January one thousand nine hundred and twenty-five

Section 7 The sum of thirty-five thousand dollars ($35.-000.00) is hereby specifically appropriated for the payment of the compensation of the engineer from time to time designated as a member of the Board the compensation of necessary technical clerical and other assistance the purchase of necessary supplies the rent of necessary quarters in Harrisburg and elsewhere necessary travel of the members of the Board and its employees their necessary subsistence when absent from their regular places of employment necessary printing and all other necessary expenses incurred in the performance of the duties imposed under this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER.

Mr. BETTS. Mr. President, I ask that Senate Bill No. 1111, (House Bill No. 352) on third reading, entitled:

An Act to amend section three of the act approved the eleventh day of May, one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two), entitled "An Act relating to dogs, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock and poultry by dogs, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes; directing the payment of all moneys collected into the State Treasury; and making an appropriation thereof; and providing penalties;" making the county treasurer the agent of the Commonwealth in the issuing of licenses and the collection of fees; and providing his compensation for such services.

go over in its order.

The PRESIDENT. It there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1133, entitled:

A joint resolution making an appropriation to the Auditor General for the purpose of adjusting and paying certain outstanding bills contracted by the commission appointed under the provisions of the act approved the twenty-fifth day of July, one thousand nine hundred and thirteen, (P. L. 1306), entitled "An Act to provide for the selection of a site and the erection of a State institution for the detention, care and treatment of inebriates, or persons habitually addicted to the use of alcoholic drink or intoxicating drugs, to be called the State Institution for Inebriates, and making an appropriation therefor."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1144, entitled:

An Act providing for the collection or city and school taxes in third class cities by the city treasurer and fixing and providing for the payment of his salary and expenses and the salaries of his assistants and clerks

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—1.

Lanius.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1158, (House Bill No. 84), entitled:

An Act making an appropriation to the Washington Crossing Park Commission for the purpose of the acquisition of land and property and the making of improvements in accordance with the provisions of the act of July twenty-fifth, one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and nine), entitled "An act to authorize the acquisition by purchase or condemnation of land for a park and the erection of a monument commemorative of Washington Crossing the River Delaware and for the appointment of a commission to acquire said lands and erect such monument, and making an appropriation for the purposes of this act.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON THIRD READING.

Mr. BUCKMAN. Mr. President, with the consent of the Senator from Lancaster, Mr. Homsher, I move that the Senator do now proceed to the third reading and consideration of Senate Bill No. 1014 (House Bill No. 1159) entitled:

An Act providing a system of registering titles to motor vehicles for the protection of owners of motor vehicles and to facilitate the recovery of motor vehicles stolen or unlawfully taken regulating the certificate of such titles the purchase sale and transfer of motor vehicles and their registration providing for the collection of fees for the certification of titles and for disposition thereof forbidding the destruction removal alteration covering or defacement of any engine manufacturer's or other distinguishing number or identification mark on motor vehicles and providing for the assignment of special numbers in certain cases imposing duties on the State Highway Commissioner sheriffs constables police officers and other peace officers and providing penalties

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1014, (House Bill No. 1159), as follows:

An Act providing a system of registering titles to motor vehicles for the protection of owners of motor vehicles and to facilitate the recovery of motor vehicles stolen or unlawfully taken regulating the certification of such titles the purchase sale and transfer of motor vehicles and their registration providing for the collection of fees for the certification of titles and for dispositon thereof forbidding the destruction removal alteration covering or defacement of any engine manufacturer's or other distinguishing number or identification mark on motor vehicles and providing for the assignment of special numbers in certain cases imposing duties on the State Highway Commissioner sheriffs constables police officers and other peace officers and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term 'motor vehicle' as used in this act shall include automobiles motor-cycles trucks tractor trucks and all other vehicles which are self-propelled or designed to be self-propelled by mechanical power except traction engines tractors steam shovels road rollers agricultural machinery and vehicles which move upon or are guided by a track or travel through the air

The term 'person' as herein used shall include the singular and plural numbers and shall embrace all individuals of either sex whether acting on their own behalf or as members officers employes agents or other representatives of any other individual or of any firm copartnership corporation association or artificial body of any kind or character whatsoever

The term 'manufacturer' as used in this act shall mean any person firm association or corporation engaged in the manufacture and sale of new motor vehicles as a regular business

The term 'jobber' as used in this act shall mean any person firm corporation or association engaged in the purchase and sale of new motor vehicles and their resale directly to dealers

The term 'dealer' as used in this act shall mean any person firm corporation or association actively engaged in the purchase and sale of motor vehicles or in the leasing of motor vehicles for a period of thirty (30) or more successive days and who has an established place of business

The term 'Commissioner' as used in this act shall mean the State Highway Commissioner of this Commonwealth

The term 'Department' as used in this act shall refer to the State Highway Department of this Commonwealth

The term 'new motor vehicle' as used in this act shall mean a motor vehicle which has not been sold bargained exchanged given away by or title transferred other than from the manufacturer to his dealer or his agent

The term 'used motor vehicle' as used in this act shall mean a motor vehicle which has been sold bargained leased exchanged given away by or title transferred from the person who first took title to it from the manufacturer or the agent of the manufacturer and is to include all motor vehicles which have been in use in such manner as to have become what are commonly known as 'second hand' motor vehicles or automobiles within such definition

The term 'rebuilt motor vehicle' as used in this act shall mean a motor vehicle which shall have been assembled by using new parts and used parts derived from other motor vehicles of the same make and rebuilt by the manufacturer thereof Such rebuilt motor vehicle for the purpose of this act shall be considered a new motor vehicle

The term 'owners' as used in this act shall include the person or persons having a motor vehicle in his or their possession custody or control under a lease or contract of conditional sale or other like agreement

Section 2 "That no certificate of registration of any motor vehicle or registration number plates therefor shall hereafter be issued by the Commissioner unless the owner thereof shall make application for and be granted an official certificate of title to such motor vehicle or shall present satisfactory evidence that such a certificate of title has been previously issued to the owner covering such motor vehicle Said application shall be made upon a blank form to be furnished by the Commissioner and shall be acknowledged before a notary public or other officer empowered to administer oaths and shall contain a full description of the motor vehicle together with a statement of the owner's title and of any liens or encumbrances upon said motor vehicle and whether possession is held under a lease contract of conditional sale or other like agreement The Commissioner shall use reasonable diligence in ascertaining whether or not the facts stated in said application for a certificate of title are true and if satisfied that the applicant is the lawful owner of such motor vehicle or is otherwise entitled to have the same registered in his name he shall thereupon issue an appropriate certificate of title over his signature and sealed with the seal of his office Said certificate of title shall contain such description and other evidences of identification of said motor vehicle as the Commissioner may deem reasonably necessary and proper together with a statement of any liens or encumbrances which the application may show to be thereon Provided that a corrected Certificate of Title shall be issued upon request of the owner when original certificate of Title is returned with evidence that lien encumbrance or legal claim has been satisfied The charge for each original certificate of title so issued shall be two ($2) dollars except in the case of a jobber or dealer acquiring a new or rebuilt motor vehicle for which no certificate of title has been issued when the charge for each original certificate of title shall be fifty (50) cents and except in case of a dealer acquiring a new or rebuilt motor vehicle from a jobber or other dealer to whom the original certificate of title has been issued and by whom it has been directly assigned to said dealer in which case the charge for the certificate shall likewise be fifty (50) cents and the certificate of title shall be good for the life of the car so long as the same is owned or held by the original holder of such certificate of title and shall not have to be renewed annually or at any other time except as herein provided In the case of motor vehicle now owned or registered in this Commonwealth during and for the year one thousand nine hundred twenty-three an application for a certificate of title accompanied by such evidences of ownership liens and encumbranches or possession under a lease contract of conditional sale or other like agreement as the Commissioner may require shall be made within six (6) months after this act is approved Immediately upon the passage of this act it shall be the duty of the Commissioner to cause to be printed copies of this act and to mail every person to whom he has issued a certificate of registration for the year one thousand nine hundred and twenty-three one of such printed copies accompanied by a specific notice that the title of such motor vehicle must be registered as herein provided together with the necessary prescribed form upon which to make application for an official certificate of title as hereinbefore provided"

Section 3 "It shall be unlawful and a misdemeanor punishable by a fine of not less than fifty ($50) dollars nor more than one thousand ($1,000) dollars for any person to own or operate in this Commonwealth a motor vehicle under a Pennsylvania registration unless such certificate of title shall have been issued as herein provided In the event of the sale or transfer of the ownership of a motor vehicle for which an original certificate of title has been issued as aforesaid the original holder of such certificate of title shall endorse on the back of the same an assignment thereof with warranty of title in a form printed thereon with a statement of all liens encumbrances or legal claims on said motor vehicle and deliver the same to the purchaser or transferee at the time of the delivery to him of such motor vehicle The purchaser or transferee shall within ten (10) days thereafter present such certificate of title assigned as aforesaid to the Commissioner whereupon a new certificate of title shall be issued to the assignee for which the charge shall be two ($2) dollars Certificates of title when so assigned and returned to the Commissioner shall be retained by the Commissioner and appropriately classified and indexed in such a manner as most convenient to trace title to the motor vehicle designated therein"

Section 4 "The owner or any person without the consent of the owner being first obtained who shall operate a motor vehicle in this Commonwealth under a Pennsylvania registration without securing a certificate of title as herein provided within six (6) months after this act is approved shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty ($50) dollars nor more than one thousand ($1,000) dollars Provided however that no prosecution shall be brought or conviction had under the aforesaid clause where it shall appear that any such operation of a motor vehicle was in conformity with the laws of the Commonwealth relating to the registration and operation of motor vehicles After the expiration of six (6) months from the date upon which this act is approved it shall be unlawful and a misdemeanor punishable by a fine of not less than one hundred ($100) dollars nor more than one thousand ($1,000) dollars and by imprisonment for not less than two (2) years nor more than ten (10) years for any one to sell convey or transfer pass title to deliver or purchase buy procure or otherwise acquire title within the limits of this Commonwealth to any motor vehicle unless at the time of the sale or delivery thereof there shall pass between the parties such certificate of title with an assignment thereof in the form prescribed by the Commissioner or when that is not possible upon presentation of satisfactory proof to the Commissioner of ownership and right of possession to such motor vehicle if the title has been acquired or registered in any other state than this Commonwealth Any person who shall make any false statement either in his application for certificate of title herein provided for or in any assignment thereof or who with intent to procure or pass title to a motor vehicle which he knows or has reason to believe has been stolen shall accept or transfer title or possession to the same or who shall use operate or occupy any motor vehicle which he knows or has reason to believe has been stolen shall be deemed guilty of a felony and upon conviction thereof shall be punished by a fine of not less than five hundred ($500) dollars nor more than five thousand ($5,000) dollars and by imprisonment for not less than two (2) years nor more than ten (10) years in the discretion of the court This provision shall supplement and be in addition to any other penalties prescribed by law for the theft or unauthorized taking or use of any motor vehicle Any person who shall alter or forge any certificate of title issued by the Commissioner pursuant to the provisions of this act or any assignment thereof or who shall hold or use any such certificate or assignment knowing the same to have been altered or forged shall be deemed guilty of a felony and upon conviction thereof shall be fined not less than one thousand ($1,000) dollars nor more than five thousand ($5,000) dollars and be imprisoned for a period of not less than two (2) years nor more than ten (10) years in the discretion of the court"

Section 5 "In case of a lost certificate of title the loss of which is accounted for to the satisfaction of the Commissioner a duplicate certificate of title may be issued for which the charge shall be fifty (50) cents Provided The fee for a certified copy of a certificate of title shall be one ($1) dollar"

Section 6 "Any person or persons who shall destroy remove cover alter or deface or cause to be removed covered altered or defaced the engine number manufacturer's number or other distinguishing number or identification mark of any motor vehicle in this Commonwealth for any reason whatsoever other than provided herein or who shall give a wrong description in an application for a certificate of title of any motor vehicle in this Commonwealth for the purpose of concealing or hiding the identity of such motor vehicle shall be deemed guilty of a felony and upon conviction thereof shall be fined not less than one hundred ($100) dollars nor more than one thousand ($1,000) dollars and imprisoned for a term of not less than two (2) years nor more than ten (10) years at the discretion of the court"

Section 7 "Any person who thirty (30) days after this act is approved shall sell or offer for sale in this Commonwealth a motor vehicle on which the original engine number or identification of which has been destroyed removed altered covered or defaced with knowledge of said destruction removal alteration covering or defacement shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than two hundred ($200) dollars nor more than five hundred ($500) dollars and by imprisonment for a term of not less than thirty (30) days nor more than one hundred and eighty (180) days in the discretion of the court and upon a second conviction under this section the punishment shall be imprisonment for a term not less than one (1) year nor more than five (5) years in the discretion of the court The selling or offering for sale in this Commonwealth of a motor vehicle on which the original engine number manufacturer's number or other distinguishing number or identification of which has been destroyed removed altered or defaced shall be prima facie evidence of knowledge on the part of the person selling or offering for sale such motor vehicle of said destruction removal alteration covering or defacement of said original engine number manufacturer's number or other distinguishing number or identification Provided however That any person being the owner or custodian of or having possession of a motor vehicle at the time this act is approved the original engine number or manufacturer's number of which has been previously destroyed removed altered covered or defaced shall before the expiration of thirty (30) days after this act is approved apply to the Commissioner on a blank to be prepared and furnished by the Commissioner upon request for a special number plate to be replaced on the motor vehicle and Further provided That should the engine of a motor vehicle be replaced by a new or used engine on which the engine number has been destroyed removed covered altered or defaced it shall be the duty of the owner of such motor vehicle to apply to the Commissioner on a blank furnished by the Commissioner for a special number plate to be placed on such engine Such blank shall be accompanied by Certificate of Title issued to said motor vehicle upon receipt of which a Corrected Certificate of Title shall be issued without additional fee The application shall contain a description of such motor vehicle including the make style and year of model of the same as complete a description of the original engine number or manufacturer's number if any part of the same remain as is possible to give any distinguishing marks that may be on the engine or body of such motor vehicle and the name and postoffice address of the applicant the date on which he purchased or procured possession of the same The name and postoffice address of the person from whom he purchased such motor vehicle and such other information as the Commissioner may require all of which description and facts shall be sworn to by said applicant Upon receipt of such application the Commissioner shall issue to said applicant a special number plate and certificate for such motor vehicle and when such special number plate has been placed on the motor vehicle it shall become and thereafter be the lawful engine or manufacturer's number as the case may be of such motor vehicle for the purpose of identification and registration and for all other purposes under the provisions of this act and the owner thereof may sell and transfer the same under said special number and any person or persons who shall destroy remove cover alter or deface any special number plate so issued by the Commissioner shall be deemed guilty of a felony and upon conviction thereof shall be punished by imprisonment for a term of not less than two (2) years nor more than ten (10) years"

Section 8 "In case of the transfer of ownership or possession of a motor vehicle by operation of law as upon inheritance devise or bequest order in bankruptcy insolvency replevin or execution sale or whenever a motor vehicle is sold at public sale to satisfy storage or repair charges or repossession is had upon default in performance of the terms of a lease contract of conditional sale or other like agreement it shall thereupon become the duty of the person from whose possesson such motor vehicle was taken and without prejudice to his rights in the premises immediately to surrender the certificate of title for such motor vehicle to the person to whom possession of such motor vehicle has so passed The Commissioner upon surrender of prior certificate of title or when that is not possible upon presentation of satisfactory proof to the Commissioner of ownership and right of possession to such motor vehicle and upon payment of the fee of two ($2) dollars and presentation of application for certificate of title shall issue to the applicant to whom possession of such motor vehicle has so passed a certificate of title thereto Any person failing to comply with the provisions of this section shall be deemed guilty f a misdemeanor and may be prosecuted by the Commissioner and upon conviction shall be punished by a fine of not less than five ($5) dollars nor more than one hundred ($100) dollars"

Section 9 "Any person operating or having the custody of a motor vehicle after thirty (30) days from the time this act is approved on which the engine or manufacturer's number has been removed altered defaced destroyed or so covered as to be concealed and application has not been made to the Commissioner for special number as hereinbefore provided shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than twenty-five ($25) dollars nor more than fifty ($50) dollars

If ownership to such motor vehicle is not established to the satisfaction of the court said motor vehicle shall be confiscated by the court and sold and the proceeds thereof shall be used to pay the fine and costs of prosecution and the balance if any shall be turned into the State Treasury for the use of the State Highway Department as hereinafter provided Provided however That after judgment by the court is rendered ninety (90) days shall elapse and then if such fine and costs have not been paid said court shall proceed to advertise and sell said motor vehicle in the manner provided by law for the sale of personal property under execution If at any time while such motor vehicle remains in the custody of the court or its officers the true owner shall appear and establish his title thereto to the satisfaction of such court the same shall be returned to such owner who shall apply to the Commissioner for a special number as hereinbefore provided and may thereafter use the motor vehicle upon notifying the Commissioner of such facts by a certified copy of such proceedings and obtaining a certificate of title therefor in accordance with this act if he has not such certificate of title In case the said motor vehicle is so returned to the party as such owner before the said motor vehicle can be used again it shall be provided with special number if needed as furnished by the Commissioner and title of ownership and registration number plates shall be procured"

Section 10 "After the thirty (30) days referred to for procuring special number it shall be the duty of every sheriff deputy sheriff constable chief of police and other peace officer in this Commonwealth having knowledge of a motor vehicle the engine number or manufacture's number of which has been destroyed removed covered altered or defaced to immediately seize and take possession of such motor vehicle provided such party fails to secure certificate of title and arrest the supposed owner and custodian thereof and cause prosecution to be brought in a court of competent jurisdiction It shall be the duty of the court to retain the custody of said motor vehicle pending the prosecution of the person arrested and in case such person shall be found guilty said motor vehicle shall remain in the custody of the court until the fine and costs of prosecution shall be paid" not exceeding ninety (90) days

Section 11 'In designing special number plates for motor vehicles under the provisions of this act the Commissioner shall designate and number the same consecutively preceded by the letter 'S' and followed by the letters 'PA' for each and every make of motor vehicle for which application for special number shall be made and in order of the filing of application therefor Provided That from and after the date this act is aproved the Commissioner shall not issue a certificate of title for any motor vehicle without an engine number or manufacturer's number or issue a registration for the operation of the same except as specifically provided for herein"

Section 12 "It shall be the duty of the Commissioner Whenever he may receive a report of the theft of a motor vehicle whether the same has been registered or not and whether owned in this or any other State together with the make and manufacturer's number thereof to make a distinctive record thereof and file the same in numerical order of the manufacturer's number with the records of the vehicles of such make already registered In the event of the receipt of an application for a certificate of title of such motor vehicle he shall immediately notify the rightful owner thereof and unless a certificate of title has already been issued shall withhold the issuing of such certificate of title until the proper investigation shall have been made

In the event of the recovering of a stolen motor vehicle of which the Commissioner has been notified it shall be the duty of the owner to notify immediately the Commissioner who shall cause the record of the theft of such vehicle to be removed from the file

It shall be the duty of every sheriff constable police officer member of the State Police Force or designated officer of the Department having knowledge of a stolen car immediately to furnish the Commissioner with full information in connection therewith

The Commissioner shall prepare a report listing motor vehicles stolen and recovered as disclosed by the reports submitted to him to be distributed as he may deem advisable"

Section 13 "The moneys derived under the provisions of this act from certificates of title certified copies of records duplicate copies of certificates of title fines and penalties collected under the provisions of this act for violation of the same bail forfeited and sale of confiscated motor vehicles shall be paid by the State Highway Department into the State Treasury and the same are hereby specifically appropriated to the State Highway Department for the purpose of assisting in the reconstruction improvement maintenance and repairs of State highways and for the payment of salaries traveling expenses and any and all other expenses necessary in the judgment of the State Highway Commissioner to effectually carry on the work of the State Highway Department as described in the Act of Assembly approved May thirty-first one thousand nine hundred and eleven known as the State Highway Act with amendments thereto and to carry out and enforce the provisions of this act and amendments thereto including the penal provisions thereof and for that purpose the Commissioner is hereby authorized to appoint such employes as in his discretion are necessary said moneys to be paid from the State Treasury upon requisition of the State Highway Commissioner and after audit and approval by the Auditor General and State Treasurer in the usual manner"

Section 14 "The Commissioner shall cause to be maintained a record of certificates of title issued and may after five (5) years at his discretion destroy such records"

Any person owning or possessing a motor vehicle shall notify the Commissioner within ten (10) days of the destruction or junking of such motor vehicle Any person failing to notify the Commissioner of the destructon or junking of any motor vehicle as herein provided shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred ($100) dollars nor more than one thousand ($1,000) dollars or to undergo imprisonment not exceeding (2) years or both at the discretion of the court"

Section 15 "The Commissioner is authorized to make requisition on the Department of Public Printing and Binding for the printing of necessary forms certificates of title bulletins and other printed matter required for carrying out the provisions of this act and for the dissemination of information to the public"

Section 16 "No fee shall be charged for a certificate of title of motor vehicles owned and used by the United States the Commonwealth of Pennsylvania or by any city borough incorporated town township or county duly authorized volunteer fire force hospital humane society or anti-cruelty society in this Commonwealth or by the American Red Cross but all such vehicles shall be issued a certificate of title as is provided for privately owned motor vehicles"

Section 17 Any person knowingly making any misstatement of facts in application for Certificate of Title shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than one hundred ($100) dollars or more than one thousand ($1,000) dollars and imprisonment of not less than two (2) years nor more than ten (10) years at the discretion of the court and the Clerk of the Court in which such conviction is had shall forthwith certify such conviction to the Commissioner who shall cancel the certificate of Title issued to such person

Section 18 "If any part or parts of this act be declared unconstitutional the same shall not in any way affect the balance of this act remaining after such decision"

Section 19 "The act approved June thirtieth one thousand nine hundred and nineteen entitled 'An act regulating the sale conveyance transfer or disposition of second hand motor vehicles requiring the making and filing of sworn descriptions thereof and statements in relation thereto regulating the registry of such vehicles imposing certain duties on the State Highway Commissioner relative to such stolen vehicles forbidding the removal defacement alteration destruction obliteration or concealment of the trade-marks identification numbers serial numbers or other distinguishing marks of motor vehicles or the having possession of motor vehicles or parts thereof on or from which such trade or other distinguishing marks or numbers have been removed defaced altered destroyed obliterated or concealed imposing certain duties upon deputy sheriffs constables police officers and proprietors of public garages prohibiting the registration of motor vehicles subject to the provisions of this act unless in compliance with its terms providing for the licensing of the business of dealing in second-hand motor vehicles and fixing penalties for violations of the provisions of this act and providing that the making of a false affidavit under the provisions of this act shall be purjury and shall be punishable as such' and the act approved May sixteenth one thousand nine hundred and twenty-one entitled 'An act regulating the sale conveyance transfer or disposition of used motor vehicles and defining the same requiring the making and filing of sworn descriptions thereof and statements in relation thereto regulating the registry of such vehicles imposing certain duties on the State Highway Commissioner relative to such stolen vehicles forbidding the removal defacement alteration destruction obliteration or concealment of the trade-marks identification numbers serial numbers or other distinguishing marks of motor vehicles or the having possession of motor vehicles or parts thereof on or from which such trade or other distinguishing marks or numbers have been removed defaced altered destroyed obliterated or concealed imposing certain duties upon sheriffs deputy sheriffs constables police officers proprietors of public garages and dealers in used motor vehicles prohibiting the registration of motor vehicles subject to the provisions of this act unless in compliance with its terms providing for the licensing of the business of dealing in used motor vehicles and fixing penalties for violations of the provisions of this act and providing that the making of a false affidavit under the provisions of this act shall be perjury and shall be punishable as such' be and the same are hereby repealed but said repeal shall not take effect as to Section nine thereof until July first one thousand nine hundred and twenty-three and as to the remainder of said act until six months after the approval of this act All other acts or parts of acts inconsistent herewith shall be and the same are hereby repealed"

Section 20 "Except as otherwise provided this act shall take effect immediately upon its passage"

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—1.

Lanius,

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER.

Mr. ———— Mr. President, I ask that Senate Bill No. 1163, on third reading, entitled:

An Act to further amend section thirteen of an act approved May thirty-one Anno Domini one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief Engineer Chief Draughtsman Superintendent of highway and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing for penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of act inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended by providing for the deposit of bankable securities by the contractor in lieu of the surety required on said contractor's bond

go over in its order.

The PRESIDENT. Is there objection? The Chair hears non.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1168, entitled:

An Act making an appropriation to the Presbyterian Hospital at Pittsburgh Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1172, entitled:

An Act validating certain elections of school districts of the third class held pursuant to the provisions of an act approved April twentieth one thousand eight hundred seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

Then Senate proceeded to the third reading and consideration of Senate Bill No. 1183, (House Bill No. 85), entitled:

An Act making an appropriation to the Pennsylvania State Park and Harbor Commission of Erie

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Derrick,
DeWitt,
Harris,
MacDade,
Mansfield,
McNichol,
Snyder,
Sones,
Steele,

Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

Then Senate proceeded to the third reading and consideration of Senate Bill No. 1184, (House Bill No. 86), entitled:

An Act making an appropriation to the several fire companies of the city of Harrisburg

And said bill having been read at leugth the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

Then Senate proceeded to the third reading and consideration of Senate Bill No. 1185, (House Bill No. 216), entitled:

An Act to provide for the payment of moneys by the Commonwealth to counties and townships the tax funds of which are diminished by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions and making an appropriation

And said bill having been read at leugth the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichal,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

Then Senate proceeded to the third reading and consideration of Senate Bill No. 1192, entitled:

An Act to further amend section eleven of article six and section fifteen of article seven of an act approved June twenty-seventh one thousand nine hundred and thirteen (Pamphlet Laws five hundred and sixty-eight) entitled "An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" by changing the salaries of councilmen and mayors

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. McDADE. Mr. President, I ask unanimous consent to amend section 1, page 2, line 24, by striking out the parentheses before the word "two" and after the word "fifty"; also line 24, by striking out the words "three hundred and seventy-five"; also line 26, by inserting before the word "dollars" the following "five hundred"; also page 3, line 2, by striking out the parentheses before and after the word "three"; also by striking out the word "four"; also line 3, by striking out the words "and fifty"; also line 5, by striking out the parentheses before the word "seven" and after the word "fifty"; also by striking out the words "eleven hundred and twenty-five"; also line 7, by striking out the parentheses before and after the word "two"; also line 8, by striking out the word "three"; also line 10, by striking out the parentheses before the word "two" and after the word "hundred"; also lines 10 and 11, by striking out the words "three thousand seven hundred and fifty"; also line 12, by striking out the parentheses before and after the word "three"; also by striking out the word "four"; also line 13, by striking out the words "five hundred"; also line 24, by striking out the word "five" and inserting in lieu thereof the word "three"; also by striking out the word "sixty-eight" and inserting in lieu thereof the word "ten"; also section 2, page 4, line 7, by striking out the parentheses before and after the words "five hundred"; also lines 7 and 8 by striking out the words "seven hundred and fifty"; also line 13, by striking out the parentheses before and after the words "five hundred"; also line 14, by striking out the words "seven hundred and fifty"; also line 16, by striking out the parentheses before and after the word "two"; also by striking out the word "eight"; also line 19, by striking out the parentheses before and after the word "two"; also by striking out the word "three" by striking out the parentheses before and after the words "five hundred"; also lines 19 and 20, by striking out the words "seven hundred and fifty thousand"; also line 22, by striking out the parentheses before and after the words "three thousand"; also lines 22 and 23, by striking out the words "four thousand five hundred"; also line 24, by striking out the parentheses before the word "three"; also line 25, by striking out the parenthesis after the word "hundred"; also lines 25 and 26, by striking out the words "five thousand two hundred and fifty".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1193, (House Bill No. 217), entitled:

An Act making an appropriation to the Superintendent of Public Instruction to carry into effect the provisions of the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand thirty-four) entitled "An Act to provide for the payment of moneys to school districts the taxes of which are reduced by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis.
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1194, (House Bill No. 93), entitled:

An Act making an appropriation to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State Supervisor and assistants, and fixing the salaries of such State Supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1195, (House Bill No. 99), entitled:

An Act making an appropriation to the Commissioners of Valley Forge Park

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1196, (House Bill No. 653), entitled:

An Act making an appropriation to the Lake Erie and Ohio River Canal Board of Pennsylvania for the payment of expenses incurred in printing distributing and making available for public use reports maps documents and records of the board in securing the cooperation and aid of the Government of the United States and other public authorities in the construction of the canal or waterway authorized to be constructed by the board for the payment of incidental office expenses and for the payment of salaries fees and expenses

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Derrick,
DeWitt,
Harris,
Heaton,
MacDade,
Mansfield,
McNichol,
Miller,
Snyder,
Sones,
Steele,
Stineman,

Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and cosnideration of Senate Bill No. 1209, entitled:

An Act making a deficiency appropriation for the payment of salaries of the officers and employes of the Senate for the session of one thousand nine hundred and twenty-three

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and cosnideration of Senate Bill No. 1211, entitled:

An Act providing for the rebuilding of county bridges over two hundred feet in length on improved primary State Highway routes in counties of the seventh and eighth classes by the State Highway Department at the expense of the Commonwealth.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and cosnideration of Senate Bill No. 1212, entitled:

An act to amend clauses (b) and (c) of section fifty-six of an act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates, including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians and trustees herein designated as fiduciaries, the administration and distribution of the estates of presumed decedents widow's and children's exemptions, debts of decedents, rents of real estates as assets for payment thereof, the lien thereof, sales and mortgages of real estate, for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof, contracts of decedents, for the sale or purchase of real estate legacies, including legacies charged on land, the discharge of residuary estates, and of real estate from the lien of legacies and other charges, the appraisement of real estate devised at a valuation, the ascertainment of the curtilage of dwelling houses or other buildings devised, the abatement and survival of actions, and the substitution of executors and administrators therein and suits against fiduciaries, investments by fiduciaries, the organization of corporations to carry on the business of decedents, the audit and review of accounts of fiduciaries refunding bonds, transcripts to the court of common pleas of balances due by fiduciaries, the rights, powers and liabilities of non-resident and foreign fiduciaries, the appointment, bonds rights, powers, duties and liabilities of trustees durante absentia the recording and registration of decrees, reports and other proceedings, and the fees therefor, appeals in certain cases, and also generally dealing with the jurisdiction, powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," so as to permit the orphans' court in its discretion to permit a bank or trust company authorized to act as executor, administrator, or trustee under the laws of the Commonwealth of Pennsylvania appointed as trustee in the place of an executor or executors, trustee or trustees dying, renouncing, resigning, dismissed or refusing to act, to give its own bond without surety.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichal,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1217, entitled:

A Supplement to the act approved the ninth day of July, one thousand nine hundred and nineteen, (P. L. 814), entitled "An act providing for the erection and construction by the Commonwealth of Pennsylvania and the State of New Jersey of a bridge over the Delaware River connecting the city of Philadelphia and the city of Camden and the approaches thereto; providing for a joint commission for that purpose, and defining its powers and duties; providing for an independent commission in this Commonwealth in relation thereto, and defining its powers and duties; providing for the payment of a part of the cost thereof by the city of Philadelphia; and providing for the acquiring, taking, and condemnation of the real estate for the site and approaches thereof; providing for the turning over of said bridge upon its completion; and making an appropriation for the purposes of this act," as amended by an act approved the twenty-sixth day of April, one thousand nine hundred and twenty-one (P. L. 287); extending the power and authority of the Delaware River Bridge Joint Commission and its successors to provide for equipment of the Delaware River Bridge with facilities for railway, railroad, motor bus, vehicles, or other means of transportation; also for telegraph, telephone, electric or other public service facilities; authorizing operation, maintenance and leasing thereof; providing for the fixing and collection of charges, rates, rentals or tolls therefor; and authorizing the making of contracts or leases for use and occupation of property acquired.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. VARE. Mr. President, I think it might be well to explain to the Senate the purpose of this bill. This is a bill to amend the so called Delaware Bridge Act. This would give the bridge commissioners of Pennsylvania the necessary authority to regulate the operation of the bridge between the two states.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1218, entitled:

An Act to amend section three of article eighteen of the act approved the twenty-fifth day of June, one thousand nine hundred and nineteen, (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth;" providing that when indebtedness made by council is assumed, funded or refunded with the assent of the electors, said indebtedness shall thereafter be excluded in computing the amount incurred by council without the assent of electors.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Mr. VARE. Mr. President, this bill is intended to provide a condition whereby the municipalites can transfer from one loan account to another. In other words, in Philadelphia we have what is known as a councilmanic borrowing capacity, also what is known as an electorate borrowing capacity. For instance, by way of illustration, we sometimes pass an ordinance in councils for the opening of a certain street and unless we have in advance a permanent fund the cost of the opening of that street always remains a councilmanic loan. There is no way of wiping it out, whereas if we have a lump sum loan in advance it then becomes a part of the electorate loan system. This bill in endorsed by all of the experts that have had to do with the municipal government.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1222, entitled:

An Act making an appropriation to the Sacred Heart Hospital of Allentown Lehigh County Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1223, entitled:

An Act appropriating to the Department of Publications the unexpended balances of appropriations heretofore made to the Department of Public Printing and Binding including the Division of Documents

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 327, as follows:

An Act to provide for the personal registration of electors in cities of the second class of this Commonwealth to make such registration a condition of the right to vote in such cities to provide penalties for violation of its provisions repealing all acts or parts of acts inconsistent herewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act be known and may be cited as "The personal Registration Act" in cities of the second class

Section 2 "Commissioners" as used herein has reference to Registration Commissioners "Oath" includes affirmation and "Swear" includes affirm whenever used Election "district" includes election division All reference to public officers or municipal authorities where not otherwise specified shall be understood to refer to the authorities of the proper county or judicial district "Party" as used herein has reference to a political party which at the last election polled two per centum of the vote cast in any city or election district for the candidate receiving the largest vote therein "Register" means the book containing or to contain the registry list of electors prepared by the registrars "General Election" means the election held in even numbered years "Municipal election" means the election held in odd number years The masculine gender shall be held to include the feminine

Section 3 The Governor of the Commonwealth shall at the expiration of the terms of the existing Commissioners in said cities and in every fourth year thereafter appoint a Board of Registration Commissioners for each city of the second class wtihin the Commonwealth consisting of four duly qualified electors of said city not more than two of whom shall be members of the same political party the Commissioners shall hold office for a term of four years or until their successors qualify any commissioner may be removed for cause by the Governor any vacancy in a Board of Commissioners shall be filled by the Governor within ten days after the vacancy occurs and the person appointed to fill such vacancy shall hold office during the remainder of the term of the Commissioner in whose place he was appointed the Commissioners shall be men or women of high moral character and ability shall be appointed and shall make all their appointments and shall conduct their office for the sole purpose of securing an honest impartial accurate and complete registration of electors the Commissioners shall receive a compensation at the rate of three thousand ($3,000.00) dollars per annum said compensation shall be paid by the Treasurer of the proper county

Section 4 As soon after their appointment as may be the Commissioners shall organize by selecting a chairman and a secretary who shall not be members of the same party the concurrence of three commissioners shall be necessary to any affirmative action except as may be otherwise provided herein the Commissioners shall keep a record in permanent form of all their proceedings their records shall be open to the public at all reasonable times and they shall make an annual report to the Governor they shall have power to administer oaths

Section 5 The Commissioners shall not later than August fifteenth of each year appoint two registrars for each election district The registrars must be duly qualified electors of said city and shall have been residents of the city for a period of two years immediately preceding their appointment They need not be residents of the election district to which they are assigned They must be sober and judicious persons of good moral character able to read intelligently and write legibly No person who holds or is a candidate for public office shall act as registrar No city county state or federal employee nor any officer or member of any political party committee shall act as registrar One of the registrars shall be a member of the party polling the highest vote within the election district at the last preceding general election and one shall be a member of the party polling the next highest number of votes at said election

Section 6 Each applicant or person considered for appointment as registrar shall sign and swear to a petition which shall set forth the name address and occupation of the applicant with such other facts showing his qualifications and character as the Commissioners may prescribe The petitions shall be open to public inspection No appointments shall be made unless the person to be appointed has personally appeared before the Board of Commissioners and has satisfied it of his qualifications but in case of a re-appointment it shall not be necessary for the person seeking re-appointment to appear in person One week's notice of the time and place of examination of applicants for appointment as registrars shall be published by the Commissioner in two daily newspapers in said city Any elector of said city may appear at the time and place appointed for said examination and being duly sworn testify wherein any person applying for appointment does not possess the requisite qualifications Any person appointed as registrar and found not to be properly qualified may be removed from his office by the Commissioners Nothing herein contained shall be held to prevent the Commisioners from receiving applications for appointment as registrars after the date of said public examination or of appointing registrars from said subsequent applicants

Section 7 No person shall be appointed a registrar unless the appointment is approved by three commissioners Provided That if two commissioners have concurred in approving three persons successively to fill one position and the other two commissioners have concurred in objecting to said persons the Commissioners first referred to may approve three other names and from these six the other two commissioners must select the registrar

Section 8 Any person so appointed a registrar must perform his duties as prescribed by this act unless excused therefrom by the Commissioners for the cause shown The registrars shall receive a compensation of ten dollars per day for the time actually spent in registration

Section 9 The registrars of each election district shall meet at the polling place thereof in even numbered years on the ninth Thursday the seventh Tuesday and fifth Saturday preceding the November election which shall be known as the Fall registration on the fifth Wednesday preceding the Spring primary which shall be known as the Spring registration and in odd-numbered years on the ninth Thursday eighth Tuesday and eighth Saturday preceding the November election which shall be known as the Fall registration They shall remain in open session from seven ante-meridian to eleven ante-meridian and from four post meridian to ten post meridian of each registration day They shall on said days receive personal applications from persons who claim that they are entitled to be registered They shall have power to administer oaths shall examine said applicants under oath and shall record on the register the names of those whom they shall determine to be qualified as hereinafter provided Two weeks' notice of the registration days shall be given by the Commissioners by publication in at least two daily newspapers in the city and by posting notices at the polling places Electors who did not register at the Fall registration may register at the Spring registration and the lists shall become of no calidity at the beginning of the period of Fall registration next succeeding that at which the registers were opened The old registers shall be preserved by the Commissioners for at least two years after the year in which they are in use

Section 10 Every person claiming the right to vote must appear in person before the Registration Commissioners or the clerks authorized by them or before the tenth Thursday preceding the November election in either the odd or even numbered years or before the registrars in the district in which he lives on one of the days prescribed by law and answer the questions put to him by the Registration Commissioners or their authorized clerks or the registrars Provided That no person except those authorized by law as hereinafter provided may be registered before the board of Registration Commissioners during the period between the tenth Thursday preceding the November election in either the odd or even numbered years and the fourth day following the general or municipal elections in November nor during the period between the sixth Wednesday preceding the Spring Primary and the fourth day following the Spring Primary in even numbered years Those persons registered in the office of the Registration Commissioners shall have set opposite their names the date registered and the initials of the Commissioner or authorized clerk who accepts the registration Before the registers shall be taken from the office of the Commissioners by the registrars the Commissioners shall enter their initials in red ink on the line immediately after the last name registered in each alphabetical letter in both the Voting Check List and the Ballot Check List in every district of the city The answers given by the applicant must be recorded on a single line in the two registers which shall have the following form

Surname	Christian Name	Occupation	Number and Street	Lodger, Lessor or Owner	Present Residence or floor Occupied
1	2	3	4	5	6

Length of Residence		Place of Residence at Time of Last Registration				Place of Birth
In State	In District	State	City	Street and Number	Date of last registration	
7	8	9	10	11	12	13

Naturalization papers produced. Yes or No	No. of affidavit of Naturalization of Father if taken.	Tax Receipt Produced, Yes or No	No. of affidavit of loss, if taken. If under 22 years of age, write "Age."
14	15	16	17

Personal Description			
Color	Approximate age	Approximate weight	Designation of Political Party for Primary Vote.
18	19	20	21

Signature at time of Registration	If challenged No. of challenge	Signature at time of Voting
22	23	24

VOTED

These columns are for use at elections and are not to be filled in by registrars.

Fall Primary	November Election	Spring Primary	Special Election
25	26	27	28

The size and character of said register shall be determined by the Secretary of the Commonwealth and the form thereof shall be furnished by the said Secretary to the respective commissioners

Immediately above the form shall be printed the following instructions The applicant must be sworn or affirmed that the information given by him in reference to his right to be registered shall be the truth Any wilful false statement constitutes perjury and is punishable as such

Every register shall be indexed alphabetically from A to Z The lines of each page shall be consecutively numbered in both margins beginning with number one at each alphabetical division of the register The answers of the applicants shall be recorded in their presence in both registers in the following manner In the first column shall be entered the surname of the applicant in the order of his appearance at the polling place on the page bearing the index letter of his surname in the second column shall be entered his Christian name or names in the third column his occupation in the fourth column the street and number of his residence in the fifth and sixth columns whether he is a householder lodger lessor lessee or owner and if he is a lodger the room or floor which he occupies in the seventh and eighth columns shall be entered the length of his residence in the State and district respectively in the ninth tenth eleventh and twelfth columns the location of the house from which he last registered giving State city street and number respectively and the year in which he so registered in the thirteenth column the State or territory of the United States or the foreign county where he was born in the fourteenth column whether being foreign born he produces his naturalization papers in the fifteenth column the number of the affidavit of naturalization of his father if taken in the sixteenth and seventeenth columns the manner in which he complies with the law relating to the payment of taxes as a qualification of the right to vote whether by the production of his receipt or by making affidavit if the applicant is less than twenty-two years of age the word "age" shall be recorded in said columns in the eighteenth nineteenth twentieth and twenty-first columns his personal description designating whether white or colored his approximate age hight and weight in the twenty-second column the designation of the political party of the elector for the purpose of voting at the next succeeding primary or primaries in the twenty-third column in the register marked "voting check-list" he shall be required to sign his name if able to write if he alleges inability to write a record of the fact shall be made in the same column and unless due to some apparent physical infirmity he shall be required to make affidavit of his inability to write in the twenty-third column in the register marked "ballot check list" he shall if challenged on election day be required to sign his name in the twenty-fourth column shall be entered the number of the challenge affidavit of every person who is required to take said affidavit in the twenty-fifth twenty-sixth twenty-seventh and twenty-eighth columns the election officers shall record in one register the obtaining of the ballot and in the other the casting of the vote of the registered elector at the fall primary November election Spring primary or special election as hereinafter provided or as may hereafter be provided by law

Section 11 Any person possessing all the other qualifications of an elector as provided in the Constitution and laws of this Commonwealth but who has not been assessed for an occupation tax as required by law and has not paid a state or county tax which would entitle him to vote may apply to the registrars at his district registration place of any registration day prior to two months preceding the next November election to be assessed and the registrars if satisfied the applicant has the required qualifications may assess the person or persons so applying the application and assessment to be made on forms provided by the Board for Assessment and Revision of Taxes of the County who shall furnish to the registrars of each election districts a list of the persons assessed in the district on which list the County Treasurer shall indicate those persons who have not paid their occupation tax and the registrars shall make a return to said board of Assessment and Revision of Taxes of the records of the assessment of said persons and said Board shall add the names of said persons to the list of taxables in their office and shall certify such additional names of taxables to the County Treasurer in the manner required by law And the registrars may at any registration day more than one month preceding the November election accept the occupation tax with ten (10%) per centum additional for collection of the same from the persons assessed by them at any registration day or from any elector of the district who has not paid his occupation tax and issue tax receipts therefor which receipts shall be furnished to the registrars by the County Treasurer the registrars shall on the day succeeding the last registration day pay to the County Treasurer the amount of all taxes received by them and shall return to said Treasurer all stubs of tax receipts issued and all unused tax receipts the County Treasurer shall delegate one of the registrars at each registration place as his agent to receive the occupation tax of citizens of the district herein authorized and shall require a bond in a reasonable sum for the faithful accounting and payment of the taxes received the cost of said bonds to be paid as part of the expenses of the office of Registration Commissioners and all persons assessed who pay taxes to the registrars may be registered

Section 12. Any person claiming the right to register may be challenged by a registrar or by any qualified elector of the city also the registration commissioners or clerk acting for them any person so challenged shall answer the questions of the challenge affidavit as herein specified and after the answers have been recorded shall sign if able to write and swear to the truth

He shall also make affidavit at the same time to the truths of his answers as recorded in the register if able to read and which shall be deemed to have been examined or have had the same read to him the affidavits of all persons so registered shall at the close of each day of registration be numbered and filed the challenge affidavit shall be in the following form

No...................

................Election Division................

Ward..............

County of...

State of Pennsylvania S S

City of...

What is your full name?.................................

Are you married or single?..............................

If married where does your family reside?................

....

If single where do your parents reside?.................

Where did you actually reside immediately prior to taking up your present residence?..........................

....

Give your residence for the past four months............

....

What is the name of your present employer?..............

....

Where is his place of business?.........................

....

What is the name of your last employes?.................

....

Where is or was his place of business?..................

....

Have you read the information given by you as recorded in the register?...

....

....

....

I the undersigned do solemnly swear (or affirm) that I have read the information recorded opposite my name in the register of the...........Division of the............ Ward on page........ and that said information as well as that recorded in this affidavit is the truth

.............................and subscribed

............................day of

.... nineteen ....

....

(Signature of Applicant)

....

Registrar

Registrar's Description of Applicant

Distinguishing Marks ....

Other peculiarities ....

Color of hair ....

....

....

Registrars.

The challenged applicant shall produce such further proof as the law requires challenged persons to produce on election day and it shall be the duty of the registrars to require it before permitting the applicant to be registered All persons claiming the right to vote by reason of naturalization shall be required to produce the proper naturalization papers or a certified copy thereof before they shall be registered But no such person shall be required to produce his papers a second time in the same district unless he is challenged Provided that any person claiming citizenship by reason of the naturalization of his father may be registered either by the production of his father' papers or a certified copy thereof or making affidavit that their father was naturalized at a time when the applicant was less than twenty-one years of age and that he is unable to produce their father's papers Whenever the applicant is rejected after a portion of the record has been filled in a red line shall be drawn through the record already made and the registrar shall note on said line the reason for the rejection and shall add his or her initials thereto

Section 13 It shall be the duty of the Board of Registration Commissioners to actively supervise the registration of voters The Board by advertisement in two or more daily newspapers and posters shall advise the electors of the city as to their duty and privileges and shall endeavor to secure a complete registration of the electors The Board shall have authority to appoint as many inspectors as it may deem necessary to supervise the registration in any district where it may suspect that fraud will be committed One or more inspectors may be assigned to any district as the Board of Commissioners may deem proper Inspectors need not be residents of the district to which they are assigned They shall have all the powers of police officers and shall protect the registrars and electors in the performance of their duties and the exercise of their rights and from all intimidation obstruction or interference and shall assist the registrars in enforcing the law Inspectors may remain in the registration place during the registration of voters Inspectors may challenge all persons whom they consider unqualified to register They shall keep a record of the proceedings during the registration days and shall make a report thereof to the Board of Commissioners Inspectors shall receive compensation not to exceed ten dollars ($10) per day

Section 14 At the end of each day's registration the registrars shall compare the two registers so kept and cause any errors in either of them to be corrected by aid of the entries in the other so as to make the same agree where there is any difference between them Both registrars shall then sign their initals in the line immediately under the last name registered under each letter in both books together with the date At the close of both fall and spring registrations the registrars shall sign certificate the forms of which shall be printed on the last page of the register setting forth the number of persons registered on each day and the number of names which have been stricken out if any

Section 15 The registrars shall at the annual fall registration prepare two "Street Lists" of all names registered These lists shall contain the names of the electors and their addresses in the order which their residences appear upon the streets of the district One of said street lists shall be hung outside of the polling place and shall remain in that position until the next election The other shall be returned to the office of the Commissioners and such number of exact copies of it shall be printed in pamphlet form as the Commissioners shall find necessary to satisfy any legitimate demand therefor and shall be ready for distribution as soon after the last registration day as they can be printed The printing of said street lists shall be made by contract to as many printers as the Board of Commissioners may deem necessary to facilitate the prompt printing thereof

Section 16 If any citizen shall object to the action of the registrars in accepting or rejecting any claim for registration he may file his petition duly sworn to by said citizen with the Commissioners setting forth the ground of his complaint If the complaint is to the acceptance of a claim notice to the claimant shall be given by leaving a written notice or printed notice at his place of residence as given by him to the registrar and recorded in the register When such petitions are filed the commissioners shall fix a time and place for hearing them sufficiently in advance of the election to enable the same to be heard and disposed of prior thereto and to have a review thereof by the courts Such hearing shall be public before the commissioners and the register of voters may be amended either by the insertion of a new name or the cancellation of a name already on the register or otherwise as the commissioners may order The commissers may enforce their orders as herein provided or may make the amendments themselves or by their clerks All such applications for correcting the register must be made not later than two weeks prior to a general or municipal election

The applicant or any elector who is not satisfied with the decision of the commissioners may petition the court of common pleas setting forth the reason why he feels that injustice has been done and thereupon the said court of common pleas may in its discretion allow an appeal to it from the decision of the commissioners The said court may then fix a day for a public hearing of which notice shall be served by the petitioner upon the commissioners and upon the person or his attorney who opposed his contention before the commissioners together with a copy of the petition at least five days before such public hearing may take place proof of which must be exhibited to the court The Said court after such public hearing may reverse affirm or alter the decision of the commissioners Such petitions for appeals must be filed not later than ten days preceding an election Any qualified elector who has by himself or his duly authorized agent or attorney paid his taxes after the last day of Fall Registration and on or before the final day for the payment of the same in the odd-numbered years or any quailfied elector who will arrive at the age of twenty-one years between the primary election and the next succeeding election or any elector who has become qualified by reason of naturalization or residence in the division in which he seeks to be registered between the primary election and the next succeeding election may on the twentieth day preceding the election in odd numbered years present his petition to the commissioner setting forth the fact as to the payment of his taxes and giving in detail the information required to be recorded in the register and praying that his name may be added to the register in the proper division If the facts are proven to the satisfaction of the commissioners subject to the same conditions as though the applicant for such registration had presented himself for registration before the board of registrars of his district they shall order the name of the petitioner to be inserted in the register in the proper place

Any quaified elector who is too ill to appear at the polling place on all of the registration days or who was unavoidably absent from the city on all such days may at any time but not less than ten days before any election present his application to the Commissioners setting forth the facts as to his illness or unavoidable absence and setting forth in detail the information required to be recorded in the register and praying that his name may be added to the register of the proper division When the facts are proven to the satisfaction of the Commissioners they shall order the name of the applicant to be inserted on the register in the proper place However any qualified elector of the division shall have the right to challenge and to require proper proof of identity as in the case of registry before the registrars and if any person is not satisfied with the decision of the Commissioners he may appeal to the Court of Common Pleas as in other cases The Commissioners shall also have the power and it shall be their duty to investigate on their own motion any irregularities in the registration of electors and shall have power to summon witnesses to examine them under oath to require the production of the books and papers of the registrars and to correct the registers by striking off the names which they may find to be illegally registered The Commissioners shall have the authority to summon such number of registrars as in their judgment may be necessary to assist them in carrying into effect the provisions of this section and to employ such other assistants or investigators as may be necessary to make such investigations If any witness or registrar duly summoned by subpoena fail or refuse to appear before the Commissioners at time and place specified in said subpoena it shall be the duty of the Commissioners to appear before the Court of Common Pleas submitting the facts of such neglect or refusal to appear by any witness or registrar and praying that a writ of attachment may issue The Court of Common Pleas shall act on the prayer of the Commissioners as provided by law Registrars when summoned by the Commissioners under this section shall be entitled to and receive the same compensation as is received by registrars under the existing law for registration services All persons filing appeals or petitions with the Commissioners praying action on their part shall have privilege of having subpoenas issued by the Commissioners to compel the attendance of witnesses and shall pay therefor at the rate of twenty-five (25¢) cents for each subpoena issued which shall be in the same form and have the same force and effect as subpoenas now issued by the several courts of law of this Commonwealth All witnesses subpoenaed to appear before the Registration Commissioners shall be entitled to receive one dollar and fifty cents ($1.50) each per day as witness fees for their attendance registrars excepted When witnesses so subpoenaed shall have entered their appearance upon the day or days set for the hearing or hearings the person or persons who shall have petitioned the hearing requiring the presence of said witnesses shall pay to the Recorder of the Board of Commissioners the amount due as witness fees which amount the Recorder shall in turn disburse among the witnesses according to their prorata share as soon after the conclusion of the hearing as possible Witnesses summoned to attend hearings called by the Registration Commissioners of their own volition shall be entitled to the same rate of compensation as witnesses subpoenaed to attend hearings petitioned by other persons and the moneys reecived to pay such fees shall be provided by the County Commissioners in each county in the same manner as is now provided by law for the payment of all other necessary and legal expenses of a registration commissioner All money paid for such subpoenas shall be paid to the County Treasurer by the Registration Commissioners

Section 17 The registrars designated to keep the two registers shall obtain at the office of the commissioners the blank books form and other supplies prepared for their use before the first registration day in the Fall and before the Spring Registration day and shall have the same at the polling place on said days On registration days and during the time from one such day to another until the close of the Fall Registration period the said registrars shall have the custody and control and shall be charged with the safe-keeping of the registers in which they have made entries together with all affidavits forms et cetera which have been taken in duplicate as hereinafter provided During the same period the registrars shall be charged with the safe-keeping of the street lists which are in course of preparation by them At the close of the registration and before twelve o'clock noon on the following day the registrars who have been charged with the keeping of the registers shall deliver the same with one street list all affidavits vouchers unused forms et cetera to the commissioners at such place as may be designated by them The said papers and books shall remain on file at a place designated by the commissioners open to public inspection under proper regulation for their safe-keeping subject however to further provisions of this act The commissioners shall have power to appoint a recorder who shall have power to administer oaths and to fix his compensation at two thousand five hundred dollars per annum a clerk who shall receive a salary of two thousand dollars per annum a stenographer who may act as clerk who shall receive a salary of one thousand eight hundred dollars per annum and a clerk who shall receive a salary of fifteen hundred dollars per annum and as many other clerks as may be necessary at a compensation not exceeding five dollars per diem and a counsel whose compensation shall be two thousand dollars per annum Such counsel shall advise the commissioners from time to time regarding their powers and duties and the rights of electors and concerning the best methods of legal procedure for carrying out the various provisions of this act and shall appear for and represent them on all appeals taken from their decisions or orders to the courts of common pleas as hereinbefore provided It shall be the duty of such counsel to represent the Commissioners in the prosecution of any person or persons charged with violations of this Act and to advise consult and co-operate with the District Attorney in the prosecution of such person or persons

The County Commissioners of each county upon proper vouchers shall provide for the payment of the commissioners registrars and other officers or clerks provided by this act They shall furnish proper rooms for the accommodation of the commissioners and their records They shall also at the direction of the commissioners prepare and have printed at the expense of the county all registers street lists affidavits blanks blank books and stationery required by the provisions of this act or which in the judgment of the commissioners are reasonably necessary to carry out its provisions and shall provide for their proper distribution to the commissioners and their registrars It shall also be their duty to see that the polling places are open and in proper order for the use of the registrars They shall also deliver the two registers to the election officers in the manner in which they are or may be required to deliver other election materials for use on election day

Section 18 Any person whose name is on the register shall be entitled to vote at any general special primary or municipal election unless it shall be shown to the satisfaction of the election officers that he has been disqualified since registration Provided That no person shall vote at a primary unless he has designated at the registration under the law the party whose ballot he desires to vote at the primary And further provided That if a special election or Fall primary shall intervene between registration day and the next general or municipal election the presence of the name of an elector on the list shall not be conclusive evidence of his qualifications as to length of residence or payment of taxes at said special election or primary If his name is not registered he shall not be entitled to vote at any election or primary Before receiving his ballot ever voter shall satisfy the election officers of his identity and if challenged by signing his name in the place provided for that purpose if able to do so and by the production of such other evidence as is or may be required by law

Section 19 After the polls are closed the election officers having charge of the registers designated as the "ballot check list" and the "voting check list" shall sign their names at the foot of the column checked and under each letter of the alphabet and shall immediately count the names checked as voting and announce the result before the ballot box is opened The registrers shall be immediately sealed in an envelope and shall be returned to the custody of the registration commissioners when the ballot box and other election returns are delivered to the proper officers

Section 20 Any person employed in the service of this State or in the service of the Federal Government and required thereby to be absent from the city wherein he resided when entering such employment shall on petition to the registration commissioners verfied by affidavit and without appearing personally before the commissioners be registered as of the district wherein he shall have resided prior to entering such service In such case a residence by street and number shall not be required but the person shall be registered as of the proper district In the case of persons employed by this Commonwealth no such petition shall be considered unless it be accompanied by a certificate from the Auditor General under the seal of his office setting forth that the proper person is actually employed in the service of this Commonwealth and also seting forth the nature of such employment and the time when such person first entered such employment in the case of persons employed by the Federal Government no such petition shall be considered unless it be accompanied by a certificate from the head of the proper department or chief of the proper division or bureau under the seal of his office setting forth that the person is actually employed in the service of the United States and also setting forth the nature of such employment and the time when such person first entered such employment no such person shall be registered unless he shall produce to the registration commissioners satisfactory proof that he is by payment of taxes and otherwise entitled to registration when any such person so registered shall vote he shall be required by the proper election officers to sign the ballot check list of proper district the petitions required by this act shall be upon blank form from which shall be prepared by the proper registration commissioners and shall be by them furnished on written application

Section 21 The Secretary of the Commonwealth shall from information to be obtained by him from appropriate military or naval authorities or otherwise prepare a general register on cards by second class cities in which shall be entered the names of the voters of the city absent from their respective election districts in time of war in the actual military or naval service of this State or the United States the cards in each such city group shall be arranged in the alphabetical order of the names of the electors Such card register shall contain the name and residence of each such absent voter by street and number if any and the name of the city or town in which he resides as so far as the Secretary of the Commonwealth can ascertain the same The card for each absent elector shall contain also the name and number or other designation of the regiment company troop vessel or other command to which such voter is attached or assigned It shall contain also the location of such command at the time of such entry so far as the Secretary of the Commonwealth can ascertain the same unless there are military reasons for omitting such information Such registers shall be forwarded by the Secretary of the Commonwealth to the Board of Registration Commissioners of the proper city

Such general register shall be made public record and shall at all reasonable times be open for inspection by any elector of any second class city It is hereby made the duty of every public officer and every citizen to furnish to the Secretary of the Commonwealth such information as he may possess relating to such absent voters

Section 22 Every keeper of a hotel lodging house boarding house or rooming house in second class cities shall cause to be kept a register showing the name residence and date of arrival and departure of his guests or lodgers and the rooms or beds occupied by them which register shall have a place in the space containing the record of each guest in which he shall sign his name Not less than ninety (90) days before each primary general or special election each keeper of a hotel lodging house boarding house or rooming house in said cities shall cause to be made and to be delivered or sent by registered mail to the Registration Commissioners a sworn report containing a detailed description of the premises used as such hotel lodging house boarding house or rooming house including the size and character of the building or if only part of the building is so used or there be more than one building on the premises a description of the particular building or part of building so used and the names of the guests or lodgers therein and all employees and members of his family who claim a voting residence at or in such hotel lodging house boarding house or rooming house together with the length of time they have been regularly living therein the beginning of such residence the color age height weigth color of hair marks on face or hands the complexion or any distinguishing marks of face or body whereby such person may be identified the place of their nativity the occupation and place of business of such person and whether such person is a guest lodger keeper owner lessee or otherwise

An affidavit shall be appended to each report and shall be made by the keeper of the hotel lodging house boarding house or rooming house or in case of his absence or disability by the person whom as manager agent or employee the hotel lodging house boarding house or rooming house is actually conducted

The keepers of such hotels lodging houses boarding house or rooming houses or his representative duly deputed thereto shall question each person lodging in such hotel or house as to his intention of claiming such place as a voting residence and if the person is questioned shall make such claim they shall state the facts regarding themselves as required for the report provided for herein

When such report is received by the Commissioners it shall be kept in his office A transcript of only so much of the report as will show the names and descriptions of the persons intending to vote from the hotel lodging house boarding house or rooming house and the location of such hotel or house shall be for public inspection The Commissioners shall after a verification of all registrations from said hotels lodging houses boarding houses or rooming houses deliver the said report forthwith to the Superintendent of Police in said city

The keeper of any hotel lodging house boarding house or rooming house or the landlord agent or any representative of the keeper of said house if reauested by the Commissioners or the Superintendent of Police or persons deputized by them at any time shall give a list containing the name of every person of twenty-one years of age and upwards who reside in such hotel boarding house lodging house or rooming house and the period that each has resided there and such other information as may be required by the Registration Commissioner or the Superintendent of Police

Throughout the year the Registration Commissioners and Superintendent of Police of second class cities shall ascertain and keep a record of all persons who by reason of death removal conviction or otherwise have lost the right to vote from the address from which they were registered in the last preceding primary general special or municipal election Such police authorities in second class cities shall use in that connection the pamphlet list of registered voters provided, by the Commissioners

In any city of the second class the Commissioner shall provide such necessary clerical assistance in copying registration lists as the Superintendent of Police may require The Superintendent of Police of second class cities shall two weeks before the first day of Registration transmit to the Registration Commissioners a report so far as known to such officers of the persons whose names are shown on such registration lists who are no longer entitled to vote from the address on such list and the reasons therefor

The Commissioners and the Superintendent of Police of second class cities who receive a report as to persons registered claiming a hotel lodging house boarding house or rooming house as a voting residence shall if there is reason to believe that any person whose name is contained in such report is not entitled to vote cause an investigation as to such persons to be made by the police or otherwise as may seem fit A report of the police or other investigators therein shall be in writing and shall be transmitted forthwith to the Registration Commissioners a report so far as known to such false registration the Commissioners shall forward a copy thereof to the District Attorney of the County and in addition thereto shall act as the prosecutors in the case of any person so offending

The police authorities of second class cities shall make an investigation as to each person registered for any primary general or special election and six days before such election shall make a brief report to the Registration Commisioners of any iregularities as to persons so registered

For the purpose of this section any member or authorized subordinate of the Commissioners or any member of the police force in pursuance of his police duties may visit and inspect any hotel lodging house boarding house or rooming house dwelling or apartment house and interrogate any inmate house dweller keeper care taker owner proprietor leasee or landlord therein as to any persons residing or claiming to reside therein or thereat and may inspect or copy any register of guests or ledgers or other documents relating to the registration or qualification of voters

Any hotel lodging house boarding house rooming house dwelling house or apartment house keeper caretaker landlord manager or agent police officer or other persons who shall wilfully make a false statement orally or in writing to the Commissioners relating to the qualifications of any persons to vote at the primary general special or municipal election shall be deemed guilty of misdemeanor and upon conviction thereof shall be sentenced to pay a fine of one thousand ($1,000.00) dollars or suffer imprisonment for a period of one year or both at the discretion of the court

Section 23 Any person who wilfully disobeys a lawful order of the Commissioners or refuses to obey his subpoena duly issued and served under the provisions of this Act shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars or to undergo imprisonment not exceeding two years or both at the discretion of the court Any wilful false statement made under oath by any person in relation to any matter or thing concerning which he shall be lawfully interrogated by the personal registration commissioners or registrars or contained in any affidavit required to be made by this act shall be perjury and any person upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars or to undergo imprisonment not exceeding two years or both in the discretion of the Court

Any registrar who intentionally registers or permits to be registered a person not lawfully entitled to be registered or who intentionally refuses to register a person lawfully entitled to be registered or who intentionally assists in preventing such person from being registered shall be guilty of a misdemeanor and upon conviction be sentenced to pay a fine not exceeding one thousand ($1,000) dollars or to undergo an imprisonment not exceeding five years or both at the discretion of the Court

Any person who registers or applies for registration knowing that he is not entitled to be registered or who falsely impresonates another in an application for registration or knowingly offers false naturalization papers or a fraudulent tax receipt to establish his claim to be registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced for every such offense to pay a fine not exceeding one thousand ($1,000) dollars or to undergo an imprisonment not exceeding three years or both in the discretion of the court

Any registrar who inserts or intentionally permits to be inserted the name of any person of the registry list without proper application in person during the hours of registration on a registration day on the part of the person registered or without requiring the proper evidence of the right of the applicant to be registered or who alters any registry list after the entry has been duly made except upon an order of the court or of the Commissioners or who makes entry therein at any time other than during the hours of registration or in the presence of the other registrar and any registrar or any other person who makes or assist in making or permits to be made any fraudulent entry in any register shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars or to undergo an imprisonment not exceeding five years or both in the discretion of the court

Any election officer who knowingly refuses the vote of a duly registered and qualified elector or who knowingly accepts the vote of a person not registered in accordance with the provisions of this act or who knowingly receives a vote from a person falsely claiming to be a registered voter shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars or to undergo an imprisonment not exceeding five years or both in the discretion of the court

Any personal registration commissioner registrar or other officer or person upon whom a duty is laid or any action required or permitted by this act who shall wilfully refuse to perform his said duty or who shall wilfully violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars or to undergo an imprisonment not exceeding five years or both in the discretion of the court

Section 24 The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions

Section 25 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 335, as follows:

An Act making an appropriation to the Waynesboro Hospital Waynesboro Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand dollars ($5,000) or so much thereoof as may be necessary is hereby specifically appropriated to the Waynesboro Hospital Waynesboro Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the persons so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 377, as follows:

An Act making an appropriation to the Chestnut Hill Hospital of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum one thousand dollars ($1,000) or so much thereof as may be necessary is hereby specifically appropriated to the Chestnut Hill Hospital located at Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 525, (House Bill No. 380), entitled:

AnAct to amend section one of the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand seventy-two) entitled "An act providing a method of establishing title to land acquired at a sale for unpaid taxes"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 627, as follows:

An Act making an appropriation to the Lankenau Hospital of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-two thousand five hundred dollars ($22,500) or so much thereof as may be necessary is hereby specifically appropriated to the Lankenau Hospital of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 725, (House Bill No. 852), as follows:

An Act to amend sections four seven and section nine as amended of an act approved the twenty-second day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand ninety-three) entitled "An Act creating in counties having a population of from eight hundred thousand to one million five hundred thousand a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners fixing their salaries payable by the county defining the powers and duties of such board and regulating the assessment of property and occupations for State and county purposes authorizing the appointment of subordinate assessors and clerks defining their duties and providing for their compensation payable by such counties imposing a penaltiy on subordinate assessors for failure to comply with certain provisions of this act and abolishing the office of ward borough and township assessor in so far as respects the assessment of property and occupations for State and county purposes" by exempting buildings and structures in the course of erection and providing for the placing of borough and township assessments in public places

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven of an act approved the twenty-second day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand ninety-three) entitled "An Act creating in counties having a population of from eight hundred thousand to one million five hundred thousand a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners fixing their salaries payable by the county defining the powers and duties of such board and regulating the assessment of property and occupations for State and county purposes authorizing the appointment of subordinate assessors and clerks defining their duties and providing for their compensation payable by such counties imposing a penalty on subordinate assessors for failure to comply with certain provisions of this act and abolishing the office of ward borough and township assessors in so far as respects the assessment of property and occupations for the State and county purposes" is hereby amended to read as follows

Section 1 That section seven of said act is hereby amended to read as follows

Section 7 When the triennial assessments shall be fixed either for the whole county or in districts thereof notice of that fact shall be given by publication in at least two newspapers of the county of the time when appeals will be heard and a copy of the assessments made in boroughs and townships shall be placed in some public place in each such borough or township by the assessor After the hearing of appeals the board shall take such action in regard thereto as may be right and proper

Section 2 That section nine of said act which was amended by an act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and seven) entitled "An Act to amend section three section five and section nine of an act approved the twenty-second day of July Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws one thousand and ninety-three) entitled 'An Act creating in counties having a population of from eight hundred thousand to one million five hundred thousand a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners fixing their salaries payable by the county defining the powers and duties of such board and regulating the assessment of property and occupations for State and county purposes authorizing the appointment of subordinate assessors and clerks defining their duties and providing for their compensation payable by such counties imposing a penalty on subordinate assessors for failure to comply with certain provisions of this act and abolishing the office of ward borough and township assessor in so far as respects the assessments of property and occupations for State and county purposes' as amended" is hereby further amended to read as follows

Section 9 The subordinate assessors shall between the triennial assessments revise any assessment of valuation according to right and equity by correcting errors and by adding thereto any property or subjects of taxation which may have been omitted or any new property or subjects of taxation which may have come into being since the last triennial assessment but no building or structure in the course of erection shall be assessed for taxation until the same is completed except where such completion is unduly delayed

They shall also add thereto the names of any persons who may have moved into such district and strike therefrom the names of any persons who have removed from such district since the last triennial assessment

The assessors shall also revise assessments and valuations between the triennial aesessments by increasing or decreasing the same where the value of the property or subjects of taxation assessed or valued has changed by reason of any change of conditions thereon or adjacent thereto or in the vicinity thereof or for the reason that the property assessed or valued has been subdivided or laid out into a plan of lots or other subdivision or for the reason that improvements have been placed thereon or added thereto or for the reason that any public or other improvement has been made adjacent thereto or in the vicinity thereof or where for any other reason whatsoever the value of the property has changed and it seems to the board necessary and equitable to make a change in the valuation thereof The assessors shall also between the triennial assessments in all cases where it is apparent that any assessment is not in accord with the generality or uniform standard of assessments revise and correct the same by increasing or decreasing the same where the value of the property or subjects of taxation assessed do not conform to the generality or uniform standard of assessments Provided however That if such revision or correction of such assessment shall increase the amount thereof the owner of such subjects of taxation whose assessment has been so increased between the triennial assessments shall be given at least ten days written notice of such revision or correction and have the right of appeal to the court of common pleas in the same manner as provided in section ten of the act to which this act is an amendment

All assessments required to be made by the subordinate assessors in the years between the triennial assessment shall be returned to the board for the assessment and revision of taxes not later than the first Monday of November of the year preceding the one for which it is made

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 767, as follows:

An Act making an appropriation to the Andrew Kaul Memorial Hospital St Marys Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eight thousand ($8,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Andrew Kaul Hospital St Marys Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical services rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular ward charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 816, (House Bill No. 508), as follows:

An Act to validate certain municipal assessments municipal claims and municipal liens in the several boroughs of the Commonwealth providing for the filing of claims therefor and the proceedings for the collection of such assessments and claims

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever heretofore the council of any incorporated borough of this Commonwealth has required by ordinance and caused to be graded paved curbed or macadamized with brick stone or other suitable material or otherwise improved any public street or thoroughfare or part thereof either cartway or footwalk or has caused sewers to be constructed therein or both pursuant to such ordinance or has caused ornamental lights to be erected pursuant to such ordinance or has by ordinance provided for the assessment against property owners of certain water or lighting rates or both but owing to some defect in the petition action of council notice of publication or other proceeding necessary under existing laws and ordinance to give jurisdiction to such council or because of noncompliance with existing laws as to publication of copies of ordinances and posting of handbills prior to the final passage of such ordinance or because the ordinance itself or the official record book containing the same has been lost mislaid or destroyed or has not been transcribed in the official record book or the time for filing said lien or making said claim has expired or claim has not been filed after notice to do so or for any other reason the cost of such improvement or a portion thereof cannot be legally assessed upon the property bounding or abutting upon the street or part thereof improved or owing to some defect in the statement of claim filed to secure the lien or the failure of the borough solicitor to file the lien in the Court of Common Pleas or to sign the same for the cost of such improvement payment thereof cannot be enforced as was contemplated by the act or acts of the General Assembly under which the improvement was attempted to be made and statement of claim filed now by this act such improvements are made valid and binding and the council of such incorporated borough may cause the property bounding or abutting upon the street or part thereof upon which the improvement has been made or is now being made to be assessed in the manner now provided by law with such a portion of the cost of such improvement as is contemplated by the law under which the improvement was made or attempted to be made or is now being made Such assessment or other assessment heretofore regularly made shall be a lien upon the property assessed The lien shall date from the completion of the improvement for which the assessment is made and shall remain a lien until fully paid and satisfied Provided That a writ of scire facias is issued to revive the same during every period of five years after the lien is filed as hereinafter provided

Section 2 The council of any incorporated borough of this Commonwealth entitled to a lien under this act shall file a lien therefor in the office of the prothonotary of the county within which the property lies within six months after the completion of the work where the improvement is now in progress or within six months after the approval of this act where the improvement is now completed and the same shall be entered upon record as other municipal claims such liens shall state the name of the party claimant which shall be the corporate name of the borough making the improvement name of the owner or reputed owner of the property assessed a reasonable description of the property assessed the amount or sum claimed to be due which shall include interest on the assessment from the completion of the improvement for what improvement the claim is made the date of its completion the date of the assessment for which the lien is filed such lien when so filed shall be prima facie evidence of all matters therein set forth and of the right of the Borough to recover the amount therein claimed to be due together with interest from the date of the lien or completion of the improvement costs and an attorney's commission of five per centum for collecting

Section 3 The claim when so filed shall be proceeded upon for collection by writ of scire facias Provided That this act shall not apply to any proceeding suit or lien wherein a final order or judgment of any court of record has already been made or entered

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. BUCKMAN. Mr. President, I ask that Senate Bill No. 906, (House Bill No. 849), on second reading, entitled:

An Act to amend section one of an act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 907, (House Bill No. 851), as follows:

An Act to amend an act approved the thirteenth day of June Anno Domini one thousand nine hundred and seven (Pamphlet Laws six hundred and forty) entitled "An Act to provide revenue by levying a tax upon the shares of companies incorporated under the provisions of section twenty-nine of an act entitled "An Act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled "An Act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the thirteenth day of June Anno Domini one thousand nine hundred and seven (Pamphlet Laws six hundred and forty) entitled "An Act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled "An Act to provide for the incorporation and regulation of certain corporation" approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled "An Act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred seventy-four and of the supplements thereto approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that from and after the passage of this act every company incorporated under the provisions of section twenty-nine of an act entitled "An Act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four and its supplements for the insurance of owners of real estate mortgages and others interested in real estate from the loss by reason of defective titles liens and incumbrances and every company entitled to benefits of and every company having any of the powers of companies entitled to the benefits of an act entitled "An Act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies shall on or before the last day of February in each and every year make to the Auditor General a report in writing verified by the oath or affirmation of the president secretary or treasurer setting forth the full number of shares of the capital stock subscribed for or issued by such company and the actual value thereof as of December thirty-first preceding which shall be ascertained as hereinafter provided and thereupon it shall be the duty of the Auditor General to assess such shares for taxation at the rate of five mills upon each dollar of the actual value thereof the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits as is not invested in shares of stock of corporations liable to pay to the Commonwealth a capital stock tax or tax on shares and dividing this amount by the number of shares The Auditor General shall have the power and it shall be his duty in case he shall not be satisfied with the correctness of the report as made by the officers of any such company to summon the officers of said company to appear before him upon notice to do so on a day to be fixed by him and to bring with them the books of said company for his examination and he shall have the right to have further evidence to satisfy himself of the correctness of the report made to him on the question of the value of the shares of stock of such company according to the rule hereinbefore stated After the Auditor General shall have fixed the value of the shares of stock in any such company by the method hereinbefore provided and settled an account according to law he shall thereupon transmit to the president secretary or treasurer of such company a copy of such settlement showing the valuation and assessment so made by him and the amount of tax due the Commonwealth on all such shares And it shall be the duty of the president secretary or treasurer of any such company immediately upon the receipt of said settlement to post the same in a conspicuous place in such company's place of business so as to give notice to the shareholders of such valuation and it shall be the duty of the Auditor General to hear any shareholder upon the subject of the valuation of such shares of stock at the Auditor General's office within a period of thirty days from the date of said settlement It shall be the duty of every such company within a period of sixty days after the date of such settlement by the Auditor General at its option to pay the amount of said tax to the State Treasurer from its general fund or collect the same from its shareholders and pay over to the State Treasurer Provided That if any such company shall fail or refuse to make such report or to pay such tax at the time hereinbefore specified or shall make any false statement in such report or shall fail or refuse by its officers to appear before the Auditor General upon notice as aforesaid or shall fail or refuse to produce its books for examination when required to do so by the Auditor General he shall after having ascertained the actual value of each share of the capital stock of such company from the best information he can obtain add thereto ten per centum as a penalty assess the tax as aforesaid and proceed according to law to collect the same from such company Provided further That if the president secretary or treasurer of any such company shall neglect or refuse to post a copy of the settlement in a conspicuous place in such company's place of business immediately upon the receipt of the same so as to give notice to the shareholders such president secretary or treasurer shall be adjudged to be in default and as a penalty for such default such company shall be responsible to the Commonwealth for the amount of the tax assessed against the shareholders of such company And provided further That in case any such company shall collect annually from the shareholders thereof or from the general fund of said company said tax of five mills on the dollar upon the value of all the shares of stock of said company the value of each share of stock to be ascertained and fixed as hereinbefore provided and pay said tax into the State Treasury as hereinbefore provided the shares and so much of the capital stock surplus profits and deposits of such company as shall not be invested in real estate shall be exempt from all other taxation for county or other local purposes under the laws of this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1020, as follows:

An Act to amend an act approved one thousand nine hundred and twenty-three entitled "An act imposing a State tax on Liquid Fuels including all liquids ordinarily practically and commercially usable in internal combustion engines for the generation of power and all distillates of and condensates from petroleum natural gas coal coal tar and vegetable ferments to be paid by distributors as herein defined providing for the collection of such tax and for the distribution and use of the revenues derived therefrom providing for the filing of certificates and reports of the sale of such liquid fuels and the collection of such tax and fixing penalties"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That paragraph (a) in section one of an act approved one thousand nine hundred and twenty-three entitled "An act imposing a State tax on Liquid Fuels including all liquids ordinarily practically and commercially usable in internal combustion engines for the generation of power and all distillates of and condensates from petroleum natural gas coal coal tar and vegetable ferments to be paid by distributors as herein defined providing for the collection of such tax and for the distribution and use of the revenues derived therefrom providing for the filing of certificates and reports of the sale of such liquid fuels and the collection of such tax and fixing penalties" is hereby amended to read as follows

(a) The term "liquid fuels" shall mean all liquids ordinarily practically and commercially usable in internal combustion engines for the generation of power except kerosene fuel oil and gas oil and shall include all distillates of and condensates from petroleum natural gas coal coal tar and vegetable ferments said distillates and condensates being ordinarily designated as gasoline naphtha benzol benzine and alcohols but not restricted to such designations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1047, (House Bill No. 1307), entitled:

An Act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bitumnious coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the districts in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1049, (House Bill No. 1315), as follows:

An Act to amend chapter six article seventeen of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for borough and revising amending and consolidating the law relating to boroughs"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That chapter six article seventeen of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended by adding thereto the following section

Section 51 No person firm or corporation shall introduce electric current for light heat or power purposes without the consent of the borough authorities into the limits of any borough which is furnishing electric current to the inhabitants thereof Provided however That this section shall not apply to any person firm or corporation manufacturing electricity exclusively for his or its own use

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1091, as follows:

An Act to amend sections four hundred and twenty-eight and four hundred and twenty-nine and to repeal section four hundred and twenty-six of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred and twenty-eight of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 428 The tax collector shall keep correct accounts of all moneys collected marking "paid" on his duplicate each taxable with the amount of tax and the date on which paid The collector shall on the first day of each month make a true statement in writing to the secretary of the board of supervisors of all taxes collected during the previous month giving names of taxables and amount collected from each and the total amount received The collector shall pay over on the first day of each month to the treasurer all moneys collected during the previous month and take his receipt for same A complete settlement of all taxes collected shall be made by the collector of taxes with the treasurer not later than three months after the expiration of his term of office Any tax collector who neglects or refuses to comply with the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than one hundred dollars or to be imprisoned for a term not exceeding one year or both

Section 2 That section four hundred and twenty-nine of said act is herebv amended to read as follows

Section 429 (The tax collector may retain out of the taxes collected by them) The compensation due a tax collector or taxes collected and paid over to the treasurer shall be paid on order drawn by the board of supervisors and said collector shall be paid in the same manner such actual printing and postage expenses as shall be incurred bv him in performing his duties The (such) amount of such expenses shall be adjusted by the boards of supervisors

Section 3 That section four hundred and twenty-six of said act which reads as follows

"Section 426 The collector of taxes shall collect the taxes charged in said duplicates and pay over the same to the treasurer or authorities entitled thereto after deducting his commission for the collection thereof All taxes collected before the first day of June shall be paid over within fifteen days thereafter by the collector All taxes thereafter collected during this term of office shall be paid over at regular intervals of one month A complete settlement of all taxes collected shall be made by the collector of taxes with the treasurer not later than three months after the expiration of his term of office" is hereby repealed

And said bill having been read at length the second time, considered and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1105, as follows:

An Act authorizing county commissioners to appropriate money for the compilation and publication of a County War History

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners of any county may either independently or in connection with any other municipality or municipalties within their respective county or any society or organization appropriate money for the compilation and publication of a County War History

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed wth,

The Senate proceeded to the second readng and consideration of Senate Bill No. 1123, (House Bill No. 831), as follows:

An Act providing punishment for the selling and furnishing for beverage purposes of intoxicating liquors or liquids represented as intoxicating liquors contrary to law thereby causing the death of persons drinking the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any person shall unlawfully and wilfully sell or furnish to another any malt brewed vinous or spirituous liquors for beverage purposes contrary to the laws of this Commonwealth or shall unlawfully and wilfully sell or furnish to another any intoxicating liquors or any liquid representing the same to be intoxicating liquors and the person to whom the same is sold or furnished shall drink the same and by reason thereof shall die the person making such sale or furnishing the same shall be guilty of voluntary manslaughter

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed wth,

The Senate proceeded to the second readng and consideration of Senate Bill No. 1149, as follows:

An Act making an appropriation to the Snyder-Middleswarth Park Commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two thousand five hundred dollars ($2,500) or so much thereof as may be necessary is hereby specifically appropriated to the Snyder-Middleswarth Park Commission for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the payment of the expenses of the Commission the salary of its appointees for the maintenance and improvement of the Park and for the acquisition of lands in accordance with the provisions of the act approved the twelfth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and twenty-three) "An Act providing for the establishment and the regulation of a State park to be known as the Snyder-Middleswarth State Park"

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed wth,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1162, (House Bill No. 81), as follows:

An Act to provide for the ordinary expenses of the executives judicial and legislative departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and twenty-three

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following sums or so much thereof as may be necessary be and the same are hereby specifically appropriated to the several objects hereinafter named for the two fiscal years commencing on the first day of June one thousand nine hundred and twenty-three to be paid out of any moneys in the treasury not otherwise appropriated

Section 2 For the payment of the salaries of the several state officers and clerks and employes in the several departments of the State government and for the incidental expenses of the said departments the following sums or so much thereof as may be necessary the same to be paid on the warrant of the Auditor General upon the State Treasurer in the amounts as follow and in the manner prescribed by law

EXECUTIVE DEPARTMENT

Office of Governor

For the payment of the salary of the Governor two years the sum of thirty-six thousand dollars	$36,000.00
For the payment of the salaries wages and fees of the Secretary to the Governor and of such consultants experts accountants investigators inspectors clerks stenographers and other employes as the Governor may require for the proper conduct of the work of his office and the payment of the contingent traveling and incidental expenses of the Governor and his secretary expenses incurred in the conduct of the Executive Mansion the entertainment of official guests the maintenance of an automobile and the expenses not exceeding five hundred dollars ($500) incident to participation in the procedure of the Governor's Conference two years the sum of seventy-five thousand dollars	$75,000.00

Office of Lieutenant Governor

For the payment of the salary of the Lieutenant Governor two years the sum of ten thousand dollars	$10,000.00
For all contingent expenses including traveling clerical and stenographic charges of the Lieutenant Governor for the two fiscal years beginning June first one thousand nine hundred and twenty the sum of two thousand five hundred dollars	$2,500.00

SECRETARY OF THE COMMONWEALTH

For the payment of the salary of the Secretary of the Commonwealth two years the sum of sixteen thousand dollars	$16,000.00
For the payment of the salaries of such deputy secretary or secretaries bureau chiefs expert accountants superintendents clerks messengers janitors and night watchmen as the Secretary of the Commonwealth may require for the proper conduct of the work of the department of proof reading the pamphlet laws and of postage expressage traveling and contingent expenses two years the sum of one hundred and thirty-four thousand dollars	$134,000.00
To provide for the expenses of prescribing and installing a uniform system of accounts and for the preparation of a Budget under the direction of the Governor and for such investigational work as may be necessary therefor including the payment of the salaries and wages or other compensation for such accountants experts clerks and stenographers as may be needed the sum of seventy thousand dollars	$70,000.00
For the payment of the expenses of publishing in the various newspapers in the state the several amendments to the constitution of the Commonwealth for the two fiscal years beginning June first one thousand nine hundred and twenty-three the sum of sixty thousand dollars	$60,000.00
For the purpose of refunding under the provisions of the act of June fourteenth one thousand nine hundred and eleven (Pamphlet Laws page nine hundred and thirty-six) fees paid for commissions to notaries public when such commissions have not been issued or if issued have not been recovered and have been cancelled two years ending May thirty-first one thousand nine hundred and twenty-five the sum of one thousand dollars	$1,000.00

ATTORNEY GENERAL'S DEPARTMENT

For the payment of the salary of the Attorney General two years the sum of twenty-four thousand dollars	$24,000.00
For the payment of the salaries wages or other compensation of such deputy attorneys general law clerks secretaries clerks stenographers messengers experts investigators and other employes as may be required for the proper conduct of the work of the department contingent expenses witness fees costs postage express charges the purchase of law books for the law library of the Attorney General the services and expenses of attorneys employed to assist in cases and the prosecution of claims in which the Commonwealth is interested two years the sum of two hundred and twenty-five thousand six hundred dollars	$225,600.00

AUDITOR GENERAL'S DEPARTMENT

For the payment of the salary of the Auditor General two years the sum of twenty thousand dollars	$20,000.00
For the payment of the Auditor General for services as a member of the Board of Public Grounds and Buildings two years the sum of one thousand two hundred dollars	$1,200.00
For the payment of the salary of the Revenue Deputy two years the sum of fifteen thousand dollars	$15,000.00
For the payment of the salary of the Disbursing Deputy two years the sum of fifteen thousand dollars	$15,000.00
For the payment of the salary of the Assistant Deputy two years the sum of twelve thousand dollars	$12,000.00
For the payment of the salaries of the chief clerks chief of bureau of corporations and assistants traveling auditors accountants book-keepers and all other clerks and employees	
For the payment of compensation and expenses of persons appointed in pursuance of law to examine the property methods processes and accounts of officers corporations and individuals required by law to make reports to the Auditor General of monies or taxes due the Commonwealth and for the payment of expenses of the Auditor General deputies representatives and traveling auditors actually and necessarily incurred by them in the performance of the duties assigned them as provided by law	
For the payment of persons employed by the Auditor-General to discover prosecute and collect unpaid taxes bonus interest and penalties and all public accounts	
For the payment of the costs of advertising required by an act of assembly in connection with the escheat of monies and property to the Commonwealth or in connection with the payment of unclaimed monies in the State Treasury without escheat and for the payment of any other costs connected with such escheats or the payment into the State Treasury with escheats two years the sum of six hundred fifty-eight thousand dollars	$658,000.00
For the purchase of patent indexes records law books and other books necessary for the proper conduct of the work of collecting taxes from corporations and auditing accounts two years the sum of three thousand dollars	$3,000.00
For the payment of postage express charges cost of filing liens and contingent expenses two years the sum of thirty thousand dollars	$30,000.00
For the balance due or to become due retired county officers on account of overpayment of merchantile and other taxes collected for the Commonwealth the sum of four thousand dollars	$4,000.00
For the purpose of refunding by the Auditor-General to purchasers of stock transfer stamp under the act of June fourth one thousand nine hundred and fifteen (Pamphlet Laws page eight hundred and twenty-eight) any sums that may be due them upon the surrender and return of such stamps as may be spoiled cancelled mutilated or defaced unin-	

tentionaly by accident or in error the sum of one thousand five hundred dollars	$1,500.00
For the payment of the compensation of informants in escheats as provided for in the Act of May second one thousand eight hundred and eighty-nine and amendments thereto the fees and expenses of escheats and the services of attorneys authorized by the Auditor-General in connection with such escheat proceedings and for the refund of moneys to those entitled thereto upon the traverse of decrees in escheat as provided by said Act for the two years beginning June first one thousand nine hundred and twenty-three the sum of twenty thousand dollars	$20,000.00
For the payment of the mileage of the appraisers of the merchantile and other license taxes of the several counties of the Commonwealth two years the sum of twenty-five thousand dollars	$25,000.00
For the payment of costs in suits against delinquent dealers for merchantile and other licenses insurred during the two fiscal years beginning June first one thousand nine hundred and twenty-three the sum of eight thousand dollars	$8,000.00
For refunding inheritance taxes of all kinds whether collateral direct transfer or otherwise paid in error for two years fifty-five thousand dollars	$55,000.00
For the payment of the expenses of publishing monthly statements of the general sinking and all other funds as required by law and for the payment of advertisements for proposals for publication of the decision of the Supreme Court under the provisions of an Act approved the twelfth day of June one thousand eight hundred and seventy-eight two years the sum of twenty-five thousand dollars	$25,000.00
For the fees of county officers for furnishing information to the officers of the Commonwealth in accordance with the Act of April fourteenth one thousand eight hundred and ninety-seven (Pamphlet Laws twenty-two) two fiscal years the sum of four thousand dollars	$4,000.00

TREASURY DEPARTMENT

For the payment of the salary of the State Treasurer two years the sum of twenty thousand dollars	$20,000.00
For the payment of the State Treasurer for services as Members of the Board of Public Grounds and Buildings two years the sum of one thousand two hundred dollars	$1,200.00
For the payment of the salary of the Cashier two years the sum of ten thousand dollars	$10,000.00
For the payment of the salary of the Assistant Cashier two years the sum of seven thousand two hundred dollars	$7,200.00
For the payment of clerk hire including auditors investigators messengers watchmen and cleaners two years the sum of three hundred seventy thousand dollars	$370,000.00
For the payment of contingent expenses two years the sum of fifteen thousand dollars	$15,000.00
For the purchase of patent indices law books and other books necessary for the proper conduct of the work of the department two years the sum of one thousand dollars	$1,000.00
For the payment of traveling expenses of the State Treasurer and employes while on departmental business two years the sum of five thousand dollars	$5,000.00
For the payment of postage express freight and other incidental expenses two years the sum of twenty-five thousand dollars	$25,000.00
For the payment of costs procuring bonds required to be given by his employes of the State Treasury two years the sum of ten thousand dollars	$10,000.00
For the payment of the salary of the Deputy State Treasurer and Commissioner of Trusts two years the sum of sixteen thousand dollars	$16,000.00
For the payment of clerks typists and other employes and for the payment of other expenses made necessary by the Act of 1921 creating the Office of Deputy State Treasurer and Custodian of Trusts and prescribing his duties two years the sum of ten thousand dollars	$10,000.00
For the payment of premiums on bonds of officers and employes required to be given to the Commonwealth two years the sum of twenty thousand dollars	$20,000.00

COMMISSIONERS ON SINKING FUND

For the payment of the salary of the clerk of the Board of Sinking Fund Commissioners two years the sum of two thousand dollars	$2,000.00
For the purpose of paying the interest on and redeeming at maturity the bonds of the Commonwealth of Pennsylvania issued for the purpose of improving and rebuilding the highways of the Commonwealth and issued under the authority of the act of the General Assembly of Pennsylvania approved the eighteenth day of April Anno Domini one thousand nine hundred and nineteen entitled "An act authorizing the issue and sale of bonds to the amount of fifty millions of dollars by the Commonwealth of Pennsylvania defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto making an appropriation of the proceeds of such bonds for the purpose of improving and rebuilding the highways of the Commonwealth providing for the payment of interest on and the redempton of such bonds by the Sinking Fund Commission and making an appropriation to carry out the provisions of this act" the sum of seven million ninety thousand eight hundred and twenty dollars .. or so much thereof as may be necessary Any balance remaining unexpended from the appropriation of one thousand nine hundred and twenty-one made for the purpose of paying the interest on and redeeming at maturity said bonds shall remain available for said purposes All of the foregoing appropriation not necessary for the payment of interest on said bonds shall be paid by the State Treasurer into the sinking fund	$7,090,820.00

DEPARTMENT OF INTERNAL AFFAIRS

For the payment of the salary of the Secretary of Internal Affairs two years the sum of sixteen thousand dollars	$16,000.00
For the payment of the Deputy Secretary of Internal Affairs two years the sum of ten thousand dollars	$10,000
For the payment of the salary of the Chief of the Bureau of Standards in the Department of Internal Affairs two years the sum of eight thousand dollars	$8,000
For the payment of the salary of the Chief Draftsman and Surveyor two years the sum of five thousand dollars	$5,000
For the payment of the salaries of other officials clerks and employes in the Executive Bureau the Land Office and the Bureau of Standards fixed by Acts of Assembly and not otherwise provided for two years the sum of one hundred thirty-six thousand six hundred dollars	$136,600
For the payment of the salaries of officials clerks and employes necessary for the proper conduct of the work of the Bureau of Statistics and Information two years the sum of one hundred forty-four thousand five hundred dollars	$144,500

For the payment of the salaries of officials clerks and employes necessary for the proper conduct of the work of the Bureau of Municipalities two years the sum of sixty thousand dollars	$60,000
For the payment of skilled draftsmen surveyors and other assistants necessary to the proper continuation of the warrantee map work two years the sum of twelve thousand dollars	$12,000
For the payment of services rendered and expenses incurred in the collection of tax statistics and the compilation of the same (paid to the County Commissioners) two years the sum of twelve thousand dollars	$12,000
For the employment of draftsmen in copying the surveys or other ancient papers important to be preserved in the Land Office Bureau two years the sum of twenty-eight thousand dollars	$28,000
For services and other expenses incident to the investigating and surveying of vacant and unappropriated land two years the sum of eight hundred dollars	$800
For the payment of the expense of additional equipment and of maintenance of equipment for the Bureau of Standards two years the sum of five hundred dollars	$500.00
For the payment of the salaries of a State Geologist and such assistant geologists mineralogists chemists engineers draftsmen et cetera (traveling and all other contingent and incidental expenses) of the Bureau of Topographic and Geological Survey two years the sum of one hundred and ten thousand dollars	$110,000.00
For the payment of the incidental and traveling expenses of the Secretary and all other officers and employes of the Department for the payment of all postage contingent and incidental expenses of the Department of Internal Affairs with its several Bureaus except the Bureau of Topographic and Geological Survey two years the sum of forty thousand dollars	$40,000.00

DEPARTMENT OF PUBLIC INSTRUCTION

For the payment of the salary of the Superintendent of Public Instruction of the salaries of such deputy superintendents directors assistant directors supervisors assistants examiners proctors inspectors experts investigators employees clerks and stenographers as may be required for the proper conduct of the work of the department for general expense traveling expense equipment supplies postage and other incidental expenses of the Department as authorized and approved by the Superintendent of Public Instruction for such services and expenses of the state council of education of vocational education of profesional education of medical education and licensure of the regulation of the practice of midwifery of the dental council as are authorized by law of Americanization adult education and reducing illiteracy as are approved by the Superintendent of Public Instruction and for supplying the Pensylvania School Journal to each board of school directors two years the sum of nine hundred and eighteen thousand five hundred and ninety-four dollars	$918,594.00
For the support of State Normal Schools including instruction operation and maintenance and such necessary additions alterations equipment and repairs thereof as may be authorized and approved by the Superintendent of Public Instruction payment to be made on requisition of the Superintendent of Public Instruction two years the sum of three million five hundred thousand dollars	$3,500,000.00
For reimbursing school districts upon the salaries of school teachers as required by law for the two fiscal years beginning the first Monday of July one thousand nine hundred and twenty-three the sum of thirty-eight million eight hundred three thousand two hundred forty-six dollars	$38,803,246.00
For the payment of the salaries and expenses of the county and assistant cou ty superintendents of public schools as required by law for aid to school districts which now maintain or shall cause to be established and maintained as a part of the public school system vocational schools or departments schools for agricultural education manual training domestic science and other vocational and practical education including a sum of fifty thousand dollars for the Thaddeus Stevens Industrial School at Lancaster for the training of vocational teachers in such institutions as the State Council of Education may designate and under such regulations as the State Council of Education may prescribe for the transportation of pupils where schools are closed or consolidated as required by law for the investigation transportation and necessary expense involved in the education of blind children as required by law for reimbursing school districts maintaining special classes in the public schools or special public schools or providing special education as required by law for the award of scholarship to graduates of secondary schools to aid them in obtaining a higher education as required by law for for Corn Planter Indians as required by law for the necessary expenses of blind students in attendance at institutions of higher learning as required by law the sum of two million seven hundred ninety-seven thousand two hundred and fifty-six dollars	$2,797,256.00

RETIREMENT BOARD

For payment into the contingent reserve fund two years the sum of seven hundred thousand dollars	$700,000.00
For payment into the annuity reserve fund number two two years the sum of two million three hundred thousand dollars	$2,300,000.00

ADJUTANT GENERAL'S DEPARTMENT

For the payment of the salary of the Adjutant General two years the sum of sixteen thousand dollars	$16,000.00
For the payment of the salary of the Division Commander two years the sum of sixteen thousand dollars	$16,000.00
For the payment of the salary of the Deputy Adjutant General two years the sum of seven thousand and two hundred dollars	$7,200.00
For the payment of the salaries of the members of the State Military Board (excluding the Adjutant General and the Division Commander) two years the sum of two thousand and four hundred dollars	$2,400.00
For the payment of the salaries wages or other compensation of such officers and employees of the Adjutant General's Department including Division Headquarters Office of the United States Property and Disbursing Officer State Aarsenal and State Militray Reservation as may be required for the proper conduct of the work of the department two years the sum of two hundred sixty-one thousand four hundred dollars	$261,400.00
For all necessary expenses including annual allowance armory rent individual pay officers' annual allowance rifle practice commutation passenger and freight transportation necessary for the maintenance organization government and discipline of the Pennsylvania National Guard two years the sum of seven hundred thousand dollars	$700,000.00
For the purchase of military stores to replace those sold or exchanged by the Adjutant General or for such other military purposes as the State Military Board may direct two years the sum of twenty thousand dollars	$20,000.00

Provided That the Auditor General shall not at any time authorize the payment of any amounts hereunder in excess of the amount paid into the State Treasury by the Adjutant General as the proceeds of such sales or exchanges

For the purpose of making improvements additions or repairs to buildings and roads on the State Reservation at Mt. Gretna construction of new buildings and other necessary permanent improvements two years the sum of twenty thousand dollars $20,000.00

For the purpose of placing at the disposal of the Governor and making same available for replacing or repairing armory buildings owned by the Commonwealth and occupied by an organization of the Pennsylvania National Guard for all necessary expenses in connection therewith should such armory building be destroyed or damaged in whole or in part by fire flood storm or other unavoidable cause and to replace or repair military stores or supplies stored or used in such armory building and destroyed or damaged in whole or in part in like manner and to pay for transportation pay of officers and enlisted men horse hire subsistence and quartermaster stores and other proper and necessary expenses incident to actual service rendered by the Pennsylvania National Guard under orders of the Governor in repelling invasion subduing insurection riot tumult or disorder or imminent danger thereof and when such Pennsylvania National Guard may be placed on duty under orders of the Governor under extraordinary circumstances for the protection of property or human life and in the event of all or any portion of said Pennsylvania National Guard being called into active service of the United States by the President of the United States or in furnishing the quota of volunteers from the Commonwealth of Pennsylvania under a call made by the President of the United States or for the payment of mileage and lawful expenses of commissioners to take the vote of Pennsylvania soldiers in Federal or State service when in the field on active duty two years the sum of two hundred thousand dollars .. $200,000.00

For the payment of postage traveling expenses cleaning of offices and basement storage room and other incidental and unforeseen items two years the sum of ten thousand dollars $10,000.00

For the preparation and compiling of the records of the soldiers of Pennsylvania who participated in the World War including the payment of clerical services two years the sum of twelve thousand dollars $12,000.00

STATE ARMORY BOARD

For the payment of salaries of members of the State Armory Board two years the sum of twelve thousand dollars $12,000.00

Provided That the Governor and the Adjutant General as members ex-officio shall receive no compensation

For the maintenance of armories including necessary repairs the leasing of armory and stable quarters for National Guard units where State armory buildings have not been erected compensation insurance of caretakers janitors and other employees actual traveling expenses of members of the State Armory Board clerical general and contigent expenses of the Board expenses of inspection of armories two years the sum of two hundred and twelve thousand dollars $212,000.00

INSURANCE DEPARTMENT

For the payment of the salary of the Insurance Commissioner two years the sum of fifteen thousand dollars $15,000.00

For the payment of the salaries wages or other compensation of such deputies actuaries examiners investigators inspectors clerks stenographers and other employes as may be required for the proper conduct of the work of the department and of contigent traveling and incidental expenses of the Insurance Commissioner and the employes of the department two years the sum of one hundred and eighty-five thousand dollars .. $185,000.00

BANKING DEPARTMENT

For the payment of the salaries of employes and other expenses incident to the supervision and examination of building and loan associations two years the sum of sixty thousand dollars $60,000.00

DEPARTMENT OF AGRICULTURE

For the payment of the salary of the Secretary of Agriculture two years the sum of sixteen thousand dollars $16,000.00

For the payment of the salaries wages or other compensation of such deputy secretaries directors or chiefs of bureaus deputy directors or chiefs of bureaus attorneys specialists chemists advisers inspectors agents special agents clerks reporters stenographers and other employees as may be required for the proper conduct of the work of the department for the payment of traveling postage contingent and incidental expenses of the Secretary of Agriculture and the officers and employes of the department of supplies including scientific apparatus chemicals samples of food books and other materials cost of maintenance of field laboratories premiums and other expenses incident to the State Farm Products Show and agricultural meetings held in connection therewith including the compensation and expenses of lecturers of the cost of maintaining an agricultural library and issuing and distributing agricultural bulletins and of other publicity of the expenses incident to the establishment and enforcement of quarantines of the expense or regulating the weighing testing buying and selling of milk and cream for the scouting and control of imported white pine blister the Japanese beetle the potato wart diseases and generally of the diseases of poultry animals and plants for the inspection of and supervision over cold storage plants for the inspection and analysis of concentrated commercial feeds fertilizers lime used for agricultural purposes linseed oil paints seeds and insecticides for the payment of the expense of collecting and publishing facts relating to the transportation and marketing of farm products and the statistics relating to the agricultural industries and interests of the State and for the enforcement of any and all Acts of Assembly which it is the duty of the department to enforce two years (not including however appropriations for the payment of indemnity for animals afflicted with dangerous contagious or infectious diseases which shall be paid from the Dog law fund but not in excess of two hundred and fifty thousand dollars ($250,000) the sum of five hundred and eighty-four dollars $584,000.00

For payment to incorporated agricultural associations as provided by law for exhibits of live-stock live-stock products horticultural products handiwork cereals bees and bee products subject to the filing of such reports by said associations as may be acquired by the Secretary of Agriculture two years the sum of one hundred thousand dollars $100,000.00

DEPARTMENT OF FORESTRY

For the payment of the salary of the Commissioner of Forestry two years the sum of sixteen thousand dollars $16,000.00

For the payment of the salaries wages or other compensations of such deputy commissioners assistants forest officers experts instructors draftsmen clerks bookkeepers stenographers messengers matrons cooks waitresses and other employes as may be required for the proper conduct of the work of the department of traveling contingent and other necessary expenses of the department and of the members of the State Forest Commission of expenses incurred in the erection and repair of buildings the purchase of necessary materials and equipment used in forest management and development for the maintenance planting and improvement of State forests and the encouragement and promotion of proper forest practice for surveying mapping and marking the boundaries of State forest land for forest protection and the prevention discovery suppression and control or forest fires for the maintenance of the State Forest Academy for the payment of the annual fixed charges for road school and county purposes on lands owned by the Commonwealth of Pennsylvania and held and administered by it as State forests and for the payment of the annual fixed charges for road and school purposes on lands classified as auxiliary forest reserves two years the sum of one million two hundred and ninety-nine thousand dollars $1,299,000.00

DEPARTMENT OF LABOR AND INDUSTRY

For the payment of the salary of the Commissioner two years the sum of twenty thousand dollars $20,000.00

For the payment of the salaries wages or other compensation of such bureau chiefs members of Industrial Board secretary mediator clerks inspectors supervisors experts stenographers employment agents superintendents and examiners adjustors investigators accountants auditors messengers and other employes as may be required for the proper conduct of the work of the department and for the payment of the incidental and traveling expenses of the Commissioner and all other officers and employes of the department and of all contingent and incidental expenses necessary for carrying out the provisions of the various acts of assembly relating to the department for the payment of artificial appliances and of maintenance costs for physically handicapped persons in training and all other expenses incidental to carrying out the provisions of the rehabilitation acts for the payment of the salaries wages or other compensation of the members of the Workmen's Compensation Board and of such counsel secretaries actuaries referees directors clerks adjustors chief assistants physicians sergeant-at-arms stenographers and other employe as may be required for the proper administration of the Workman's Compensation Act and for the payment of traveling contingent and incidental expenses of the members of the Workman's Compensation Board referees and other employees of the Department engaged in the administration of the Workmen's Compensation Act and for the payment of any and all amounts of statutory medical hospital surgical and burial expenses and of workmen's compensation which may become due and payable during the biennial period beginning June first Anno Domini one thousand nine hundred and twenty-three and ending May thirty-first one thousand nine hundred and twenty-five to injured employes and dependents of deceased employes of the various departments of the Government of the Commonwealth of Pennsylvania upon claims arising under the provisions of the Workmen's Compensation Act of one thousand nine hundred and fifteen and the amendments thereto and supplements thereof and for the payment of expenses incurred by the Bureau of Workmen's Compensation in the investigation and adjustment of claims of such employes and dependents said appropriation to be paid by the State Treasurer on the warrant of the Auditor General upon certificates furnished by the Commissioner or Acting Commissioner of Labor and Industry two years the sum of one million four hundred and seventy thousand dollars $1,470,000.00

DEPARTMENT OF MINES

For the payment of the salary of the Chief of the Department and the other officials the sum of twelve thousand dollars $12,000.00

For the payment of the salaries wages or other compensation of such deputy chiefs attorneys clerks statisticians stenographers messengers janitors and such expert service as may be required for the proper conduct of the work of the department of the traveling incidental and contingent expenses of the Chief of the Department and the other officials and employes thereof of the cost of books instruments electrical equipment chemicals plans freight expressage postage and other supplies required for the proper conduct of the work of the department two years the sum of fifty-nine thousand eight hundred dollars $59,800.00

For the payment of the salaries of the inspectors of coal mines as provided by law and for the payment of the actual traveling expenses of the inspectors and for their office rent stationery postage telegrams express charges instruments typewriters furniture and all other actual necessary expense two years the sum of four hundred ninety-two thousand seven hundred dollars $492,700.00

For the payment of the compensation and expenses attending the examination of candidates for inspectors of coal mines mine foremen assistant mine foremen and fire bosses as provided for by the Acts of Assembly relating thereto two years the sum of four thousand dollars $4,000.00

DEPARTMENT OF HEALTH

For the payment of the salary of the Commissioner of Health two years the sum of twenty thousand dollars $20,000.00

For the payment of the salaries wages or other compensation of such deputy commissioners bureau and division chiefs assistants sanitary engineers in engineering division county medical directors rural health officers inspectors nurses clerks stenographers messengers janitors and other employes as may be required for the proper conduct of the work of the department of the traveling incidental and contingent expenses of the Commissioner of Health his assistants and the other employes of the department of the cost of diphtheria antitoxin and other products for free distribution to the poor of collecting compiling and publishing vital and morbidity statistics of maintaining laboratories and experimental stations of educational work of improving and conserving child health of maintaining genito-urinary dispensaries of investigating and regulating housing conditions of the department's work in dental health of narcotic drug control of supervising epidemics of diseases for the purpose of maintaining the department's sanitoria and dispensaries for the free treatment of indigent persons affected with tuberculosis including the purchase of food supplies and other necessities additions and the salaries and wages of employes for the medical inspection of the public schools in accordance with the provisions of the School Code and for the payment of all other necessary expenses of the Department of Health in the performance of duties imposed upon it by the Acts of Assembly in supervising epidemics of diseases and in protecting the public health two years the sum of three million nine hundred and eighty thousand dollars $3,980,000.00

STATE HIGHWAY DEPARTMENT

For the payment of the salary of the State Highway Commissioner two years the sum of twenty thousand dollars $20,000.00

For the payment of the salaries wages or other compensation of such assistant state highway commissioners engineers highway superintendents township commissioners controllers registrars of motor vehicles managers statisticians inspectors agents paymasters accountants bookkeepers cashiers mechanicians draughtsmen stenographers clerks and all other employees as may be required for the proper conduct of the work of the Department for necessary traveling contingent and incidental expenses for the purchase and maintenance of motor equipment for the necessary expense of the registration of automobiles for the maintenance and equipment of laboratories for surveying and plotting county and township roads and making and publishing maps thereof two years the sum of nine hundred and eighty thousand dollars $980,000.00

DEPARTMENT OF PUBLIC GROUNDS AND BUILDINGS

For the payment of the salary of the Superintendent of Public Grounds and Buildings two years the sum of sixteen thousand dollars $16,000.00

For the payment of such clerks auditors bookkeepers secretaries draughtsmen storekeepers stenographers custodians messengers inspectors engineers assistants and other employees as may be required for the proper conduct of the work of the department two years the sum of four hundred and ninety-five thousand dollars $495,000.00

For the payment of the cost of general supplies including stationery supplies furniture fuel repairs alterations and improvements and other matters required by the Legislature the several departments boards and commissions of the State Government and the Executive Mansion as set forth and included in the general annual schedule of supplies for the State Government for the payment of bills and accounts for such supplies remaining unpaid and for the purchase of any article of furniture furnishings stationery supplies fuel emergency supplies or any other matter or things and for the payment of any emergency or other repairs alterations or improvements the want of which may not have been anticipated at the time of the issue of the annual schedule and which do not appear in the same and for which requisition is made on the superintendent for the payment of any bills for design or specifications ordered by the board two years the sum of six hundred and eighty-four thousand dollars $684,000.00

For the payment by the superintendent for any emergency supplies the want of which may not have been anticipated at the time of the issue of the annual schedule and which do not appear in the same and for which requisitions shall be made upon the superintendent and for the payment by the superintendent for emergency repairs and supplies and all temporary help for the care maintenance and preservation of the public grounds and buildings including the Executive Mansion two years the sum of twenty thousand dollars which appropriation shall be known as the board's contingent fund.... $20,000.00

For the cost of advertising the annual schedule of supplies the sale of unserviceable furnishings the readvertising of the annual schedule when necessary and all other advertisements as authorized by the Board of Commissioners of Public Grounds and Buildings and the superintendent and for the payment of bills and accounts for such advertising unpaid two years the sum of fourteen thousand dollars $14,000.00

For the payment to the city of Harrisburg for supplying the public grounds and buildings with water two years the sum of eight thousand dollars $8,000.00

For the payment of the cost of electric current gas and steam for light heat and power for the public grounds and buildings where not supplied from the Capitol power plant two years the sum of forty thousand dollars $40,000.00

For the payment of the rent of offices and rooms outside of the Capitol Building when necessary for the accomodation of any department board or commission of the State Government in accordance with the act approved the seventh day of June Anno Domini one thousand nine hundred and eleven two years the sum of two hundred and twenty-five thousand dollars $225,000.00

For the payment of rental charges for telephone service and other patented leased office devices the cost of toll and long distance telephone messages and telegrams for the Legislature the several departments boards and commissions of the State Government and Executive Mansion two years the sum of one hundred and thirty thousand dollars $130,000.00

For the payment of the cost of grading filling and improving the Capitol Park two years the sum of twenty thousand dollars.. $20,000.00

For the purpose of carrying on the work of completing an office building in Capitol Park as authorized by an act approved the eighteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand and fifty-three) entitled "An act authorizing the Board of Commissioners of Public Grounds and Buildings to erect construct and complete an office building in the Capitol Park and to grade and terrace the ground in connection therewith providing for the letting of contracts therefor authorizing the appointment of a superintendent of construction and making an appropriation for the payment thereof" two years the sum of one million two hundred and fifty thousand dollars $1,250,000.00

For the purpose of making additions and extensions to the capitol power plant the sum of one hundred and fifty thousand dollars ($150,000.00) or so much thereof as may be necessary

For payment to A W Brunner architect and engineer of the south office building for fees and commissions now due and owing the sum of sixty-nine thousand dollars $69,000.00

PUBLICATIONS

For the payment of the salary of the Director of Publications and for the payment of the salaries wages and other compensation of such deputies chiefs chief clerks journal clerks shipping clerks mailing clerks clerks stenographers bookkeepers messengers and other employes as may be required for the proper conduct of the work of the department and of freight drayage postage express and contingent and incidental expenses two years the sum of one hundred and eight thousand dollars $108,000.00

For the payment of printing binding ruling lithographic printing engraving paper envelopes plates cuts electrotypes dies stamps and other supplies two years the sum of seven hundred and eighty-nine thousand dollars $789,000.00

Provided That the Governor and the Secretary of the Commonwealth shall apportion the said appropriation among the various departments and agencies of the government and shall notify each such department and agency and the Auditor General how much of said appropriation has been allocated to such department or agency Each department or agency shall be limited to printing and binding costing not more than the portion of the above appropriation thus allocated to it Any department or agency which shall not require for its printing and binding the entire portion of the said appropriation thus allocated to it shall with the approval of the Governor and the Secretary of the Commonwealth be permitted to employ for the general purposes of said department or agency any balance of the portion thus allocated to it and the Auditor General is hereby authorized and directed upon the requisition of the head of any such department or agency when countersigned by the Secretary of the Commonwealth to draw warrants upon the State Treasurer for the payment of expenses incurred for the general purpose of such department or agency in accordance herewith

For advertising proposals for executing the State Printing supplying the Commonwealth with paper lithographic printing engraving plates cuts electrotypes stamps and purchase of waste paper two years the sum of three thousand dollars $3,000.00

STATE LIBRARY AND MUSEUM

For the payment of the salary of the State Librarian and Director of the Museum two years the sum of twelve thousand dollars .. $12,000.00

For the payment of the salaries wages or other compensation of such deputies secretaries assistant librarians custodians curators chiefs clerks assistants stenographers messengers watchman and other employes as may be required for the proper conduct of the work of the State Library and Museum for the purchase of books exchanges pamphlets illustrations lantern slides periodicals parliamentary papers and supplies and for subscriptions to newspapers for the payment of the binding of books pamphlets and periodicals and for the payment of freight postage expressage traveling cleaning and miscellaneous expenses two years the sum of one hundred and fifty-eight thousand dollars $158,000.00

LEGISLATIVE REFERENCE BUREAU

For the payment of the salary of the Director of the Legislative Reference Bureau two years the sum of twelve thousand dollars $12,000.00

For the payment of the salaries wages or other compensation of the Assistant Director and of such chiefs clerks compilers bill drafters stenographers librarians messengers and other employes as may be required for the proper conduct of the work of the Bureau and for incidental and miscellaneous expenses two years the sum of sixty-three thousand dollars $63,000.00

DEPARTMENT OF STATE POLICE

For the payment of the salary of the Superintendent of State Police two years the sum of twelve thousand dollars $12,000.00

For the payment of the salaries of necessary personnel in the Department of State Police including a deputy superintendent division chiefs clerks and expert assistants captains at two thousand four hundred dollars ($2,400) per annum lieutenants at one thousand eight hundred dollars ($1,800) per annum first sergeants at one thousand five hundred dollars ($1,500) per annum sergeants at one thousand three hundred and eighty dollars ($1,380) per annum corporals at one thousand three hundred and twenty dollars ($1,320) per annum privates at one thousand two hundred dollars ($1,200) per annum continuous service pay required legal fees veterinary fees medical attendance and hospital charges for members of the State Police Force injured in line of duty fees for mileage and reporting fires inspection of property keep of horses renewal of uniforms horse equipment replacing horses rent of barracks maintenance of substations purchase and maintenance of motor vehicles transportation and traveling expenses investigation of incendiary fires costs taking testimony serving of process removal of dangerous fire hazards preparing and disseminating knowledge of fire prevention and any other necessary expenses incurred in the discretion of the Superintendent in the proper operation of the Department of State Police and the State Police Force two years the sum of one million four hundred eighty-eight thousand dollars $1,488,000.00

THE PUBLIC SERVICE COMMISSION OF THE COMMONWEALTH OF PENNSYLVANIA

For the payment of the salary of the Chairman two years the sum of twenty-one thousand dollars $21,000.00

For the payment of the salaries of the Commissioners other than Chairman of the Secretary Counsel Assistant Counsel Marshal and Investigator of Accidents and the salaries wages or other compensation of such bureau chiefs examiners experts engineers inspectors accountants investigators reporters statisticians technical assistants testors draftsmen clerks stenographers messengers elevator men watchmen janitors and other employes as may be required for the proper conduct of the work of the Commission fees and expenses of witnesses the purchase of laboratory apparatus and supplies of postage books stationery printing binding and other materials and supplies for which requisition may not be made for express service for advertising and publication of legal notices in the making of special field examinations valuations and appraisals of plants facilities and properties of public service companies inspection and regulation of grade crossings and other facilities inspection and testing of meters lamps and standards inspection and regulation of safety devices safeguards and other facilities necessary for prevention of accidents investigation of accidents examination analysis and investigation of rates and tariffs special field examination and analysis of accounts and records development and administration of systems of accounts to be prescribed development and administration of reports to be prescribed examination and analysis of reports and compilation of data information and statistics respecting public service company development and also the activities of the commission the formulation supervision and analysis of applications complaints petitions and other proceedings reporting and recording of testimony economics engineering accounting and judicial research by the commission and its agents and their co-operation with other bodies engaged in such research classification indexing and filing of documents reports tariffs records correspondence et cetera conduct of hearings and investigations before the commission and for meeting all other responsibilities and performing all other duties prescribed by the

Public Service Company Law and the amendments thereto and for the traveling expenses of commissioners counsel experts engineers inspectors examiners accountants investigators and other employes two years the sum of six hundred and nineteen thousand dollars $619,000.00

DEPARTMENT OF WATER SUPPLY COMMISSION

For the payment of salaries of the commissioners two years the sum of eighteen thousand dollars $18,000.00

For the payment of the salaries wages or other compensation and expenses of such engineers assistants expert flood forecasters gage readers clerks stenographers and other employes as may be required for the proper conduct of the work of the department and for the payment of all other expenses incurred in making examinations and reports upon applications for water and water power company charters mergers consolidations and new or additional supplies of water and water power investigations and reports of the status of water and water company charters special examinations investigations and reports upon protests lodged with the commission the establishment maintenance and operation of stream gaging stations examinations and reports upon dams and other encroachments now existing or hereafter to be placed in or along any of the streams of the Commonwealth establishing and maintaining gaging stations on the principal rivers and tributaries thereof for the determination of the daily height of water in such streams and tributaries thereof in order that the water supply commission may during freshet and flood conditions issue bulletins to be telegraphed or telephoned to municipalities in the Commonwealth in which flood damage is likely to occur forecasting the probable gage heights expected to be reached and the probable time of such expected gage heights and for performing any other duties imposed upon the department by the laws of this Commonwealth two years the sum of eighty-two thousand dollars $82,000.00

DEPARTMENT OF PUBLIC WELFARE

For the payment of the salary of the Commissioner of public welfare two years the sum of twenty thousand dollars $20,000.00

For the payment of the salaries wages or other compensation of such deputy commissioners directors of bureaus assistants clerks stenographers employes inspectors experts and investigators as may be required for the proper conduct of the work of the department for general expenses of the department including materials supplies postage telephone express traveling expenses heat light power water repairs maintenance equipment apparatus rents and storage of vehicles as authorized and approved by the Commissioner of Public Welfare and for such expenses of the Public Welfare Commission as are authorized by law two years the sum of two hundred fifty thousand dollars......... $250,000.00

STATE BOARD OF CENSORS

For the payment of the salary of the chairman two years the sum of seven thousand two hundred dollars $7,200,00

For the payment of the salary of the vice-chairman two years the sum of six thousand six hundred dollars $6,600.00

For the payment of the salary of the secretary two years the sum of six thousand six hundred dollars $6,600.00

For the payment of the salaries wages or other compensation of such clerks assistants inspectors operators stenographers messengers janitors and other employes as may be required for the proper conduct of the work of the Board and for the payment of the contingent traveling and incidental expenses of the members of the Board and the employes thereof and the necessary costs expenses incurred in the prosecution of offenders or violators of the Act creating the State Board of Censors two years the sum of eighty-nine thousand six hundred dollars $89,600.00

BOARD OF PARDONS

For the payment of the salaries of the members of the Board of Pardons two years the sum of four thousand dollars $4,000.00

For the payment of postage express charges and other incidental expenses of the Board two years the sum of eight hundred dollars $800.00

STATE BOARD OF EXAMINERS OF ARCHITECTS

For the payment of the necessary expenses of the State Board of Examiners of Architects as authorized by the Act of Assembly creating said Board two years the sum of six thousand dollars $6,000.00

BOARD OF ACCOUNTS

For the payment of the salary of a clerk two years the sum of one thousand dollars $1,000.00

STATE REPORTER

For the payment of the salary of the State Reporter two years the sum of ten thousand dollars $10,000.00

For the payment of the salary of the Assistant State Reporter two years the sum of six thousand dollars $6,000.00

For the payment of stationery clerk hire and assistants two years the sum of seven thousand dollars $7,000.00

LEGISLATIVE DEPARTMENT

Section 3 For the payment of the expenses of the Legislative Department for two years ending May thirty-one one thousand nine hundred and twenty-five and also for the expenses of the session and recess of one thousand nine hundred and twenty-three not previously provided for the following sums or so much thereof as may be necessary to be paid in the manner prescribed by law

Provided That the salaries stationery and mileage of the members of the Senate and House of Representatives and all the salaries and mileage of the session officers and employes of the legislative session of one thousand nine hundred and twenty-five shall only be paid after statement of the amounts due the several Senators members officers and employes shall have been certified to the Auditor General by the President pro tempore of the Senate and the Speaker of the House of Representatives respectively and that the Senators and members also the officers receiving fixed salaries for said session shall each be paid one-fifth of his total salary each month for the first four months of the session if the Legislature shall be in session that long and the balance due each Senator and Member on the day fixed for final adjournment of the Legislature or during the two days previous thereto and that the session officers and employes receiving per diem salaries shall be paid amount due them at the end of the month during the session except the last month when payment shall be made on the day fixed for final adjournment of the Legislature or during the two days previous thereto

SENATE

For the payment of the salary of the clerk and stenographer to the President of the Senate for postage in the amount of one hundred and fifty dollars to the President of the Senate and for the payment of the salaries of the Senators and extra compensation allowed by law to the President pro tempore of the Senate for the payment of the mileage of the Senators for the postage allowed by law to each Senator (one hundred and fifty dollars) for the payment of postage for the chief clerk and assistants for the payment of the postage on the Legislative Journal bills and calendars

For the payment of the salaries of the officers and employes of the Senate during the session and recess salaries of all officers and employes whose positions are now or may hereafter be created and for the payment of which provision is not otherwise made also for the payment of the mileage of the officers and employes of the Senate and for the salaries and mileage of the returning officers of the Senate at the beginning of the session of one thousand nine hundred and twenty-five

For the payment of the salaries of the secretary chief clerk assistant clerk librarian assistant librarian assistant to the secretary stenographers to the librarian two watchman superintendent of the store room custodians assistant custodians and messenger

For the payment of the expenses of the Committee on appropriations session of one thousand nine hundred and twenty-five in investigating schools reformatories prisons asylums hospitals and other institutions supported in whole or part from the Treasury of the Commonwealth and for necessary clerical assistance the sum of twelve thousand dollars ($12,000) bills of this committee to be paid on warrant of the Auditor General drawn in favor of the chairman of the committee on the presentation of his requisition for same and said chairman shall file an account of the committee's expenses with the Auditor General within thirty days after the adjournment of the Legislature

For the payment of expenses incident to issuing certificates of election of Senators for the session of one thousand nine hundred and twenty-five (Act of June fourteen one thousand nine hundred and eleven)

For the contingent expenses including clerical and stenographic charges of the President pro tempore of the Senate during the recess ending January sixth one thousand nine hundred and twenty-five the sum of two thousand dollars ($2,000) or so much thereof as may be necessary and for like expenses for the session of one thousand nine hundred and twenty-five the sum of two thousand dollars ($2,000) and for the payment of the necessary expenses including extra labor in the office of the chief clerk for the year ending May thirty-first one thousand nine hundred and twenty-four the sum of four thousand dollars ($4,000) and for six months ending November thirty one thousand nine hundred and twenty-four the sum of two thousand dollars ($2,000) and for the payment of the incidental expenses of the Senate for six months commencing December first one thousand nine hundred and twenty-four and for the entire period of the session of one thousand nine hundred and twenty-five should same extend beyond May thirty-first such sum as may be necessary to be expended by the chief clerk of the Senate who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts but said chief clerk shall at no time have in his hands more than two thousand dollars ($2,000) for which accounts have not been rendered and settled and the whole amount expended by said chief clerk shall not exceed the sum of eight thousand dollars ($8,000) out of which amount such necessary extra labor in the Senate shall be paid as shall be certified by the President pro tempore and the chief clerk and for the payment of the postage labor and incidental expenses in the office of the secretary of the Senate for the year ending May thirty-one one thousand nine hundred and twenty-four the sum of one thousand eight hundred dollars ($1,800) and a like amount for the year ending May thirty-one one thousand nine hundred and twenty-five and for the payment of postage labor express charges and other expenses in the office of the librarian of the Senate for the year ending May thirty-one one thousand nine hundred and twenty-four the sum of two thousand eight hundred dollars ($2,800) and for the year ending May thirty-one one thousand nine hundred and twenty-five the sum of two thousand eight hundred dollars ($2,800) and to the chief clerk of the Senate for the payment of the expenses of the Senate or committees of the Senate in attending funerals or expenses incident thereto of Senators officers of the Senate or State officials during the two years ending May thirty-first one thousand nine hundred and twenty-five the sum of three thousand dollars ($3,000)

To the chief clerk of the Senate for the payment of extra services in connection with the compilation of the history of legislation in the Senate session of one thousand nine hundred and twenty-three the sum of two thousand five hundred dollars ($2,500) two years the sum of three hundred seventy-one thousand one hundred ninety-six dollars and fifty cents ($371,196.50)) or so much thereof as may be necessary to be paid in the manner as prescribed by law

HOUSE OF REPRESENTATIVES

For the payment of salaries of the Members of the House of Representatives and extra compensation allowed by law to the Speaker of the House for the payment of mileage of the Members for the payment of the postage allowed by law one hundred and fifty dollars each for the payment of postage for the chief clerk and assistants for the payment of postage for mailing Legislative Journal bills calendars

For the payment of salaries of the officers and employes of the House of Representatives during the session and recess salaries of all officers and employes whose positions are now or may hereafter be created and for the payment of which provision is not otherwise made also for the payment of the mileage of the officers and employes of the House of Representatives and for the salaries and mileage of the returning officers of the House of Representatives at the beginning of the session of one thousand nine hundred and twenty-five

For the payment of the salaries of the Chief Clerk assistant clerk resident clerk stenographer to the resident clerk superintendent of store-rooms assistant resident clerk day and night watchmen custodians and assistant custodians and messenger

For the payment of contingent expenses including clerical and stenographic traveling and discretionary charges of the Speaker during the recess ending January first one thousand nine hundred and twenty-five the sum of two thousand dollars ($2,000) or so much thereof as may be necessary and for like expenses for the session of one thousand nine hundred and twenty-five the sum of two thousand dollars ....

For the payment of the necessary expenses including extra labor in the office of the chief clerk for the year ending May thirty-first one thousand nine hundred and twenty-four the sum of four thousand seven hundred dollars ($4,700) and for the six months ending November thirtieth one thousand nine hundred and twenty-four the sum of two thousand three hundred and fifty dollars ($2,350)

For the payment of the incidental expenses of the House of Representatives for the six months commencing December first one thousand nine hundred and twenty-four these accounts are to be expended by the chief clerk who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts but said chief clerk shall have at no time have in his hands more than two thousand dollars for which accounts have not been rendered and settled The whole amount thus expended by the chief clerk shall not exceed the sum of twelve thousand dollars ....

For the payment of the expenses of the Committee on Appropriations of the House of Representatives session of one thousand nine hundred and twenty-five in investigating schools reformatories prisons asylums hospitals and other institutions supported in whole or in part from the Treasury of the Commonwealth and for necessary clerical assistance of this committee the sum of twelve thousand dollars ($12,000) to be paid on warrant of the Auditor General drawn in favor of the chairman of the committee on the presentation of his requisition for the same said chairman shall file on account of the committee's expenses with the Auditor General within thirty days after the adjournment of the Legislature

For the payment of the expenses incident to issuing certificates of election to Members of the House of Representattves for the session of one thousand nine hundred and twenty-five (Act of June fourteenth one thousand nine hundred and eleven) and for the payment of postage labor express and other items of expense incurred in the office of the resident clerk for the year ending May thirty-one one thousand nine hundred and twenty-four the sum of three thousand five hundred dollars ($3,500) and for the year ending May thirty-one one thousand nine hundred and twenty-five the sum of three thousand five hundred dollars ($3,500) two years the sum of eight hundred twenty-nine thousand eight hundred and fifty-two dollars and twenty-five cents ($829,852.25) or so much thereof as may be necessary to be paid in the manner as prescribed by law

LEGISLATIVE JOURNAL AND SMULL'S LEGISLATIVE HAND BOOK

For the payment of the chief clerk of the Senate and the chief clerk of the House of Representatives for making indices for the session of one thousand nine hundred and twenty-three the sum of seven hundred and fifty dollars each fifteen hundred dollars ($1,500)

For the work of the Legislative Journal officials after the close of the session of nineteen hundred and twenty-three on the Legislative Journal also the proof reading of the appendix and index thereto as provided by law the sum of four thousand five hundred dollars four thousand five hundred dollars ($4,500)

For the payment of the person or persons appointed to index the Legislative Journal session of one thousand nine hundred and twenty-five in accordance with the act establishing said Journal the sum of one thousand five hundred dollars one thousand five hundred dollars ($1,500)

For the payment of the compensation allowed by law to the compiler and assistant compiler of Smull's Legislative Hand Book for the year one thousand nine hundred and twenty-four the sum of one thousand and five hundred dolars each three thousand dollars ($3,000) and like amounts for the year one thousand nine hundred and twenty-five three thousand dollars ($3,000.00) ....

JUDICIARY DEPARTMENT

Section 4 For the payment of the salaries of the judges of the Supreme and Superior Courts the salaries and mileage of the president and other law judges of the several courts of common pleas in the Commonwealth and the judges of the several orphans' courts and for the compensation of common pleas judges holding court in other districts and for the payment of salaries and milegae of associate judges the following sums or so much thereof as may be necessary for the two fiscal years beginning June first one thousand nine hundred and twenty-three payments to be made monthly by warrant drawn by the Auditor General on the State Treasurer except in the case of associate judges who shall be paid quarterly on August thirty-first November thirtieth February twenty-eighth and May thirty-first of each year but when by reason of death or resignation salary for a fraction of a quarter is due any judge it shall be computed according to the ratio it bears to the whole quarter so as not however to increase or diminish the salary he is entitled to receive under the several acts of Assembly fixing the compensation of judges Provided That at the beginning of the term the interval from the first Monday of January to the first Monday of March shall be reckoned as two-thirds of a quarter and at the close of the term the interval from the first day of December to the first Monday of January shall be reckoned as one-third of a quarter

SUPREME COURT JUDGES

For the payment of the salaries of the Supreme Court Judges two years the sum of two hundred forty-six thousand dollars **$246,000.00**

For the payment of the salaries or compensation of the briefers investigators stenographers tpyewriters and clerks and to reimburse the judges of said court for expenses incurred in the discharge of their duties or attendant upon execution of the duties of the office two years the sum of fifty-six thousand dollars **$56,000.00**

For the payment of the salary of the deputy prothonotary eastern district two years the sum of four thousand eight hundred dollars **$4,800.00**

For the payment of the salary of the deputy prothonotary and clerk middle district two years the sum of three thousand six hundred dollars **$3,600.00**

For the payment of the salary of a chief clerk in the office of the prothonotary of the Supreme Court for the eastern district two years the sum of four thousand eight hundred dollars **$4,800.00**

For the payment of the salary of an assistant chief clerk in the office of the prothonotary of the Supreme Court for the eastern district two years the sum of three thousand six hudred dollars **$3,600.00**

For the payment of the salary of a clerk in the office of the prothonotary of the Supreme Court western district two years the sum of four thousand eight hundred dollars $4,800.00

For the payment of the salary of a clerk as assistant to the chief clerk in the prothonotary's office of the Supreme Court in the eastern district two years three thousand dollars $3,000.00

For the payment of the salary of a record clerk in the office of the prothonotary of the eastern district two yers the sum of four thousand eight hundred dollars $4,800.00

For the payment of the salary and expenses of the crier tipstaves official stenographers court officers and special clerk to the Chief Justice of the eastern middle and western districts two years the sum of fifty-nine thousand nine hundred and fifty-five dollars $59,955.00 Provided That the crier for the middle district shall receive no other compensation from the State

For the payment of expenses of the Supreme Court in the middle district and the Superior Court at Harrisburg two years the sum of eight hundred dollars $800.00

For the payment of the salaries and expenses of the librarian assistant librarian and for the purchase of books for the library of the Supreme Court at Philadelphia two years the sum of fourteen thousand seven hundred dollars $14,700.00

For the payment of an attendant of the Supreme Court room and office and show rooms adjacent thereto middle district two years the sum of twelve hundred dollars payable monthly $1,200.00

For the purchase of books for the library of the Supreme Court Pittsburgh two years the sum of one thousand dollars $1,000.0

For the purchase of stationery supplies and the payment of the necessary expenses of the said Supreme Court for the eastern district thereof two years the sum of ten thousand dollars to be paid on the warrant of the Auditor General upon presentation of specially itemized vouchers approved by the prothonotary of the said Supreme Court for the eastern district thereof $10,000.00

For the purchase of stationery supplies and other necessary expenses of the Supreme Court western district for two years the sum of three thousand five hundred dollars to be paid on the warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the prothonotary of the said court for the said western district thereof $3,500.00

For the payment of the fees of the prothonotaries of the Supreme Court of the eastern middle and western districts on assignment of judges to counties other than their own under an order of the Supreme Court dated February nineteen one thousand nine hundred and nineteen the sum of six thousand dollars payments to be made monthly by the State Treasurer on warrants drawn by the Auditor General $6,000.00

SUPERIOR COURT JUDGES

For the payment of the salaries of the judges of the Superior Court two years the sum of two hundred and twenty-five thousand dollars $225,000.00

For the payment of the salaries or compensation of the clerks briefers investigators stenographers and typewriters of the Superior Court and to reimburse the judges of said court for expenses incurred in the discharge of their duties two years the sum of forty-nine thousand dollars $49,000.00

For the payment of the salaries and expenses of the crier and necessary tipstaves of the Superior Court two years the sum of forty-two thousand two hundred and fifty dollars $42,250.00

For the purchase of dockets stationery supplies books for the library and other necessary expenses of the said Superior Court and its officers two years the sum of ten thousand dollars to be paid on the warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the prothonotary of the said Superior Court Philadelphia Harrisburg and Pittsburgh $10,000.00

COMMON PLEAS JUDGES

For the payment of the salary of the judges of the courts of common pleas learned in the law in the several judicial districts of the Commonwealth, two years the sum of two million one hundred sixty thousand dollars $2,160,000.00

For the payment of the judges of the courts of the common pleas of Dauphin County for clerk hire in accordance with the provisions of the act of one thousand nine hundred and twenty-one (Pamphlet Laws page twenty-eight) the sum of fourteen thousand four hundred dollars $14,400.00

For the payment of the mileage allowed common pleas judges in judicial districts containing more than one county as per act number forty-eight session of nineteen hundred and nineteen approved April eighteenth one thousand nine hundred and nineteen the sum of five thousand dollars $5,000.00

ORPHANS' COURT JUDGES

For the payment of the salaries of the orphans' court judges in the several judicial districts in which separate orphans' courts have been established by law two years the sum of four hundred thirty-two thousand dollars $432,000.00

For the payment of the compensation carfare and expenses of judges for holding court outside of their own judicial districts in accordance with the provisions of the act of Assembly approved April twenty-seventh Anno Domini one thousand nine hundred and eleven the sum of sixty thousand dollars $60,000.00

For the payment of the salaries of the judges of the Municipal Court of Philadelphia in accordance with the provisions of the act of Assembly approved July twenty-first Anno Domini one thousand nine hundred and nineteen the sum of one hundred and sixty-one thousand dollars $161,000.00

For the payment of the salary of the present president judge of the county court for the county of Allegheny two years the sum of seventeen thousand dollars $17,000.00

For the payment of the salaries of the other judges of the county court for the county of Allegheny two years the sum of eighty thousand dollars $80,000.00

For the payment of the salaries of the judges of the Supreme Superior common pleas and orphans' courts who may resign or retire in accordance with the provisions of the act of Assembly approved June twelfth Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws four hundred and sixty-one) two years the sum of one hundred thousand dollars $100,000.00
and for deficiency which will accure May thirty-first one thousand nine hundred and twenty-three and not otherwise provided for the further sum of four hundred eighty-eight dollars and forty-four cents........ $484.44

ASSOCIATE JUDGES

For the payment of the salaries of the associate judges two years the sum of fifty thousand dollars $50,000.00

For the payment to the associate judges of mileage for the two fiscal years beginning June first one thousand nine hundred and twenty-three the sum of five thousand dollars $5,000.00

INTEREST ON FUNDED DEBT AND MISCELLANEOUS APPROPRIATIONS

Section 5 For the payment of interest on the funded debt of the Commonwealth which falls due on the first day of August one thousand nine hundred and twenty-three and the first day of February one thousand nine hundred and twenty-four and on the first day of August one thousand nine hundred and twenty-four and the first day of February one thousand nine hundred and twenty-five the sum of thirty-two thousand and forty dollars $32,040.00

To the Commissioners on the part of Pennsylvania of the National Commission on Uniformity of Legislation for the payment of expenses and incidentals already incurred and to be incurred during the two fiscal years beginning June first one thousand nine hundred and twenty-three the sum of one thousand five hundred dollars $1,500.00

For the payment of pensions and gratuities that have been granted by act of Legislature or that may hereafter be granted according to law two years the sum of six thousand dollars $6,000.00

For the payment of salaries of State employes who may be retired by resignation two years the sum of one hundred seventeen thousand two hundred and fifty dollars $117,250.00

For the payment of the expenses of the Pennsylvania Historical Commission in carrying out its work as provided by the act of July twenty-fifth one thousand nine hundred and thirteen as amended two years the sum of seven thousand five hundred dollars $7,500.00

For the payment of the cost of painting the portrait of Governor William Cameron Sproul the sum of seven hundred and fifty dollars $750.00

For the payment of the traveling and other expenses of the State Art Commission and the compensation of its employes the two years the sum of seven thousand five hundred dollars $7,500.00

For the payment of the compensation and expenses of the Electoral College one thousand nine hundred and twenty-four as provided by section thirty-two of an act of Assembly approved July second one thousand eight hundred and thirty-nine (Pamphlet Laws five hundred and twenty-five) entitled "An act relating to the election of this Commonwealth" as amended by a supplemental act of Assembly approved May twenty-fourth one thousand eight hundred and ninety-three (Pamphlet Laws one hundred and twenty-nine) the sum of one thousand dollars ($1,000) or so much thereof as may be necessary

For deficiency in the salaries and expenses of the State Art Commission for the two years ending May thirty-first one thousand nine hundred and twenty-three the sum of sixteen hundred ninety-two dollars ($1,692.00) or so much thereof as may be necessary

For the payment to the Philadelphia National Bank Philadelphia the State's Fiscal Agent for the custody and safe-keeping of the books and records pertaining to loans of the Commonwealth as per act of April fourth one thousand nine hundred nineteen two years the sum of one thousand dollars ($1,000.00)

For the payment to the Philadelphia National Bank Philadelphia the State's Fiscal Agent of compensation as Loan and Transfer Agent of the Commonwealth two years the sum of fifteen thousand dollars ($15,000.00)

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. PATTON. Mr. President, I move that Senate Bill No. 1162, (House Bill No. 81) the bill just read, be recommitted to the Committee on Appropriations.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1169, as follows:

An Act providing for the establishing and maintenance of uniform building lines in boroughs and townships of the first class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That boroughs and townships of the first class are hereby authorized and empowered by suitable ordinance to establish and maintain uniform building lines upon any or all public streets roads highways lanes and alleys of said boroughs and townships

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1170, as follows:

An Act authorizing cities to make emergency repairs to dangerous sidewalks and providing for the cost of collection thereof from the abutting property owners

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the remedies now vested in the cities of this Commonwealth to make repairs to sidewalks the said cities shall have power to make emergency repairs to sidewalks within corporate limits where in the opinion of the officer or head of the department lawfully having charge of sidewalks repairs a dangerous condition exists that can be repaired by an expenditure of not more than five dollars provided that before the said repairs are made a notice to make the repairs within forty-eight hours shall be served upon the owner of the said property If the owner cannot be served within the county notice may be served upon the agent of the owner or the party in possession if any there be or if there be no agent or party in possession the notice may be served by posting upon the most public part of the said premises

Section 2 Upon the completion of the work the cost thereof shall be a charge against the owner of the property and shall be a lien until paid upon the abutting property provided a claim is filed therefor in accordance with the law providing for the filing and collection of municipal claims

Section 3 This act is intended to provide an additional remedy for cities in connection with emergency repairs where the actual cost of doing the work does not exceed five dollars and the certificate of the officer or head of the department in charge of repairs to sidewalks shall be conclusive evidence of the existence of the emergency justifying the repair under the terms of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1174, as follows:

An Act reappropriating the unexpended balance of the item of twenty thousand dollars appropriated by act dated May twenty-seven one thousand nine hundred twenty-one to the State Industrial Home for Women at Muncy for the purchase of industrial machinery for making rugs carpets et cetera to said State Industrial Home for Women at Muncy and providing for doing washing and laundry work and appropriating the earnings from such work to the general maintenance fund of said State Industrial Home

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all the unexpended balance of the item of twenty thousand dollars ($20,000) appropriated by an act approved May twenty-seven one thousand nine hundred twenty-one to the State Industrial Home for Women at Muncy for the purchase of industrial machinery for making rugs carpets et cetera is hereby specifically reappropriated to said State Industrial Home for Women at Muncy to be used for maintenance purposes during the period beginning with the date of the approval of this Act and terminating May thirty-one one thousand nine hundred twenty-five Provided That so much of said unexpended balance as may be necessary may be used for the purchase and installation of industrial machinery and equipment for efficient laundry work to be used for doing the washing and laundry of the inmates and employes of said State Industrial Home for Women at Muncy and such washing and laundry work for others at a reasonable price therefor as the management of said Industrial Home may deem wise in order to instruct said inmates in the art of washing and laundrying by hand and with machinery and Provided further That all receipts for washing and laundry work done for outsiders shall be deposited in the treasury of the Commonwealth and shall become part of the general maintenance fund for said State Industrial Home for Women at Muncy

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1198, (House Bill No. 90), entitled:

A further supplement to an act approved the first day of April one thousand eight hundred and sixty-three (Pamphlet Laws two hundred and thirteen) entitled "An Act to accept the grant of public lands by the United States to the several States for the endowment of agricultural colleges" and making an appropriation for carrying the same into effect

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1199, (House Bill No. 91), entitled:

An Act making an appropriation to the trustees of the University of Pittsburgh for the general maintenance of and purchase of equipment for the university and for the maintenance of teaching facilities in hospitals for students in the school of medicine

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1200, (House Bill No. 106), entitled:

An Act making an appropriation to the trustees of the University of Pennsylvania

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one million five hundred forty-one thousand three hundred twelve dollars ($1,541,312) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the trustees of the University of Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the general maintenance of the university and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the University of Pennsylvania for the maintenance of the school of education of the University of Pennsylvania for the maintenance of the extension schools of the University of Pennsylvania and for the maintenance of the graduate school of medicine of the University of Pennsylvania Provided however That the sum of one hundred and sixty-four thousand dollars ($164,000) thereof shall be used for the maintenance and equipment of the Graduate School of Medicine

On the question,

Will the Senate agree to the section?

Mr. PATTON. Mr. President, I move to amend Section -, page 1, lines 13, 14, 15 and 16, by striking out "for the maintenance of the school of education of the University of Pennsylvania, for the maintenance of the extension schools of the University of Pennsylvania"; also page 2, by adding after the word "medicine" in line 5, the following: "Provided further. That the sum of ninety-one thousand dollars. ($91,000) thereof shall be used for the maintenance of the school of education of the University of Pennsylvania; and provided further, that the sum of ninety-six thousand dollars ($96,000) thereof shall be used for the maintenance of the extension schools of the University of Pennsylvania."

Mr. PHIPPS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An Act making an appropriation to the trustees of the University of Pennsylvania

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate Proceeded to the second reading and consideration of Senate Bill No. 1201, (House Bill No. 189), entitled:

An Act making an appropriation to the trustees of Temple University at Philadelphia Pennsylvania

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1203, (House Bill No. 673), entitled:

An Act to amend section one of the act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and eighty) entitled "An Act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll-bridges over the Delaware River and making an appropriation therefor" providing for the acquisition of municipality owned bridges

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1205, (House Bill No. 897), entitled:

An Act to amend sections nine and ten of an act approved the twenty-second day of June one thousand eight hundred and ninety-one (Pamphlet Laws 379) entitled "An Act to provide for the selection of a site and the erection of a State Asylum for the chronic insane to be called the State asylum for the chronic insane of Pennsylvania and making an appropriation therefor" changing the name and purpose of said hospital and repealing sections eleven and fifteen of said act

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1210, as follows:

A Supplement to the act approved the sixteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred eighty-two) entitled "An Act creating a Board of Commissioners of Public Grounds and Buildings providing for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers and employes and fixing their salaries defining the powers and duties of the board and the superintendent with regard to contracts for and the furnishing of furniture furnishings stationery supplies paper and fuel for the executive and legislative branches of the State Government and the Executive Mansion the supervision of the Capitol grounds and buildings the State Arsenal and Executive Mansion and repairs alterations and improvements thereto and to other buildings land and property of the State the disposal of unserviceable personal property of the Commonwealth the renting of office rooms outside the Capitol the bonding of officers and employes of the Commonwealth and the supervision of the erection of and repairs and additions to State institutions and the expenditure of funds therefor and repealing supplied and inconsistent laws" authorizing the said Board to agree with municipalites upon the terms and conditions and the amount of compensation for which lands and property of the Commonwealth may be taken or used for municipal purposes to receive such compensation and to release the municipality

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Board of Commissioners of Public Grounds and Buildings is authorized and empowered at its discretion to agree with cities counties townships boroughs or other municipalities upon the terms and conditions and the amount of compensation for lands or property of the Commonwealth taken used injured or destroyed in the laying out opening widening and grading or all or either of streets roads ways parkways or any other municipal improvement in which the municipality could exercise the right of eminent domain if the property were private property and to receive such compensation and to release the municipality for such injury or damage all moneys received being accounted for according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1213, as follows:

An Act to amend an act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred and sixty-one) entitled "An Act relating to the maintenance of insane feeble-minded and other persons confined in the various institutions of the Commonwealth fixing liability for their support providing for the collection of the moneys due the Commonwealth thereof and for proceedings relating thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven of an act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred and sixty-one) entitled "An Act relating to the maintenance of insane feeble-minded and other persons confined in various institutions of this Commonwealth fixing liability for their support providing for the collection of the moneys due the Commonwealth therefor and for proceedings relating thereto" is hereby amended to read as follows

Section 7 Where there is a claim against the estate of any person maintained in any home hospital asylum or other institution both on behalf of the Commonwealth and on behalf of any county or poor district and there is not sufficient in the estate to pay the (claim) claims in full the same shall be paid pro rata to the State and the county or poor district in the proportion of the amount of maintenance legally recoverable by each and in any such case the statute of limitations shall not apply and shall not be a bar to the right of the county or poor district to recover but the county or poor district shall have the same and equal right to recover from the estate of such person as the Commonwealth

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1214, as follows:

An Act to amend section five and six of an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred seventy-three) entitled "An Act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death" as amended authorizing the purchase of headstones of deceased service men buried in the county and regulating the purchase of markers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled

"An Act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service man' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death" which was amended by an act approved the twenty-third day of April one thousand nine hundred and twenty-three (Act Number fifty-seven) entitled "An Act to amend section five of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled 'An Act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as "deceased service men" defining the term "deceased service man" and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death" is hereby furter amended to read as follows

Section 5 It shall also be the duty of the county commissioners of each county in this State upon or at any time subsequent to the death of any service man (as defined herein) who shall be buried within their counties (under the provisions of this act or any prior act) on the application of any relatives or on the application of any friends of such deceased service man if such application by friends has been approved by any organization of veterans of any war in the United States was engaged and provided that there be no objection by the nearest relative to cause a headstone to be placed at the head of the grave of each deceased service man containing his name and if possible the organization to which he belonged or in which he served in letters raised or cut in at least three-sixteenths of an inch deep on such headstone to be of either marble or granite and to be placed or set in a concrete base and the expense for the same shall be paid out the funds of the county in which such deceased service man died or shall have had his legal residence Provided however That the expense shall not exceed the sum of fifty dollars for each headstone and the county commissioners of each county acting under this section shall draw a warrant on the treasurer of their county for the payment of said expense in favor of the party or parties furnishing such headstone

Section 2 That section six of said act which was amended by an act approved the twenty-third day of April one thousand nine hundred and twenty-three (Act Number fifty-nine) entitled "An Act to amend section six of an act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and seventy-three) entitled 'An Act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated "as deceased service men" defining the term "deceased service man" and authorizing county commissioners to provide headstones markers and burial plots for each such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death" is hereby further amended to read as follows

Section 6 The county commissioners of the several counties of this State shall (upon the petition of any ten reputable freeholders of any city borough township or district in said county) from time to time as is considered expedient by the commissioners procure (for and furnish to said petitioners some suitable and) appropriate markers made of suitable material for the grave of each and every deceased service man or woman buried within the limits of (said) any city borough township or district (to) and upon the petition of any ten reputable freeholders of the city borough township or district where any such deceased service man or woman is buried a marker shall be placed upon the grave of such deceased service man or woman for the purpose of permanently marking and designating such grave for memorial purposes and when such deceased service man or woman shall have been a veteran of any war for which the Government of the United States issued discharge buttons the markers designated for their graves shall include a facsimlie of said discharge button

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1216, as follows:

An Act making an incurable insanity a cause for divorce and providing procedure in such cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the causes now provided for by law it shall be lawful for the courts of common pleas to grant a divorce from the bonds of matrimony to any libellant whose husband or wife is suffering with incurable insanity

Section 2 The courts of common pleas are invested with authority to receive a petition or libel for divorce alleging that the respondent named in the libel is suffering with incurable insanity and to provide for the service of the subpoena upon the committee of the insane person In case the insane person is without a committee the court is authorized to appoint a committee Ad Litem

Section 3 Upon the hearing of the case before the court a master or a jury the incurability of the insanity of the respondent shall be proved by expert and other testimony Provided however That if the respondent is an inmate of an asylum or institution for the insane at the time or the filing of the petition for libel and has been an inmate of an asylum or institution for the insane continuously for a period of ten years or more prior to the filing of the petition or libel proof of such fact shall be sufficient to establish the cause of incurable insanity

Section 4 In all cases under this act the court shall have the power to provide by order or decree for the payment of alimony to such insane person or to his or her committee the amount of said alimony to be determined after due consideration of the estate and circumstances of the libellant and the separate estate of the respondent and to require the libellant to file in court a bond with sufficient sureties in such sum as the court may require conditioned upon obedience to the order or decree of the court as in this section provided for

Section 5 Except as in this act otherwise provided all proceedings for divorce on the grounds of incurable insanity shall be as now provided by law in other cases of divorce

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1219, as follows:

An Act regulating the selection of jurors for service in the several courts civil and criminal of the counties of the second class creating a Board of Judges from the court of common pleas of said counties for this purpose and prescribing the powers and duties of such Board imposing the entire cost and expense of maintaining and operating such Board upon said counties requiring the county commissioners of said counties to provide suitable office quarters equipment and supplies for said Board authorizing the employment of the necessary clerks assistants deputies and other employees abolishing the existing office of jury commissioners in said counties and providing that the present jury commissioners shall become clerks of said Board until the expiration of their term of office requiring other county officers and boards to furnish information to said board and prescribing punishment for violation of the provisions hereof

CREATION OF "BOARD FOR SELECTION OF JURORS"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the better and more impartial selection of persons to serve as jurors in the several courts civil and criminal of the counties of the second class there is hereby created a Board to be known as the "Board for the

Selection of Jurors" Said Board shall consist of three judges of the court of common pleas of said counties and the president judge of said court The president judge of said court annually on or before the first day of December of each year shall appoint the other three members of said Board who shall hold office for the calendar year next ensuing their appointment All vacancies arising in said Board shall be filled by the president judge of said court from time to time as occasion may arise Two members of said Board shall constitute a quorum for the transaction of business

Section 2 DUTY OF OTHER COUNTY OFFICERS The county commissioners of said counties shall provide and shall properly furnish and equip the same and shall provide said Board with all needed supplies All expenses incurred in the maintenance and operation of said Board and all salaries and wages payable to clerks assistants deputies and other employees of said Board shall be payable out of the funds of said counties in the county treasury upon payrolls approved by said Board

Section 3 CLERKS EMPLOYES AND SALARIES Said Board shall at all times employ a sufficient number of clerks assistants deputies and other employees as shall be necessary in the opinion of said Board to efficiently perform the duties provided herein The president judge of said court shall appoint all officers clerks assistants deputies and employees of said Board who shall be under the general charge of a clerk to be known as the "Jury Clerk"

All salaries shall be payable in monthly or semi-monthly installments All salaries payable to all employes of said Board shall be fixed by the majority vote of a county salary board consisting of the members of the Board hereby created the county commissioners of said county and the county controller

Section 4 JURY CLERK The Jury Clerk under the direction of the Board shall have general charge of the work of said Board and shall be responsible for the efficient operation thereof The Jury Clerk is particularly charged with the duty of collecting information relative to the various persons in said county qualified to act as jurors and their fitness thereof and for the preparation of proper indices for the purpose of making readily available to said Board at all times full information pertaining to jurors and the list of jurors

Section 5 LIST OF TAXABLES—DUTIES OF OTHER COUNTY OFFICERS AND EMPLOYEES On or prior to the first day of September one thousand nine hundred and twenty-three the county commissioners of said counties or other officers or board charged with the duty of making assessments for taxable purposes shall furnish to the Board hereby created a certified list arranged alphabetically of the names of all taxables of said counties in the several cities boroughs and townships located therein together with the residence and occupation of each taxable and each year thereafter on or before June first a certified list of the names of all taxables who have been added to or removed from said list during the preceding year in each and every district in the said counties together wth any change of residence or occupation

It shall be the duty of the several local assessors to ascertain by strict inquiry the proper name of each taxable person within his respective district the exact place of residence the taxable's present occupation and the name of the taxable's employer if any any and to state plainly written all such particulars in his assessment list

The duly authorized clerks assistants deputies and employees of said Board shall have the right of access at all times to all public offices in said counties for the purpose of examining any lists of taxables on file in such office

Section 6 PREPARATION OF THE JURY ROLL It shall be the duty of said Board to meet at the seat of justice of said counties at least ninety days before the first term of the court of common pleas in each and every year and thereupon to proceed with due diligence to select from the certified list of taxables of said county and not otherwise the names of persons who may be required for service as jurors in all the courts of said counties for the ensuing calendar year duly qualified to serve as such in the manner hereinafter provided

Except as otherwise herein provided said Board shall in the manner now directed by law the names of the persons so selected in the proper jury wheel which wheel securely locked and safeguarded from interference shall remain in the custody of the Board and the keys thereof in the custody of the present judge president judge of said court

Said Board shall be the sole judge of the requirements and qualifications of any person for jury service Provided however That if before trial any party to the cause shall submit satisfactory proof to the court that any juror on the panel does not possess the necessary qualifications or is exempt from jury service the judge on the jury shall order his dismissal from the panel and the striking of his name from the jury roll

At the end of each year the Board shall ascertain the names of all persons on the jury roll during the preceding year who have served and who have been excused and the names of such as have served be omitted for the following year and those who have not served and are duly qualified to act as jurors shall again be put on the jury roll for the following year

Section 7 JURY ROLL The names of taxables so selected with their respective addresses and occupations shall in the presence of the Board be written on separate pieces or slips of paper which shall then and there be placed in a closed wheel to be provided by the county commissioners and kept in the exclusive custody of the Board securely locked sealed or otherwise guarded from intrusion and a list of all names appearing on the jury roll with their respective residences and occupations shall be certified to and filed in the office of the prothonotary of the court of common pleas of said counties for preservation and public inspection One other such list shall be made out and kept in the office of said Board

Section 8 QUALIFICATION OF JURORS To be a qualified juror a person must be

(a) A citizen of the United States and a taxable resident of said county not less than twenty-one years of age nor more than seventy years of age

(b) One who bears a good reputation for honesty

(c) One who can read write and understand the English language

(d) One who has no physical disability that will tend to interfere with the duties of a juror

(e) One who has not served a full term of at least ten days within three years next preceding the year for which the jury roll is prepared

The foregoing prerequisites are mandatory and in order to obtain the foregoing information the Board shall cause a reliable investigation to be made to ascertain such facts as well as the other facts relating to the qualifications of such taxable as a juror

No person other than those whose names appear on the certified list of taxables hereinbefore mentioned shall be placed upon the jury roll

The Board shall have the power to obtain in whatever manner it deems most suitable the information required in the performance of its duties hereunder and for this purpose the jury clerk in person or by deputy may visit as often as necessary every house office shop building or other place within the county

The jury roll shall be of convenient form arranged alphabetically and classified as to cities boroughs and townships The jury roll shall as to each name specify age occupation office address and residence address

Section 9 EXEMPTION FROM JURY SERVICE The following persons are hereby exempted form jury service and their names shall not be placed upon the jury roll

A doctor of medicine an attorney-at-law a minister of the Gospel or a pharmacist in active practice in his or her profession

Section 10 EXCUSES FROM JURY SERVICE No juror shall be excused from service when drawn from the wheel except

(a) For personal incapacity by reason of illness or injury or such illness in his or her immediate family as in the opinion of the court shall require his or her attendance at home or

(b) When it shall appear that service at that particular time shall cause an exceptional hardship arising from the affairs or business of the juror or his employer

(c) The mother of a small child or children

The name of any juror excused under the provisions of clauses (a) and (b) of this section shall remain upon the jury roll and shall not be returned to the wheel but shall be set apart for service at such later date in the same or following year as said Board may deem best Any juror whose name is so set aside shall be deemed to have drawn from the jury wheel at the later date fixed for service by said Board

Section 11 DRAWING OF JURORS FROM THE WHEEL As often as directed by a judge of a court of record of said counties the Board shall cause to be drawn from the jury wheel the number of names required who shall be summoned to appear before said judge at the time designated in the venire in the manner hereinafter mentioned The jury clerk personally or by his deputy or assistant in the presence of one of the members of the said Board shall draw the names from the jury wheel A minute of each drawing shall be kept which shall specify the court for which the juror is drawn the name of each juror drawn together with his or her address and occupation which shall be signed by the person in charge of the drawing and the judge present

A certified copy of the minute shall be delivered to the clerk of court for which the jury is drawn in the return day of the venire together with a return stating the time place and manner of serving each juror Such return shall be presumptive evidence of the fact of such service

The names of jurors drawn shall not be given to any person by the jury clerk or any employee of said Board unless authorized in writing so to do by the judge issuing the venire which order shall be preserved among the records of said Board

Any person in the employ of said Board giving any such information shall be guilty of a misdemeanor in office and on conviction shall be sentenced to pay a fine not to exceed one thousand dollars and to undergo imprisonment not to exceed one year or either or both at the discretion of the court

Section 12 CUSTODY OF WHEEL The jury clerk shall preserve the said wheel secure from all interference by others and if the said Board on any examination the members thereof may make into the condition of the said wheel and its contents shall discover that any names have been surreptitiously withdrawn therefrom or that the contents of said wheel have been in any manner tampered with it shall be evidence of a misdemeanor committed by the jury clerk and thereupon unless the Board shall be satisfied he is free from all blame on the matter it shall be the duty of said Board to bind him over to answer at the next court of quarter sessions and upon conviction thereof he shall be subject to a fine not exceeding one thousand dollars and to imprisonment not exceeding one year or either or both at the discretion of the court

Section 13 NOTIFICATION OF JURORS ON JURY ROLL AND AFFIDAVITS AS TO JURORS Within thirty days after the jury roll is completed the jury clerk shall cause notice to be given by mail to each of the persons whose names appear thereon

Thereafter any person shall have the right to file with the clerk of said Board an affidavit setting forth any facts relating to the qualifications or disqualifications of any person whose name appears on the jury roll and it shall be the duty of the clerk to investigate and report thereon to said Board and if any such names are drawn from the jury wheel the Board shall at that time determine whether or not the person is or is not qualified and in the event of their determining that the person is not qualified under the terms of this act the name of such juror shall be stricken from the jury roll and cast out of the wheel and another name drawn in place thereof

Thereafter any person whose name appears on the jury roll may if he or she so desires file an affidavit with the jury clerk setting up any ground of exemption or disqualification or any reason for not being called upon to serve at a particular time of the year by reason of the exigencies of his or her business or affairs If the Board determines that the person filing such affidavit is disqualified from serving or is entitled to exemption the name of such person shall be stricken from the jury roll and such name if thereafter drawn from the wheel shall be cast out If the affidavit filed requests that the person be not called to serve at a particular time of the year by reason of the exigencies of the person's business or affairs or employment the Board may in proper cases order that the name of such person if drawn from the wheel shall be set aside for jury service at such other later time in the year as will be more suitable and if the name of such person is drawn from the wheel too late in the year for service at such convenient time as the Board may determine to be right in view of the nature of the person's business or affairs the Board may relieve the juror from service for the current year the name however to be set aside for service at such time in the following year as the Board may deem best The names of all jurors so set aside for future service shall be deemed to have been drawn from the jury wheel at the later date fixed by the said Board

Section 14 SUMMONING JURORS The Board shall have the right to summon jurors in either of the following ways

(a) By having the jury clerk mail the summons by registered mail with return receipt requested

(b) By service of such summons by clerks or deputies duly appointed for the purpose such summons to be served on such persons in the manner now provided by law for the service of such summons by the sheriff of said county

(c) By causing the summons to be served by the sheriff of said county in the manner now provided by law

Said summons shall be served upon each juror at least fifteen days before the time fixed for his or her appearance

The person making the service pursuant to the provisions hereof shall make return thereof to the proper court under oath stating the time and manner of such service and the same shall be presumptive evidence of the service thereof

If a juror neglects or refuses to appear the judge shall thereupon summarily cause said person to be brought before him and punish each and every offender as contempts of court are now punishable

The names of all persons excused by the court or failing to appear shall be transmitted to the jury clerk and the slips with such names shall not be returned to the jury wheel but shall be set apart for service at such later date as the Board may direct at which date their names shall be deemed to have been drawn in accordance with the provisions thereof

Section 15 LIMITATION OF RIGHTS TO OBJECT TO JURORS No exceptions objections or challenge to any juror grand juror or any panel of jurors shall be allowed at any time because of any failure to comply with the provisions of this act unless the complaining party shall raise the question before the case has gone to trial or if raised thereafter the facts were not known before and that an actual injustice has been done as a result thereof

Section 16 OATHS The jury clerk and such assistants and deputies as shall be named by the Board shall have the power to administer oaths in any matter or thing connected with the selection and qualification of jurors or other matter relating to jury service

If any person shall wilfully and corruptly on his oath or affirmation administered by the jury clerk his deputy or assistant make a false statement in respect to any matter or thing inquired of such person shall be guilty of wilfully and corrupt perjury and on conviction sentenced in such manner as perjury is by law punishable

SECTION 17 REPORT OF JURORS It shall be the duty of the clerk of the several courts of said counties to notify said Board of any misconduct of jurors arising in their court and it shall be the duty of the jury clerk to keep permanent record of such information and any investigations made with respect thereto and to make any investigations pertaining thereto as may be required by said Board or any member thereof or by the court wherein any such misconduct took place It shall be the duty of the Board from time to time as occasion may arise to investigate any and all irregularities arising from misconduct of jurors and to take such action in respect thereto as it may deem necessary

Section 18 MANNER OF DRAWING TALESMEN Whenever talesmen are required in any of the said courts the jury clerk shall produce the said wheel in open court in the presence of the judges thereof draw therefrom five names for every talesman required which names so drawn shall be immediately noted on the minutes of the court whereupon a venire shall be issued requiring the clerk or deputies of said Board or sheriff to bring into court any one of the said five persons so drawn to serve as a tales juror no tales juror shall be selected or served in any other manner and the tickets or slips so drawn from the said wheel shall be returned thereto

Section 19 PLACING OF ADDITIONAL NAMES IN WHEEL Whenever said Board shall be of the opinion that it will be necessary to place additional names in the wheel the Board shall select from the list of taxables aforesaid the names of such number of qualified jurors as may in their judgment be necessary to supply all the venires that may be issued during the current year which names when so selected shall be placed in said wheel in the manner herein provided and a list of the names of the persons so selected and placed in the wheel with their residences and occupations shall be certified by the Board as herein required as an addition to the jury roll theretofore prepared

If the Board shall be of the opinion that the purpose of this act will be better carried out by adding further names to the jury roll and to the jury wheel from time to time during the course of the year the Board shall have the right so to do The Board shall always have on the jury roll and in the jury wheel at least five names for every juror required to be summoned during the current year

Section 20 ABOLITION OF PRESENT OFFICE OF JURY COMMISSIONERS Forthwith upon the passage of this act the present office of jury commissioners in said counties shall be and the same is hereby abolished and the present incumbents in said office shall forthwith become clerks of the Board hereby created for and during the balance of the term to which they have been elected at the same salary which they are now receiving and it shall be their duty to perform such services for the Board hereby created as may be required of them by said Board

Section 21 OTHER OFFENSES Any person who offers promises or gives money or anything of value to any person for the purpose of securing his or another's selection as a juror or for the purpose of evading for himself or another jury service or who directly or indirectly tampers with a jury roll jury wheel jury ballot or jury list or who directly or indirectly wilfully prevents hinders or subverts the execution of any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding five thousand dollars and to undergo an imprisonment not exceeding two years or both or either at the discretion of the court

Any person who solicits demands or receives money or anything of value or the promise thereof from any person for securing the selection of any person as a juror or for the purpose of excusing any person from jury service or who being a jury clerk deputy or assistant jury clerk or employee of the Board unlawfully tampers with any juror roll jury wheel jury ballot or jury list with the intent of preventing hindering or subverting the execution of any of the provisions of this act or with the intent of unlawfully securing the selection or excusing of any person from jury service shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding five thousand dollars and undergo an imprisonment not exceeding two years or both or either at the discretion of the court Thereupon if he be jury clerk deputy or assistant jury clerk in addition to the penalty imposed he shall be forthwith deprived of his said office and be thereafter incapable of holding any public office created under the laws of this Commonwealth

Section 22 WHEN ACT TAKES EFFECT This act shall take effect forthwith upon its passage and the jury wheel now in the sheriff's custody with the names of the jurors selected for the present year shall be turned over to said Board and the jurors for the current year shall be drawn therefrom until a new list is drawn by the Board appointed under the provisions hereof

Section 23 LAWS REPEALED All general or local or special acts or parts of acts relating to the custody sealing locking opening of the jury wheel or the qualification selection drawing from the jury wheels of jurors or summoning them other than as herein provided together with all general local or special acts or parts of acts inconsistent herewith are hereby repealed in so far as they relate to counties of the second class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1220, as follows:

An Act validating certain proceedings and elections of counties cities boroughs townships school districts and other incorporated districts or municipalities had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance to such proceedings and elections

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all proceedings and elections heretofore had and held by any county city borough township school district or other municipality or incorporated district within this Commonwealth to increase its indebtedness under the method or procedure specified by the provisions of an act of assembly approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the acts amendatory thereof and supplementary thereto where the majority of voters cast at such election was in favor of the increase of indebtedness be and the same are hereby ratified confirmed and made valid notwithstanding the authorities of such county city borough township school district or incorporated district did not by separate and independent action prior to the ordinance or vote in pursuance of which notice of election was given to the electors signify their desire for such increase of indebtedness or did not in the words of the act and amendments and supplements aforesaid authorizing such increase signify their desire for such increase of indebtedness and notwithstanding the ballots were not certified or signed by the county commissioners or were not printed on the official ballot after the list of candidates but were printed on separate ballots and notwithstanding full complete and proper return of the votes was not made to the proper court or counted by the court or a record showing the results made and certified by the clerk of said court to the proper authorities of such district or municipality and notwithstanding any defect or informality in the manner of holding or giving notice of such election and notwithstanding any mistake in stating the amount of percentage of the existing debt or the percentage of the proposed increase or patent error of orthography or of numerical statement on any or all of the ballots All of the bonds securities and obligations issued or to be issued in pursuance of every such election are hereby made valid binding obligations of every such county city borough township school district or incorporated district Provided All the other requirements of law concerning such procedure election and issue of bonds have been complied with And provided further The provisions of this act shall not apply in any instance where the validity of such election or of any issue of bonds or other security based thereon has been already made the subject of limitation in any court of this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1226, as follows:

An Act authorizing courts of common pleas of the several counties of the eighth class to order moneys received from fines penalties and forfeited recognizances and dedicated by law to law library purposes in excess of the amount required to be paid into the county treasury for the use of the county

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if in any county of the eighth class of this Commonwealth where by law the fines penalties and moneys collected from forfeited recognizances are directed to be paid into the treasury of the county for the use of a law library to be kept in the court house of said county for the use of the courts and the bar thereof and to be expended from time to time under the direction of a committee of the resident members of the bar appointed by the president judge the said fines penalties and moneys collected from forfeited recognizances are in the opinion of the court in excess of the amount required by the said committee for law library purposes the court of common pleas of said county may by its order direct all or any portion of such fines penalties or moneys from forfeited recognizances to be paid into the county treasury for the use of the county

Section 2 All acts and parts of acts general local and special inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1230, as follows:

An Act making an appropriation to the Department of Public Welfare for the development of prison industries

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Public Welfare for the development of prison industries for the two fiscal years beginning June first one thousand nine hundred and twenty-three to be used for the prison manufacturing fund enlargement of prison industries and the payment of salaries for general superintendence and wages of the prisoners employed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1234, as follows:

An Act to fix the compensation of the coroner in fifth class counties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Asembly met and it is hereby enacted by the authority of the same That the coroner of each county of the fifth class shall receive an annual salary of eighteen hundred dollars ($1800) The provisions of this act shall not apply to any coroner now in office

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

REPORTS FROM COMMITTEES.

Mr. CRAIG. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CRAIG, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1044, (House Bill No. 1253), entitled:

An Act permitting service in divorce actions to be made by registered letter upon respondents residing outside of the Commonwealth.

Mr. CULBERTSON. Mr. President, I ask unanimous consent to make report from Committtee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CULBERTSON, from the Committee on New Counties and County Seats, reported as committed, Senate Bill No. 1252, entitled:

An Act relating to assessments for taxes in townships of the first class in this Commonwealth; fixing the time for the issuing of precepts by county commissioners; fixing the compensation of assessors and assistant assessors in such townships; extending the time within which the said assessors are required to complete their assessment, and make their return thereof; and further providing for the final determination of the township commissioners of the time actually employed by the said assessors and assistant assessors in the performance of their duties.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from Committee at this time.

Mr. PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Corporations, reported as amended, Senate Bill No. 1141, entitled:

An Act relating to the condemnation and appropriation of lands, waters, and other property by public service corporations holding limited power permits and limited water supply permits.

Also, from the Committee on Corporations, reported as amended, Senate Bill No. 1142, entitled:

An act relating to permits from the Water Supply Commission for the construction of dams for the development of water power, for changing or diminishing the course, current, or cross section of any stream or body of water, for the construction of dams for supplying water for steam power, and dams for water supply; the imposing of reasonable annual charges upon the holders of such permits and the embodying therein of terms, conditions, and stipulations by said Commissions; limiting such permits for the construction of dams for the development of water power, or for in any manner changing or diminishing the course, current, or cross section of any stream or body of water, or for the construction of dams for supplying water for steam power when the same are not within the jurisdiction of the United States under the Federal Water Power Act, to a period of fifty years, but when the same are so within the jurisdiction of the United States requiring the permittee to secure a license under the Federal Water Power Act and making the rights and powers set forth as rights and powers of the United States enforceable by the Commonwealth of Pennsylvania in certain cases; authorizing the flooding of islands owned by the Commonwealth under permits from the Water Supply Commission; empowering the said Commission to make rules, regulations, and orders, and providing remedies for the enforcement thereof, of the provisions of this Act, and of the terms, conditions, and stipulations of permits issued under this Act, and providing for the revocation of such permits in certain cases; and reserving the right of amendment and repeal.

Mr. BARR. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR, from the Committee on Education, re-reported as committed, Senate Bill No. 878, entitled:

An Act to amend section eleven of the act approved June 20, 1919, (P. L. 521), entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal."

BILLS INTRODUCED.

Mr. HARRIS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HARRIS, read in his place and presented to the Chair Senate Bill No. 1256, entitled:

An Act making an appropriation to the De Paul Institute of Mount Lebanon Township, Allegheny County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. BARR. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR (by request of Mr. Quigley), read in his place and presented to the Chair Senate Bill No. 1257, entitled:

An Act allowing leaves of absence to officers and employees of the Commonwealth who are members of the Organized Reserves of the United States Army, while engaged in the service of the United States.

Which was committed to the Committee on Military Affairs.

HOUSE MESSAGES.

HOUSE CONCURS IN RESOULTION RECALLING FROM THE GOVERNOR SENATE BILL No. 686.

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate, as follows:

In the Senate, May 15, 1923.

Resolved (if the House of Representatives concur) That Senate Bill No. 686 entitled "An Act relating to the registration of nurses by the State Board of Examiners for Registration of nurses and the issuance of a license to practice nursing" be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN RESOULTION RECALLING FROM THE GOVERNOR SENATE BILL No. 282.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate, as follows:

In the Senate, May 15, 1923.

Resolved (if the House of Representatives concur) That Senate Bill No. 282, File Folio 901, entitled "An Act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto," be recalled from the Governor for the purpose of amendment.

RESOLUTION AUTHORIZING PRINTING OF 2500 COPIES OF PROCEEDINGS OF MEMORIAL SERVICES HELD IN HONOR OF THE LATE WILLIAM E. CROW.

He also presented communcation from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 16, 1923.

Resolved (if the House of Representatives concur), That two thousand five hundred (2,500) copies of the proceedings of the memorial services, held in honor of the late William E. Crow, be printed for the use of the Senate.

RESOLUTION AUTHORIZING PRINTING OF 2500 COPIES OF PROCEEDINGS OF MEMORIAL SERVICES HELD IN HONOR OF THE LATE EDWIN H. VARE.

He also presented communcation from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 16, 1923.

Resolved (if the House of Representatives concur), That two thousand five hundred (2,500) copies of the proceedings of the memorial services held in honor of the late Honorable Edwin H. Vare, be printed for the use of the Senate.

RESOLUTION AUTHORIZING PRINTING OF 2500 COPIES OF PROCEEDINGS OF MEMEORIAL SERVICES HELD IN HONOR OF THE LATE HONORABLE BOIES PENROSE.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate, as follows:

In the Senate, May 16, 1923.

Resolved (if the House of Representatives concur) That two thousand five hundred (2,500) copies of the proceedings of the memorial services, held in honor of the late Honorable Boies Penrose, be printed for the use of the Senate, and two thousand five hundred (2,500) copies for the use of the House.

RESOLUTION RELATIVE TO CONSTRUCTION OF LEHIGH COAL AND NAVIGATION CANAL.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House has concurred in resolution from the Senate, as follows:

In the Senate, April 30, 1923.

Whereas, Efforts have been made by prominent citizens of Bucks County to foster a movement to enlarge the present Lehigh Coal and Navigation Company's canal, running from tide water at Morrisville to Easton, and on to Mauch Chunk, and

Whereas, The United States War Department, through its engineering department, has been directed by an act of Congress to determine the value of such a canalization plan for the Upper Delaware Valley, and

Whereas, The engineers suggest a commission be created to function and cooperate with the said War Department, with a view of purchasing such rights of way for the use of the United States Government in the reconstruction of the old canal into a thousand ton barge canal, therefore be it

Resolved, (if the House of Representatives concur) That the General Assembly of the Commonwealth of Pennsylvania endorses the movement to provide for the canalization of the Upper Delaware Valley, and the purchase of rights of way and reconstruction of a one thousand ton barge canal running from the head of tide water of the Delaware River at Morrisville to Easton and Mauch Chunk.

Resolved. That a copy of this resolution be forwarded by the Secretary of the Commonwealth to the President pro-tempore of the Senate and the Speaker of the House of Representatives of the United States, and to the Secretary of War.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 317.

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 14, 1923.

Resolved (if the Senate concur), That House Bill No. 317, File Folio 1015, entitled "An Act to amend section one of the act, approved the seventeenth day of May, one thousand nine hundred and nineteen (Pamphlet Laws two hundred and eight), entitled 'An Act prohibiting under certain conditions the commutation, encumbrance or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto; prohibiting the attachment of such proceeds and income, and authorizing life insurance companies to hold such proceeds as part of the general corporate funds', by extending the same to the proceeds and income from policies issued by both domestic and foreign companies", be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 406.

He also presented communication from the House of Representatives, informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 406, entitled:

An Act authorizing corporations incorporated under the laws of any other state of the United States to acquire use encumber and dispose of such real estate and rights and interests in the nature of or in respect to real estate in Pennsylvania as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful for them to exercise in this state defining certain of their powers rights and liabilities in connection therewith regulating the exercise of said rights by foreign public service corporations repealing certain acts and validating certain titles rights and interests heretofore acquired.

HOUSE APPOINTS COMMITTEE OF CONFERENCE.

He also informed the Senate that the House insists on its non-concurrence in the amendments made by the Senate to House Bill No. 639, entitled:

An Act providing for the quarantine and control of the Japanese Beetle imposing certain powers and duties on the Department of Agriculture and providing penalties

and has appointed Messrs. Heyburn, Haines and David J. Jones, as a Committtee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

HOUSE CONCURS IN SENATE BILL No. 294.

He also returned to the Senate, Senate Bill No. 294, entitled:

An Act to amend sections two and five of the act approved the tenth day of May one thousand nine hundred and twenty-one (P. L. 473), entitled "An Act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service men' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death"

with the information that the House has passed the same without amendment.

HOUSE BILL FOR CONCURRENCE.

He also presented for concurrence bill of the House of Representatives as follows:

House Bill No. 48, (Senate Bill No. 1258), entitled:

An Act relating to public service companies limiting their charges to services actually rendered or furnished requiring such companies to supply all instruments and devices necessary and incidental to their service prohibiting the discontinuance of service as a means of collecting charges in certain cases and prescribing penalties

Which was committed to the Committee on Corporations.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 21, entitled:

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields Pennsylvania

Senate Bill No. 47, entitled:

An Act to amend section eleven of the act approved the thirteenth day of June, one thousand eight hundred and forty (Pamphlet Laws six hundred and eighty-three) entitled "A supplement to an act entitled 'An Act relating to the elections of this Commonwealth' passed the second day of July Anno Domini one thousand eight hundred and thirty-nine and for other purposes" allowing constables mileage for advertising elections and compensation for advertising elections where there is more than one polling place in a district said mileage and compensation to be paid by counties

Senate Bill No. 58, entitled:

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Anthracite Coal Region of Pennsylvania at Ashland Schuylkill County Pennsylvania

Senate Bill No. 128, entitled:

An Act making an appropriation to the Western Pennsylvania School for the Blind located at Pittsburgh Pennsylvania to cover deficiency in maintenance and education of State pupils

Senate Bill No. 201, entitled:

An Act directing the State Librarian to cause certain old church records of this State to be translated preserved and published and makiug an appropriation therefor

Senate Bill No. 399, entitled:

An Act making an appropriation to reimburse the fund in the Mechanics Trust Company of Harrisburg standing to the credit of the Water Supply Commission for the improvement of French Creek for moneys inadvertantly paid into the State treasury

Senate Bill No. 439, entitled:

An Act to amend sections one thousand one hundred five and one thousand one hundred thirty-four of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Senate Bill No. 505, entitled:

An Act to repeal an act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Appropriation Acts Page 269) entitled "An Act making an appropriation to the Washington and Jefferson College Washington Pennsylvania"

Senate Bill No. 509, entitled:

An Act to require the teaching of the constitution of the United States in the public and private schools

Senate Bill No. 553, entitled:

An Act for the appointment of a commission to study conditions relating to blind persons in Pennsylvania and making recommendations and making an appropriation

Senate Bill No. 638, entitled:

An Act to amend section four of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and ninety) entitled "An Act authorizing the sale of certain property owned by the State the title to which is in the State Livestock Sanitary Board, and providing for the use of the proceeds of such sale"

Senate Bill No. 736, entitled:

An Act authorizing the State Highway Commissioner to use funds appropriated for State-aid highway purposes by the Act of March tenth one thousand nine hundred and twenty-one entitled "An Act making an appropriation to the State Highway Department for the construction of permanent State Highways for the payment of the Commonwealth's share in the expenses of constructing State-aid highways for the maintenance and repair of State Highways within the limits of boroughs for the maintenance and repair of State-aid highways for the payment of rewards due townships of the second class for the payment of damages to property caused or occasioned in connection with the work of the State Highway Department" for the construction or reconstruction of State highways and to enter certain charges against the State-aid highway accounts of those counties in which State Road Bond Fund money has been used to pay State-aid highway contracts so as to reimburse accounts available heretofore for highway purposes which were used for State-aid highway purposes and making an appropriation thereof

Senate Bill No. 772, entitled:

An Act to amend an act, approved July 21st, 1919 (P. L. 1057) entitled "An Act to amend section one, and to supplement an act, approved July 25, 1917 (P. L. 1202) entitled 'An Act providing for the appointment and expenses of a commission of five persons to codify and revise the law relating to banks, private bankers, and trust companies doing business within this Commonwealth, and making an appropriation'; extending the powers and duties of the commission so as to include the codification and revision of the law relating to all corporations, persons, partnerships, and associations under the supervision of the Banking Department; and making an appropriation"; extending said commission for a further period of two years; and making an appropriation.

Senate Bill No. 776, entitled:

An Act making an appropriation for the restoration of buildings and property at the State Hospital for the Insane of the Southeastern District of Pennsylvania located at Norristown Pennsylvania damages and destroyed by a cyclone

Senate Bill No. 785, entitled:

A Supplement to the act approved July 25, 1913 (P. L. 1270) entitled, "An Act providing for the erection of a dam at the outlet of Pymatuning Swamp, and the establishment of a reservoir to conserve the waters thereof; providing for the taking of land and materials necesary thereto; vesting certain powers and duties in the Water Supply Commission; and making an appropriation," providing for the sale and leasing of property acquired under said act; and making an appropriation of the proceeds thereof.

House Bill No. 18, entitled:

An Act to provide for the welfare of all persons confined (Whether such persons be tried or untried prisoners) in any penitentiary or county prison in this Commonwealth

House Bill No. 148, entitled:

An Act authorizing cities boroughs and incorporated towns to require and permit the laying and constructing of sanitary sewers and sewer pipes outside the cartway and the curbline thereof in all streets and highways and prescribing the uses thereof and providing for the assessment of the costs and expenses of any such sewer against the abutting property in the front of which the said sewer is laid

House Bill No. 351, entitled:

An Act to amend section forty-two of the act approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws five hundred and thirty-seven) entitled "An Act relating to counties and townships and county and township officers" by making county treasurers agents of the Commonwealth in collecting and transmitting money for the Commonwealth and providing their compensation for such services

House Bill No. 406, entitled:

An Act authorizing corporations incorporated under the laws of any other state of the United States to acquire use encumber and dispose of such real estate and rights and interests in the nature of or in respect to real estate in Pennsylvania as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful for them to exercise in this state defining certain of their powers rights and liabilities in connection therewith regulating the exercise of said rights by foreign public service corporations repealing certain acts and validating certain titles rights and interests heretofore acquired

House Bill No. 440, entitled:

An Act to provide for the licensing of transit retail merchants in cities boroughs and townships and providing a penalty for the failure to obtain such license

House Bill No. 461, entitled:

An Act to better secure all bonds stocks mortgages or other securities deposited with the State Treasurer by providing for their inspection examination and verification and the verification of the books containing a record of such bonds stocks mortgages or other securities by the Auditor General or his agents

House Bill No. 610, entitled:

An Act to amend section seventy-four of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth"

House Bill No. 623, entitled:

An Act to amend section five of an act approved the nineteenth day of May one thousand eight hundred seventy-four (Pamphlet Laws two hundred six) entitled "An Act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof" as amended by changing the provision for appointment of first assistant clerks so as to conform to the Constitution and giving to the Court and Register of Wills joint power to modify the salaries fixed for any assistant clerk

House Bill No. 671, entitled:

An act to amend sections one and three of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and ninety-three) entitled "An Act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the appointment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties"

House Bill No. 1086, entitled:

An Act providing for the public health safety and welfare requiring owners and operators of coal mines and operations to furnish and sell fuel coal at current or market prices to and for the use of hospitals poor houses or other charitable institutions schools churches and buildings of municipal or quasi municipal character and providing penalties for the violation of this act

House Bill No. 1216, entitled:

An act authorizing certain corporations to authorize create and issue capital stock of any class or kind without nominal or par value and to change or convert their authorized or outstanding capital stock of any class or kind into shares of any class or kind either with or without nominal or par value and validating the creations and issues of stock heretofore made by corporations in accordance with the provisions hereof

House Bill No. 1235, entitled:

An Act authorizing Department of Forestry to grant on terms conditions and stipulations rights to occupy and use any portions of the State Forests for dams reservoirs canals pipe lines and other water conduits for certain water supply purposes and providing "remedies for violations of this act or regulations or orders hereunder or of such terms conditions or stipulations and providing for revocation of the grant in certain cases"

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the presence of the Senate signed the same.

NOMINATIONS BY THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from his Excellency, the Governor of the Commonwealth, which were read as follows:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 16, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

Miss Wilhelmina Taliaferre, Pittsburgh, Mar. 17, 1923.

WESTMORELAND COUNTY.

John Mikulaninetz, Monessen, May 12, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 16, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

ALLEGHENY COUNTY.

Robert C. Magill, Pittsburgh.
J. E. Sugden, Jr. Pittsburgh.

CAMBRIA COUNTY.

Park C. Cover, Johnstown.

DAUPHIN COUNTY.

Benj. F. Lantz, Harrisburg.

LUZERNE COUNTY.

Merritt A. Smith, Conyngham.

PHILADELPHIA COUNTY.

Oscar Kneedler, Phila., 2068 E. York St.
Charles S. Lavin, Phila., 2301 N. 16th St.
Samuel Maser, Phila., 513 Vogdes St.
Miss Carolyn R. Schantz, Phila., 1730 N. 19th St.

SCHUYLKILL COUNTY.

Miss Julia C. Dolan, Schuylkill Haven.

YORK COUNTY.

C. A. Wolf, York.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. VARE,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. VARE,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. VARE. Mr. President, I move that the Executive Session do now rise.

Mr. PATTON. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGES.

AMENDMENT OF HOUSE BILL No. 162, RECALLED FROM THE GOVERNOR.

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives as follows:

House Bill No. 162, entitled:

An Act to amend section one thousand seven hundred and eight of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and prescribing and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Cnstitution, were twice read as follows:

Amend section 1, page 2, line 23, by striking out the words "Such cost".

On the question,

Will the Senate concur in the amendment?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENT OF HOUSE BILL NO. 540, RECALLED FROM THE GOVERNOR.

He also presented for concurrence bill of the House of Representatives as follows:

House Bill No. 540, entitled:

An Act prohibiting persons from concealing changing or destroying manufacturers' serial numbers or identification marks upon machines or apparatus or from knowingly having any such machine in the possession and prescribing penalties for violation thereof

And said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were considered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend title by striking out the words "knowingly having" and inserting in lieu thereof the words "taking possession of ", also by striking out the words "in possession" and inserting in lieu thereof the words "with the knowledge of such concealment change or destruction."

On the question,

Will the Senate concur in the amendment?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENT OF HOUSE BILL NO. 227, RECALLED FROM THE GOVERNOR.

He also prsented for concurrence bill of the House of Representatives as follows:

House Bill No. 227, entitled:

An act to further amend the fifth section of an act entitled "An act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof" approved May nineteenth Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six) as amended by fixing and determining the salaries of the assistant clerks of said court in counties of the first second third and fourth classes

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend Section 1, page 5, line 7, by striking out the word "direction" and inserting in lieu thereof the word "directions", also by striking out the word "and".

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENT OF HOUSE BILL NO. 1312, RECALLED FROM THE GOVERNOR.

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives as follows:

HOUSE BILL No. 1312, entitled:

An Act to amend sections one two three and four of an act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An act defining consolidating of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools"

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 3, line 6 by striking out the word "hereafter" and inserting in lieu thereof the word "hereinafter"; also page 4, line 17, by striking out the word "thereof" and inserting in lieu thereof the word "therefor"; also page 5, line 4 by striking out the word "those" and inserting in lieu thereof the word "these"; also line 17 by striking out the word "consolidate" and inserting in lieu thereof the word "consolidated".

On the question,

Will the Senate concur in the amendment?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENT OF HOUSE BILL No. 957, RECALLED FROM THE GOVERNOR.

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives as follows:

House Bill No. 957, entitled:

An Act to provide for the laying out altering and vacating roads lying partly in one county and partly in an adjoining county forming or intended to form a continuous highway from one county to another and providing for the location construction of a joint county bridge on said road

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Said amendments having been printed as required by the Constitution, were twice read as follows:

Amend section 1, page 1, line 5, by inserting after the word another the following: "which crosses a river creek or rivulets forming a boundary line between said counties"; also line 21, by inserting after the word "jury" the words "and the court"; also line 23, by inserting after the word "juries" the words "and court"; also line 25 by striking out the word "ten" and inserting in lieu thereof the word "thirty"

On the question,

Will the Senate concur in the amendment?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Davis,
Derrick,
DeWitt,
Harris,
Heaton,
Homsher,
Huffman,
Joyce,
Krause,
Lanius,
Long,
MacDade,
Mansfield,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Sisson,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,
Eyre,
Pres. Pro Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL NO 262.

He also presented communication from the House of Representatives, informing the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 262, entitled:

An Act to amend part of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution

Mr. WEAVER. Mr. President, I move that the Senate insist upon its amendments to the foregoing bill non-concurred in by the House and that a Committee of Conference be appointed to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two Houses in relation to said bill.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. Weaver, Baldwin and Homsher, be said committee on the part of the Senate, and tha the Clerk inform the House of Representatives accordingly.

HOUSE APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in the amendments made by the Senate to House Bill No. 435, entitled:

An Act to amend clause forty-six of section three of article five of the act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred sixty-eight) entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" as amended giving to said cities the right to exercise the power and authority of local self-government in municipal affairs

and has appointed Messrs. Gelder, George W. Williams and Golder, as a committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation of said bill.

MOTION TO READ BILLS THE FIRST TIME.

Mr. BALDWIN. Mr. President, I move that all bills reported from Committees at today's session be read the first time.

Mr. WEAVER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 585, entitled:

An Act authorizing and empowering local boards of health of the Commonwealth to organize district health associations for the purpose of holding annual meetings; providing for the representation of each board of health in said district associations and providing for the payment of the expenses thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 739, entitled:

An Act to amend section four of an act approved the first day of May, 1909 (P. L. 307) entitled "An act to provide for the recovery by bureaus of health, boards of health, and boards of school directors, of cities, boroughs, and townships of this Commonwealth, of money expended to care for and maintain persons sick of contagious or infectious diseases when the person so sick has a settlement in some other city, borough, or township of the Commonwealth, and providing for the payment of all expense by the party falling sick, except poor persons, and defining a settlement for the purposes of this act" defining the settlement of a married woman.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 818, (House Bill No. 579), entitled:

An Act providing for the location, construction, operation, maintenance and vacation of public roads or highways, bridges, tunnels, subways and underground roads within second class counties of this Commonwealth, except state highway and state-aid highway routes, state roads, state highways, state bridges, state tunnels, state subways and state underground roads, either wholly or partly within the territorial limits of cities, boroughs and townships thereof and the taking over by the county of such improvements from townships making such improvements county improvements establishing procedure for undertaking or vacating of improvements by the county commissioners and the mode of taking exceptions thereto, providing for the entry upon and appropriation of property for the purpose of planning and making improvements the compensation to be paid therefor and the payment of damages and the assessment of benefits resulting from such improvements and the manner in which such damages and benefits may be determined, providing for the filing reviving and collecting of liens arising from any assessment of benefits thereunder, providing for the payments of the costs and expenses of such construction and improvement and the maintenance and operation thereafter providing for the letting of contracts for such improvements or maintenance and for the maintenance thereof by the county commissioners themselves, defining the duties of the county commissioners with reference to such county improvement and authorizing them to employ the necessary persons and maintain the necessary equipment to perform their duties providing for the contracting by counties of the second class with railway or transportation companies for the concurrent use of county improvements authorizing the levy of a tax and the issuance of bonds by counties of the second class to provide funds for said purposes, providing for the entry upon and appropriation by said counties of highways streets and properties of cities and boroughs necessary for such improvement and for the maintenance and control of said highways streets and properties by said counties after said entry and appropriation requiring the county commissioners of said counties to prepare a county road plan and prohibiting the award of damages for the taking of improvements made by persons within the lines located on said plan after its adoption and requiring the removal by the owner of improvements made within the lines of relocated highways on said plan authorizing the county commissioners of said counties to appoint persons to inspect repair and control county roads with power to enforce laws and authorizing the county commissioners of said counties to establish regulations for the use of county roads including penalties for violations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 831, (House Bill No. 793), entitled:

An Act to amend section seven of the act approved May 22, 1889 (P. L. 261) entitled "An act for the protection of shad and game fish in the river Delaware"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 853, (House Bill No. 1052), entitled:

An Act relating to salaries, compensation, bonds, offices and supplies of certain county officers, their deputies and clerks in counties of the sixth class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 918, (House Bill No. 377), entitled:

An Act to amend section one, section six as amended and section ten of an act approved June 7, 1895, (P. L. 167) entitled "An act to provide for the better protection of life and health by diminishing the danger from infectious and contagious diseases through the creation of a State Board of Undertakers in the cities of the first second and third classes with systematic examinations registration and licenses for all entering the business of burying the dead and penalties for violation of the provisions thereof" by prescribing the qualifications and compensation of members of the State Board of Undertakers, providing for employes of the board requiring applicants for undertakers' license to have a common school education, providing for the auditing of its books and the disposition of funds remaining in its treasury

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 949, (House Bill No. 1075), entitled:

An Act for the prevention and treatment of mental diseases mental epilepsy and inebriety regulating the admission and commitment of menal patients to hospitals diseases and institutions for mental defectives and epileptics governing the transfer discharge interesate rendition and deportation of mental patients, providing for the payment by individuals counties or the Commonwealth of the cost of the admission, care and discharge of mental patients and imposing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 964, (House Bill No. 1269), entitled:

An Act to amend section three of an act approved the tenth day of April one thousaid one hundred and sixty-seven (Pamphlet Laws sixty-two) entitled "An Act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth" by requiring the drawing of jury panels from the wheel to take place publicly in the court room and in the presence of one of the judges of the court of common pleas.

And said bill having been read at length the first time,
Ordered, To be land aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1017, (House Bill No. 1256), entitled:

An act imposing a State tax on Liquid Fuels including all liquids ordinarily practical and commercially useable in internal combustion engines for the generation of power and all distillates of and condensation from petroleum natural gas coal coal tar and vegetable ferments so useable to be paid by dealers as herein defined providing for the collection of such tax and for the distribution and use of the revenues derived therefrom providing for the filing of certificates and reports of the sale of such liquid fuels and the collection such tax and fixing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1044, (House Bill No. 1253), entitled:

An Act permitting service in divorce actions to be made by registered letter upon respondents residing outside of the Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1098, (House Bill No. 998), entitled:

An act to amend section one of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred sixteen) entitled "An act appropriating to the Department of Health any moneys to be received from the United States Government in the promotion of sanitation public health and health education the protection and care of maternity infancy and old age and the prevention treatment and cure of disease."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1106, entitled:

An Act to amend section 2 of an act approved the twelfth day of June nineteen hundred and thirteen (Pamphlet Laws four hundred and seventy-one) entitled "An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties; providing for the appointment of members of such boards of health by the president of the borough councils, or by the chairman of the board of commissioners of such townships; providing for the election of a secretary and a health officer; providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class, when conditions therein, in his opinion, constitute menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class, or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health; and providing the manner in which the expenses of boards of health or of the Commissioner of Health, incurred in administering health laws in any borough or township of the first class shall be paid."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1131, (House Bill No. 1411), entitled:

An act to amend section one of an act approved the twenty-seventh day of April one thousand nine hundred and eleven (Pamphlet Laws eighty-six) entitled "An act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants providing for the payment of the same by the particular county limiting the number of tipstaves to be appointed and repealing an act of Assembly entitled 'An act to regulate the fees of court criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants approved the twenty-ninth day of April Anna Domini one thousand nine hundred and nine" as amended.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1141, entitled:

An Act relating to the condemnation and appropriation of lands, waters, and other property by public service corporations holding limited power permits and limited water supply permits.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1142, entitled:

An Act relating to permits from the Water Supply Commission for the construction of dams for the development of water power, for changing or diminishing the course, current, or cross section of any stream or body of water, for the construction of dams for supplying water for steam power, and dams for water supply; the imposing of reasonable annual charges upon the holders of such permits and the embodying therein of terms, conditions, and stipulations by said Commission; limiting such permits for the construction of dams for the development of water power, or for in any manner changing or diminishing the course, current, or cross section of any stream or body of water, or for the construction of dams for supplying water for steam power when the same are not within the jurisdiction of the United States under the Federal Water Power Act, to a period of fifty years, but when the same are so within the jurisdiction of the United States requiring the permittee to secure a license under the Federal Water Power Act and making the rights and powers set forth as rights and powers of the United States enforcable by the Commonwealth of Pennsylvania in certain cases; authorizing the flooding of islands owned by the Commonwealth under permits from the Water Supply Commission; empowering the said Commission to make rules, regulations, and orders, and providing remedies for the enforcement thereof, of the provisions of this Act, and of the terms, conditions, and stipulations of permits issued under this Act, and providing for the revocation of such permit in certain cases; and revising the right of amendment and repeal.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1197, (House Bill No. 1190), entitled:

An Act providing for the granting of licenses to practice dentistry to certain persons who served in the army or navy of the United State or any branch or unit thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1228, entitled:

An Act to amend section one of the act approved June 28, 1917 (P. L. 645) entitled "An act making it unlawful for any individual or individuals to carry on or conduct any business under an assumed or fictitious name, style, or designation, unless upon the filing of a certificate to that effect in the office of the Secretary of the Commonwealth and of the prothonotary; requiring county commissioners at the expense of the county, to provide books for the entry of such certificates; fixing the fees of the Secretary of the Commonwealth and prothonotary; and providing penalties;" authorizing the Secretary of the Commonwealth to grant certificates to be received in evidence.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1252, entitled:

An Act relating to assessments for taxes in townships of the first class in this Commonwealth; fixing the time for the issuing of precepts by county commissioners; fixing the compensation of assessors and assistant assessors in such townships; extending the time within which the said assessors are required to complete their assessment, and make their return thereof; and further providing for the final determination by the township commissioners of the time actually employed by the said assessors and assistant assessors in the performance of their duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1254, entitled:

A Supplement to the act approved June 17, 1915 (P. L. 1012) entitled "An Act regulating the buiness of loaning money in sums of three hundred ($300) dollars or less, either with or without security to individuals pressed by lack of funds to meet immediate necessities; fixing the rates of interest and charges therefor; requiring the licensing of lenders, and prescribing penalties for the violation of this act," as amended by the act of June 4, 1919, (P. L. 375), entitled "An act to amend sections one, two and three of the act approved the seventeenth day of June, one thousand nine hundred and fifteen, (P. L. 1012) entitled 'An act regulating the business of loaning money in sums of three hundred ($300) dollars or less, either with or without security to individuals pressed by lack of funds to meet immediate necessities, fixing the rate of interest and charges therefor; requiring the licensing of lenders, and prescribing penalties for the violation of this act.' "

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

COMMITTEE TO DRAFT RESOLUTIONS ON DEATH OF THE LATE SENATOR NORMAN A WHITTEN.

The Chair announces the appointment of the following Committee to draft resolutions on the death of the late Senator Norman A. Whitten; The Senator from Allegheny, Mr. Harris, Chairman, the Senator from Allegheny, Mr. Leslie, the Senator from Allegheny, Mr. Barr, the Senator from Allegheny, Mr. Einstein, the Senator from Allegheny, Mr. Mansfield, the Senator from Allegheny, Mr. McClintock, and the Senator from Philadelphia, Mr. Salus.

RECESS.

Mr. BALDWIN. Mr. President, I move that the Senate do now take a recess until five o'clock this afternoon.

Mr. CLARK. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

COMMUNICATIONS FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 686.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 16, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 686, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF SENATE BILL No. 686, RECALLED FROM THE GOVERNOR.

Mr. MacDADE. Mr. President, I move to reconsider the vote by which the bill passed finally.

The PRESIDENT. How did the Senator vote?

Mr. MacDADE. Mr. President, I voted "aye".

Mr. WEAVER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WEAVER. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. MacDADE. Mr. President, I move to reconsider the vote by which the bill passed third reading.

Mr. WEAVER. Mr. President. I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. MacDADE. Mr. President, I ask unanimous consent to amend title by inserting after the word "nurses" the words "licensed attendants"; also by inserting at the end thereof the words "making the violation of the provisions of this act a misdemeanor and providing penalties therefor"; also section 1, page 6, line 13 by striking out after the word "such" the word "registration" and inserting in lieu thereof the following: "re-registration"; also section 2, page 6, line 14 by striking out after the word "of" the word "May" and inserting in lieu thereof the word "November"; also page 7 line 3 by striking out after the word "nurses" the word "and" and inserting in lieu thereof the following: "or"; also page 8, line 21 by inserting after "tion" the word "blank".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended be printed for the use of the Senate.

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 282.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 16, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 282, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF SENATE BILL No. 282, RECALLED FROM THE GOVERNOR.

Mr. MacDADE. Mr. President, I move to reconsider the vote by which the bill passed finally.

The PRESIDENT. How did the Senator vote?

Mr. MacDADE. Mr. President, I voted "aye".

Mr. SMITH. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SMITH. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. MacDADE. Mr. President, I move to reconsider the vote by which the bill passed third reading.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. MacDADE. Mr. President, I ask unanimous consent to amend Section 6, page 5, line 2 by striking out the word "branch" and inserting in lieu thereof the word "breach"; also Section 8, page 5, line 29 by striking out the word "branch" and inserting in lieu thereof the word "breach".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended.

It was agreed to.

Ordered, that the bill as amended be printed for the use of the Senate.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 246, entitled:

A Joint Resolution proposing an amendment to section eleven of article eight of the Constitution of Pennsylvania

House Bill No. 830, entitled:

An Act amending section one of an act entitled "A further supplement to an act entitled 'An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expense thereof' approved the fifth day of May one thousand nine hundred and eleven constituting the said court the juvenile court of said county and prescribing its organization jurisdiction and powers therein and otherwise" approved the nineteenth day of March one thousand nine hundred and fifteen by providing that the said county court sitting as a juvenile court shall have sole jurisdiction in all proceedings for the custody of dependent neglected incorrigible and delinquent children

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. T. L. Eyre) in the presence of the Senate signed the same.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 3, (Senate Bill No. 1259) entitled:

An Act making an appropriation to the trustees of the Milliken Hospital Pottsville Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 4, (Senate Bill No. 1260), entitled:

An Act making an appropriation to the Pottsville Hospital Pottsville Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 39, (Senate Bill No. 1261), entitled:

An Act making an appropriation to the Mary M. Packer Hospital Sunbury Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 47, (Senate Bill No. 1262), entitled:

An Act making an appropriation to the Coatesville Hospital Coatesville Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 56, (Senate Bill No. 1263), entitled:

An Act making an appropriation to the Charleroi-Monessen Hospital at Charleroi Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 78, (Senate Bill No. 1264), entitled:

An Act making an appropriation to the Hahnemann Hospital in city of Scranton Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 173, (Senate Bill No. 1265), entitled:

An Act making an appropriation to the Taylor Hospital Association of the borough of Taylor Lackawanna County Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 198, (Senate Bill No. 1266), entitled:

An Act making an appropriation to the Wayne County Memorial Hospital at Honesdale Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 223, (Senate Bill No. 1267), entitled:

An Act making an appropriation to the Citizens General Hospital of New Kensington Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 264, (Senate Bill No. 1268), entitled:

An Act making an appropriation to the Westmoreland Hospital Association of Greensburg Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 270, (Senate Bill No. 1269), entitled:

An Act making an appropriation to the Chester Hospital in the city of Chester

Which was committed to the Committee on Appropriations.

House Bill No. 284, (Senate Bill No. 1270), entitled:

An Act making an appropriation to the Woman's Medical College of Philadelphia Pennsylvania for hospital maintenance

Which was committed to the Committee on Appropriations.

House Bill No. 300, (Senate Bill No. 1271), entitled:

An Act making an appropriation to the Shenango Valley Hospital of New Castle Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 305, (Senate Bill No. 1272), entitled:

An Act making an appropriation to the Carbondale Emergency Hospital Carbondale Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 308, (Senate Bill No. 1273), entitled:

An Act making an appropriation to the Mid-Valley Hospital Association at Blakely Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 315, (Senate Bill No. 1274), entitled:

An Act making an appropriation to the Simon H. Barnes Memorial Hospital of Susquehanna Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 322, (Senate Bill No. 1275), entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia

Which was committed to the Committee on Appropriations.

House Bill No. 335, (Senate Bill No. 1276), entitled:

An Act making an appropriation to the Williams Valley Hospital of Williamstown Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 338, (Senate Bill No. 1277), entitled:

An Act making an appropriation to the Harrisburg Hospital of Harrisburg Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 341, (Senate Bill No. 1278), entitled:

An Act making an appropriation to the Harrisburg Polyclinic Hospital of Harrisburg Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 349, (Senate Bill No. 1279), entitled:

An Act making an appropriation to the Trustees of the Samaritan Hospital Philadelphia Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 356, (Senate Bill No. 1280), entitled:

An Act making an appropriation to the Frankford Hospital located at Frankford Philadelphia

Which was committed to the Committee on Appropriations.

House Bill No. 360, (Senate Bill No. 1281), entitled:

An Act making an appropriation to the Indiana Hospital of Indiana County Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 367, (Senate Bill No. 1282), entitled:

An Act making an appropriation to the Children's Hospital of Pittsburgh in the City of Pittsburgh Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 369, (Senate Bill No. 1283), entitled:

An Act making an appropriation to the West Side Hospital Association of Scranton Lackawanna County Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 385, (Senate Bill No. 1284), entitled:

An Act making an appropriation to the Washington Hospital Washington Pennsylvania or its successors

Which was committed to the Committee on Appropriations.

House Bill No. 386, (Senate Bill No. 1285), entitled:

An Act making an appropriation to the Ellwood City Hospital Ellwood City Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 391, (Senate Bill No. 1286), entitled:

An Act making an appropriation to the Mercy Hospital of Altoona Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 392, (Senate Bill No. 1287), entitled:

An Act making an appropriation to the Altoona Hospital Altoona Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 393, (Senate Bill No. 1288), entitled:

An Act making an appropriation to the Ohio Valley General Hospital at McKees Rocks Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 407, (Senate Bill No. 1289), entitled:

An Act making an appropriation to the Woman's Homeopathic Hospital of Philadelphia

Which was committed to the Committee on Appropriations.

House Bill No. 408, (Senate Bill No. 1290), entitled:

An Act making an appropriation to the Maple Avenue Hospital Association of DuBois Clearfield County Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 418, (Senate Bill No. 1291), entitled:

An Act making an appropriation to the Trustees of the Garretson Hospital Philadelphia Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 419, (Senate Bill No. 1292), entitled:

An Act making an appropriation to the Diagnostic Hospital of the City of Philadelphia Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 424, (Senate Bill No. 1293), entitled:

An Act making an appropriation to the Punxsutawney Hospital Association of Punxsutawney Jefferson County Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 429, (Senate Bill No. 1294), entitled:

An Act making an appropriation to the Homestead Hospital Homestead Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 430, (Senate Bill No. 1295), entitled:

An Act making an appropriation to the Carlisle Hospital Carlisle Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 439, (Senate Bill No. 1296), entitled:

An Act making an appropriation to the Saint Luke's Homeopathic Hospital of Philadelphia

Which was committed to the Committee on Appropriations.

House Bill No. 442, (Senate Bill No. 1297), entitled:

An Act making an appropriation to the Greenville Hospital Greenville Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 443, (Senate Bill No. 1298), entitled:

An Act making an appropriation to the Christian H. Buhl Hospital of Sharon Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 453, (Senate Bill No. 1299), entitled:

An Act making an appropriation to the Lying-in-Charity Hospital Philadelphia

Which was committed to the Committee on Appropriations.

House Bill No. 455, (Senate Bill No. 1300), entitled:

An Act making an appropriation to the Woman's Hospital of Philadelphia two thousand one hundred and thirty-seven North College Avenue

Which was committed to the Committee on Appropriations.

House Bill No. 491, (Senate Bill No. 1301), entitled:

An Act making an appropriation to the Northeastern Hospital of Philadelphia Philadelphia Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 492, (Senate Bill No. 1302), entitled:

An Act making an appropriation to the Pottstown Hospital Pottstown Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 493, (Senate Bill No. 1303), entitled:

An Act making an appropriation to the Pottstown Homeopathic Hospital Pottstown Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 499, (Senate Bill No. 1304), entitled:

An Act making an appropriation to the Wilkes-Barre City Hospital Wilkes-Barre Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 513, (Senate Bill No. 1305), entitled:

An Act making an appropriation to the Memorial Hospital at Roxborough Philadelphia Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 517, (Senate Bill No. 1306), entitled:

An Act making an appropriation to the J. C. Blair Memorial Hospital of Huntingdon Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 518, (Senate Bill No. 1307), entitled:

An Act making an appropriation to the Mercy Hospital at Wilkes-Barre Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 533, (Senate Bill No. 1308), entitled:

An Act making an appropriation to the Wyoming Valley Homeopathic Hospital at Wilkes-Barre Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 550, (Senate Bill No. 1309), entitled:

An Act making an appropriation to the Waynesburg Hospital of Waynesburg Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 553, (Senate Bill No. 1310), entitled:

An Act making an appropriation to the Chambersburg Hospital at Chambersburg Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 564, (Senate Bill No. 1311), entitled:

An Act making an appropriation to the Nason Hospital Association of Roaring Springs Blair County Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 567, (Senate Bill No. 1312), entitled:

An Act making an appropriation to the Robert Packer Hospital

Which was committed to the Committee on Appropriations.

House Bill No. 589, (Senate Bill No. 1313), entitled:

An Act making an appropriation to the Saint Francis' Hospital of Pittsburgh Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 599, (Senate Bill No. 1314), entitled:

An Act making an appropriation to the Pittston Hospital Association of the city of Pittston Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 613, (Senate Bill No. 1315), entitled:

An Act making an appropriation to the Kane Summit Hospital Association of Kane McKean County Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 614, (Senate Bill No. 1316), entitled:

An Act making an appropriation to the Bradford Hospital of the city of Bradford

Which was committed to the Committee on Appropriations.

House Bill No. 621, (Senate Bill No. 1317), entitled:

An Act making an appropriation to the Saint John's General Hospital of Pittsburgh Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 622, (Senate Bill No. 1318), entitled:

An Act making an appropriation to the Northwestern General Hospital of Philadelphia Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 628, (Senate Bill No. 1319), entitled:

An Act making an appropriation to the Latrobe Hospital Latrobe Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 634, (Senate Bill No. 1320, entitled:

An Act making an appropriation to the Good Samaritan Hospital at Westfield Tioga County Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 648, (Senate Bill No. 1321), entitled:

An Act making an appropriation to the Spencer Hospital Meadville Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 649, (Senate Bill No. 1322), entitled:

An Act making an appropriation to the Titusville Hospital Meadville Hospital Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 651, (Senate Bill No. 1323), entitled:

An Act making an appropriation to the Meadville Hospital Meadville Hospital Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 655, (Senate Bill No. 1324), entitled:

An Act making an appropriation to the Roosevelt Hospital of Philadelphia Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 656, (Senate Bill No. 1325), entitled:

An Act making an appropriation to the Allegheny Valley Hospital at Tarentum Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 658, (Senate Bill No. 1326), entitled:

An Act making an appropriation to the Grove City Hospital in the Borough of Grove City Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 672, (Senate Bill No. 1327), entitled:

An Act making an appropriation to the Coudersport General Hospital at Coudersport Pennsvlvania

Which was committed to the Committee on Appropriations.

House Bill No. 699, (Senate Bill No. 1328), entitled:

An Act making an appropriation to the Eye and Ear Hospital of Pittsburgh Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 703, (Senate Bill No. 1329), entitled:

An Act making an appropriation to the Bellefonte Hospital Bellefonte Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 734, (Senate Bill No. 1330), entitled:

An Act making an appropriation to the Mount Sinai Hospital of Philadelphia Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 765 (Senate Bill No. 1331), entitled:

An Act making an appropriation to the Beaver Valley General Hospital at New Brighton Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 766, (Senate Bill No. 1332), entitled:

An Act making an appropriation to the Rochester General Hospital at Rochester Beaver County Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 767, (Senate Bill No. 1333), entitled:

An Act making an appropriation to the Good Samaritan Hospital of Lebanon Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 778, (Senate Bill No. 1334), entitled:

An Act making an appropriation to the Kittanning General Hospital Kittanning Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 779, (Senate Bill No. 1335), entitled:

An Act making an appropriation to the Rush Hospital for Consumption and Allied Diseases of Philadelphia

Which was committed to the Committee on Appropriations.

House Bill No. 780, (Senate Bill No. 1336), entitled:

An Act making an appropriation to the Memorial Hospital at Mount Pleasant Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 807, (Senate Bill No. 1337), entitled:

An Act making an appropriation to the Miner's Hospital Northern Cambria at Spangler Cambria County Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 816, (Senate Bill No. 1338), entitled:

An Act making an appropriation to the Warren General Hospital of Warren Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 829, (Senate Bill No. 1339), entitled:

An Act making an appropriation to the Pennslyvania Epileptic Hospital and Colony Farm Chester County Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 834, (Senate Bill No. 1340), entitled:

An Act making an appropriation to the National Stomach Hospital of Philadelphia Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 838, (Senate Bill No. 1341), entitled:

An Act making an appropriation to the Conemaugh Valley Memorial Hospital at Johnstown Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 841, (Senate Bill No. 1342), entitled:

An Act making an appropriation to the Brookville Hospital Brookville Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 842, (Senate Bill No. 1343), entitled:

An Act making an appropriation to the Adrian Hospital Association of Punxsutawney Jefferson County Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 845, (Senate Bill No. 1344), entitled:

An Act making an appropriation to the Suburban General Hospital of Bellevue Allegheny County Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 867, (Senate Bill No. 1345), entitled:

An Act making an appropriation to the Memorial Hospital Association of Monongahela City Washington County Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 872, (Senate Bill No. 1346), entitled:

An Act making an appropriation to the Uniontown Hospital Uniontown Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 907, (Senate Bill No. 1347), entitled:

An Act making an appropriation to the Women's Southern Homeopathic Hospital of Philadelphia Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 934, (Senate Bill No. 1348), entitled:

An Act making an appropriation to the Oil City Hospital Oil City Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 960, (Senate Bill No. 1349), entitled:

An Act making an appropriation to the Canonsburg General Hospital Association at Canonsburg Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 981, (Senate Bill No. 1350), entitled:

An Act making an appropriation to the Lewistown Hospital of Lewistown Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 988, (Senate Bill No. 1351), entitled:

An Act making an appropriation to the York Hospital West College Avenue York Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 1021, (Senate Bill No. 1352), entitled:

An Act making an appropriation to the Brownsville General Hospital Brownsville Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 1038, (Senate Bill No. 1353), entitled:

An Act making an appropriation to the Community Hospital of the borough of Somerset in the County of Somerset

Which was committed to the Committee on Appropriations.

House Bill No. 1048, (Senate Bill No. 1354), entitled:

An Act making an appropriation to the Hamot Hospital Association of Erie Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 1004, (Senate Bill No. 1355), entitled:

An Act making an appropriation to the Germantown Dispensary and Hospital Germantown Philadelphia Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 1068, (Senate Bill No. 1356), entitled:

An Act making an appropriation to the Maternity Hospital in the City of Philadelphia Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 1072, (Senate Bill No. 1357), entitled:

An Act making an appropriation to the Howard Hospital of Philadelphia Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 1102, (Senate Bill No. 1358), entitled:

An Act making an appropriation to the Lock Haven Hospital Lock Haven Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 1116, (Senate Bill No. 1359), entitled:

An Act making an appropriation to the Renova Hospital

Which was committed to the Committee on Appropriations.

House Bill No. 1124, (Senate Bill No. 1360), entitled:

An Act making an appropriation to the Providence General Hospital of Philadelphia Philadelphia County Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 1154, (Senate Bill No. 1361), entitled:

An Act making an appropriation to the Braddock General Hospital Braddock Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 1160, (Senate Bill No. 1362), entitled:

An Act making an appropriation to the Elk County General Hospital of Ridgway Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 1161, (Senate Bill No. 1363), entitled:

An Act making an appropriation to the General Hospital East Stroudsburg Monroe County Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 1166, (Senate Bill No. 1364), entitled:

An Act making an appropriation to Montgomery Hospital at Norristown in the county of Montgomery

Which was committed to the Committee on Appropriations.

House Bill No. 1192, (Senate Bill No. 1365), entitled:

An Act making an appropriation to the Women's Homeopathic Hospital of Philadelphia

Which was committed to the Committee on Appropriations.

House Bill No. 1210, (Senate Bill No. 1366), entitled:

An Act making an appropriation to the Corry Hospital Association of Corry Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 1213, (Senate Bill No. 1367), entitled:

An Act making an appropriation to the Williamsport Hospital of the City of Williamsport Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 1245, (Senate Bill No. 1368), entitled:

An Act making an appropriation to the Chester County Hospital West Chester Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 1247, (Senate Bill No. 1369), entitled:

An Act making an appropriation to the Phoenixville Hospital Phoenixville Pennsylvania Chester County

Which was committed to the Committee on Appropriations.

House Bill No. 1248, (Senate Bill No. 1370), entitled:

An Act making an appropriation to the Homeopathic Hospital West Chester Chester County Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 1317, (Senate Bill No. 1371), entitled:

An Act making an appropriation to the Kensington Hospital for women of Philadelphia Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 1348, (Senate Bill No. 1372), entitled:

An Act providing for the purchase of the copyright and property interest therein of Smull's Legislative Hand Book and Manual; providing for the future editing, compilation and distribution thereof, and making an appropriation for such purchase.

Which was committed to the Committee on Appropriations.

ADJOURNMENT.

Mr. SMITH. Mr. President, I move that the Senate do now adjourn until Monday evening, May 21, 1923, at nine o'clock.

Mr. WEAVER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:30 P. M. until Monday evening, May 21, 1923, at 9 o'clock.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 16, 1923.

The House met at 11:00 o'clock A. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Almighty and eternal God, we make greatful acknowledgement of all Thy goodness and unmerited favor which Thou hast bestowed upon us. Thou hast ever been faithful and true to us in all things, while our service has been fragmentary and imperfect at best. We beseech that Thou wouldst bless us and enable us to be watchful and careful in all things, lest we fail in the things that have been committed to our hands. Bless each one individually and with quick discernment in the many problems and questions that clamor at our hands for solution. Guide us by Thy control this day, and bring us to its close with the comforting consciousness that we have strived to do our best in serving Thee and our fellowmen. We ask it in the name of Christ. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Brownmiller, the further reading was dispensed with and the Journal approved.

REPORTS FROM COMMITTEES.

Mr. McBRIDE, from the Committee on Elections, reported as committed House Bill No. 1542 (Senate Bill No. 1018), entitled

A Joint Resolution proposing an amendment to section seven of article three of the Constitution of Pennsylvania.

Mr. J. M. WILLIAMS, from the Committee on Elections, reported as committed House Bill No. 1539 (Senate Bill No. 573), entitled

A Joint Resolution proposing an amendment to section twelve of article three of the Constitution of Pennsylvania.

Mr. GOEHRING, from the Committee on Judiciary General, reported as committed, House Bill No. 1536, (Senate Bill No. 1140), entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the purchase by the United States of about one hundred and forty-seven and five hundred and forty-three thousandths acres of land in O'Haro Township Allegheny County Pennsylvania for the use in the care and treatment of discharged sick and disabled soldiers or for other uses of the United States and ceding jurisdiction over such land and also providing for the retention of a concurrent jurisdiction by the Commonwealth of Pennsylvania with the United States on such land for the service of legal process thereupon.

Mr. BLUETT, from the Committee on Judiciary General, reported with a negative recommendation, House Bill No. 555, entitled

An Act requiring contractors or sub-contractors doing certain construction work to file a bond to cover the wages of employes and cost of material used therein: Providing the procedure to be followed in bringing suit on such bonds; making the person owning, occupying or controlling the property liable for such wages and material upon the failure of the contractor and making the contractor liable for the same upon the failure of the sub-contractor, to file such bonds.

Mr. SCHAEFFER, from the Committee on Appropriations, reported as amended House Bill No. 2, entitled

An Act making an appropriation to the Benovelent Association's Home for Children, Pottsville, Pennsylvania.

Mr. McKIM, from the Committee on Appropriations, reported as amended House Bill No. 196, entitled

An Act making an appropriation to the Boys' Industrial Home of Western Pennsylvania, located at Oakdale, Allegheny County.

Mr. COLDSMITH, from the Committee on Appropriations, reported as amended House Bill No. 263, entitled

An Act making an appropriation to the Westmoreland Children's Aid Society, at Greensburg, Pennsylvania.

Mr. SOFFEL, from the Committee on Appropriations, reported as amended House Bill No. 266, entitled:

An Act making an appropriation to the Colored Women's Relief Association of Western Pennsylvania.

Mr. PERRY, from the Committee on Appropriations, reported as amended House Bill No. 290, entitled:

An Act making an appropriation to the Pennsylvania Home Teaching Society and Free Circulation Library for the Blind at Philadelphia.

Mr. CONNER, from the Committee on Appropriations, reported as amended House Bill No. 292, entitled

An Act making an appropriation to the Berean Manual Training and Industrial School.

Mr. ARMSTRONG, from the Committee on Appropriations, reported as amended House Bill No. 301, entitled

An Act making an appropriation to the Almira Home Association, at New Castle, Pennsylvania.

Mr. LAFFERTY, from the Committee on Appropriations, reported as amended House Bill No. 318, entitled

An Act making an appropriation to the Pennsylvania Working Home for Blind Men, Philadelphia.

Mr. BAKER, from the Committee on Appropriations, reported as amended House Bill No. 336, entitled

An Act making an appropiration to the Children's Industrial Home at Harrisburg, Pennsylvania.

Mr. BAKER, from the Committee on Appropriations, reported as amended House Bill No. 339, entitled

An Act making an appropriation to the Florence Crittenton Home of Harrisburg, Pennsylvania.

Mr. BAKER, from the Committee on Appropriations, reported as amended House Bill No. 340, entitled

An Act making an appropriation to the Nursery Home of Harrisburg, Pennsylvania.

Mr. BAKER, from the Committee on Appropriations, reported as amended House Bill No. 342, entitled

An Act making an appropriation to the Home for the Friendless, of Harrisburg, Pennsylvania.

Mr. DUNN, from the Committee on Appropriations, reported as amended House Bill No. 355, entitled

An Act making an appropriation to the Old Ladies' Home located at Wissinoming Philadelphia.

Mr. WETTACH, from the Committee on Appropriations, reported as amended House Bill No. 422, entitled

An Act making an appropriation to the Children's Aid Society of Western Pennsylvania, at Pittsburgh, Pennsylvania.

Mr. ASTON, from the Committee on Appropriations, reported as amended House Bill No. 463, entitled

An Act making an apropriation to the Florence Crittenton Circle of Wilkes-Barre, Pennsylvania.

Mr. SCHAEFFER from the Committee on Appropriations, reported as amended, House Bill No. 473, entitled:

An Act making an appropriation to the United Charities of Hazelton, Pennsylvania.

Mr. FLYNN from the Committee on Appropriations, reported as amended, House Bill No. 542, entitled:

An Act making an appropriation to the Home for Colored Children, Termon Avenue, Twenty-Seventh Ward Pittsburgh, Pennsylvania, or its successor.

Mr. HARER from the Committee on Appropriations, reported as committed, House Bill No. 546, entitled:

An Act making an appropriation to the Pennsylvania Board of Pharmacy.

Mr. WHITEMAN from the Committee on Appropriations, reported as amended, House Bill No. 562, entitled:

An Act making an appropriation to the Home for the Aged of Westmoreland County, at Greensburg, Pennsylvania.

Mr. POSEY from the Committee on Appropriations, reported as amended, House Bill No. 572, entitled:

An Act making an appropriation to the Bethel Orphanage, located at Osceola, Tioga County, Pennsylvania.

Mr. DAVID FOWLER from the Committee on Appropriations, reported as amended, House Bill No. 583, entitled:

An Act making an appropriation to the Home for Friendless Women and Children of the City of Scranton.

Mr. McCAIG from the Committee on Appropriations, reported as amended, House Bill No. 584, entitled:

An Act making an appropriation to the Curtis Home of Western Avenue, North Side, Pittsburgh, or its successor.

Mr. CONNER from the Committee on Appropriations, reported as amended, House Bill No. 590, entitled:

An Act making an appropriation to the Orphan Asylum of the Holy Family, of Emsworth, Allegheny County, Pennsylvania.

Mr. McCAIG, from the Committee on Appropriations, reported as amended House Bill No. 640, entitled:

An Act making an appropriation to the Ladies of the Grand Army of the Republic Home Department of Pennsylvania at Hawkins Station, Allegheny County, Pennsylvania.

Mr. ARMSTRONG, from the Committee on Appropriations, reported as amended House Bill No. 650, entitled:

An Act making an appropriation to the Meadville Children's Aid Society and Home for the Aged, Meadville, Crawford County, Pennsylvania.

Mr. FREDERICK A. BELL, from the Committee on Appropriations, reported as amended House Bill No. 683, entitled:

An Act making an appropriation to the Northern Tier Home, Harrison Valley, Potter County, Pennsylvania.

Mr. HAINES, from the Committee on Appropriations, reported as amended House Bill No. 716, entitled:

An Act making an appropriation to the National Farm School, at Doylestown, Pennsylvania.

Miss BENTLEY, from the Committee on Appropriations, reported as amended House Bill No. 732, entitled:

An Act making an appropriation to the Beaver County Children's Home, of New Brighton, Pennsylvania.

Mr. STARK, from the Committee on Appropriations, reported as amended House Bill No. 824, entitled:

An Act making an appropriation to the First Allegheny Day Nursery and Temporary Home for Children, Pittsburgh, Pennsylvania.

Mr. BALDI, from the Committee on Appropriations, reported as amended House Bill No. 843, entitled:

An Act making an appropriation to the Pennsylvania Memorial Home, of Brookville, Pennsylvania.

Mr. WETTACH, from the Committee on Appropriations, reported as amended, House Bill No. 875, entitled:

An Act making an appropriation to the Woods Run Settlement Association, Petosky Street, Northside, Pittsburgh, Allegheny County, Pennsylvania.

Mr. WETTACH, from the Committee on Appropriations, reported as amended, House Bill No. 886, entitled:

An Act making an appropriation to the Christian Home for Women, at fourteen hundred and twenty-three Liverpool Street, North Side, city of Pittsburgh, Pennsylvania.

Mr. DILSHEIMER, from the Committee on Appropriations, reported as amended, House Bill No. 989, entitled:

An Act making an appropriation to the York Society to Protect Children and Aged Persons, of York, Pennsylvania.

Mr. McKIM, from the Committee on Appropriations, reported as amended, House Bill No. 1005, entitled:

An Act making an appropriation to the Pittsburgh Home for Babies, Pittsburgh, Pennsylvania.

Mr. SCHILLING, from the Committee on Appropriations, reported as amended, House Bill No. 1030, entitled:

An Act making an appropriation to the Elmwood Home for Boys, at Erie, Pennsylvania.

Mr. SCHILLING, from the Committee on Appropriations, reported as amended, House Bill No. 1054, entitled:

An Act making an appropriation to the Erie Home for the Friendless, of the City of Erie, Pennsylvania.

Mr. SCHILLING, from the Committee on Appropriations, reported as amended, House Bill No. 1055, entitled:

An Act making an appropriation to the Erie Infants Home and Hospital, of Erie, Pennsylvania.

Mr. WONER, from the Committee on Appropriations, reported as amended, House Bill No. 1056, entitled:

An Act making an appropriation to the Florence Crittenton Home, of Erie, Pennsylvania.

Mr. ANDREW F. STEVENS, from the Committee on Appropriations, reported as amended House Bill No. 1123, entitled:

An Act making an appropriation to the Philadelphia Association for the Protection of Colored Women, Philadelphia, Pennsylvania.

Mr. SOFFEL, from the Committee on Appropriations, reported as amended, House Bill No. 1273, entitled:

An Act making an appropriation to the Pittsburgh and Allegheny Home for the Friendless, situated in the City of Pittsburgh, Pennsylvania.

Mr. SOFFEL, from the Committee on Appropriations, reported as amended House Bill No. 1343, entitled:

An Act making an appropriation to the Pennsylvania Association for the Blind, at Pittsburgh, Pennsylvania.

Mr. HARER, from the Committee on Appropriations, reported as amended House Bill No. 1362, entitled:

An Act making an appropriation to the Aged Colored Women's Home, at Williamsport, Lycoming County, Pennsylvania.

Mr. HARER, from the Committee on Appropriations, reported as amended House Bill No. 1363, entitled:

An Act making an appropriation to the Williamsport Training Home for Girls, at Williamsport, Lycoming County, Pennsylvania.

Mr. HARER, from the Committee on Appropriations, reported as amended House Bill No. 1364, entitled:

An Act making an appropriation to the Florence Crittenton Mission, of the City of Williamsport, Lycoming County, Pennsylvania.

Mr. HARER, from the Committee on Appropriations, reported as amended House Bill No. 1365, entitled:

An Act making an appropriation to the Home for the Friendless, of the City of Williamsport, Pennsylvania.

Mr. HARER, from the Committee on Appropriations, reported as amended House Bill No. 1366, entitled:

An Act making an appropriation to the Boys' Industrial Home, at Williamsport, Lycoming County, Pensylvania.

LEAVE OF ABSENCE.

Mr. HEFFRAN asked and obtained leave of absence for himself for the balance of the week.

BILLS ON FIRST READING.

The SPEAKER. If there are no objections the Chair will take up bills on first reading. Are there objections. The Chair hears none.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 303, entitled:

An Act making an appropriation to the New Castle Hospital of New Castle Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 592, entitled:

An Act making an appropriation to the Montefiore Hospital Association of Western Pennsylvania located at Pittsburgh Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 718, entitled:

An Act making an appropriation to the Providence Hospital of Beaver Falls Beaver County Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1155, entitled:

An Act making an appropriation to the Columbia Hospital Wilkinsburg Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1199, entitled:

An Act making an appropriation to the Passavant Hospital of Pittsburgh Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1204, entitled:

An Act making an appropriation to the Duquesne University of the Holy Ghost Pittsburgh Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1503, (Senate Bill No. 1070), entitled:

An Act to amend part of section two of the act approved the twenty-seventh day of May, one thousand nine hundred and twenty-one, (Appropriation Acts, page 33), entitled "An act to provide for the ordinary expenses of the Executive Judicial and Legislative Departments of the Commonwealth, interest on the public debt, and the support of the public schools, for the two fiscal years beginning June first, one thousand nine hundred and twenty-one. and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and twenty-one."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1516, (Senate Bill No. 765), entitled:

A Joint Resolution providing for the continuation of the commission appointed in accordance with the provisions of a joint resolution approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and eighty-eight) entitled "A Joint Resolution providing for a commission to submit a revised penal code of Pennsylvania and making an appropriation for the expenses of the commission" providing for additional members and making an appropriation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1519, (Senate Bill No. 1082), entitled:

An Act making an appropriation to pay for the care treatment removal and maintenance of the indigent insane for two years ending the thirty-first day of May one thousand nine hundred and twenty-five

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1520, (Senate Bill No. 1083), entitled:

An Act making an appropriation to pay for the deficiency in the care treatment removal and maintenance of the indigent for the two years ending May thirty-first one thousand nine hundred and twenty-three

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 561, entitled:

An Act enabling the boroughs of this Commonwealth to adopt and enforce zoning regulations

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 568, entitled:

An Act prohibiting the operation of enclosed motor and auto busses carrying passengers for hire unless the same are provided with proper exits

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 478, entitled:

An Act to provide for the nomination of candidates for President of the United States at primaries and the appointment of delegates to the national conventions by the candidates of each party receiving the largest number of votes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 646, entitled:

An Act requiring safety gates to be erected or watchmen stationed at certain railroad crossings and providing that in suits growing out of accidents at crossings where act has not been complied with negligence of company shall be presumed and defense of contributory negligence forefited

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 996, entitled:

An Act to amend section twelve of the act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and thirty-nine) entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods where by the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" providing for the reinstatement of licenses in certain cases

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1187, entitled:

An Act conferring upon cities of the second class power and authority to create and conduct as part of the Legal Department a Bureau of Conciliation Small Claims and Legal Aid

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1158, entitled:

An Act to amend seceion twenty-four as amended section twenty-six as amended twenty-nine as amended sections thirty thirty-one thirty-two thirty-three as amended and thirty-four and thirty-five of an act approved the thirtieth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred seventy-eight) entitled "An Act relating to and regulating the use and operation of motor vehicles and vehicles propelled by or trailing after motor vehicles requiring the registration of the same and the licensing of all operators thereof providing the fees therefor and the disposition of such fees prohibitig the unauthorized use of and tampering with motor vehicles limiting and defining the powers of cities boroughs incorporated towns townships and counties as to the regulation of the use and equipment of motor vehicles and the taxing registration or licensing thereof imposing certain duties on the State Highway Commissioner and on proprietors of public garages providing procedure and penalties for violations thereof and the disposition of fines collected and regulating the services of process and proceedings in actions for damages arising from the use of any motor vehicles" by providing for the hearing and disposition of certain violations for damages arising from the use of any motor vehicles" providing for the appointment and compensation of the judges thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1501, (Senate Bill No. 1006), entitled:

An Act exempting in certain cases the net proceeds of life insurance policies or annuities from the claims of creditors

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1468, (Senate Bill No. 797), entitled:

An Act relating to the powers and duties of probation officers

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1506, (Senate Bill No. 790), entitled:

An Act providing for the alteration of the boundaries of counties in certain cases for the adjustment of the indebtedness thereof providing the effect thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1527, (Senate Bill No. 998), entitled:

An act to repeal the act approved the fourteenth day of February one thousand eight hundred and sixty-seven (Pamphlet Laws two hundred and five) entitled "A supplement to an act passed the thirteenth day of April Anno Domini one thousand eight hundred and fifty-nine relating to billiard saloons et cetera in the counties of Chester and Delaware extending the same to the county of Bradford

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1518, (Senate Bill No. 1058), entitled

An act for the encouragement of unincorporated cooperative associations or agricultural and industrial workers providing that membership therein and interest in the funds and property thereof may be made nontransferable and imposing penalties upon persons making or accepting unlawful assignment transfer or pledge of such membership or interest

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1514, (Senate Bill No. 394), entitled:

An act to amend section fifteen as amended and section seventeen of chapter six of article seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating thereto"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1530, (Senate Bill No. 1166), entitled:

An act fixing the salary of county commissioners in counties of the first class

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1424, (Senate Bill No. 464), entitled:

An act providing a means whereby real estate devised upon a trust to divide it among other persons and the trustee has died without performing the trust may be divided amicably by the interested persons with the approval of the Orphan's Court and the legal title be vested in them by judicial decree

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1445, (Senate Bill No. 24), entitled

An act providing for an industrial State Highway from the city of Chester to the city ofPhiladelphia

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1524 (Senate Bill No. 744), entitled

An act to amend section one of an act approved March 15th, 1915 (P. L. 150) entitled "An act concerning divorces;" making the degree of cruelty as a ground for divorce the same for husband and wife, and to repeal section ten of the said act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1500 (Senate Bill No. 984), entitled:

An act granting water companies organized after April the thirteenth one thousand nine hundred and five the rights of eminent domain and requiring such water companies and also water companies incorporated under clause eighteen section two of the act approved April the twenty-ninth one thousand eight hundred and seventy-four entitled "An act to provide for the incorporation and regulation of certain corporation" to secure certificates from the Water Supply Commission prior to the exercise of the power of condemnation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1481 (Senate Bill No. 613), entitled:

An act amending sections one two and eleven of an act approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred and seventy-four) entitled "An act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such power may be exercised" providing that the Juvenile Courts in the several counties of this Commonwealth shall have exclusive jurisdiction in all cases of juvenile delinquency

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

QUESTION OF PERSONAL PRIVILEGE.

Mr. STONER. Mr. Speaker I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. STONER. Mr. Speaker and members of the House, my attention has just been called to an article which appeared in the North American of Philadelphia, on May 12, 1923. In this article, the writer, commenting evidently upon the bill under discussion in the House last week regarding this $250,000 of the Governor's put in the appropriation bill, made the following statement:

"In addition, there were five absentees, all pledged to putting through the enforcement program, and some of these are known to have deliberately evaded the issue. They include among others, Stoner of Allegheny, and all were Republicans"

I wish to say, Mr. Speaker and members of the House, that that statement is an absolute falsehood, and either known by the man who wrote it to be a falsehood, or else written in such reckless disregard of its truth, as amounts to the same thing. On Monday, two weeks ago, I came to Harrisburg, was taken ill on the way over, left here with, as the doctor told me, a temperature between 104 and 105; went to bed the following day under the care of a physician remained in bed until the following Thursday a week, which was last Thursday. I presented myself in this House as soon as I was able after that illness.

In addition to that, I desire to say that I never at any time, during the election nor at any other time, pledged myself to the enforcement program of the Governor, nor to any other specific legislation of any kind, but came down here absolutely unhampered. That I have supported it so far as the enforcement program of the Governor is concerned is due to the fact that I desired to do, and in no case was I bound by any pledge.

The SPEAKER. The remarks of the gentlman under his question of personal privilege will be spread upon the Journal.

QUESTION OF PERSONAL PRIVILEGE.

Mr. GOEHRING. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. GOEHRING. Mr. Speaker and members of the House, the previous Speaker quoted an article in a newspaper, in which my name also appears. Last night I had a happy meeting with the writer of the article. The writer regrets very much putting that article in the paper and promised me last night that he would retract in next Sunday's issue. I had the great pleasure of telling the writer that I had never promised the Governor to go along with his enforcement program, or any other person's, but that any bills on the floor of the House I read and voted for if I thought they were right; that I was unpledged to anyone, except my own conscience, to vote for them.

I was absent last week due to pressure in the office on Monday, and got here Tuesday afternoon after the session. I criticised the writer for not asking me in person why I was not present on Tuesday afternoon.

I took his explanation, and I think he is sincere and will retract this next Sunday. In view of his promise to me I would ask the members of the House to overlook it, as I believe he will fulfill his promise. I think he will retract his statement printed in last Sunday's paper.

The SPEAKER. The remarks of the gentleman, under his question of person privilege, will be spread upon the Journal.

QUESTION OF PERSONAL PRIVILEGE.

Mr. SARIG. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. SARIG. Mr. Speaker and members of the House, in this morning's Inquirer of Philadelphia there is an editorial in which the editor pays his respects to the present legislature of Pennsylvania. Now, it seems to me, as one of the members of this Body, that that is really a complement. I think that the reason this editorial appears is because this Legislature has refused to do the bidding of this particular paper and the special privilege interests which this paper represents. I have been in this House four sessions and I have not known a Legislature that has shown as much independence as has the present one of 1923.

You all know the saying, "Whom the gods would destroy, they first make mad", and the fact that the newspapers are getting mad is the best sign that we have for the people of Pennsylvania. It, at least, goes to show that they feel they can no longer dictate; that a few men, who consider themselves higher than this Body, can no longer stand here and dictate to us just what we are to do. The difference being the viewpoint of the legislature and the viewpoint f the paper. This very paper represents a special privilege interest, and is now trembling in its boots for fear that that interest may be touched later on and that is why this editorial appears. On the other hand the legislature of Pennsylvania represents the people. We have been elected and sent here by the people of Pennsylvania, and it is only natural that there should be a clash. We cannot stand here as legislators and do the bidding of newspapers that are controlled by special interests and at the same time do the bidding of our fellows back home. I feel that coming from the source that it does, that this editorial is one of the finest compliments that the Legislature of Pennsylvania could receive in many a day. God speed the day when every special interest paper will denounce the legislature of Pennsylvania, because that is a good sign; that is a healthy sign; that is a sign that the members of this House are beginning to serve their constitutents, and the people, instead of serving these interests which for years have been trying to dominate and dictate the part which this Body was to take.

The SPEAKER. The remarks of the gentleman on his question of person privilege, will be spread upon the Journal.

BILLS ON SECOND READING.

The SPEAKER. If there are no objections the Chair will take up bills on second reading. Are there objections? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 226, as follows:

An Act making an appropriation to the American Oncologic Hospital at Philadelphia

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-three thousand dollars ($23,000) or so much thereof as may be necessary is hereby specifically appropriated to the American Oncologic Hospital at Philadelphia for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 608, as follows:

An Act making an appropriation to the Tuberculosis League of Pittsburgh

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-seven thousand ($27,000) dollars or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Tuberculosis League of Pitsburgh for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of ouse Bill No. 826, as follows:

An Act making an appropriation to the West Philadelphia General Homeopathic Hospital Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of sixteen thousand dollars ($16,000) or so much thereof as may be necessary is hereby specifically appropriated to the West Philadelphia General Homeopathic Hospital of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proportion of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 935, as follows:

An Act making an appropriation to the Grand View Institution for the Care and Treatment of Poor Consumptives Oil City Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand five hundred ($5,500) dollars or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Grand View Institution of Oil City Venango county Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to regulations and in the manner prescribed by law at the rate of three dollars ($3.00) per diem for the medical and surgical service rendered to and maintenance of each person treated in said hospital who is entitled to free service and for each day of part pay service such proporation of the aforesaid three dollars ($3.00) per diem rate as the part of the regular charge which the person so treated is not able to pay bears to the regular ward charge for such free service Provided however That no hospital shall receive compensation at a rate exceeding the actual cost of service per capita in the public ward of said hospital

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, in calling up House Bill No. 1179, I desire to say to members of the House that House Bill No. 1179 is a department measure, drawn under the direction of Commissioner Wright, who has taken the members of the House into his confidence by sending to each one a communication dated May 14, 1923, setting forth fully the necessity for this bill, and the needs of meeting the financial requirements of the Department for the next few years. This bill was referred to a subcommittee, of which Mr. Gelder of Susquehanna county, was made chairman, and the bill with all suggested amendments were referred to him and the amendments offered by him at this time, are the amendments prepared by the Department.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1179, entitled:

An Act to amend an act approved the thirteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred and seventy-eight) entitled "An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by or trailing after motor vehicles requiring the registration of the same and the licensing of all operators thereof providing the fees therefor and the disposition of such fees prohibiting the unauthorized use of and tampering with motor vehicles limiting and defining the powers of cities boroughs incorporated towns townships and counties as to the regulation of the use and equipment of motor vehicles and the taxing registration or licensing thereof imposing certain duties on the State Highway Commissioner and on proprietors of public garages providing procedure and penalties for for violations thereof and the disposition of fines collected and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle" as amended by further regulating the use of registration plates prescribing fees for omnibuses and changing other existing fees changing the date for the licensing year limiting the weights of certain trailers providing for the examination of operators authorizing the State Highway Commissioner to publish and sell lists of registrations authorizing municipalities to enact certain ordinances and making an appropriation for refunding moneys and providing penalties

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the thirteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred and seventy-eight) enttiled "An act relating to and regulating the use and operation of motor vehicles propelled by or trailing after motor vehicles requiring the registration of the same and the licensing of all operators thereof providing the fees therefor and the disposition of such fees prohibiting the unauthorized use of and tampering with motor vehicles limiting and defining the powers of cities boroughs incorporated towns townships and counties as to the regulation of the use and equipment of motor vehicles and the taxing registration thereof imposing certain duties on the State Highway Commissioner and on proprietors of public garages providing procedure and penalties for violations thereof and the disposition of fines colected and regulating the service of process and proceedings in actions for damages arising from the use of any motor vihicle" as amended by the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and eighty-two) entitled "An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by or trailing after motor vehicles requiring the registration of the same and the licensing of all operators thereof providing the fees therefor and the disposition of such fees prohibiting the unauthorized use of and tampering with motor vehicles limiting and defining the powers of cities boroughs incorporated towns townships and counties as to the regulation of the use and equipment of motor vehicles and the taxing registration or licensing thereof imposing certain duties on the State Highwa Commissioner and on proprietors of public garages providing procedure and penalties for violations thereof and the disposition of fines collected and regulating the services of process and proceedings in actions for damages arising from the use of any motor vehicle providing additional requirements with regard to applications for and transfer of registrations and with regard to speed and weight of and liges upon motor vehicles requiring operators to carry registration certificates providing standard tests to ascertain vision and hearing of operators providing for the payment of certain witness fees authorizing officers to stop and examine motor vehicles designating the officers before whom information may be brought and imposing additional penalties" is hereby further amended to read as follows

Section 2 The term "motor vehicle" as used in this act shall include all wheeled vehicles operated or propelled by any form of engine motor or mechanical power or operated by power received from any source other than from engine motor or mechanical power forming part of such vehicles except traction engines tractors steam shovels road rollers agricultural machinery and vehicles which move upon or are guided by a track or travel through the air

The term "Motor-cycle" as used in this act shall include all motor-operated vehicles of the bycicle or tricycle type whether the motive power be a part thereof or attached thereto

The term "trailer" as used in this act shall include al vehicles trailing after or propelled by a motor vehicle except semi-trailers as hereinafter defined

The term "semi-trailer" as used in this act shall mean a vehicle of the trailer type so disigned and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon and is carried by the towing motor vehicle

The term "commercial vehicle" as used in this act shall include all motor vehicles designed or regularly used for carrying freight or merchandise

The term "tractor truck" as used in this act shall include any self porpelled vehicle designed or used for drawing other vehicles but having no provision for carrying loads independently

The term "manufacturer" or "dealer" as used in this act shall include any person firm association corporation agent or sub-agent engaged in the purchase sale lease or exchange of new used or rebuilt motor vehicles or trailers

The term "owner" as used in this act shall include the person or persons having a motor vehicle in his or their possession custody or control under a lease or contract or conditional sale or other like agreement

The term "operator's license" as used in this act shall mean the license issued to any person to operate any motor vehicle

The term "learner's permit" as used in this act shall mean a permit issued to any person to leanr to operate any motor vehicle when accompanied by a licensed operator

The term "chassis" as used in this act shall mean the entire vehicle exclusive of the body or any load thereon

The term "public highway" as used in this act shall include all public roads streets avenues alleys boulevards parks and squares also bridges and aproaches thereto

The term "department" as used in this act shall refer to the State Highway Department of this Commonwealth

The term "Commissioner" as used in this act shall mean the State Highway Commissioner of this Commonwealth

The term "passenger seat" as used in this act shall mean each (16) inches of seating capacity in any motor omnibus or passenger motor vehicle used for hire

On the question,

Will the House agree to the section?

Mr. GELDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 3, line 6, by inserting after the word "act" the following: "to amend an act approved the thirtieth day of June, one thousand nine hundred and nineteen (P. L. 678) entitled 'An act"

Amend section 1, page 4, line 12, by striking out the word "Motor-cycle" and in serting in lieu thereof: "motorcycle"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 That section three of said act which as amended by said act of the sixteenth day of May one thousand nine hundred and twenty-one is hereby further amended to read as follows

Section 3 Application for the registration of motor vehicles shall be made to the Department upon a blank provided for the purpose by the department The application shall contain the full name and residence of the owner or owners together with the name manufacturer's number motor number the character of the motive power and the horse power and in the case of commerical vehicles the gross weight of the chassis as given and are certified to by the manufacturer and also such description of the motor vehicle including lights and other equipment as the Department shall require The application shall be signed by the owner or owners if natural persons and in cases where the owner is a corporation by the president vice-president secretary treasurer or other executive officer thereof or some person specifically authorized by said corporation to sign the same

Applicants for registration who are not residents of this Commonwealth shall in their application in addition to the above requirements designate the Commissioner as their authorized agent upon whom process may be served

The horsepower of motor vehicles except those propelled by steam or electricity shall be computed by the following formula Diameter of bore in inches squared times the number of cylinders times four-tenths (.4) The accepted horsepower for the registration of motor vehicles propelled by steam or electricity shall be that given and certified to by the manufacturer

Upon receipt of the application and the proper fee the Department shall register the said motor vehicle in a book or index kept for that purpose and shall issue to the owner or owners a registration certificate showing the name and address of the owner or owners the name type horsepower manufacturer's number motor number and the registration number thereof which shall at all times be carried with the motor vehicle when in operation and for which registration has been issued but shall not be valid until signed by the holder or holders thereof

No motor vehicle on which the manufacturer's number or motor number has been omitted obliterated or defaced shall be registerable without a special permit from the Commissioner

Before issuing a registration certificate for any such motor vehicle the Commissioner shall require information as to the date of purchase of uch motor vehicle and the name and address of the person from whom it was purchased together with satisfactory evidence that the number was not removed for the purpose of concealing the identity of such vehicle He shall require that a special number designated by him shall be immediately stamped thereon Such number shall be proceeded by the letter "S" and followed by "Pa" and the registration will not be valid until this requirement has been complied with

No motor vehicle or trailer except hook-and-ladder trucks and water-towers shall be registerable that exceeds an outside over-all length of three hundred sixty (360) inches or over-all width of ninety (90) inches or over-all height of one hundred fifty-six (156) inches or that exceeds a gross weight including chassis body and load of twenty-six thousand (26,000) pounds

No semi-trailer except hook-and-ladder trucks and water towers shall be registerable that exceeds an overall length of three hundred sixty (360) inches or over-all width of ninety (90) inches or over-all height of one hundred fifty-six (156) inches or that exceeds a gross weight on its axle or axles of nineteen thousand five hundred (19,500) pounds (or that increases the gross weight of tractor truck or semi-trailer body and load more than thirteen thousand (13,000) pounds over the gross weight hereinbefore provided) with its axle or axles not less than ninety-six (96) inches from the axle of the towing motor vehicle Provided That the restriction as to length shall not apply to motor vehicle trailers or semi-trailers registered or contracted for prior to the pasage of this act

And further Provided That motor vehicles may be operated with an over-all width of vehicle and load not exceeding ninety-six (96) inches on highways of cities of the first second and third class

Any person or persons knowingly making any misstatement of facts in his or their application for registration of a motor vehicle shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than two hundred ($200) dollars nor more than five hundred ($500) dollars or imprisonment for one (1) year or both at the discretion of the court and the Commissioner shall upon proper evidence of such misstatement revoke the registration of the motor vehicle so registered

On the question,

Will the House agree to the section?

Mr. GELDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 6, line 16, by striking out the word "which"

Amend section 2, page 6, line 18, by inserting after the word "twenty-one" the following: "(P. L. 582)"

Amend section 2, page 8, line 12, by inserting after the word "shall" and before the bracket, the word: "show"

Amend section 2, page 9, line 20, by striking out the figures "(19.500)" and inserting in lieu thereof: "(19,500)"

Amend section 2, page 10, line 1, by removing the bracket before the word "And"

Amend section 2, page 10, line 4, by removing the bracket after the word "class"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 That section four of said act which as amended by said act of the sixteenth day of May one thousand nine hundred and twenty-one is hereby further amended to read as follows

Section 4 The Department shall issue two (2) registration plates for each motor vehicle registered having thereon the registration number in letters or figures or both not more than five (5) inches in height the year and the abbreviated name of the State except that for motor-cycles one registration plate only shall be issued and on such registration plate the registration number shall be in figures not more than three and one-half (3 1-2) inches in height

The registration plates for commercial motor vehicles shall bear a prefix letter indicating the maximum capacity and classification of the vehicle for which they are issued as provided for in section nine (9) On the registration plates for "manufacturers" or "dealers" the number shall be preceeded by the letter "X" On the registration plates for trailers and semi-trailers the number shall be preceded by the letters "TT" On the registration plates for motor omnibuses including motor vehicles used for hire as common carriers of passengers the number shall be preceded by the lette "O"

The registration plates shall be rigidly attached to the motor vehicle so that they cannot swing or oscillate the the one on the front the other on the rear They shall at all times be parallel to the the axles and shall not be underneath auy part of the body more the twelve (12) inches from the rear end thereof nor shall they be covered obscured bent or altered or defaced in any manner and the lower edge of the rear plate shall not be less than fifteen (15) inches above the ground

They shall be kept free fro oil grease dirt or other substance likely to impair their legibility and between one hour after sunset and one hour before sunrise The rear plate shall be illuminated so that the registration number can be plainly distinguished Provided however That motorcycles need display but one registration plate which shall be attached to the rear thereof in such manner as to fully comply with the provisions of this section

No motor vehicle shall be operated under any other registration plates than those of its own registration except as hereinafter provided in this act for manufacturer's or dealer's registration plates and except as is provided in this act for nonresidents no registration plates shall be displayed on any motor vehicle other than those issued by the Department nor shall there be displayed upon any motor vehicle owned by a resident of this Commonwealth while operated upon any public highway in this Commonwealth any registration plate issued by any other State Territory Federal district or foreign country Provided however A resident of this State may exhibit in addition to the Pennsylvania registration plates a set of registration plates of one adjoining State

An person or persons using registration plates on a motor vehicle other than that motor vehicle for which the registration has been issued shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred ($100) dollars nor more than five hundred ($500) dollars or to undergo imprisonment not exceeding one (1) year or both at the discretion of the court and the clerk of the court in which such conviction is had shall forthwith certify such conviction to the Commissioner

On the question,

Will the House agree to the section?

Mr. GELDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 3, page 10, line 23, by striking out the word "which"

Amend section 3, page 10, line 25, by inserting after "twenty-one" the following: "(P. L. 582)"

Amend section 3, page 11, line 17, by inserting before the word "letters" the following "[letter T]"

Amend section 3, page 11, line 17, by underscoring the words letters "TT"

Amend section 3, page 12, line 4, by striking out the word "The" and inserting in lieu thereof: "the"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read as follows:

Section 4 That section five of said act of the thirtieth day of June nineteen hundred and nineteen is hereby amended to read as follows

Section 5 Upon the transfer of ownership or the destruction of any motor vehicle its registration shall expire and in the event of the sale of the motor vehicle the original owner shall remove the registration plates therefrom and shall within forty-eight (48) hours notify the Commissioner of the name and address of the purchaser

The original owner may however by application upon a blank to be furnished by the department register another motor vehicle upon payment of a fee of two dollars ($2) when motor vehicle upon payment of a fee of two dollars ($2.00) when such motor vehicle is of equal or less horsepower or clasification than that originally registered or upon payment of a fee of two ($2) dollars and the difference between the fee originally paid and that due if the new motor vehicle be properly registerable in a higher class and unless the original registration plates have been destroyed such owner shall be assigned the registration number previously issued to him and shall receive a new registration certificate If transfer of registration is from commercial motor vehicle to passenger motor vehicle or from a passenger motor vehicle to a commercial motor vehicle and from a lower classification of commercial motor vehicle to a higher classification of commercial motor vehicle or from a higher classification of commercial motor vehicle to a lower classification of commercial motor vehicle such owner or owners shall be assigned a new registration number and there shall be issued to him new registration plates and a new registration certificate

A registered owner shall not for a period of ten (10) days be subject to a fine for the operation of a motor vehicle bearing registration plates not issued for said motor vehicle when affidavit is made that application has been made and forwarded to the Department for transfer of registration from the motor vehicle to which the registration plates were issued to the motor vehicle on which the registration plates are being used This provision toover a period of ten (10) days for the registered owner to make application for transfer of registration

On the question,

Will the House agree to the section?

Mr. GELDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 4, page 13, lines 9 and 10, by striking out the following: "of the thirtieth day of June, nineteen hundred and nineteen" and inserting in lieu thereof: "as amended by said act of the sixteenth day of May, one thousand nine hundred and twenty-one, (P. L. 582)"

Amend section 4, page 13, line 11, by inserting after the word "hereby" the word: "further"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth section was read as follows:

Section 5 That section seven of said act which as amended by said act of the sixteenth day of May one thousand nine hundred and twenty-one is hereby further amended to read as follows

Section 7 Motor vehicles trailers and semi-trailers owned or kept by manufacturers or dealers shall be exempt from individual registration by manufacturer's number provided said manufacturer or dealer registers with the Department in the "Dealer's Class" Application for such registration shall be made upon a blank provided for the purpose by the department and shall set forth the full name and business address of the applicant Upon receipt of the application accompanied by the proper fee for each certificate and pair of registration plates desired the department shall issue to the applicant as many certificates of registration and pairs of registration plates as may have been applied for No motor vehicle shall under any circumstances be operated under a manufacturer's or dealers registration unless both registration plates are displayed as provided in this act

Registration plates issued under manufacturer's or dealer's registration may be used on any motor vehicle trailer or semi-trailer owned by such manufacturer or dealer and operated by such manufacturer dealer or their employes

On the question,

Will the House agree to the section?

Mr. GELDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 5, page 14, lines 23, 24, and 25, by striking out the words "which as amended by said act of the sixteenth day of May, one thousand nine hundred and twenty-one"

Amend section 5, page 14, line 25, by striking out the word "further"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixth section was read as follows:

Section 6 That section eight of said act of the thirtieth day of June one thousand nine hundred and nineteen is hereby amended to read as follows

Section 8 Non-residents of this State shall be exempt from the provisions of this act as to the registration of motor vehicles and to the licensing of motor vehicle operators for the same time and to the same extent as like exemptions are granted residents of this State under the laws of the foreign country State Territory or Federal district of their residence Provided That they shall have complied with the provisions of the law of the foreign country State Territory or Federal district of their residence relative to the registration of their motor vehicles and licensing of motor vehicle operators and shall conspicuously display the registration plates as required thereby and have in their possession the regstration certificate isseud for such motor vehicle

On the question,

Will the House agree to the section?

Mr. GELDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 6, page 17, lines 6, 7, and 8, by striking out the words "of the thirtieth day of June, one thousand nine hundred and nineteen"

Amend section 6, page 17, line 11, by underscoring the words "motor vehicle" at the end of said line

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventh section was read as follows:

Section 7 That section nine of said act which as amended by said act of the sixteenth day of May one thousand nine hundred and twenty-one is hereby further amended to read as follows

Section 9 The fee for the registration of a motorcycle shall be three ($3) dollars and for the registration of a bicycle with a motor attached two ($2) dollars

The fee for registration of motor vehicles except such as are equipped with metal tires when registered prior to

August first of any year shall be at the rate of forty (40) cents for each horsepower or fractional part thereof Provided That the minimum fee shall be ten ($10) dollars

Commercial motor vehicles with pneumatic tires shall be divided into eight (8) classes

The fee for each such commercial motor vehicle in class A the chassis of which weights less than two thousand (2,000) pounds shall be fifteen ($15) dollars

The fees for each such commercial motor vehicle in class B the chassis of which weights two thousand (2,000) pounds and less than three thousand (3,000) pounds shall be twenty-four ($24) dollars

The fee for each such commercial motor vehicle in class C the chassis of which weighs three thousand (3,000) pounds and less than four thousand (4,000) pounds shall be thirty-two ($32) dollars

The fee for each such commercial motor vehicle in class D the chassis of which weighs four thousand (4,000) pounds and less than five thousand (5,000) pounds shall be forty ($40) dollars

The fee for each such commercial motor vehicle in class E the chasis of which weighs five thousand (5,000) pounds and less than six thousand (6,000) pounds shall be fifty-six ($56) dollars

The fee for each such commercial motor vehicle in class F the chassis of which weighs six thousand (6,000) pounds and less than seven thousand five hundred (7,500) pounds shall be eighty ($80) dollars

The fee for each such commercial motor vehicle in class G the chassis of which weighs seven thousand five hundred (7,500) pounds and less than nine thousand (9,000) pounds shall be on hundred ($100) dollars

The fee for each such commercial motor vehicle in class H the chassis of which weighs over nine thousand (9,000) pounds shall be one hundred forty ($140) dollars

Commercial motor vehicles with solid rubber tires shall be divided into eight (8) classes

The fee for each such commercial motor vehicle in class A the chassis of which weighs less than two thousand (2,000) pounds shall be twenty-two dollars and fifty cents ($22.50)

The fee for each such commercial motor vehicle in class B the chassis of which weighs two thousand (2,000) pounds and less than three thousand (3,000) pounds shall be thirty-six ($36) dollars

The fee for each such commercial motor vehicle in class C the chassis of which weighs three thousand (3,000) pounds and less than four thousand (4,000) pounds shall be forty-eight ($48) dollars

The fee for each such commercial motor vehicle in class D the chassis of which weighs four thousand (4,000) pounds and less than five thousand dollars (5,000) pounds shall be sixty ($60) dollars

The fee for each such commercial motor vehicle in class E the chassis of which weighs five thousand (5,000) pounds and less than six thousand (6,000) pounds shall be eighty-four ($84) dollars

The fee for each such commercial motor vehicle in class F the chassis of which weighs six thousand (6,000) pounds and less than seven thousand five hundred (7,500) pounds shall be one hundred twenty ($120) dollars

The fee for each such commercial motor vehicle in class G. the chassis of which weighs seven thousand five hundred (7,500) pounds and less than nine thousand (9,000) pounds shall be one hundred fifty ($150) dollars

The fee for each such commercial motor vehicle in class H the chassis of which weighs nine thousand (9,000) pounds or over shall be two hundred forty ($240) dollars

Electrically operated commercial motor vehicles shall be divided into eight (8) classes

The fee for each such commercial motor vehicle in class A the gross maximum weight of which including chassis battery body and load does not exceed five thousand (5,000) pounds shall be fifteen ($15) dollars

The fee for each such commercial motor vehicle in class B the gross maximum weight of which including chassis battery body and load does not exceed seven thousand (7,000) pounds shall be twenty-four ($24) dollars

The fee for each such commercial motor vehicle in class C the gross maximum weight of which including chassis battery body and load does not exceed eleven thousand (11,000) pounds shall be thirty-two ($32) dollars

The fee for each such commercial motor vehicle in class D the gross maximum weight of which including chassis battery body and load does not exceed fifteen thousand (15,000) pounds shall be forty ($40) dollars

The fee for each such commercial motor vehicle in class E the gross maximum weight of which including chassis battery body and load does not exceed eighteen thousand (18,000) pounds shall be fifty-six ($56) dollars

The fee for each such commercial motor vehicle in class F the gross maximum weight of which including chassis battery body and load does not exceed twenty-two thousand (22,000) pounds shall be eighty ($80) dollars

The fee for each such commercial motor vehicle in class G the gross maximum weight of which including chassis battery body and load does not exceed twenty-five thousand (25,000) pounds shall be one hundred ($100) dollars

The fee for each such commercial motor vehicle in class H the gross maximum weight of which including chassis battery body and load does not exceed twenty-six thousand (26,000) pounds shall be one hundred forty ($140) dollars

Tractor trucks with semi-trailer attachments shall be registered as separate vehicles the registration fees for tractor trucks shall be computed according to the table of weights and fees specified in this act for commercial motor vehicles

The registration fee for semi-trailers shall be computed according to the table of weights and fees specified in this act for trailers and semi-trailers

The fee for each trailer chassis or semi-trailer chassis weighing less than five hundred (500) pounds shall be two ($2) dollars

The fee shall be five ($5) dollars for each trailer chassis or semi-trailer chassis weighing five hundred (500) pounds and less than one thousand (1,000) pounds

Ten dollars ($10) dollars for each trailer chassis or semi-trailer chassis weighing one thousand (1,000) pounds and less than two thousand (2,000) pounds

Fifteen dollars for each trailer chassis or semi-trailer chassis weighing two thousand (2,000) pounds and less than three thousand (3,000) pounds

Twenty ($20) dollars for each trailer chassis or semi-trailer chassis weighing three thousand (3,000) pounds and less than four thousand (4,000) pounds

Thirty ($30) dollars for each trailer chassis or semi-trailer chassis weighing four thousand (4,000) pounds and less than five thousand (5,000) pounds

Fifty ($50) dollars for each trailer chassis or semi-trailer chassis weighing five thousand (5,000) pounds or over

The fee for registration of pneumatic tired motor omnibuses including motor vehicles used for hire as common carriers of passengers with a seating capacity of five (5) passengers or less shall be twenty ($20) dollars when the seating capacity of such vehicle shall be in excess of five (5) pasengers and not exceeding twenty-six (26) passengers there shall be added to the fee hereinbefore provided the sum of two ($2) dollars for each passenger seat in excess of five (5) passengers when the seating capacity for such vehicles shall be in excess of twenty-six (26) passengers there shall be added to the fee hereinbefore provided the sum of five ($5) dollars for each passenger seat in excess of twenty-six (26) passengers

The fee for registration of solid rubber tired motor omnibuses including motor vehicles used for hire as common carriers of passengers with a seating capacity of five (5) passengers or less shall be twenty-five ($25) when the seating capacity of such vehicles shall be in excess of five (5) passengers and not exceeding twenty-six (26) passengers there shall be added to the fee hereinbefore provided the sum of two and one (2½) dollars for each passenger seat in excess of five (5) passengers when the seating capacity for such vehicles shall be in excess of twenty-six (26) passengers there shall be added to the fee hereinbefore provided the sum of six and one-quarter (6¼) dollars for each passenger seat in excess of twenty-six (26) passengers Provided That the fee for registration for solid rubber tired motor omnibuses with a seating capacity in excess of fifty-three (53) passengers used exclusively on highways of cities of the first second or third class shall be two hundred fifty ($250) dollars for each such motor omnibus

The fee for the registration of any motor vehicle trailer or semi-trailer equipped with metal tires shall be double the regular fee for such vehicle

The fees for registration when issued on or after August first shall be one-half those hereinbefore named

The fee shall be five ($5) dollars for each registration certificate and registration plate issued to persons registered as motor-cycle dealers and twenty-five ($25) dollars for each of the first two registration certificates and sets of registration plate and five ($5) dollars for each additional registration certificate and set of registration plates issued to persons registered as manufacturers or dealers in other motor vehicles

The fees herein set forth for the registration of motor vehicles trailers and semi-trailers shall be in lieu of any other fees or taxes to be imposed by this Commonwealth or any subdivision thereof and no city borough incorporated town township or county shall require or collect any registration or license fee or tax for any motor vehicle or license from any operator thereof except as to motor vehicles transporting passengers for pay or hire within the limits of any city or from points within such city to points outside of the city limits

The fee for license to operate a motor vehicle shall be two ($2) dollars and one ($1) dollar additional when an examination is required

The fee for a learner's permit to operate a motor vehicle shall be fifty (50) cents and such permit shall be valid for a period of thirty (30) days from date of issue

In the event of the loss of registration or license certificate application for a duplicate shall be made upon a blank furnished by the Department and shall be accompanied by a fee of fifty (50) cents

The fee for a certified copy of any Department record shall be one ($1) dollar

No fee shall be charged for the registration of motor vehicles owned and used by the United States the State of Pennsylvania or by any city borough incorporated town township or county duly authorized volunteer fire force hospital humane society or anti-cruelty society in this Commonwealth or by the American Red Cross but all such vehicles shall be registered and shall display registration plates as is provided for privately owned motor vehicles

All registrations shall expire December thirty-first of the year issued unless sooner revoked for cause by the Commissioner

All owner's driver's licenses operator's licenses and paid driver's licenses to operate mottor vehicles for the calendar year one thousand nine hundred and twenty-three shall be valid until and including the last day of February one thousand nine hundred and twenty-four unless sooner revoked or suspended for cause by the Commissioner Provided That on and after March first one thousand nine hundred and twenty-four such licenses shall be known as an "operator's license" which shall expire the last day amended by said act of the sixteenth day of May one or suspended for cause by the Commissioner

On the question,

Will the House agree to the section?

Mr. GELDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 7, page 17, line 27, by striking out the word "which"

Amend section 7, page 25, line 21, by striking out the word "plate" and inserting in lieu thereof: "plates"

Amend section 7, page 27, line 3, by striking out the word "owner's" and inserting in lieu thereof: "owners' "

Amend section 7, page 27, line 3, by striking out the word "driver's" and inserting in lieu thereof: "drivers' "

Amend section 7, page 27, line 3, by striking out the word "operator's" and inserting in lieu thereof: "operators' "

Amend section 7, page 27, line 4, by striking out the word "driver's" and inserting in lieu thereof: "drivers' "

Amend section 7, page 27, line 12, by striking out all the words in said line and inserting in lieu thereof: the following: "of February of each year thereafter, unless sooner revoked"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The eighth section was read as follows:

Section 8 That section ten of said act which as thousand nine hundred and twenty-one is hereby further amended to read as follows

No person shall operate a motor vehicle upon any public highway of this Commonwealth until such person shall have obtained from the Department a license or permit for such purpose provided any person sixteen (16) years of age or over who has not been refused and who has not had his motor vehicle operator's license suspended or revoked may operate a motor vehicle with a learner's permit while under the instruction of and accompanied by a Pennsylvania licensed operator who shall have full control of the motor vehicle as provided by law No such license shall be issued until the applicant therefor has signed and filed with the Department an application under oath except that renewals from the year just previous need not be under oath stating such information as the Department shall require nor shall such license be issued until the Commissioner is satisfied that the applicant is sixteen (16) years of age or over and is a proper person to receive such license Before granting a license to any applicant who has not held a Pennsylvania motor vehicle operator's paid driver's or chauffeur's or owner's driver's license during the preceeding year the Commissioner shall require such applicnat to demonstrate personally to him or his representative in such manner as said Commissioner may direct that such applicant is a proper person to operate a motor vehicle has sufficient knowledge of the mechanism of motor vehicles to insure their safe operation by him and a satisfactory knowledge of all laws concerning motor vehicles and the rules of the road Provided when any such applicant shall have held an operator's license from a state where a similar examination is required the Commissioner may waive part or all of such examination in his discretion When the Commissioner is satisfied as to the ability and competency of any applicant he may issue to him a license either unlimited or containing such limitations as the Commissioner shall deem advisable Provided That the applicant is not mentally impaired and is not physically incapacitated which incapacitation includes the following Any person who has lost the use of one hand or both or who has lost the use of both feet or whose eyesight is so impaired that with the aid of glasses he cannot distinguish substantial objects clearly at a distance of one hundred fifty (150) feet or who shall have less than twenty (20) per centum of normal vision (to possess twenty (20) per centum vision one must be able with one eye to read all the letters on the line marked twenty (20) of standard test types at a distance of four (4) feet) or shall have less than two (2) per centum of normal hearing (to possess two (2) per centum of normal hearing one must respond when addressed in a natural tone of voice by another standing one (1) foot behind

Provided That the Commissioner may at his discretion issue a license or permit to a person who has lost the use of one hand only or who has lost the use of both feet or who has less than (2) per centum of normal hearing upon the receipt of such evidence or demonstration as shall satisfy him that such person has had sufficient experience in the operation of a motor vehicle to enable him to do so without endangering the safety of the pubilc Provided That persons who have less than two (2) per centum of normal hearing shall not be permitted to operate any motor vehicle unless same is equipped with a mirror or other device that will enable such operator to see traffic approaching from the year

The Commissioner shall issue a learner's permit to persons sixteen (16) years of age or over not mentally or physically incapacitated as defined in this act who may desire to learn to operate a motor vehicle such permit shall be issued for a period of thirty (30) days but shall be valid only when such person is accompanied by a licensed operator who shall have full control of the motor vehicle as provided by law

Such license or permit shall be numbered and shall set forth the name and residence and such license or permit shall be carried at all times when operating a motor vehicle but shall not be valid until signed by the owner thereof

All licenses shall expire on the last day of February of each year

Any person knowingly making any misstatement of facts in his application for a license or permit shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than one hundred ($100) dollars or more than two hundred ($200) dollars or to undergo imprisonment not exceeding six (6) months or both at the discretion of the court and the clerk of the court in which such conviction is had shall certify forthwith such conviction to the Commissioner who shall suspend or revoke the license issued to such person for a period of one (1) year following such suspension or revocation

On the question,

Will the House agree to the section?

Mr. GELDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 8, page 27, line 14, by striking out the word "which"

Amend section 8, page 27, line 14, by inserting after the word "as" the following: "amended by said act of the sixteenth day of May, one"

Amend section 8, page 27, line 15, by inserting after the word "twenty-one" the following: "(P. L. 582)"

Amend section 8, page 30, line 1, by striking out the word "preceeding" and inserting in lieu thereof: "preceding"

Amend section 8, page 30, line 25, by inserting after the word "centum" the words "of normal"

Amend section 8, page 31, line 4, by inserting a parenthesis after the word "behind"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The ninth section was read as follows:

Section 9 That section eleven of said act which as amended by said act of the sixteenth day of May one thousand nine hundred nad twenty-one is hereby further amended to read as follows

The Commissioner is authorized to make requisition on the Department of Public Printing and Binding for the printing of necessary forms bulletins and other printed matter required for carrying out the provisions of this act and for the dissemination of information to the Public

On the question,

Will the House agree to the section?

Mr. GELDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 9, page 32, lines 18, 19, and 20, by striking out the words "which as amended by the said act of the sixteenth day of May, one thousand nine hundred and twenty-one."

Amend section 9, page 32, line 20, by striking out the word "further"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The tenth section was read as follows:

Section 10 That section twelve of said act of the thirtieth day of June nineteen hundred and nineteen is hereby amended to read as follows

Section 12 The moneys derived under the provisions of this act from registration and license fees and from fines and penalties collected under the provisions of this act for violations of the same and forfeited bail and other miscellaneous receipts shall be paid by the State Highway Department into the State Treasury

And the same are hereby specifically appropriated to the State Highway Departmen for the purpose of assisting in the maintenance construction replacement reconstruction improvement and repairs of State Highways and for payment of salaries traveling expenses and any and all other expenses necessary to effectually carry on the work of the State Highway Department as described in the Act of Assembly approved the thirty-first day of May one thousand nine hundred and eleven known as the State Highway Act and the amendments and supplements thereto and to carry out and enforce the provisions of the act to which this is an amendment and all amendments and supplements thereto including the penal provisions thereof and for that purpose the Commissioner is hereby authorized to appoint such employes as in his discretion are necessary said money to be paid from the State Treasury upon requisition of the State Highway Commissioner and after audit and approval by the Auditor General and State Treasurer in the usual manner

Provided That in case any moneys are or have been paid to the State Treasurer as provided for in this section and to which it appears the Department is not rightfully entitled the person or persons who have paid the same may present a claim to the Department for a refund The said claim and all evidence presented therewith shall be presented to the Auditor General State Treasurer and Attorney General who shall consider the same and if in their opinion the Department has not valid claim to such moneys and the same properly belong to the claimant or claimants and ought in equity and good faith be refunded to him or them they shall so certify under their hands and official seals specifying the amount or amounts to bt refunded and the person or persons to whom the same are to be paid respectively The said certificate shall be filed in the office of the Auditor General who shall thereupon draw his warrant upon the State Treasurer payable to said claimant or claimants for the amount found to be due him or them The said claim to be paid out of the moneys derived under the provisions o fthis act from registration and license fees and from fines and forfeited bail and other miscellaneous receipts

On the question,

Will the House agree to the section?

Mr. GELDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 10, page 35, lines 8 and 9, by striking out the words 'of the thirtieth day of June, nineteen hundred and nineteen"

Amend section 10, page 36, line 2, by striking out the word "requisition" and inserting in lieu thereof 'requisition"

Amend section 10, page 37, line 2, by striking out the word "not" and inserting in lieu thereof: "no"

Amend section 10, page 37, line 11, by striking out the word "upon" following the word "warrant"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The eleventh section was read as follows:

Section 11 That section thirteen of said act which as amended by said act of the sixteenth day of May one thousand nine hundred and twenty-one is hereby further amended to read as follows

Section 13 The Commissioner may refuse to issue a license to any applicant and may suspend the license of any operator of a motor vehicle who is shown by proper evidence to be a reckless or carless operator endangering the safety of the public or an habitual violator of the provisions of this act and may revoke or suspend the license of any operator of a motor vehicle who has been convicted of a misdemeanor or a felony in conection with the use of a motor vehicle

He may also revoke or suspend the license issued to any such person upon hearing before the Commissioner or his representatives after due notice in writing of the proposed action and the grounds therefor has been mailed to the licensee at the address given on his application

The Commissioner may upon investigation suspend the license of any owner operator or paid driver who has been involved in an accident resulting in injury to person or property upon the sworn statement of two reputable persons that such accident was the result of recklessness or carelessness on the part of such licensee and after a hearing before the commissioner or

The Commissioner may authorize the payment of expenses of witnesses testifying for the Commonwealth at hearings in cases of suspension or revocation of license before the commissioner or his representative The said expenses shall be paid out of the fees collected under this act

On the question,

Will the House agree to the section?

Mr. GELDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 11, page 37, line 17, by striking out the word "which"

Amend section 11, page 37, line 19, by inserting after the word "twenty-one" the following: "(P. L. 582)"

Amend section 11, page 38, line 14, by inserting after the word "or" the following: "his representative shall annul the license issued to such person if the evidence issued to such person if the evidence justifies such action."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twelfth section was read and agreed to as follows:

Section 12 That section fourteen of said act of the thirtieth day of June nineteen hundred and nineteen is hereby amended to read as follows

Section 14 Any person whose license has been suspended or revoked who shall operate any motor vehicle upon any public highway in this Commonwealth during the period of suspension or revocation or any person owning or having any motor vehicle in his custody wh shall knwingly permit any person whose license has been suspended or revoked to operate such motor vehicle during the period of such suspension or revocation shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of nt less than one hundred ($100) dollars nor more than two hundred ($200) dollars or undergo imprisonment for a period of not more than six (6) months or both at the discretion of the court

The thirteenth section was read as follows:

Section 13 That section fifteen of said act of the thirtieth day of June nineteen hundred and nineteen is hereby amended to read as follows

Section 15 The Commissioner shall issue bulletins giving the registration number name and address of the owner of each motor vehicle registered to such police departments of the Commonwealth as he deems necessary and such police departments are hereby prohibited from disposing of such bulletins or parts of such bulletins for other than information as to violations of the motor vehicle laws Any member of such police departments violating this provision shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one thousand ($1,000) dollars nor more than five thousand ($5,000) dollars and to undergo imprisonment of not less than two (2) years nor more than (10) years and the clerk of the court in which such conviction is had shall certify forthwith such conviction to the Commissioner"

The Commissioner is authorized to disposed of after advertisement and competitive bidding to the highest bidder a copy of motor vehicle registration as issued

The Commissioner is authorized to dispose of after adeach motor vehicle registered classified by make numerically arranged as to registration number manufacture's number and motor number and the name and address of the owner in alphabetical order licensed operators in numerical order and alphabetically by name and address and shall keep a record of other registrations and licenses issued as will readily reveal the name and address of the owner and in numerical order as to registration or license number

The Commissioner may cause the original applications for registration and for license on file in his office to be destroyed three (3) years after such applications were received

On the question,

Will the House agree to the section?

Mr. GELDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 13, page 38, lines 21 and 22, by striking out the words "of the thirtieth day of June, nineteen hundred and nineteen'

Amend section 13, page 39, lines 9 and 10, by striking out the words "of the thirtieth day of June, nineteen hundred and nineteen"

Amend section 13, page 40, line 12, by striking out the word "a" and inserting in lieu thereof "an official"

Amend section 13, page 40, line 12, by striking out the word "registration" and inserting in lieu thereof 'registrations"

Amend section 13, page 40, line 12, by inserting after the word "issued" the following: "and no other copy of said registrations shall be disposed of except as hereinbefore provided."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourteenth section was read as follows:

Section 14 That section sixteen of said act of the thirtieth day of June nineteen hundred and nineteen is hereby amended to read as follows

Section 16 Whenever any check isued in payment of any fee or for any other purpose shall be returned as uncollectible the Commissioner shall charge a fee of five ($5) dollars plus all protest fees to the person presenting such check to him to cover the cost of its collection

On the question,

Will the House agree to the section?

Mr. GELDER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk

The amendment was read by the Clerk as follows:

Amend section 14, page 41, lines 22 and 23, by striking out the words "of the thirtieth day of June, nineteen hundred and nineteen"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifteenth section was read as follows:

Section 15 That section seventeen of said act of the thirtieth day of June nineteen hundred and nineteen is hereby amended to read as follows

Section 17 The proprietor of every public garage and motor vehicle repair shop shall cause a record to be kept after the manner to be prescribed by the Commissioner of the names of any and all persons owning or having charge of any motor vehicle stored left for repair or any other pupose at any such public garage or motor vehicle repair shop together with the make manufacturer's number name of the State of registration and the registration number of such motor vehicles Such record shall be kept in ink or indelible pencil and shall be open to the inspection of police officers or other proper authorities Such records shall be retained and be available for a period of one (1) year after entry but not thereafter He shall also immediately notify the local police authorities and the Commissioner of any such motor vehicle whereon the manufcturer's number or mark has apparently been altered obliterated or removed

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty ($50) dollars nor more than five hundred ($500) dollars or to undergo imprisonment not eceeding one (1) year or both at the discretion of the court and the clerk of the court in which such conviction is had shall certify forthwith such conviction to the commissioner

On the question,

Will the House agree to the section?

Mr. GELDER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 15, page 42, lines 19 and 20, by striking out the words "of the thirtieth day of June, nineteen hundred and nineteen"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixteenth section was read as follows:

Section 16 That section nineteen of said act which as amended by said act of the sixteenth day of May one thousand nine hundred and twenty-one is hereby further amended to read as follows

Section 19 No person shall operate a motor vehicle on the public highways of the State recklessly or at a rate of speed greater than is reasonable and proper having regard to the width traffic and use of the highway or so as to endanger property or the life or limb of any person No person shall drive a motor vehicle at a rate of speed exceeding one (1) mile in two minutes and no commercial motor vehicle with solid rubber tires in class A as provided in section nine of this act shall at any time exceed a rate of speed of twenty-four (24) miles per hour or

In class B a rate of speed of twenty (20) miles per hour or

In class C a rate of speed of twenty (20) miles per hour or

In class D a rate of speed of eighteen miles per hour or

In class E a rate of speed of fifteen (15) miles per hour or

In class F a rate of speed of fifteen (15) miles per hour or

In class G a rate of speed of twelve (12) miles per hour

In class H a rate of speed of ten (10) miles per hour

No commercial motor vehicle with pneumatic tires in class A as provided in section nine of this act shall at any time exceed a rate of speed of twenty-six (26) miles per hour or

In class B a rate of speed of twenty-four (24) miles per hour or

In class C a rate of speed of twenty-four (24) miles per hour or

In class D a rate of speed of twenty-two (22) miles per hour or

In class E a rate of speed of nineteen (19) miles per hour or

In class F a rate of speed of nineteen (19) miles per hour or

In class G a rate of speed of sixteen (16) miles per hour

In class H a rate of speed of fourteen (14) miles per hour

Provided That the authorities having charge of the highways may in dangerous or built-up sections or at schoolhouses churches and public playgrounds place signs marked "fifteen (15) mile speed limit" in letters not less than five (5) inches in height Such of these signs as are placed at the entrance to the city borough town or village of the highways that are State highways shall also bear the name of the city borough town or village in letters of the same size Said signs shall be placed on the right-hand side of the highway facing the traffic to be controlled clearly legible therefrom and at these places the speed limit shall not exceed a rate of one (1) mile in four (4) minutes for a distance beyond said sign of not more than one-eighth (⅛) of a mile and if such highway is still in a dangerous or built-up section a second sign similar to the above discribed may be erected and the speed limit shall not exceed the rate of one (1) mile in four (4) minutes for not more than (⅛) of a mile beyond said sign and as many signs may be erected as may be necessary At the end of said dangerous or built-up sections there shall be erected a sign reading "end of fifteen (15) mile speed limit" in letter not less than five (5) inches in height said signs to be placed at right angles to the highway and facing the traffic to be controlled

On the question,

Will the House agree to the section?

Mr. GELDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 16, page 43, line 20, by striking out the word "which"

Amend section 16, page 43, line 22, by inserting after the word "twenty-one" the following: "(P. L. 582)"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventeenth section was read as follows:

Section 17 That section twenty of said act which as amended by said act of the sixteenth day of May one thousand nine hundred and twenty-one is hereby further amended to read as follows

Section 20 Every motor vehicle on the public highway shall from one hour after sunset until one hour before sunrise show at least two lights of approximately equal power on the front of such vehicle that shall be clearly visible from a distance of at least two hundred (200) feet Provided That motor-cycles to which no side car is attached need display only one such light but no brilliant light shall be displayed on any motor vehicle standing on the left-hand side of the highway And further provided That the council of any city or borough or the commissioners or supervisors of any township may by ordinance establish zones in brightly lighted sections within which motor vehicles may remain standing without lights

When any motor vehicle or motor-cycle is in motion on a public highway not so lighted as to render any substantial object clearly discernible at a distance of two hundred (200) feet it shall show a front lamp or lamps furnishing illumination in accordance with the following provisions

Motor vehicles shall display lighted front lamps furnishing sufficient illumination to render clearly discernible on a level highway any substantial object two hundred (200) feet directly ahead and any substantial object one hundred (100) feet ahead and seven (7) feet to the right of the axis of such vehicle and this provision shall be deemed to be complied with if the apparent candlepower of the combined beams of the lamps as measured one hundred (100) feet directly ahead of the vehicle on a level surface and at a heigt not less than one-half (1-2) the distance of the center of the reflector above said level surface is not less than forty-eight hundred (4,800) and if the apparent candlepower as measured one hundred (100) feet ahead of the vehicle and seven (7) feet to the right of the axis thereof at any point not above the level of the head lamp is not less than twelve hundred (1,200)

Motor-cycles shall display a lighted front lamp or front lamps furnishing sufficient illumination to render clearly discernible on a level highway any substantial object one hundred and forty (140) feet directly ahead and any substantial object seventy (70) feet ahead and five (5) feet to the right of the axis of such vehicle and this provision shall be deemed to be complied with if the apparent candlepower of the combined beams of the lamps as measured one hundred (100) feet directly ahead of the vehicle on a level surface and at the height not less than one-half (1-2) the distance of the center of the reflector above said level surface is not less than twenty-four hundred (2,400) and if the apparent candlepower as measured one hundred (100) feet ahead of the vehicle and seven (7) feet to the right of the axis thereof at any point not above the level of the head lamp is not less than six hundred (600)

The lamps of all vehicles shall be so arranged adjusted and operated os to avoid dangerous glare or dazzle and so that no dangerously glaring or dazzling rays from the lamps of any vehicle on a level road can be projected at such an angle above the level as to enter the eyes of approaching drivers or pedestrians and this provision shall be deemed to be complied with if the apparent candlepower of the beam or combined beams of the lamp or lamps as measured one hundred (100) feet ahead of the vehicle on a level surface and five (5) feet above the level surface does not exceed twenty-four hundred (2,400) directly in front of the vehicle and eight hundred (800) at a point seven (7) feet to the left of the axis of the vehicle and at the same height

Every motor vehicle including motor cycles shall also whether standing or in motion display one red light on the rear thereof and if a trailer be attached to such motor vehicle or another motor vehicle is being towed so as to obscure such red light then a red light shall be displayed on the read of such vehicle or such trailer Provided That a motor vehicle standing upon any public highway may exhibit only a parking light with the provisions further set forth in this section

The registration plate on the rear of every motor motor vehicle including motor-cycles and trailers shall also be clery illuminated during the same period except when such vehicle is standing upon any public highway and exhibiting a parking light in acocrdance with the provisions further set for in this section

All additional or supplement lights including movable spotlights or searchlights shall fully comply with these restrictions and the rays of light from any such searchlight or spotlight shall at no time extend to the left of the center of the highway

Every motor vehicle while standing upon any public highway at such times as lights are required by the provisions of this section for such motor vehicles may in lieu of the lighting equipment specified in this act show one light of at least two (2) candlepower carried on the left side of the car in such a manner as to be visible to the front and rear and so as to show white to the front and red to the rear shall be considered a full compliance with the terms of this clause

No red light shall be displayed on the front of any motor vehicle

The State Highway Commissioner may after laboratory test in conformity with standard specifications approve certain devices for controlling the front lights of motor vehicles so that they shall comply with the provisions of this section upon the payment of such fee as he may deem necessary to cover the actual cost of such tests not to exceed the sum of fiftv ($50) dollars and may issue a certificate to the applicant describing the device and certify that such tests have been made and that the device when properly applied complied with the requirements of this act

"Devices for controlling the front lights on motor vehicles heretofore or hereafter approved by the Commissioner in conformity with standard specifications may be used when properly arranged adjusted and operated upon motor vehicles in this Commonwealth while such certificates of approval are in force Any such certificate however heretofore or hereafter issued may be revoked by the Commissioner after a hearing of which the person or corporation named therein or his or its successor in interest shall be given reasonable notice or opportunity to hear or be heard upon the grounds that the device does not comply with the provisions of standard specifications as provided for in this section and the decision of the Commissioner revokigng such certificates shall be final However revocation of certificates of aproval of device for controlling lights on motor vehicles heretofore or hereafter approved shall not take affect until three months aftre decision of the Commissioner revoking same"

Motor vehicles equipped with acetylene headlights shall be deemed to have complied with the provisions of this Section when such headlights are fitted with clear plain front class and a standard acetylene burner

On the question,

Will the House agree to the section?

Mr. GELDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 17, page 46, line 12, by striking out the word "which"

Amend section 17, page 46, line 14, by inserting after the word "twenty-one" the following: "(P. L. 582)"

Amend section 17, page 49, line 12, by striking out the word "supplement" and inserting in lieu thereof the word "supplemental"

Amend section 17, page 49, line 28, by enclosing the words "State Highway" in brackets

Amend section 17, page 50, line 23, by striking out the word "provided" and inserting in lieu thereof "provided"

Amend section 17, page 50, line 27, by striking out the word "affect" and inserting in lieu thereof "effect"

Amend section 17, page 51, line 5, by striking out the word "section" and inserting in lieu thereof "section"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The eighteenth section was read as follows:

Section 18 That section twenty-one of said act of the thirteenth day of June nineteen hundred and nineteen is hereby amended to read as follows

Section 21 Every motor vehicle shall be provided when in use at least two systems of brakes capable of controlling such vehicle under an normal conditions and with an adequate horn bell or other signal device and where such vehicle is so constructed or covered as to prevent the operator thereof from having a sufficient view of the traffic following it shall be equipped with a mirror or other device that will enable the operator to see the road to the rear

On the question,

Will the House agree to the section?

Mr. GELDER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 18, page 51, line 7 and 8, by striking out the words "of the thirtieth day of June, nineteen hundred and nineteen.

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

Section 19 That section twenty-two of said act of the thirtieth day of June nineteen hundred and nineteen is hereby amended to read as follows
Section 22 Every operator of a motor vehicle shall give reasonable warning of his approach whenever necessary to insure the safety of other users of the highway and before passing any vehicle he may overtake or pedestrian using any part of the highway other than the sidewalk but the horn bell or other signal device shall not be sounded unnecessarily

On the question,
Will the House agree to the section?
Mr. GELDER. Mr. Speaker, I desire to offer the following amendment.
The SPEAKER. The amendment will be read by the Clerk.
The amendment was read by the Clerk as follows:

Amend sec. 19, page 51, lines 19 and 20, by striking out the words "of the thirtieth day of June, nineteen hundred and nineteen"

On the question,
Will the House agree to the **amendment?**
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The twentieth section was read as follows:

Section 20 That section twenty-three of said act which as amended by said act of the sixteenth day of May one thousand nine hundred and twenty-one is hereby further amended to read as follows
Section 23 No person whether an employe of the owner or custodian of any motor vehicle or not shall tamper with or make use of or operate any motor vehicle without the knowledge or consent of the owner or custodian thereof
No person shall operate a motor vehicle while under the influence of intoxicating liquor or any narocotic or habit producing drug or permit any person who may be under the influence of intoxicating liquor or narcotice drugs to operate any motor vehicle owned by him or in his custody or control
No person shall take part in any race or speed contest for a prize or wager or otherwise upon any public highway or attempt to establish or lower any speed record upon any public highway
Any operator of a motor vehicle who shall have injured the person or property of any other user of the highway shall stop and render such assistance as may be necessary and shall upon request give his name and address to the injured party or his proper representative This provision shall apply to the owner of the motor vehicle if present whether he was operating such motor vehicle or not
No person shall turn off any or all of the lights on a motor vehicle for the purpose of avoiding indentification or arrest
Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than two hundred ($200) dollars not more than five hundred ($500) dollars or to undergo imprisonment not exceeding three (3) years or both at the discretion of the court and the clerk of the court in which such conviction is had shall certify forthwith such conviction to the Commissioner who shall suspend or revoke the license issued to such person and no other license shall be issued to such person for a period of one (1) year following such suspension or revocation

On the question,
Will the House agree to the section?
Mr. GELDER. Mr. Speaker, I desire to offer the following amendments.
The SPEAKER. The amendments will be read by the Clerk.
The amendments were read by the Clerk as follows:

Amend sec. 20, page 52, line 3, by striking out the word "which"
Amend sec. 20, page 52, line 5, by inserting after the word "twenty-one" the following: "(P. L. 582)"

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The twenty-first section was read as follows:

Section 21 That section twenty-four of said act which as amended by said act of the sixteenth day of May one thousand nine hundred and twenty-one is hereby further amended to read as follows
Section 24 No motor vehicle of any description shall be used or operated on the public highways unless the engine be muffled so that the explosions thereof shall not constitute a nuisance to the public and no muffler cut-out shall be used on any public highway
No motor vehicle shall be used upon any public highway with chains or other devices projecting more than one (1) inch upon the tires thereof
No commercial motor vehicle shall be used or operated on any public highway the weight of which including chassis body and load shall be in excess of five thousand (5,000) pounds for a vehicle in class A seven thousand (7,000) pounds or a vehicle in class B eleven thousand (11,000) pounds for a vehicle in class C thirteen thousand (13,000) pounds for a vehicle in class D eighteen thousand (18,000) pounds for a vehicle in class E twenty-two thousand (22,000) pounds for a vehicle in class F and twenty-five thousand (25,000) pounds for a vehicle in class G and twenty-six thousand (26,000) pounds for a vehicle in class H
Provided That no electrically operated commercial motor vehicle shall be used or operated on any public highway the weight of which including chassis battery body and load shall be in excess of the maximum capacities as fixed for the several classes of such commercial motor vehicle registrations in section nine as amended
No motor vehicle or trailer having a gross weight of vehicle and load combined in excess of twenty-six thousand (26,000) pounds or in excess of nineteen thousand five hundred (19,500) pounds on any axle or in excess of eight hundred (800) pounds on any one wheel for each nominal inches of width of tire on such wheel or that exceeds and over-all length of vehicle and load of three hundred and sixty (360) inches or on combination of vehicles coupled together whose total length including load shall be greater than eighty-five (85) feet or an over-all width of vehicle and load of ninety (90) inches or an overall height of vehicle and load of one hundred fifty-six (156) inches except hook-and-ladder trucks and water-towers shall be operated upon any public highway
No semi-trailer except hook-and-ladder trucks and water towers that exceed a gross weight on its axle or axles of nineteen thousand five hundred (19,500) pounds or in excess of eight hundred (800) pounds on any one wheel (or that increases the gross weight of tractor truck semi-trailer body and load more than thirteen thousand (13,000) pounds over the gross weight hereinbefore provided) with its axle or arles not less than ninety-six (96) inches from the axle of the towing motor vehicle or that exceeds an over-all length of three hundred sixty (360) inches or over-all width of ninety (90) inchaes except as hereinbefore provided for over-all width of wheel and load not exceeding ninety-six (96) inchs on highways of cities of the first second and third class or over-all height of one hundred fifty-six (156) inches shall be operated upon any public highway Provided That owing to the effect on improved highways of seasonal conditions the Commissioner may in his discretion

reduce the gross weight and load combined of motor vehicles trailers or semi-trailers as he may deem necessary The width of rubber tires for the purpose of this section shall be ascetained by measuring the width of tire at base of channel or between the flanges of the metal rim except pneumatice tires the width of which shall be determined by measuring the greatest width of tire casing Provided That no motor vehicle or trailer or semi-trailer shall be operated upon a public highway equipped with any solid rubber tire which has at any point less than one (1) inch of rubber above or beyond the top of the metal flange or rim The width of metal tires shall be determined by measuring the width of contact of tire with road surface

Any person or persons carrying on any motor vehicle or trailer or semi-taile a load in excess of the maximum carrying capacity or maximum length or maximum height or waximum width or without the required one (1) inch of rubber tire above or beyond the top of the metal flange or rim as so fixed by this act shall upon summary conviction thereof before a justice of the peace alderman or magistrate be subject to a fine of not less than one hundred ($100) dollars or more than two hundred ($200) dollars

Any person intending to use a motor vehicle or trailer or semi-trailer for special hauling whose dimensions or weight are in excess of the specifications hereinbefore mentioned shall apply to the Commissioner for permission so to do upon a blank in such form as the Department shall prescribe Such application shall set forth the location of such roads over which it is proposed to haul the counties townships and municipalities in which such roads are located the weight and length of motor vehicle trailer or semi-trailer and its registration number the number of tailers to be used the maximum capacity of such trailers the weight of each when empty the kind of materials to be hauled and the date on which said hauling will begin and be completed Provided That no such period shall exceed five (5) days

The Commissioner upon receipt of such application and a fee of five ($5) dollars shall immediately inform himself as to the condition of the highway mentioned in said application by referring the same to the local authorities or otherwise and if satisfied that the purposed use of such roadways will not result in damage thereto may grant a permit for such restrictions as in his discretion may be necessary to prevent extraordinary damage to the roads by reason of such hauling

All the provisions of this section shall apply to the owner of the motor vehicle or the person having control thereof who causes or permits such motor vehicle to be operated or equipped contrary to such provisions and any such person shall be deemed equally guilty with the operator of any violation thereof

On the question,

Will the House agree to the section?

Mr. GELDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 21, page 53, line 18, by striking out the word "which"

Amend sec. 21, page 53, line 20, by inserting after the words "twenty-one" the following: "(P. L. 582)"

Amend sec. 21, page 56, line 16, by striking out the word "equipped" and inserting in lieu thereof "equipped"

Amend sec. 21, page 57, line 15, by striking out the word "such" and inserting in lieu thereof "the"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twenty-second section was read as follows:

Section 22 That section twenty-five of said act of the thirtieth day of June nineteen hundred and nineteen is hereby amended to read as follows

Section 25 No operator of a motor vehicle who meets or overtakes a street passanger car that has stopped for the purpose of taking on or discharging passangers hall pass said car on the side of which the passangers get on or off until the car has started and until any passengers who may have aligthed shall have reached the side of the highway

When meeting or when overtaken by any other vehicle legally traveling at a greater rate of speed the operator of any motor vehicle shall turn promptly to the right of the center of the highway allowing such other vehicle free passage to the left

The operator of any motor vehicle overtaking another vehicle shall pass such vehicle on the left but shall not attempt to pass any such vehicle at intersecting highways or at the crossing of any railroad tracks at grade or at a sharp turn or curve or on approaching the crest of a hill where a full view of the highway ahead for a distance of two hundred (200) feet is obstructed

Every operator of a motor vehicle shall at all times keep as close as possible to the right-hand side of the highway allowing other vehicles free passage to the left and no operator of a motor vehicle shall allow such vehicle to stand in the center of the highway or so as to obstruct or interferre with any other users thereof

At the intersection of public highways the operator of a motor vehicle shall keep to the right of the intersection of the centers of such highways when turning to the right and shall pass to the right of such intersection before turning to the left

When two vehicles approach the intersection of two public highways at the same time the vehicle approaching from the right shall have the right of way

No operator of a motor vehicle shall proceed across the tracks of any railroad crossing at grade abreast of any other motor vehicle traveling in the same direction

When signaled to do so by the rider or driver of anv horse or other animal of draft or burden the operator of a motor vehicle shall stop until any danger has been avoided

On the question,

Will the House agree to the section?

Mr. GELDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 22, page 58, lines 12 and 13, by striking out the words "of the thirtieth day of June, nineteen hundred and nineteen"

Amend sec. 22, page 58, line 20, by striking out the word "reacher" and inserting in lieu thereof "reached"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twenty-third section was read as follows:

Section 23 That section twenty-six of said act which as amended by said act of the sixteenth day of May one thousand nine hundred and twenty-one is hereby further amended to read as follows

Section 26 The operator of any motor vehicle shall stop upon request or signal of any constable police officer or member of the State Police Force or designated officer of the State Highway Department who shall be in uniform or shall exhibit his badge or other sign of authority and shall upon request exhibit his registration certificate or license and shall write his name in the presence of such officer if so required for the purpose of establishing his identity He shall also furnish to any legally constituted authority any information in his possession as to the identity of the operator or owner of any motor vehicle

Any constable or police officer or member of the State Police Force or designated officer of the State Highway Department who shall be in uniform or shall exhibit his badge or sign of authority shall have the right to stop any motor vehicle upon request or signal for the purpose of inspecting the said motor vehicle as to its equipment and operation or manufacturer's number or motor number or weight and securing such other information as may be necessary

On the question,
Will the House agree to the section?

Mr. GELDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 23, page 59, line 26, by striking out the word "which"

Amend sec. 23, page 59, line 28, by inserting after the word "twenty-one" the following: "(P. L. 582)"

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The twenty-fourth section was read as follows:

Section 24 That section twenty-eight of said act which as amended by said act of the sixteenth day of May one thousand nine hundred and twenty-one is hereby further amended to read as follows

Section 28 It being the purpose of this act to provide a system or code of law regulating the use and operation of motor vehicles throughout this Commonwealth no city borough incorporated twn twnship or county shall hereafter adopt maintain or enforce any rule regulation or ordinance regulating the speed equipment use or operation of motor vehicles other than city or borough ordinances regulating the stopping and parking of vehicles or the establishment of zones in which vericles may park at night without lights as provided in section twenty of this act the use of certain streets as one-way streets or reguating the kind and weight of traffic on certain streets and in public parks or the establishment of safety zones Provided however That no such special regulation shall be effective unless notice of the same is posted conspicuously by the municipality making the same at points where any highway affected thereby joins other highways and no regulation shall be valid which excludes such vehicles from any State Highway or from any main highway leading from one municipality to another

Provided That any city may regulate the transportation by motor vehicles of passengers for pay within the limits of such city or from points in the city to points beyond the city limits and make and enforce regulations for the operation of such vehicles not inconsistent with this act and designate certain streets upon which such vehicles may be operated

Provided That any such city borough incorporated town township or county which enforces any ordinance as provided in this section may impose a fine of not more than fifty ($50) dollars to be collected by summary conviction before any mayor burgess magistrate alderman or justice of the peace as like fines and penalties are now by law collected or in case of non-payment of such fine to undergo imprisonment in the county jail for a period not exceeding ten (10) days Provided That any person so convicted shall have the right of appeal as in other cases of summary convictions And further provided That any person accused of violating a local ordinance passed under the authority of this act may waive summary hearing and give bond in a sum equal to double the amount of the maximum fine that might be imposed for appearance for trial before a judge of the court of quarter sessions or in teh county court or in the municipal court in counties wherein such courts exist and thereupon the burgess magistrate alderman or justice of the peace shall within fifteen (15) days return the complaint or information to the said court and if any person so accused shall be convicted in such court of the offense charged he shall be subject to a fine prescribed by said ordinance or in case of non-payment of such fine to undergo imprisonment in the county jail for a period not exceeding five (5) days All fines and penalties as provided in this section shall be paid to the treasurer of such city borough incorporated town township or county for the construction repair and maintenance of the highways thereof

On the question,
Will the House agree to the section?

Mr. GELDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 24, page 60, line 22, by striking out the word "which"

Amend sec. 24, page 60, line 24, by inserting after the words "twenty-one" the following: "(P. L. 582)"

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The twenty-fifth section was read as follows:

Section 25 That section thirty-two of said act of the thirtieth day of June nineteen hundre dand nineteen is hereby amended to read as follows

Section 32 Proceedings under this act may be commenced by warrane issued in the name of the Commonwealth which warrant may be served by a constable policeman or other officer having authority to serve warrants in the county in which the violation is alleged to have beencommitted but if the person charged cannot be served within such county then then the burgess magistrate alderman or justice of the peace shall deputize a constable policeman or other officers having legal authority to serve warrants in the county wherein the person charged resides or may be found who shall serve such warrant and for such service shall receive the usual fee and expenses thereof as allowed by law for such service

A copy of the information shall be served with such warrant and the officer serving such warrant shall take the defendant before the nearest magistrate alderman or justice of the peace of the county in which the defendant is found who shall take bail either for the defendant's appearance before the mayor burgess magistrate alderman or justice of the peace who issued the warrant or for his appearance for trial in the proper court if a summary hearing is waived

All information charging violations of any of the provisions of this act excepting violations of the special provisions in sections three four eleven fourteen fifteen sixteen seventeen twenty-three twenty-four thirty-four and thirty-five covering misdemeanors shall be brought within two (2) weeks after the commission of the alleged offense and not after Provided That before the service of any warrant and within the period of seven (7) days after information has been lodged the mayor burgess magistrate alderman or justice of the peace shall mail to the person so charged at the address shown by the records of the State Highway Department a notice in writing of the issuing of the warrant together with a copy of the information and if the person named in the warrant shall not voluntarily appear within ten (10) days thereafter the warrant may then be served as herein provided

On the question,
Will the House agree to the section?

Mr. GELDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 25, page 62, lines 25 and 26, by striking out the words "of the thirtieth day of June, nineteen hundred and nineteen"

Amend sec. 25, page 63, line 7, by striking out the word "officers" and inserting in lieu thereof "officer"

Amend sec. 25, page 63, line 10, by striking out the word "thereof" and inserting in lieu thereof "therefor"

Amend sec. 25, page 63, line 21, by striking out the word "information" and inserting in lieu thereof "informations"

Amend sec. 25, page 64, line 2, by striking out the word "addres" and inserting in lieu thereof "address"

Amend sec. 25, page 64, line 20, by striking out the word "magigistrate" and inserting in lieu thereof "magistrate"

Amend sec. 25, page 65, line 4, by striking out the word "exists" and inserting in lieu thereof "exist"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twentysixth section was read as follows:

Section 26 That section thirty-three of said act which as amended by said act of the sixteenth day of May one thousand nine hundred and twenty-one is hereby further amended to read as follows

Section 33 Any person except as specially provided in sections three four eleven fourteen fifteen sixteen seventeen twenty-three twenty-four thirty-four and thirty-five covering misdemeanors convicted of violating any of the provisions of this act shall be subject to a fine or penalty of not less than ten ($10) dollars nor more than twenty-five ($25) dollars to be collected by summary conviction before any mayor burgess magistrate alderman or justice of the peace as like fines and penalties are now by law collected or in case of non-payment of such fine to undergo a nimprisonment in the county jail for a period not exceeding five (5) days Provided That any person so convicted shall have the right of appeal as in other cases of summary convictions And further provided That any person accused of violating any of the provisions of this act may waive summary hearing and give bond in a sum equal to double the amount of the maximum fine that might be imposed for appearance for trial before a judge of the court of quarter sessions or in the county court or in the municipal court in counties wherein such courts exists and thereupon the burgess magistrate alderman or justice of the peace shall within fifteen (15) days return the complaint or information to the said court and if any person so accused shall be convicted in such court of the offense charged he shall be subject to a fine of not less than ten ($10) dollars nor more than twenty-five ($25) dollars or in case of nonpayment of such fines to undergo imprisonment in the county jail for a period not exceeding five (5) days

Any person previously convicted of violating any of the provisions of this act shall upon conviction of any second or subsequent vilation within a period of six (6) months after such conviction be subject to pay a fine of not less than twenty-five ($25) dollars nor more than fifty ($50) dollars or in case of nonpayment of such fine to undergo imprisonment in the county jail for a period not exceeding ten days Provided That any person so accused of any second or subsequent violation of the provisions of this act shall have the same right of appeal or may waive summary hearing in the same manner and upon the same conditions as is provided for in cases of first violation

Any mayor burgess magistrate alderman or pustice of the peace who shall refuse to recognize the right of a defendant charged with a summary offense under this act to waive a summary hearing or shall fail to accept bond tendered in accordance with this act after a waiver of such a hearing by a defendant or after such waiver of a hearing by defenadnt and tender of bond shall proceed with a summary hearing of the defendant and impose or colect any fine or costs or imprison the defendant for failure to pay same shall be guilty of a misdemeanor and upon conviction thereof shall be subject to pay a fine of not less than one hundred ($100) or more than five hundred ($500) dollars or to undergo imprisonment in the county jail for a period not exceeding sixty (60) days or both at the discretion of the court

On the question,

Will the House agree to the section?

Mr. GELDER Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 26, page 64, line 9, by striking out the word "which"

Amend section 26, page 64, line 11, by inserting after the word "twenty-one" the following: "(P. L. 582)"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twenty-seventh section was read as follows:

Section 27 That section thirty-four of said act of the thrtieth day of June nineteen hundred and nineteen is hereby amended to read as follows

Section 34 Every mayor burgess magistrate alderman or justice of the peace shall in every case arising under this act make and preserve for the period of one (1) year an exact record of the proceedings showing the amount of fine and costs paid when fine and costs are imposed or if no fine is imposed then showing the amount of costs paid if any in all cases the costs shall appear on said record in detail said record shall be subject to inspection on demand of any person

The mayor burgess magistrate alderman or justice of the peace shall deliver without charge to te defendant a receipt showing in detail the amount of fine and costs imposed upon and paid by him

No mayor burgess magistrate alderman or justice of the peace shall divide the fees of his office with any constable or other officer or with anv individual not an officer who may assist in making an arrest or furnish evidence in any case arising under this act

Any mayor burgess magistrate alderman justice of the peace or other officer violating any of the provisions of this section shall be deemed guilty of a misdemeanor in office and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred ($100) dollars nor more than five hundred ($500) dollars or undergo imprisonment in the county jail for a period not exceeding sixty (60) days or both at the discretion of the court

On the question,

Will the House agree to the section?

Mr. GELDER Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 27, page 66, lines 15 and 16, by striking out the words "of the thirtieth day of June, nineteen hundred and nineteen"

On the question,

Will the House agree to the amendments?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twenty-eighth section was read as follows:

Section 28 That section thirty-five of said act of the thirtieth day of June nineteen hundred and nineteen is hereby amended to read as follows

Section 35 All fines and penalties collected under the provisions of this act for violations of the same and all bail forfeited shall be paid to the State Treasurer to be placed in a deposit-fund to be available for the use of the State Highway Department as hereinbefore provided except those collected for violations of the provisions as to speed or weight which fines and penalties shall be paid to the treasurer of the city borough town township or county wherein the violation occurred to be used by such city borough town township or county for the construction repair and maintenance of the highways thereof and statements properly witnessed of all fines and penalties so collected shall also be made upon blanks to be furnished by the State Highway Department by the burgess magistrate justice of the peace or other officer imposing or receiving the same to the Commissioner Said reports shall be made not later than the tenth (10th) day of each month for the preceeding month The statement to the Department shall include the name address license number of the party fined the amount of the fine and costs imposed and where only costs are imposed the amount of the costs and in each case shall show the nature of the charge Any burgess magistrate justice of the peace or other officer who shall fail to make such quarterly reports and returns or either of them shall be deemed guilty of a misdemeanor in office and upon conviction thereof shall be subject to a fine not less than one hundred ($100) dollars nor more than five hundred ($500) dollars or imprisonment in the county jail for a period of sixty (60) days or both at the discretion of the court

On the question,

Will the House agree to the section?

Mr. GELDER Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 28, page 67, lines 17 and 18, by striking out the words "of the thirtieth day of June, nineteen hundred and nineteen"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The twenty-ninth section was read as follows:

Section 29 That section thirty-six of said act of the thirtieth day of June nineteen hundred and nineteen is hereby amended to read as follows

Section 36 All civil actions for damages arising from the use and operation of any motor vehicle may at the discretion of the plaintiff be brought before any alderman magistrate or justice of the peace in the county wherein the alleged damages were sustained if the plaintiff has had said damages repaired and shall produce a receipted bill for the same properly sworn to by the may be brought in the court of common pleas of said county and service of process in either case may be made by the sheriff of the county where the suit is brought deputizing the sheriff of the county wherein the defendent or his registered agent resides or where services may be had upon him under the existing laws of this Commonwealth in like manner as process may now be served in the proper county Provided That no action involving more than one hundred ($100) dollars shall be brought before any alderman magistrate or justice of the peace

On the question,

Will the House agree to the section?

Mr. GEIDER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 29, page 68, lines 25 and 26, by striking out the words "of the thirtieth day of June, nineteen hundred and nineteen"

Amend section 29, page 69, line 5, by inserting after the word "the" at the end of said line, the following: "party making such repairs or his agent or said action"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The thirtieth section and title were separately read and agreed to as follows:

Section 30 The provisions of this act except as herein after provided shall be in force from and after the date of its approval Provided however That sections two three four five nine nineteen and twenty-four of the act of June thirtieth one thousand nine hundred nineteen as amended by sections one two three four five eight and eleven of an act approved May sixteenth one thousand nine hundred twenty-one shall be and remain in full force and effect until the first day of January one thousand nine hundred twenty-four as hereinfurther provided and the amendments to said sections that is sections one two three seven sixteen and twenty-one of this act shall be in full force and ecect from and after said first day of January one thousand nine hundred twenty-four Provided however That section ten of the act of June thirtieth one thousand nine hundred nineteen as amended by section six of an act approved May sixteenth one thousand nine hundred twenty-one shall be and remain in full force and effect until the first day of March one thousand nine hundred twenty-four and the amendment to said section that is section eight of this act shall be in full force and effect from and after said first day of March one thousand nine hundred twenty-four

And provided further that all operators' licenses paid drivers' licenses and chauffeurs' licenses issued for the year one thousand nine hundred twenty-three shall be good and valid until the first day of March one thousand nine hundred twenty-four

An Act to amend an act approved the thirtieth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred and seventy-eight) entitled "An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by or trailing after motor vehicles requiring the registration of the same and the licensing of all operators thereof providing the fees therefor and the disposition of such fees prohibiting the unauthorized use of and tampering with motor vehicles limiting and defining the powers of cities boroughs incorporated towns townships and counties as to the regulation of the use and equipment of motor vehicles and the taxing registration or licensing thereof imposing certain duties on the State Highway Commissioner and on proprietors of public garages providing procedure and penalties for violations thereof and the disposition of fines collected and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle" as amended by further regulating the use of registration plates prescribing fees for omnibuses and changing other existing fees changing the date for the licensing year limiting the weights of certain trailers providing for the examination of operators authorizing the State Highway Commissioner to publish and sell lists of registrations authorizing municipalities to erect certain ordinances making an appropriation for refunding moneys and providing penalties

BILL RECOMMITED.

Mr. VICKERMAN. Mr. Speaker I move that House Bill No. 1327, file folio No. 7515, entitled:

An Act to restrain and regulate the manufacture sale and furnishing of intoxicating liquors for medicinal scientific commercial or other non-beverage use requiring and authorizing licenses therefor and prescribing licenses fees and penalties defining intoxicating liquor and repealing existing alcoholic laws and alcoholic liquor license laws

on page 21 of to-day's calendar, bills on third reading, be recommitted to the Committee on Law and Order for amendment.

Mr. LUDLOW. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. LUDLOW. Mr. Speaker, I move that House Bill No. 1342, file folio 7499, entitled

An Act to restrain and regulate the manufacture furnishing and traffic in alcohol beverages made from malt or grain or any grain products by the usual methods of brewing fermentation or fortification by which malt and brewed liquors or beverages are or can be made requiring and authorizing licenses therefor and prescribing license fees and penalties providing for inspectors and inspection

on page 20 of today's calendar, bills on third reading, be recommitted to the Committee on Law and Order for the purpose of amendment.

Mr. PERRY. Mr. Speaker, I second the motion.

The motion was agreed to.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate May 8, 1923.

Whereas, Efforts have been made by prominent citizens of Bucks County to foster a movement to enlarge the present Lehigh Coal and Navigation Company's canal, running from tide water at Morrisville to Easton, and on to Mauch Chunk, and

Whereas, The United State War Department, through its engineering department has been directed by an act of Congress to determine the value of such a canalization plan for the Upper Delaware Valley, and

Whereas, The engineers suggest a commission be created to function and cooperate with the said War Department, with a view of purchasing such rights of way for the use of the United States Government in the reconstruction of the old canal into a thousand ton barge canal, therefore be it

Resolved, (if the House of Representatives concur) That the General Assembly of the Commonwealth of Pennsylvania endorses the movement to provide for the canalization of the Upper Delaware Valley, and the purchase of rights of way and reconstruction of a one thousand ton barge canal running from the head of tide water of the Delaware River at Morrisville to Easton and Mauch Chunk

Resolved, That a copy of this resolution be forwarded by the Secretary of the Commonwealth to the President pro tempore of the Senate and the Speaker of the House of Representatives of the United States, and to the Secretary of War

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly

SENATE MESSAGE.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 15, 1923.

Resolved, (if the Senate concur) That House Bill No. 225 entitled, "A supplement to an act approved the twenty-seventh day of May, one thousand nine hundred and twenty-one, (Pamphlet Laws one thousand one hundred and seventy-three) entitled 'An act constituting a commission to make an investigation of the battlefields of France and Belgium, and to select points for the erection of monuments and markers of appropriate design to commemorate the achievements of Pennsylvania soldiers during the World War, defining the powers and duties of the commission, and making an appropriation', continuing said commission, providing for the erection of certain memorials in France and Belgium, and making an appropriation", be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 15, 1923.

Resolved (if the House of Representatives concur) That Senate Bill No. 686 entitled "An Act relating to the registration of nurses by the State Board of Examiners for Registration of nurses and the issuance of a license to practice nursing" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 830.

An Act amending section one of an act entitled "A further supplement to an act entitled 'An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expense thereof' approved the fifth day of May one thousand nine hundred and eleven constituting the said court the juvenile court of said county and prescribing its organization jurisdiction and powers therein and otherwise" approved the nineteenth day of March one thousand nine hundred and fifteen (P. L. 5) by providing that the said county court sitting as a juvenile court shall have sole jurisdiction in all proceedings for the custody of dependent neglected incorrigible and delinquent children

HOUSE BILL No. 246.

A Joint Resolution proposing an amendment to section eleven of article eight of the Constitution of Pennsylvania

with the information that the Senate has passed the same without amendment.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 16, 1923.

Resolved (if the House of Representatives concur), That Senate Bill No. 282, File Folio 901, entitled "An Act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 16, 1923.

Resolved (if the House of Representatives concur), That two thousand five hundred (2,500) copies of the proceedings of the memorial services, held in honor of the late William E. Crow, be printed for the use of the Senate.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 16, 1923.

Resolved (if the House of Representatives concur), That two thousand five hundred (2,500) copies of the proceedings of the memorial services, held in honor of the late Honorable Edwin H. Vare, be printed for the use of the Senate.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 16, 1923.

Resolved (if the House of Representatives concur) That two thousand five hundred (2,500) copies of the proceedings of the memorial services, held in honor of the late Honorable Boies Penrose, be printed for the use of the Senate, and two thousand five hundred (2,500) copies for the use of the House.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 435.

The Clerk of the Senate being introduced, informed that the Senate insists on its nonconcurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 435, entitled:

An Act to further amend section three hundred eighty-six clause four of the act approved the fourteenth day of July one thousand nine hundred seventeen (Pamphlet Laws eight hundred forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto"

And has appointed Messrs. Baldwin, Clarke and Sones a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. GELDER. Mr. Speaker, I move that the House insist upon its amendments nonconcurred in by the Senate to Senate Bill No. 435, and that a committee of conference be appointed.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I second the motion.

The motion was agreed to.

APPOINTMENT OF COMMITTEE ON CONFERENCE ON SENATE BILL No. 435.

The SPEAKER. The Chair appoints as a Committee of conference on the part of the House Messrs. Gelder, George W. Williams and Clutton.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 262.

An Act to amend part of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

with the information that the Senate has passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 4, by striking out the word "two" and insert "three"; also in line 10 by striking out the word "three" and inserting "two"; also by inserting after the word "members" in line 10 the following: "The boroughs of East Vandergrift, Hyde Park Vandergrift, Vandergrift Heights Arnold New Kensington Parnassus Avonmore Export New Salem Trafford Penn Jeannette North Irwin Manor and Irwin and the townships of Allegheny Lower Burrell Upper Burrell Bell Washington Franklin Salem Penn and North Huntingdon shall constitute the second district and shall elect two members; also in line 19 strike out the word "second" and insert the word "third"; also in line 20 strike out the words "three four" and insert the word "two".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. KUNKLE. Mr. Speaker, I move that the House do noncur in the amendments made by the Senate.

Mr. COLDSMITH. Mr. Speaker, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL NO. 21.

An Act making a deficiency appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields Pennsylvania

SENATE BILL NO. 47.

An Act to amend section eleven of the act approved the (Pamphlet Laws, six hundred and eighty-three), entitled "A Supplement to an act entitled 'An Act relating to the elections of this Commonwealth' passed the second day of July, Anno Domini, one thousand eight hundred and thirty-nine and for other purposes, allowing constables mileage for advertising, elections and compensation for advertising elections where there is more than one polling place in a district, said mileage and compensation to be paid by counties.

SENATE BILL NO. 58.

An Act making a deficinecy appropriation to the State Hospital for Injured Persons of the Anthracite Coal Region of Pennsylvania at Ashland Schuylkill County Pennsylvania

SENATE BILL NO. 128.

An Act making an appropriation to the Western Pennsylvania School for the Blind located at Pittsburgh Pennsylvania to cover deficiency in maintenance and education of State pupils

SENATE BILL NO. 201.

An Act directing the State Librarian to cause certain old church records of this State to be translated preserved and published and making an appropriation therefore

SENATE BILL NO. 399.

An Act making an appropriation to reimburse the fund in the Mechanics Trust Company of Harrisburg standing to the credit of the Water Supply Commission for the improvement of French Creek for moneys inadvertently paid into the State treasury

SENATE BILL NO 439.

An Act to amend sections one thousand one hundred five and one thousand one hundred thirty-four of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

SENATE BILL NO. 505.

An Act to repeal an act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Appropriation Acts Page two hundred sixty-nine) entitled "An act making an appropriation to the Washington and Jefferson College Washington Pennsylvania"

SENATE BILL NO. 509.

An Act to require the teaching of the Constitution of the United States in the public and private schools

SENATE BILL NO. 553.

An Act for the appointment of a commission to study conditions relating to blind persons in Pennsylvania and make recommendation and making an appropriation

SENATE BILL NO. 638.

An Act to amend section four of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and ninety) entitled "An act authorizing the sale of certain property owned by the State the title to which is in the State Livestock Sanitary Board and providing for the use of the proceeds of such sale"

SENATE BILL NO. 736.

An act authorizing the State Highway Commissioner to use funds appropriated for State-aid highway purposes by the act of March tenth onethousand nine hundred and twenty-one entitled "An act making an appropriation to the State Highway Department for the construction of permanent State Highways for the payment of the Commonwealth's share in the expenses of constructing State-aid highways for themaintenance and repair of State Highways within the limits of boroughs for the maintenance and repair of State-aid highways for the payment of rewards due townships of the second class for the payment of damages to property caused or occasioned in connection with the work of the State Highway Department" for the construction or reconstruction of State highways and to enter certain charges against the State-aid highway accounts of those counties in which State Road Bond Fund money has been used to pay State-aid highway contracts so as to reimburse accounts available heretofore for highway purposes which were used for State-aid highway purposes and making an appropriation thereof

SENATE BILL NO. 772.

An Act to amend an act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand fifty-seven) entitled "An act to amend section one and to supplement an act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and two) entitled 'An act providing for the appointment and expenses of a commission of five persons to codify and revise the law relating to banks private bankers and trust companies doing business within this Commonwealth and making an appropriation' extending the powers and duties of the commission so as to include the codification and revision of the law relating to all corporations persons partnerships and associations under the supervision of the Banking Department and making an appropriation" extending said commission for a further period of two years and making an appropriation

SENATE BILL NO. 776.

An Act making an appropriation for the restoration of buildings and property at the State Hospital for the Insane of the Southeastern District of Pennsylvania located at Norristown Pennsylvania damaged and destroyed by a Cyclone

SENATE BILL NO. 785.

A supplement to theact approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousanl two hundred and seventy) entitled "An act providing for the erection of a dam at the outlet of Pymatuning Swamp and the establishment of areservoir to conserve the waters thereof providing for the taking of land and materials necessary thereto vesting certain powers and duties in the Water Supply Commission and making an appropriation" providing for the sale and leasing of property acquired under said act and making an appropriation of the proceeds thereof

Whereupon,

The SPEAKER, in the presence of the **House, signed the** same.

TIME EXTENDED ON BILL.

Mr. HALL. Mr. Speaker, I move that the **time on House Bill No. 443. (Senate Bill No. 15) file folio 1417, entitled:**

An Act Relating to the retirement of certain officers and employes of the State Government and their compensation including officers and employes heretofore retired

on page 24 of today's calendar, bills on third reading postponed be extended five days.

Mr. EARLEY Mr. Speaker, I second the motion

The motion was agreed to.

TIME EXTENDED ON BILL

Mr. EDMONDS. Mr. Speaker, I move that the time on House Bill No. 204, file folio 6649, entitled:

Directing the Governor with the assistance of a budget director and assistants to prepare and transmit to each General Assembly a budget for each of the two fiscal years next succeeding and submit therewith a general and other appropriation and revenue bills providing for the consideration thereof by the General Assembly requiring spending agencies of the Commonwealth and the fiscal officers thereof to furnish certain information and providing for uniform systems of accounting and financial reports for control and supervision over the expenditures of the Commonwealth and for the lapsing of appropriations

on page 15 of today's calendar, bills on final passage postponed be extended five days

Mr. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

TIME EXTENDED ON BILL.

Mr. HAINES, Mr. Speaker, I move that the time on House Bill No. 1467, (Senate Bill No. 764) file folio 2023, entitled:

An Act fixing the salary of court criers in counties of the sixth class

on page 16 of today's calendar, bills on final passage postponed be extended five days.

Mr. WEAMER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE RECALLED (FROM THE GOVERNOR.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 957, as follows:

An Act to provide for the laying out altering and vacating roads lying partly in one county and partly in an adjoining county forming or intended to form a continuous highway from one county to another and providing for the location construction of a joint county bridge on said road

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That roads forming or intended to form a continuous highway from one county to another may be laid out or altered or vacated in the manner provided in the case of other roads except that the court of quarter sessions of each county shall appoint three viewers and that a report as aforesaid shall be made to each court respectively and that each court shall otherwise have and exercise concurrent jurisdiction therein

Section 2 Whenever roads are laid out altered or vacated as referred to in section one of this act over a river creek or rivulet and in such laying out altering or vacating of said road it becomes necessary to vacate an existing bridge and construct a joint county bridge on a different site the same viewers who view the laying out altering or vacating of said road shall at the same time have the authority to locate a new joint county bridge on the route of the road as laid out altered or vacated and the report on the road and the joint county bridge shall be made in the same report and shall be returned to each of the courts as soon as said report is completed Provided also however That in the petition for the view of the road there is contained a request for relocation of said joint county bridge provided that before any such road and joint county bridge shall be finally confirmed by the court the same shall be approved by a grand jury and the court in each of the respective counties and after the approval of such road and joint county bridge by said grand juries and court the report shall be confirmed "nisi" by the courts of each county which report shall become absolute in thirty days unless exceptions thereto be filed in the manner provided by law If exceptions be filed the said courts shall hear said exceptions and make a final decree either confirming said report or setting it aside as is now provided by law in similar cases

Section 3 Any such bridge when authorized and located shall be erected constructed maintained and kept in repair in the manner now provided by the general road laws of the Commonwealth for bridges erected on the line of adjoining counties

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—198.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm.
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener
Schoener,
Schwartz
Shambach
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stoffiet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—O.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1312, as follows:

An Act to amend sections one two three and four of an act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An Act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools" by providing for reimbursement for certain transportation costs of schools not consolidated

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An Act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools" is hereby amended to read as follows

Section 1 Be it enacted et cetera That the following words and phrases as used in this act shall unless a different meaning is plainly required by the context have the following meanings

1 "Consolidation of schools" is the act of uniting two or more public elementary schools which prior to such union were maintained in separate buildings and which after such union are housed in one school plant and taught by two or more teachers

2 A "consolidated school" is a public elementary school formed by uniting two or more public elementary schools which prior to such union were maintained in separate buildings and which after said union is housed in one school plant and taught by two or more teachers

3 "A joint consolidated school" is a consolidated school maintained by the joint action of two or more school districts

4 When pupils of a public school are transported from one school to another for the purpose of better gradation or classification or other reasons and the reason for such transportation together with the provisions therefor are approved by the State Council of Education for reimbursement prior to the opening of the school term the State shall be liable for such cost of transportation to the same extent as is now or may hereafter be provided for in the case of consolidated schools

Section 2 That section two of said act is hereby amended to read as follows

Section 2 The State Council of Education is hereby authorized and directed to investigate and to aid in the establishment of consolidated and joint consolidated schools and to inspect and approve such schools as hereinafter provided The State Council of Education shall make a report annually to the Governor and Legislature describing the conditions and progress of consolidation of schools throughout the Commonwealth and making such recommendations as the Council may deem advisable

Section 3 That section three of said act is hereby amended to read as follows

Section 3 Any school district may through its board of directors establish equip furnish and maintain consolidated schools and may transport pupils to and from such schools as already provided for by law

Two or more districts may be provided in article eighteen sections one thousand eight hundred and one to one thousand eight hundred and eight inclusive of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenues to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" through a joint school committee establish equip furnish and maintain joint consolidated schools

The fourth section was read as follows:

Section 4 That section four of said act is hereby amended to read as follows

Section 4 Consolidated or joint consolidated schools shall so long as they are approved by the State Council of Education as to organization control location equipment courses of study qualifications of teachers methods of instruction condition of admission expenditures of money methods and means of transportation and the contracts providing therefor constitute approved local or joint consolidated schools School districts maintaining or transporting pupils to and from such approved local or joint consolidated school shall receive reimbursement as hereinafter provided

The Commonwealth in order to aid in the establishment and maintenance of approved local or joint consolidated schools shall as provided in this act pay annually from the treasury to school districts and unions of school districts maintaining or transporting pupils to and from such schools an amount equal to one-half the sum which has been expended during the previous school year by such school district or districts for transporting pupils of said schools to and from said schools Provided That said sum shall not include amounts paid for the purchase and repair of the vehicle or vehicles used for transporting these pupils And provided further that no one school district shall receive more than three thousand dollars ($3,000) in any one school year from the funds provided in this act

On or before the third Wednesday of January of any year in which the regular session of the Legislature is held the State Council of Education shall present to the Legislature an estimate of the amount of money necessary to meet the expenditures to be incurred in the administration of this act for the two school years beginning with the first day of the ensuing July and of the amount necessary to meet the claims of school districts and unions of school districts maintaining or transporting pupils to and from approved local or joint consolidated schools under the provisions of this act for the two school years beginning with the first day of the ensuing July On the basis of such statement the Legislature shall make an appropriation of such amounts as may be necessary to meet the expense of carrying this act into effect and of reimbursing such school districts and unions of school districts for such school years as herein provided

On or before the tenth day of July of each year the school board of each district maintaining (a) or transporting pupils to and from a local or joint consolidated school shall present to the State Superintendent of Public Instruction a sworn statement of the amount expended during the school year previous to such first day of July for transporting pupils to and from said schools as herein provided On the basis of such a statement the State Superintendent of Public Instruction shall by requisition upon the State Treasury pay such school district or districts and unions of school districts such reimbursement for the previous school year as is provided for in this act

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—199.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
McKim,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,

Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Howell,
Huber.
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 162, as follows:

An Act to amend section one thousand seven hundred and eight of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand seven hundred and eight of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"
is hereby amended to read as follows

Section 1708 The board of school directors in any district maintaining a high school which is attended by any pupils residing in another district as herein provided shall at the close of the term properly certify to the board of school directors of the district in which such pupils reside the names of all such pupils and the length of time they attended said high school together with the cost of tuition text-books and supplies for such attendance which shall not exceed the cost of tuition text-books and supplies of other pupils in said high school pursuing similar studies for the same length of time and the cost of such tuition text-books and supplies unless a different basis of cost has been mutually agreed upon by the boards of school directors shall within thirty days after being so certified be paid to the district maintaining such high school by the district to which the same was so certified

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—197.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hentz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 227, as follows:

An Act to further amend the fifth section of an act entitled "An Act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred and fifty thousand inhabitants and to provide for the election of judges thereof" approved May nineteenth Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six) as amended by fixing and determining the salaries of the assistant clerks of said court in counties of the first second third and fourth classes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fifth section of an act entitled "An Act relating to the organization and jurisdiction of orphans' courts and to establish separate orphans' court in and for counties having more than one hundred and fifty thousand inhabitants and to provide for the election of judges thereof "approved May nineteenth Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six) which was last amended by an act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred eight) entitled "An Act to further amend the fifth section of an act entitled 'An Act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof' approved May nineteenth Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six) as amended by fixing and determining the salaries of the assistant clerks of said court in counties of the first second third and fourth classes" is hereby further amended to read as follows

Section 5 The register of wills of each and every county containing over one hundred and fifty thousand inhabitants in which a separate orphans' court is or may be hereafter established shall be clerk of such orphans' court and subject to its directions in all matters pertaining to his office The judge or judges of said court in counties containing a population of less than seven hundred thousand may appoint the first assistant clerk and the said register of wills may with the consent and approval of said court appoint additional assistant clerks said clerks shall receive annual salaries payable monthly by the treasurer of said respective counties as follows to wit In counties of the first and second class the first assistant four thousand dollars the second assistant three thousand and the third assistant twenty-three hundred dollars AND IN COUNTIES OF THE THIRD CLASS the first assistant thirty-five hundred dollars the second assistant twenty-five hundred dollars AND THE THIRD ASSISTANT TWENTY-ONE HUNDRED DOLLARS and in counties of the fourth class the first assistant twenty-five hundred dollars the second assistant two thousand dollars and the third assistant fourteen hundred dollars the annual salaries of all other assistants to be fixed by the judge or judges of the said court but said annual salaries not to exceed two thousand dollars each in counties of the first and second class EIGHTEEN HUNDRED DOLLARS EACH IN COUNTIES OF THE THIRD CLASS and twelve hundred dollars each in counties of the fourth class which salaries shall be paid out of the fees of said office paid into the treasury of the county upon bills attested by said register and countersigned by a judge of said court But in the event that the fees received in said office of register of wills be not sufficient to fully pay the register and his assistants then payment shall be made in full to the said register of wills but to his assistants in manner as follows namely where there are more than one assistant then the balance of fees remaining to the credit of said office of register of wills shall be divided among each of said assistants in proportion as his salary shall stand to the whole

Section 2 That all acts and part of acts inconsistent herewith be and the same are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—201.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sowers,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,

Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Fields,
Flinchbaugh,
Flynn,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 540, as follows:

An Act Prohibiting persons from concealing changing or destroying manufacturers' serial numbers or identification marks upon machines or apparatus or from taking possession of any such machine with the knowledge of such concealment change or destruction and prescribing penalties for violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person who shall remove alter deface cover or destroy the manufacturers' serial number or any other manufacturers' number or distinguishing number or identification mark upon any machine or other apparatus for the purpose of concealing or destroying the identity of any such machine or other apparatus or who shall take in his or her possession any such machine or apparatus from which the manufacturers' serial number or any other manufacturers' number or distinguishing number or identification mark has been removed altered defaced covered or destroyed for the purpose of concealing or destroying the identity of such machine or other apparatus knowing at the time of taking possession of such removal alteration defacement covering or destruction shall be liable to a fine of not less than one hundred ($100.00) or more than five hundred ($500.00) dollars or imprisonment for a period not to exceed six months or both at the discretion of the court Provided that this act shall not operate to repeal or affect any law relating to motor vehicles

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—197.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Kunkle,
Labar,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,

Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Stavitski,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 3, entitled:

An Act making an appropriation to the trustees of the Milliken Hospital Pottsville Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kunkle,
Labar,
Lafferty,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 4, entitled:

An Act making an appropriation to the Pottsville Hospital Pottsville Pensylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver;
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,

Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 39, entitled

An act making an apprporiation to the Mary M. Packer Hospital Sunbury Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 47, entitled:

An Act making an appropriation to the Coatesville Hospital Coatesville Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 56, entitled:

An Act making an appropriation to the Charleroi-Monessen Hospital at Charleroi Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffat,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Sohleiter,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 78, entitled:

An Act making an appropriation to the Hahnemann Hospital in city of Scranton Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry.
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.
Smith, H. J.,
Smith, H.
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 173, entitled:

An Act making an appropriation to the Taylor Hospital Association of the borough of Taylor Lackawanna County Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Flynn,
Fowler, A. L.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Sarig.
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.
Smith, H.,
Smith, J. W.,

Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 198, entitled:

An Act making an appropriation to the Wayne County Memorial Hospital at Honesdale Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Shambach,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 223, entitled:

An Act making an appropriation to the Citizens General Hospital of New Kensington Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffat,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,

de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 264, entitled:

An Act making an appropriation to the Westmoreland Hospital Association of Greensburg Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallagher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 270, entitled:

An Act making an appropriation to the Chester Hospital in the city of Chester

And said bill having been read at length the third time. considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Schleiter,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver.
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 284, entitled:

An Act making an appropriation to the Women's Medical College of Philadelphia Pennsylvania for hospital maintenance

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Golder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz.
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook.
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 300, entitled:

An Act making an appropriation to the Shenango Valley Hospital of New Castle Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough.
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 305, entitled:

An Act making an appropriation to the Carbondale Emergency Hospital Carbondale Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Flynn,
Fowler, A. I.,
Fowler, D.,
Little,
Long,
Lucas,
Sarig,
Sautter,
Schaeffer,

Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm.
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McClure,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 308, entitled:

An Act making an appropriation to the Mid-Valley Hospital Association at Blakely Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn.
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harter,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman.
Sample,
Sarig,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 315, entitled:

An Act making an appropriation to the Simon H. Barnes Memorial Hospital of Susquehanna Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert.
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie.
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet.
Stoner,

Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 322, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 335, entitled:

An Act making an appropriation to the Williams Valley Hospital of Williamstown Pennsylvania

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Eaches,
Edmonds,
Eshelman,
Evans, B. P..
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,

Evans, J.,
Fields,
Flinchbaugh,
Labar,
Lafferty,
Lauver,
Rinn,
Rippman,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 338, entitled:

An Act making an appropriation to the Harrisburg Hospital of Harrisburg Pennsylvania

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Minehart,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Staudenmeier,
Rippman,
Sample,
Sarig,
Sautter,
Schleiter,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 341, entitled:

An Act making an appropriation to the Harrisburg Polyclinic Hospital of Harrisburg Pennsylvania

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver.
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Heffernan,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Rippman,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffat,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Lauver,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz.
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sheridan,
Stevens, A. J.,
Stevens, A. J.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 349, entitled:

An Act making an appropriation to the Trustees of the Samaritan Hospital Philadelphia Pennsylvania

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver.
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little.
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G ,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond.
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 356, entitled:

An Act making an appropriation to the Frankford Hospital located at Frankford Philadelphia

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T..
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg.
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer.
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley.
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan.
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet.
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 360, entitled:

An Act making an appropriation to the Indiana Hospital of Indiana County Pennsylvania

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong.
Arthur,
Asbury,
Aston,
Baker.
Baldi,
Beaver,
Behney,
Bell, F. A.,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,

Bell, W. T.,
Bentley,
Berger,
Brenneman,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 367, entitled:

An Act making an appropriation to the Children's Hospital of Pittsburgh in the city of Pittsburgh Pennsylvania

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.
Smith, H. J.
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson.
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 369, entitled:

An Act making an appropriation to the West Side Hospital Association of Scranton Lackawanna County Pennsylvania

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.
Smith, H.
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,

Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 385, entitled:

An Act making an appropriation to the Washington Hospital Washington Pennsylvania or its successors

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham.
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marshall, J. G.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann.
McCaig,
McCann,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.
Smith, H. J.,
Smith, H.
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 386, entitled:

An Act making an appropriation to the Ellwood City Hospital Ellwood City Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander.
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller.
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn.
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 391, entitled:

An Act making an appropriation to the Mercy Hospital of Altoona Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bentley,
Bentley,
Berger,
Bidelspacher,
Bluett,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Griffith,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin.
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz.
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J..
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 392, entitled:

An Act making an appropriation to the Altoona Hospital Altoona Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer.
Donahue
Driggs.
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher.
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer.
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 393, entitled:

An Act making an appropriation to the Ohio Valley General Hospital at McKees Rocks Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman.
Anderson,
Armstrong,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,

Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Gallaher,
Gelder,
Gibbon.
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski.
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb.
Storer.
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner.
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 407, entitled:

An Act making an appropriation to the Women's Homeopathic Hospital of Philadelphia

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,

Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson.
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 408, entitled:

An Act making an appropriation to the Maple Avenue Hospital Association of DuBois Clearfield County Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.
Smith, H. J.
Smith, H.
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,

Chaplin,
Clutton,
Coldsmith,
Lauver,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 418, entitled:

An Act making an appropriation to the Trustees of the Garretson Hospital Philadelphia Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Schaeffer,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 419, entitled:

An Act making an appropriation to the Diagnostic Hospital of the City of Philadelphia Philadelphia Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr.
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Stevens, A. F.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman.
Williams, G. W.
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 424, entitled:

An Act making an appropriation to the Punxsutawney Hospital Association of Punxsutawney Jefferson County Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 429, entitled:

An Act making an appropriation to the Homestead Hospital Homestead Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question?

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Burns,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schwartz,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 430, entitled:

An Act making an appropriation to the Carlisle Hospital Carlisle Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question?

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. J.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 439, entitled:

An Act making an appropriation to the Saint Luke's Homeopathic Hospital of Philadelphia

And said bill having been read at length the third time, considered and agreed to.

On the question?

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 442, entitled:

An Act making an appropriation to the Greenville Hospital Greenville Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question?

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,

Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Flinchbaugh,
Driggs,
Drinkhouse,
Dunn,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 443, entitled:

An Act making an appropriation to the Christian H. Buhl Hospital of Sharon Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question?

Shall the bill pass finally.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough.
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 453, entitled:

An Act making an appropriation to the Lying-in-Charity Hospital Philadelphia

And said bill having been read at length the third time, considered and agreed to.

On the question?

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,

Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 455, entitled:

An Act making an appropriation to the Women's Hospital of Philadelphia two thousand one hundred and thirty-seven North College Avenue

And said bill having been read at length the third time, considered and agreed to.

On the question?

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 491, entitled:

An Act making an appropriation to the Northeastern Hospital of Philadelphia Philadelphia Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question?

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Faches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Ogle,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith. J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb.
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.
Woner,
Wood, N.
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 492, entitled:

An Act making an appropriation to the Pottstown Hospital Pottstown Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question?

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—205.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar.
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Sprowls,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet.
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECESS.

Mr. METCALF. Mr. Speaker, I move that this House do now take a recess until 4:00 o'clock this afternoon.

The motion was agreed to, and (at 1:05 P. M.) the House took a recess until 4:00 o'clock P. M.

AFTER RECESS.

The House reconvened at 4:00 o'clock P. M.

The SPEAKER (C. J. Goodnough) in the Chair.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 316. (HOUSE BILL No. 1544.)

An Act to amend chapter seven of an act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An Act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" by creating a Borough Planning Department defining its jurisdiction and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the borough and for three miles beyond the borough limits and to regulate the making and use of certain public improvements until said plans are approved by said department and authorizing the exercise of the powers herein provided by a park or other municipal commission.

Referred to the Committee on Counties and Townships.

SENATE BILL No. 750. (HOUSE BILL No. 1545.)

An Act providing for the refunding of moneys erroneously paid into the State Treasury as taxes on inheritance or transfers of inheritances and making an appropriation.

Referred to the Committee on Judiciary General.

SENATE BILL No. 1165. (HOUSE BILL No. 1546.)

An Act to amend section four of an act approved the seventeenth day of March one thousand nine hundred and twenty-one (Pamphlet Laws thirty-two) entitled "An Act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county."

Referred to the Committee on Judiciary Special.

SENATE BILL No. 1167. (HOUSE BILL No. 1547.)

An Act to amend an act approved the nineteenth day of April, one thousand eight hundred and ninety-five (Pamphlet Laws thirty-eight) entitled "An act to regulate the erection of county buildings," by providing for the approval of plans of county buildings and the letting of contracts for the construction thereof by the body levying the taxes for general county purposes in certain counties.

Referred to the Committee on Judiciary Special.

SENATE BILL No. 1171. (HOUSE BILL No. 1548.)

An Act to amend section eight of article seventeen of the act approved the twenty-fifth day of June, one thousand nine hundred and nineteen (Pamphlet Laws five hundred and eighty-one) entitled "An Act for the better government of cities of the first class of this Commonwealth as amended.

Referred to the Committee on Judiciary Special.

BILLS SIGNED BY THE SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 18.

An Act to provide for the welfare of all persons confined (whether such persons be tried or untried prisoners) in any Penitentiary or County Prison in this Commonwealth

HOUSE BILL No. 148.

An Act authorizing cities boroughs and incorporated towns to require and permit the laying and constructing of sanitary sewers and sewer pipes outside the cartway and the curblines thereof in all streets and highways and prescribing the uses thereof and providing for the assessment of the costs and expenses of any such sewer against the abutting property in the front of which the said sewer is laid

HOUSE BILL No. 351.

An Act to amend section forty-two of the act approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws five hundred and thirty-seven) entitled "An Act relating to counties and township and county and township officers" by making county treasurers agents of the Commonwealth in collecting and transmitting money for the Commonwealth and providing their compensation for such services

HOUSE BILL No. 406.

An Act authorizing corporations incorporated under the laws of any other state of the United States to acquire use encumber and dispose of such real estate and rights and interests in the nature of or in respect to real estate in Pennsylvania as may be necessary and proper for the exercise of such of their corporate purposes as it may be lawful for them to exercise in this State defining certain of their powers rights and liabilities in connection therewith regulating the exercise of said rights by foreign public service corporations repealing certain acts and validating certain titles rights and interests heretofore acquired

HOUSE BILL No. 440.

An Act to provide for the licensing of transient retail merchants in cities boroughs and townships and providing a penalty for the failure to obtain such license

HOUSE BILL No. 461.

An Act to better secure all bonds stocks mortgages or other securities deposited with the State Treasurer by providing for their inspection examination and verification and the verification of the books containing a record of such bonds stocks mortgages or other securities by the Auditor General or his agents

HOUSE BILL No. 610.

An Act to amend section seventy-four of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred and eighty-two) entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth"

HOUSE BILL No. 623.

An Act to amend section five of an act aproved the nineteenth day of May one thousand eight hundred and seventy-four (Pamphlet Laws two hundred and six) entitled "An act relating to the organization and jurisdiction of orphan's courts and to establish a separate orphan's court in and for counties having more than one hundred fifty thousand inhabitants and to provide for the election of judges thereof" as amended by changing the provision for appointment of first assistant clerks so as to comform to the Constitution and giving to the Court and Register of Wills joint power to modify the salaries fixed for any assistant clerk

HOUSE BILL No. 671.

An Act to amend sections one and three of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties"

HOUSE BILL No. 1086.

An Act providing for the public health safety and welfare requiring owners and operators of anthracite coal mines and operations to furnish and sell anthracite fuel coal at current or market prices to and for the use of Hospitals poor houses or other charitable institutions schools churches and buildings of municipal or quasi municipal character and providing penalties for the violation of this act

HOUSE BILL No. 1216.

An Act authorizing certain corporations to authorize create and issue capital stock of any class or kind without nominal or par value and to change or convert their authorized or outstanding capital stock of any class or kind into shares of any class or kind either with or without nominal or par value and validating the creations and issues of stock heretofore made by corporations in accordance with the provisions hereof

HOUSE BILL No. 1235.

An Act authorizing the Department of Forestry to grant on terms conditions and stipulations rights to occupy and use any portions of the State Forests for dams reservoirs canals pipe lines and other water conduits for certain water supply purposes and providing "remedies for violations of this act or regulations or orders hereunder or of such terms conditions or stipulations and providing for revocation of the grant in certain cases"

Whereupon,

The SPEAKER, in the presence of the House signed the same.

REPORTS FROM COMMITTEES.

Mr. DAVID J. JONES, from the Committee on Municipal Corwporations, reported as amended House Bill No. 801, entitled:

An Act to amend section four of an act, approved the twenty-fifth day of June, one thousand eight hundred eighty-five (P. L. 187), entitled, "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth," by changing the time of issuing duplicates.

Mr. GOLDER, from the Committee on Municipal Corporations, reported as committed House Bill No. 1507, (Senate Bill No. 1080), entitled:

An Act amending section two of Article XVI of an act approved the twenty-ninth day of June, one thousand nine hundred and nineteen (Pamphlet Laws five hundred and eighty-one) entitled "An Act for the better government of cities of the first class of this commonwealth"

Mr. ZOOK, from the Committee on Law and Order, re-reported as amended House Bill No. 1342, entitled:

An Act to restrain and regulate the manufacture, furnishing and traffic in alcoholic beverages made from malt or grain or any grain products by the usual methods of brewing fermentation or fortification by which malt and brewed liquors or beverages are or can be made, requiring and authorizing licenses therefor and prescribing license fees and penalties, providing for inspectors and inspection.

Mr. SOWERS, from the Committee on Municipal Corporations, reported as amended, House Bill No. 739, entitled:

An Act to amend sections one, two, five and six of the act approved the sixteenth day of July, one thousand nine hundred and thirteen (Pamphlet Laws, seven hundred fifty-two), entitled "A supplement to an act entitled, 'An Act providing for the incorporation and government of cities of the third class,' approved the twenty-third day of May, Anno Domini one thousand eight hundred eighty-nine, creating a City Planning Department, defining its jurisdiction, and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the city, and for three miles beyond the city limits; and to regulate the making and use of certain public improvements until said plans are approved by said department and authorizing the exercise of the powers herein provided by a park or other municipal commission;" by providing for annual appropriations to be made by the city councils to the said commission; prohibiting the recording of deeds and transfers of certain properties until the streets and roads abutting upon or bounded within the same have been legally established or approved by the commission; and providing penalties.

Mr. WRIGHT, from the Committee on Elections, reported as amended, House Bill No. 530, entitled:

An Act to amend section fifteen of an act approved the thirtieth day of January, one thousand eight hundred and seventy-four, (P. L. 31), entitled "A further supplement to the act regulating elections in this Commonwealth;" providing for the appointment of district registrars as registry assessors in cities of the first class by the registration commissioners.

Mr. HORNE, from the Committee on Municipal Corporations, reported as amended, House Bill No. 324, entitled:

An Act providing for the collection of city and school taxes in third class cities by the city treasurer; and fixing and providing for the payment of his salary and expenses and the salaries of his assistants and clerks.

Mr. McVICAR, from the Committee on Constitutional Reform, reported as committed, House Bill No. 1505, (Senate Bill 763), entitled:

An Act relating to the preparation of a new Constitution of the Commonwealth by a convention and its adoption or rejection by the people and making an appropriation.

Mr. BURD P. EVANS, from the Committee on Judiciary Local, reported as committed, House Bill No. 661, entitled:

An Act making the report of the board of view, viewers, or jury of view, upon appeal to the court of common pleas, prima facie evidence of benefits therein assessed.

Mr. FRAZIER, from the Committee on Judiciary Local, reported as committed, House Bill No. 1349, entitled:

An Act prescribing certain fees to be charged and collected by The Public Service Commission of the Commonwealth of Pennsylvania for the testing and proving by said Commission the accuracy of gas, water or electric meters and certain other apparatus; appropriating the moneys received from such fees to such Commission for the expenses of conducting, operating and maintaining its standardization laboratory and the other meter or apparatus testing or proving activities of said Commission.

Mr. WHITEMAN, from the Committee on Judiciary General, reported as amended, House Bill No. 1285, entitled:

An Act establishing minimum standards of plant, equipment, service, administration and care and treatment for State-aided hospitals; requiring the Department of Public Welafre to investigate any hospital to which an appropriation is made and if such hospital conforms to at least the standards established by this act, to so certify to the Auditor General; and prohibiting the Auditor General from drawing a warrant upon the State Treasurer in favor of any hospital which does not conform to the standards established by this act.

Mr. WHITEMAN, from the Committee on Judiciary General, reported as amended, House Bill No. 1291, entitled:

An Act establishing the per diem rates of payment to hospitals to which the General Assembly may appropriate money to pay for the care and treatment of indigent sick or injured persons and for that purpose classifying such hospitals, defining "indigent"; and prescribing the manner of determining whether a person is indigent and the method of calculating the number of free days of care and treatment rendered to indigent persons.

Mr. LUDLOW, from the Committee on Law and Order, reported as committed, House Bill No. 1327, entitled:

An Act to restrain and regulate the manufacture, sale and furnishing of intoxicating liquors for medicinal, scientific, commercial or other non-beverage use, requiring and authorizing licenses therefor and prescribing license fees and penalties, defining intoxicating liquor and repealing existing alcoholic liquor laws and alcoholic liquor license laws.

Mr. JOHN G. MARSHALL, from the Committee on Judiciary Local, re-reported as amended, House Bill No. 940, entitled:

An Act to amend, revise, change and consolidate the laws relating to the assessment of persons, property and subjects of taxation and the levy and collection of taxes in counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and in cities of the third class, boroughs, towns, townships, school districts of the second, third, and fourth classes indepenednt school districts and certain poor districts, permitting cities of the second class to accept the provisions of this act and become subject thereto and repealing exising laws.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 493, entitled:

An Act making an appropriation to the Pottstown Homeopathic Hospital Pottstown Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

Or the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Baker,
Baldi,
Beaver,
Behney,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf.
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.
Smith, H. J.
Smith, H.
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark.
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach.
Wheeler,

Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That he Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 499, entitled:

An Act making an appropriation to the Wilkes-Barre City Hospital Wilkes-Barre Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander.
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin.
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds.
Eshelman,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Horne,
Hoover,
Howell,
Huber,
Irvin.
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle.
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey.
Post,
Price,
Raymond,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener.
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.
Soffel,
Sowers.
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach.
Whitehouse,
Whiteman.
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Evans, B. P.,
Evans, J.,
Fields,
Kunkle,
Labar.
Lafferty,
Rhodes,
Richards,
Rinn,
Zook,
Goodnough.
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 513, entitled:

An Act making an appropriation to the Memorial Hospital at Roxborough Philadelphia Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander.
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush.
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig.
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Earley,
Eaches,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller.
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz.
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers.
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 517, entitled:

An Act making an appropriation to the J. C. Blair Memorial Hospital of Huntingdon Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush.
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marshall, J. G.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb.
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 518, entitled:

An Act making an appropriation to the Mercy Hospital of Wilkes-Barre Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bentley,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Glasgow,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener.
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen.
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook.
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 533, entitled:

An Act making an appropriation to the Wyoming Valley Homeopathic Hospital at Wilkes-Barre Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Little,
Long,
Lucas,
Ludlow,
Sarig,
Sautter,
Schaeffer,
Schilling,

Armstrong,
Arthur,
Asbury,
Asten,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback.
Brenneman.
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes.
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Lynch,
Mack.
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey;
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Schleiter,
Schoener,
Schwartz.
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook.
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 550, entitled:

An Act making an appropriation to the Waynesburg Hospital of Waynesburg Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn.
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marshall, J. G.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann.
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers P M.
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb.
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen.
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill 553, entitled:

An Act making an appropriation to the Chambersburg Hospital at Chambersburg Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback.
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Flynn,
Fowler, A. I.,
Fowler. D..
Fratt,
Frazier,
Gallaher,
Gelder.
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney.
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,

Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Storb.
Storer,
Thomas, L. D.,
Thomas. M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse.
Whiteman,
Williams, G. W.,
Williams, J. M
Woner.
Wood, N.,
Wood. W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 564, entitled:

An Act making an appropriation to the Nason Hospital Association of Roaring Springs Blair County Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski.
Steedle,
Sterling,
Stevens, A. J.
Stevens, A. F.,
Stofflet,
Stoner,
Storb.
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,

Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
linchbaugh,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 567, entitled:

An Act making an appropriation to the Robert Packer Hospital

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark.
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,

Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Kunkle,
Labar,
Lafferty,
Lauver,
Richards,
Rinn,
Rippman,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 589, entitled:

An Act making an appropriation to the Saint Francis' Hospital of Pittsburgh Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz.
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 599, entitled:

An Act making an appropriation to the Pittston Hospital Association of the City of Pittston Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Drinkhouse,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Grimes.
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marshall, J. G.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Pattersen,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz.
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 613, entitled:

An Act making an appropriation to the Kane Summit Hospital Association of Kane McKean County Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi.
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas.
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Patterson,
Parkinson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 614, entitled:

An Act making an appropriation to the Bradford Hospital of the city of Bradford

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harter,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marshall, J. G.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H..
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 621, entitled:

An Act making an appropriation to the Saint John's General Hospital of Pittsburgh Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander.
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,

Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Patterson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Goodnough,
Zook,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 622, entitled:

An Act making an appropriation to the Northwestern General Hospital of Philadelphia Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marshall, J. G.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 628, entitled:

An Act making an appropriation to the Latrobe Hospital Latrobe Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Beil, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes.
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Miller,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,

Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 634, entitled:

An Act making an appropriation to the Good Samaritan Hospital at Westfield Tioga County Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Andersen,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier.
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 648, entitled:

An Act making an appropriation to the Spencer Hospital Meadville Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Price,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 649, entitled:

An Act making an appropriation to the Titus Hospital Meadville Hospital Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi.
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig
de Young.
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes.
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W..
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 651, entitled:

An Act making an appropriation to the Meadville Hospital Meadville Hospital Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamen,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W..
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 655, entitled:

An Act making an appropriation to the Roosevelt Hospital of Philadelphia Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Little,
Long,
Lucas,
Ludlow,
Sample,
Sarig,
Sautter,
Schaeffer,

Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Schilling,
Schleiter,
Schoener,
Schwartz.
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 656, entitled:

An Act making an appropriation to the Allegheny Valley Hospital at Tarentum Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Heyburn,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 658 entitled:

An Act making an appropriation to the Grove City Hospital in the Borough of Grove City Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schlieter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,

Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 672, entitled:

An Act making an appropriation to the Coudersport General Hospital at Coudersport Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schlieter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Stevens, A. J.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, M. G.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 699, entitled:

An Act making an appropriation to the Eye and Ear Hospital of Pittsburgh Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush.
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schlieter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,

Evans, J.,
Fields,
Flinchbaugh,
Labar,
Lafferty,
Lauver,
Rinn,
Rippman,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 703, entitled:

An Act making an appropriation to the Bellefonte Hospital Bellefonte Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schlieter,
Schoener,
Schwartz.
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the qu stion was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 734, entitled:

An Act making an appropriation to the Mount Sinia Hospital of Philadelphia Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton.
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sowers,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 765, entitled:

An Act making an appropriation to the Beaver Valley General Hospital at New Brighton Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 766, entitled:

An Act making an appropriation to the Rochester General Hospital at Rochester Beaver County Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 767, entitled:

An Act making an appropriation to the Good Samaritan Hospital of Lebanon Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,

Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster.
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush.
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm.
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 778, entitled:

An Act making an appropriation to the Kittanning General Hospital Kittanning Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.
Smith, H. J.
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen.
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 779, entitled:

An Act making an appropriation to the Rush Hospital for Consumption and Allied Diseases of Philadelphia

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville.
Conner,
Coyne,
Craig,
de Young,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin.
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. F.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,

Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 780, entitled:

An Act making an appropriation to the Memorial Hospital at Mount Pleasant Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin.
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet.
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Labar,
Lafferty,
Lauver,
Little,
Rinn,
Rippman,
Sample,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 807, entitled:

An Act making an appropriation to the Miner's Hospital of Northern Cambria at Spangler Cambria County Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
dsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 816, entitled:

An Act making an appropriation to the Warren General Hospital of Warren Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schlieter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse.
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 829, entitled:

An Act making an appropriation to the Pennsylvania Epileptic Hospital and Colony Farm Chester County Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schlieter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer.
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 834, entitled:

An Act making an appropriation to the National Stomach Hospital of Philadelphia Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Flynn,
Fowler, A. I.,
Long,
Lucas,
Sautter,
Schaeffer,

Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn.
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,

Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,

Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,

Schilling,
Schlieter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 838, entitled:

An Act making an appropriation to the Conemaugh Valley Memorial Hospital at Johnstown Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,

Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,

Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,

Sarig,
Sautter,
Schaeffer,
Schilling,
Schlieter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,

Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,

Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,

Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts.
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,

Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 841, entitled:

An Act making an appropriation to the Brookville Hospital Brookville Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Bentley,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,

Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,

Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C..
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,

Sautter,
Schaeffer,
Schilling,
Schlieter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,

Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts.
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G..
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted the affirmative, the question was determinel in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 842, entitled:

An Act making an appropriation to the Adrian Hospital Association of Punxsutawney Jefferson County Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Arthur,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Sautter,
Schaeffer,
Schilling,
Schlieter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,

Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Posey,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 845, entitled:

An Act making an appropriation to the Suburban General Hospital of Bellevue Allegheny County Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallagher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Sautter,
Schaeffer,
Schilling,
Schlieter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet.
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,

Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 867, entitled:

An Act making an appropriation to the Memorial Hospital Association of Monongahela City Washington County Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander.
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher.
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs.
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schlieter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Speiser,
Sprowls,
Stark.
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, M. G.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman.
Williams, G. W.
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 872, entitled:

An Act making an appropriation to the Uniontown Hospital Uniontown Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Biddelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas.
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Schaeffer,
Schilling,
Schlieter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sowers,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet.
Stoner,
Storb,
Storer,
Thomas, M. G.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 907, entitled:

An Act making an appropriation to the Women's Southern Homeopathic Hospital of Philadelphia Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker.
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Biddelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush.
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne.
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds.
Eshelman,
Evans, B. P.,
Evans, J.,
Fields.
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt.
Frazier,
Gallaher,
Gelder,
Gibbon.
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schlieter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier.
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 934, entitled:

An Act making an appropriation to the Oil City Hospital Oil City Pennsyylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Biddelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt.
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure.
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman.
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 960, entitled:

An Act making an appropriation to the Canonsburg General Hospital Association at Canonsburg Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt.
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F
Sarig,
Sautter,
Schaeffer,
Schilling,
Schlieter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,

Bell, W. T.,
Bentley,
Berger,
Biddelspacher,
Blair,
Bluett,
Blumberg.
Boback,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Hollis,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar.
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Soffel.
Sowers,
Spangler,
Speiser.
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle.
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman.
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood. W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 981, entitled:

An Act making an appropriation to the Lewistown Hospital of Lewistown Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Biddelspacher,
Blair,
Bluett,
Blumberg,
Boback.
Brenneman,
Brewster,
Bromley,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goos,
Greeby,
Griffith,
Grimes.
Guerin,
Grimes.
Gundy,
Haines,
Hall,
Harer,
Harter,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Sautter,
Schaeffer,
Schilling,
Schlieter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel.
Sowers,
Spangler,
Speiser.
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,

Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig.
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes.
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample.
Sarig,
[illegible]
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 988, entitled:

An Act making an appropriation to the York Hospital West College Avenue York Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan.
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy.
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,

de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kunkle,
Labar,
Lafferty,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1021, entitled:

An Act making an appropriation to the Brownsville General Hospital Brownsville Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Kunkle,
Labar,
Lafferty,
Lauver,
Richards,
Rinn,
Rippman,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1038, entitled:

An Act making an appropriation to the Community Hospital of the borough of Somerset in the County of Somerset

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1048, entitled:

An Act making an appropriation to the Hamot Hospital Association of Erie Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Schleiter,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1064, entitled:

An Act making an appropriation to the Germantown Dispensary and Hospital Germantown Philadelphia Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter.
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman.
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1068, entitled:

An Act making an appropriation to the Maternity Hospital in the City of Philadelphia Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,

Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Gallaher,
Golder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Schoener,
Schwartz.
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling.
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook.
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1072, entitled:

An Act making an appropriation to the Howard Hospital of Philadelphia Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett.
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne.
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough.
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1102, entitled:

An Act making an appropriation to the Lock Haven Hospital Lock Haven Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz.
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,

Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1116, entitled:

An Act making an appropriation to the Renova Hospital

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1124, entitled:

An Act making an appropriation to the Providence General Hospital of Philadelphia Philadelphia County Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1154, entitled:

An Act making an appropriation to the Braddock General Hospital Braddock Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffat,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1160, entitled:

An Act making an appropriation to the Elk County General Hospital of Ridgway Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marshall, J. G.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whiteman,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1161, entitled:

An Act making an appropriation to the General Hospital East Stroudsburg Monroe County Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi
Beaver,
Bentley,
Bell, F. A.,
Bell, W. T.,
Behney,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig.
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene.
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Parkinson,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sarig,
Sample,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sowers,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1166, entitled:

An Act making an appropriation to Montgomery Hospital at Norristown in the county of Montgomery

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert.
Alexander,
Allman,
Anderson.
Armstrong,
Arthur.
Asbury,
Arthur,
Baker,
Blair,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
smith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist.
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell.
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack.
MacKinney,
Malie,
Mangan.
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers. P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1192, entitled:

An Act making an appropriation to the Women's Homeopathic Hospital of Philadelphia

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert.
Alexander,
Allman,
Anderson,
Armstrong,
Asbury,
Asbury,
Aston.
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Boback,
Bluett,
Blumberg,
Brenneman,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Long,
Lucas,
Ludlow,
Lynch,
Mack.
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy.
McDaniel,
McDermott,
McKim,
McGowan,
Sautter,
Schaeffer,
Schilling,
Sterling,
Schoener.
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark.
Staudenmeier,
Stavitski,
Steedle,
Sterling,

Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Millar,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Van Alen,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook.
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution, having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1210, entitled:

An Act making an appropriation to the Corry Hospital Association of Corry Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Baker,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,

Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution, having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1213, entitled:

An Act making an appropriation to the Williamsport Hospital of the City of Williamsport Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet.
Stoner,
Storb,
Storer.
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whitehouse,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,

Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution, having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1245, entitled:

An Act making an appropriation to the Chester County Hospital West Chester Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutten,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby.
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack.
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore.
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel;
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb.
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution, having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1247, entitled:

An Act making an appropriation to the Phoenixville Hospital Pennsylvania Chester County

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon.
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Korns,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B..
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marshall, J. G.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure.
McCurdy,
McDaniel,
McDermott,
McKim,
McVicar,
Metcalf.
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig.
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith. G. A.,
Smith, H. J.,
Smith, H.
Smith, J. W.,
Soffel,
Sowers.
Spangler,
Speiser.
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet.
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution, having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1248, entitled:

An Act making an appropriation to the Homeopathic Hospital West Chester County Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh.
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy.
McDaniel,
McDermott.
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffat,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W
Williams, J. M
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution, having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1317, entitled:

An Act making an appropriation to the Kensington Hospital for women of Philadelphia Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flincnbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss.
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Sterling,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution, having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1348, entitled:

An Act providing for the purchase of the copyright and property interest therein of Smull's Legislative Hand Book and Manual providing for the future editing compilation and distributing thereof and making an appropriation for such purpose

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204.

Albert,
Alexander,
Allman,
Anderson,
Armstrong,
Arthur,
Asbury,
Aston,
Baker,
Baldi,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Sautter,
Schaeffer,
Schilling,
Schleiter,
Schoener,
Schwartz
Shambach,
Sheridan,
Smith, G. A.,
Smith, H. J.,

Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brenneman,
Brewster,
Bromley,
Brown,
Brownmiller,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Fields,
Flinchbaugh,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Little,
Marshall, J. G.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McKim,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sample,
Sarig,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Stofflet,
Stoner,
Storb.
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution, having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1441 (Senate Bill No. 583), as follows:

An Act authorizing the annexation to cities of the second class of portions of townships not exceeding one hundred acres in area and totally surrounded by said cities and providing for the division of the assets and liabilities of said townships

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter any city of the second class that entirely surrounds a portion of a township the area of which is not greater than one hundred acres may annex said portion of said township to said city by ordinance

Section 2 The assets and liablities of said township shall be divided between it and the annexing city in the proportion that the assessed valuation of the territory annexed bears to the total last preceding assessed valuation of the entire township

Section 3 The Courts of Quarter Sessions of the respective counties are hereby authorized upon petition of either the annexing city or the township to ascertain and determine the said assets liabilities and division of them between the annexing city and the township In ascertaining the indebtedness neither pending actions nor claims against such townships founded upon tort shall be included unless the same shall in the meantime have been prosecuted to final judgment

Section 4 All acts and portions of acts conflicting with the provisions of this act be and the same are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—126.

Anderson,
Armstrong,
Arthur,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bentley,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brewster,
Bromley,
Brown,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harer,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Hollis,
Horne,
Howell,
Huber,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kennedy,
Kohler,
Kunkle,
Lafferty,
Lauver,
Little,
Long,
Lucas,
Ludlow,
MacKinney,
Marshall, J. G.,
Marshall, W. F.
McDermott,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
Ogle,
Orr,
Parkinson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Rinn,
Rippman,
Sautter,
Schwartz,
Smith, G. A.,
Sowers,
Stark,
Stoner,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Wells,
Williams, G. W.,
Woner,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 956, as follows:

An Act to amend section one of the act approved the twenty-fifth day of June one thousand eight hundred and eighty-five (Pamphlet Laws one hundred and eighty-one) entitled "An Act to authorize certain corporations to become sole surety for the faithful performance of any trust or duty and to authorize certain officers to approve the same" by requiring the approval thereof when the certificates issued by the Insurance Department to said corporations have been filed in the prothonotary's office

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-fifth day of June one thousand eight hundred and eighty-five (Pamphlet Laws one hundred and eighty-one) entitled "An Act to authorize certain corporations to become sole surety for the faithful performance of an trust or duty and to authorize certain officers to appro the same" is hereby amended to read as follows

Section 1 Be it enacted et cetera That whenever any person individually or in any public or private trust who is now or hereafter may be required or permitted by law to make or execute (and) or give a bond or undertaking with security conditioned for the faithful performance of any duty or for the doing or not doing of anything in said bond or undertaking specified any head of a department judge of the Supreme Court or prothonotary thereof judge of the court of common pleas or prothonotary thereof judge of the orphans' court register of wills sheriff magistrate or any other officer who is now or shall be hereafter required to approve the sufficiency of any such bond or undertaking shall (may in the discretion of such officer accept such bond or undertaking and) approve the same whenever the conditions of such bond or undertaking are guaranteed by a company duly authorized by the Insurance Department of this State to do business in this State and authorized to guarantee the fidelity of persons holding positions of public or private trust and (such company may become sole surety in any case where by law one or more sureties may be required for the faithful performance of any trust or duty Provided however That where such bond or undertaking shall involve the safe keeping or faithful application of the assets of any judiciary such head of department judge or other officer shall make such order or decree as shall assure the retention of such assets within this Commonwealth in such manner as such head of department judge or officer may direct until disposition thereof be made according to law) whenever such company has filed in the office of the prothonotary of the county in which the said bond is to be approved a certificate issued by the Insurance Commissioner of the State authorizing it to become surety on all bonds obligations and undertakings and until such certificate has been revoked by the Insurance Commissioner

Such certificate shall be conclusive proof of the solvency and credit of such company for all purposes and of its qualifications to be so accepted as such sole surety and its sufficiency as such

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—128.

Armstrong,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bentley,
Bidelspacher,
Brewster,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Conner,
Craig,
Diehm,
Dilsheimer,
Driggs,
Dunn,
Earley,
Flynn,
Fratt,
Frazier,
Gallaher,
Gibbon,
Gilchrist,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Grimes,
Guerin,
Hall,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Hoover,
Horne,
Howell,
Huber,
Jones, C. B.,
Jones, D. J.,
Keene,
Kelly,
Kennedy,
Long,
Lucas,
Ludlow,
Mack,
MacKinney,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Mathay,
McBride,
McCaig,
McClure,
McCurdy,
McDermott,
McGowan,
Metcalf,
Millar,
Miller,
Minehart,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Parkinson,
Perry,
Pitts,
Price,
Raymond,
Rhodes.
Rinn,
Sample,
Sarig,
Sautter,
Schaeffer,
Schoener,
Schwartz,
Shambach,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Steedle,
Sterling,
Stevens, A. F.,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Walker,
Weamer,
Wells,
Wettach,
Wheeler,
Whitehouse,
Whiteman,
Williams, G. W.,
Williams, J. M
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

MOTION TO PLACE BILL ON CALENDAR.

Mr. POSEY. Mr. Speaker, I move that House Bill No. 1250, file folio 4853, entitled:

An Act permitting licensing regulating and controlling horse racing and betting and wagering on the result of such races creating a racing commission with jurisdiction over the same

be placed on the calander, notwithstanding the negative recommendation of the committee, as this bill is a real revenue raiser.

Mr. VAN ALEN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER. This bill was reported from the committee more than five days ago, and the motion is not in order.

QUESTION OF PERSONAL PRIVILEGE.

Mr. WONER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. WONER. Mr. Speaker and members of the House, it has become quite the thing about this House to rise to a question of personal privilege and find some fault with the newspapers. It is not my intention to do that this afternoon, although I do expect to take my text from the editorial of one of the newspapers this morning. The wreck that has occurred to our tax program reminds me of the story of the crazy man, a nut, who escaped from a hospital down in Philadelphia. He ran along the street and jumped into an automobile and ran the car down very rapidly to the City Hall, where he saw two Chinese laundrymen. He jumped out and compelled the laundrymen to get into the car and drove rapidly out towards Germantown. He ran into a telegraph pole and there was a very severe wreck. The police investigated and reported it the worst wreck they had ever known of. All they could find was one nut and two washers. That, seemingly, is more than we can find of our tax program.

The Philadelphia North American of this morning says the following:

"Necessary expenditures of the State are rapidly outgrowing present revenues, and it is obvious that new sources of income must be found if crippling shortages are to be averted. Some features of the penal institutions of Pennsylvania are a disgrace to a wealthy and civilized state, and cannot be made tolerable except at heavy cost. An adequate provision is made for care of the insane, of mentally deficient children, of the indigent sick and disabled. Scores of other projects of compelling merit will make continuing and growing demands upon the Commonwealth.

"Now how have the practical politicians been dealing with this challenging situation? Have they followed the practice adopted by other enlightened states, and made a scientific study of up-to-date revenue measures? Have they analyzed the operation of the sales tax, which has proved so successful in Canada? Are they familiar with the workings of the tax on manufactured products, by which New York raises $40,000,000 a year, and by which New Jersey and Ohio substantially augment their revenues? Have they made any thorough examination of the results of a tax on bituminous coal and other natural resources?

"No such enterprises have engaged their attention. Confronted by the alternatives of raising $20,000,000 additional revenue or condemning the public schools to starvation, these exponents of practical statesmanship have just drifted and floundered, revealing a bewildered incapacity to cope with the problem. Any and every suggestion finds eager advocates among them. Some seriously urged transferring road funds to the schools; others made the brilliant proposal that the school term be shortened to save money; there have been haphazard recommendations for doubling the automobile license fee, for increasing the levy on gasoline, for taxes on tobacco and chewing gum—any makeshift device with which to get by. And these projects are not examined on their merits; they gain approval or are rejected according to the weight of opposition they arouse. The politicians leave unsolved the real question of revenues for future needs; they have no other idea than to find some temporary expedient that will put the load on those groups of tax payers that show the least ability to fight."

Now, members of the House, with respect to the first indictment and the fact that we have not followed the practice of other enlightened states, I want to say to you that the Ways and Means Committee or members thereof, have obtained data from many other states as to the systems of taxation existing therein. They made a very careful study for instance, of the operation of the sales tax, the very thing they say that we never have examined at all. We received laws that successfully operated in other states, and went into them carefully. Three months ago they were discarded, for reasons which I will give you presently. Now, then, we are familiar with the workings of the tax on manufactured products in other states, and we have made examinations concerning the tax on bituminous coal. There isn't a solitary indictment that they placed against the Ways and Means Committee that has anything to stand on, because we have actually, carefully examined all of these things.

Now, then, I want to talk to you just a moment concerning the possibilities of a sales tax. I have heard in the House, well-meaning members. I myself started to make an investigation of this, and we find certain obstacles in the way. In the first place, the great obstacle in the way of a sales tax is that it would require many months of very careful study of the existing laws regarding the gross receipts tax and the corporations tax and the corporate loan tax and the inheritance taxes and the one hundred twenty other subjects of taxation, which compose the catch-as-catch-can, hodgepodge system of taxation in the State of Pennsylvania. And then, we would have to study the gross sales of the State of Pennsylvania. Now, it is estimated that the gross turnover on sales in the State of Pennsylvania will be $15,000,000,000 a year. We have no accurate data upon that and that cannot be found within a month, or within two or within three months. If we had a turnover of $15,000,000,000 a year, we could impose a levy of four mills and obtain an income of $60,000,000 a year, or $120,000,000 in two years. Now, let us examine into this, somewhat. In this House, by an overwhelming vote, some two months ago, there was defeated a proposal which, if submitted to the people and adopted would make a sales tax possible, but without which a sales tax is impossible; and that prosposal was to permit this Legislature to lay graded and progressive taxes and to make exemptions. Now, let us examine the sales tax. In the State of West Virginia they make exemptions under their sales tax operation of $10,000. That is, all gross sales under $10,000 are exempted. Now, it is absolutely impossible under the constitution of this State to make a solitary exemption, and if we put a sales tax on, the woman who bakes bread for a living and sells a few loaves of bread to the neighbors or any definite number of customers, she would have to pay the sales tax just the same as the corporation that was doing a business of $20,000,000 a year. And now, another thing, if we put on a sales tax of a general nature, it would apply to all interests including the agricultural interests. In the State of West Virginia they exempt agricultural pursuits. No such thing is possible in the State of Pennsylvania, if we adopt a general sales tax. Now, I may be wrong in many of these deductions; I have gone to the fiscal officers of the State and the man who is entrusted with the legal department of the collection of taxes, and my deductions that I am giving to you are from facts and from information which he gives me. It would be a very great boon to this Legislature if we could adopt a sales tax, and I want to see such a continued, careful examination of the relation of a sales tax to the constitutional provision which says that all taxes must be uniform on the same subject, to determine whether or not this deduction may be wrong, and if it is, the sales tax is the fairest kind of a tax. It is a most just tax, it is a most equitable tax, it can be more widely distributed and it is easily collected. According to the Auditor's Department, such a tax would be easily collected. Now, then, let us get some idea of how a sales tax works in the State of West Virginia. I have had this information in my possession, carefully worked out for three months. It is something like this: In the State of West Virginia they select, for instance, production. They put a tax of two-fifths of one per cent on coal, oil, gas, limestone, sand, logs and timber. In the State of Pennsylvania, such a production gross sales tax would be on every natural resource of the State. Then they have a gross tax of one-fifth of one per cent on all manufactures, that is, the gross receipts of all manufacturing concerns. Then they have a tax of one-fifth of one per cent on real estate and personal property sales. Then, they have a special tax on profits on goods sold at wholesale. Then, they have a tax of one-fifth of one per cent on banks and public utilities, banks, banking institutions, trust companies, railroads, street railways, telephones, telegraphs, oil and pipe lines, water companies, navigation companies, and express companies. These are largely included at the present time, in the 8 mills gross receipts in the State of Pennsylvania, but you will note that the one-fifth of one per cent would only be two mills. Other businesses and professions. Now, in the State of West Virginia, any one having an income of over $10,000 a year, and every business having gross sales of over $10,000 a year would pay a tax of one-fifth of one per cent, or two mills. Now, that is extremely attractive and I would like to see a proposal of that kind made possible in the State of Pennsylvania, but I greatly fear that under the constitution, as it is now, it will be impossible. Consequently, I think that two things ought to be done yet by this Legislature. I think that this Legislature ought to adopt a joint resolution proposing to the people the exemption possibilities under the constitution, of exemptions for tax purposes. It is not absolutely necessary to have graded and progressive taxes. My colleague, Miss MacKinney, introduced a resolution in the House, and it has passed here and I do not know whether it has passed the Senate, but it should, providing that there shall be an exemption on inheritances, but that is as far as it goes; and if you want to impose another sort of tax, a personal income tax, or if you want to impose a sales tax, it is necessary to have exemptions on other forms than inheritance taxes. Another thing that we should do at this session is to have a very careful study of the entire tax problem. Such a resolution, providing for that, went through this House and went over into the Senate and will come up for action next Monday evening. It occurs to me that it is absolutely out of the question to get anywhere with our whole tax question until we sit down and have experts go into and analyze all the systems of taxation and find out wherein our system is weak, for it is said to be archaic, it is said to be ancient, it is said to be out of date. Well, we pride ourselves in the State of Pennsylvania very much, and our fiscal officers go to conventions in other states and arise and make beautiful speeches and inform their hearers that in the State of Pennsylvania our kind-hearted, generous, open-handed corporations pay all of the taxes. Now, in the State of Pennsylvania, the corporations do pay sixty per cent of all the taxes that go into the general fund, and they ought to be applauded and lauded for this, rather than be berated and cuffed for it; but do you know this one fact, that these rates which are put into effect in the laws of 1873 and then in the laws of 1879 and the laws of 1889 have never been increased since they have been put into effect. Why, out in our town and in the localities where each one of you live, you have a tax duplicate and when your school board needs more money they proceed to add an extra mill or two or three, and when your county needs more money they add a few mills more. They don't find it necessary, in fact they don't find it possible to select other subjects of taxation. Now, my attitude is this, that the corporations of the State of Pennsylvania have been paying the same rate of tax everywhere, these many years, although the expenses of the State have greatly increased, and not alone because of extravagance and joy rides. I am not going to stand here and subscribe to the idea that the State of Pennsylvania today is plunged deeply into debt because of some great extravagance that has been practiced in the past. I want to say to you that I was a member of this Assembly in 1919 and in 1921. We might have done some things in those sessions which ought not to have been done; our hindsight is always better than our foresight, but I have no apology to make for a solitary thing that I did during those sessions. I am not accustomed to make apologies; I take my medicine for my sins and try to reform, and that is the thing that I am doing in this present session of the Legislature. Let me point out to you, men and women of this House, this fact, that while in 1900 we had a State expenditure of $12,000,000, in 1922 we had an expenditure of $56,000,000. There are many things that contributed to that besides the overtopping and top-heavy, extravagant expenditures that some charge against the government. Now what are those other things? It is a fact that in 1913 we gave $6,000,000 to roads, we gave, in 1915, $8,000,000 to roads in 1917, we gave $18,000,000 for roads, in 1919 we gave $14,000,000, and in 1921, we gave $12,000,000. In 1913 we gave $8,000,000 to schools, and in 1923 we have already passed an appropriation bill, giving $46,000,000 to schools. Now, I want to say to you that the normal increase of expenses incidental to the war is somewhat responsible for the deficit which we have now in our Treasurer's Office and it is also accountable to some extent to the liberality which we have practiced with roads and the liberality which we have practiced to protect the schools; but for one, I am a carrying-on member of this Legislature and I don't believe in stinting or starving our schools, and I don't believe in stinting or starving our roads, and I don't believe in neglecting our poor and indigent unfortunates, and I stand in this Legislature and I would like to see every man and woman in this Legislature stand up to the problem of raising at least $20,000,000 to clear up this thing that we have in the State of Pennsylvania today. Let us not blame it on undue extravagance or corruption of the past; however much there may have been of that I do not know. I have no inside information concerning that, but I do say to you today, that I am working hand in hand with the Governor of this Commonwealth to put across a program of economy and efficiency and retrenchment until we have cut things to the bone and gotten them down where we really have to suffer in our sacrifice therefor, I tell you we must not let the children of the State of Pennsylvania suffer, we must not let the road program go to pieces, nor must we permit our injured and our sick and indigent insane to go uncared for. So, therefore, to carry out the program as we should, I again appeal to you today to come across and help the Ways and Means Committee in some way out of the problem that we face, and that way out, I am afraid, does not consist in the sales tax and I wish to say to you that we would have next week prepared for you, or even in a month from now if you would be willing to stay that long and take a vacation, and come back and face the sales tax and put it across here. I don't believe that with my present inside information, that it would be possible to do so, and so what can we do? I say to you, we presented to you from the Ways and Means Committee, not a makeshift program, not a thing that was made up in a hurry; it was made up after a long and careful and deliberate study. The Chairman of the Ways and Means Committee and every member of that committee has, during all of this session done their very best. What did we do? We went out throughout the State of Pennsylvania and asked questions of the proprietors of various newspapers and the editor of the very newspaper which criticized us in this way today we asked for any suggestions he might have by which we might impose taxes in the State of Pennsylvania to raise $20,000,000 to clear away that fiscal mess down in the Treasurer's office and take care of our roads and our schools and our hospitals. I want to say frankly and not necessarily scathingly, because I suppose that he thought it wasn't worth while, since I never received a reply from him, but I did have a reply from several other particular editors in the State of Pennsylvania who gave a real program, and not one solitary man throughout the State of Pennsylvania ever came forward with the sales tax and suggested it, among all of the men that we wrote and ask for suggestions. However, that is not material, because we already had that tax for our consideration. Now, I say to you, we are up against a stone wall with respect to taxes in this State. Are we going home from this session of the Legislature and telling our constituents that we were so helpless that we would be unable to raise taxes? Oh, well, there are other editors who have something to say. The Pittsburgh Post, a newspaper for which I have a great deal of respect, a newspaper that has, during all of this controversy stood up clean and straight and hasn't done any sniping, regardless of its democracy, and it hasn't done any tricky work or any dirty work that I know of. I want to read a passage from the Pittsburgh Post. They say: "With the new tax suggestion rejected, the whole subject of cleaning up the fiscal mess is thrown back to the place of beginning. So far as anything done by the Legislature is concerned, after being in session for nearly five months, the mess has not been touched and there is no program for removing it. Meanwhile, nothing is done for economy. Members of the Assembly press as eagerly as ever for appropriations for their district; for something for their folks back home."

There stands the Chairman of the Appropriations Committee. I worked in that committee under him, and I want to compliment him for the fine work he has done as chairman of that committee. He proposed certain things in the committee, he proposed that we keep, for instance, the schools of higher education down within the appropriation of 1921; he proposed that we should not accept the Council of Educations' figures on that, but the appropriations committee immediately added the appropriation, and we did that all along the line throughout the entire scope of these appropriations. We have voted for them readily, we have voted for them willingly, we have voted for them smilingly. We don't know where the money is coming from; we don't know who is going to get it, and we don't know how we are going to get it, but when we bring before you men and women of this House a tax program which we regard as construction, make fun of it as you will, call it a catch-can to get by, if you will, I am saying to you that all of the men of the appropriations committee have voted to raise all of the appropriations, so that we may be liberal with our hospitals and be liberal to our education and raise $38,000,000 for schools and then not be willing to stand up and vote for measures when they come before the House for taxation. The Post goes on and says something like this: "All, of course, agree that the mess ought to be cleaned up, but nothing extra is allowed for removing it, and nothing is dropped in the regular demand for appropriations. Whether it is called lack of courage to face the truth that the deficit will not remove itself and will have to be dealt with as the emergency it is, or lack of business capacity on the part of the majority of the legislators to meet any financial situation of magnitude, the effect is the same. The deplorable and humiliating condition for a great Commonwealth continues". Now, I ask you members of this House, what are you going to do about it?

The SPEAKER. The remarks of the gentleman, under his question of personal privilege, will be spread upon the Journal.

SUSPENSION OF RESOLUTION.

Mr. DUNN. Mr. Speaker, I move that the resolution fixing Tuesday as the only day of the week when bills on the postponed calendar may be called up be suspended for the purpose of calling up House Bill No. 36, for the purpose of offering amendments.

Mr. HAWS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Dunn.

The House resumed the consideration on final passage of House Bill No. 36 entitled:

An Act to regulate the practice of Chiropractic and to provide for the appointment and maintenance of the Board of Chiropractic Examiners To define the powers and duties of said Board of Chiropractic Examiners To provide for the examining and licensing of Chiropractors in this State and provide for penalties for the violation of this act

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. DUNN. Mr. Speaker, I move that the vote by which House Bill No. 36 passed third reading be reconsidered.

Mr. LUCAS. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. DUNN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend section 1, page 2, line 10 by inserting after the word "licensed" the following: "as a Drugless Therapist".

Amend section 2, page 3, line 1 by striking out the words "this act" and inserting in lieu thereof the following: "the Medical Practice Act of one thousand nine hundred and eleven as a Drugless Therapist".

Amend section 7, page 9, line 7 by striking out the word "fact" and inserting in lieu thereof the word "face".

Amend section 8, page 9, lines 23 and 24 by striking out the words "From and after the approval of this act" and inserting in lieu thereof the following "After January first, one thousand nine hundred and twenty-five".

Amend Section 8, page 10, lines 3 and 4 by striking out the brackets before the word "has" in line 3, and after the word "provide" in line 4.

Amend Section 8, page 10, line 10, by inserting after the word "that" the following: "after January first, one thousand nine hundred and twenty-five

Amend Section 8, page 10, line 12 and 13 by striking out all the words in said lines after the word "College" in line 12 to and including the word "that" in line 13.

Amend Section 8, page 10, line 13 by striking out the word "not".

Amend Section 8, page 10, line 14, by striking out the word "such" and inserting in lieu thereof the word "all".

Amend Section 8, page 11, line 27, by striking out the word "confirm" and inserting in lieu thereof the word "conform".

Amend Section 10, page 12, line 27 by inserting after the word "examiners" the following: "including the standard of professional education".

Amend Section 10, page 13, line 6 by striking out the word "the passage of this act" and inserting in lieu thereof the following: "January first, one thousand nine hundred and twenty-five".

Amend Section 10, page 13, lines 8 and 9 by striking out the words "satisfactory to the said Board".

Amend Section 12, page 14, lines 8 and 9 by striking out the words "relating to the control of contagious diseases".

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 435, as follows:

An Act to amend clause forty-six of section three of article five of the act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and sixty-eight) entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" as amended giving to said cities the right to exercise the power and authority of local self-government in municipal affairs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause forty-six of section three of article five of the act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and sixty-eight) entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation therein" which was amended by the act approved the twenty-seventh day of June one thousand nine hundred and nineteen (Pamphlet Laws three hundred and ten) entitled "An act to amend and revise an act entitled 'An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto' approved the twenty-seventh day of June Anno Domini one thousand nine hundred and thirteen enlarging changing modifying and defining certain of the powers of cities of the third class" is hereby further amended to read as follows

46 To make all such ordinances by-laws rules and regulations as may be expedient or necessary for the proper management care and control of the city and its finances and the maintenance of the peace good government safety and welfare of the city and its trade commerce and manufactures and also all such ordinances by-laws and regulations as may be necessary in and to the exercise of the powers and authority of local self-government in municipal affairs

And all such ordinance by-laws rules and regulations shall have like force and effect as if the power and authority to pass the same had been given in this or any other act

Provided however That no ordinance by-law rule or regulation shall be made or passed which contravenes or violates any of the provisions of the Constitution of the United States or of this Commonwealth or of any act of Assembly heretofore or that may be hereafter passed in force in said city and the said ordinances by-laws rules and regulations to alter modify and repeal at pleasure and to enforce all ordinances by inflicting penalties upon inhabitants or other persons for violations thereof not exceeding one hundred dollars for any one offense recoverable with costs together with judgment or imprisonment not exceeding ninety days if the amount of said judgment and costs shall not be paid

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. MOFFATT. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. DAVID J. JONES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 819, as follows:

An Act to amend section six of the act approved the third day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred and thirty-eight) entitled "An Act relating to the appointment of persons to the fire department in cities of the third class constituting a civil service board in relation thereto providing for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation of a secretary"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the third day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred and thirty-eight) entitled "An Act relating to the appointment of persons to the fire departments in cities of the third class constituting a civil service board in relation thereto providing for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing a method for fixing compensation of a secretary" is hereby amended to read as follows

Section 6 All employes of said department shall be subject to suspension by the superintendent of the department for misconduct or violation of any law of this Commonwealth any ordinance of the city or regulation of the department pending action by the city council upon the charges made against any of such employes and on hearing before the city council where they may be represented by counsel they may be fined or suspended for a period not exceeding thirty days with or without pay or they may be discharged by the city council if found guilty of the charges made against them Provided however That said superintendent of said department may for misconduct or violation as aforesaid suspend any employee of said fire department for a period of ten days with or without pay without preferring charges and without a hearing of council and further Provided however If it should become necessary to reduce the number of men in said department for purposes of economy seniority rights shall prevail and any and all removals for such cause or causes shall be from the members last appointed and the member or members serving the shortest time shall be removed first but members with longer times of service may be discharged for cause

On the question,

Shall the bill pass finally?

Mr. LUDLOW. Mr. Speaker and members of the House, an exactly similar bill was presented by Mr. Moffatt relating to the police. You will recall that that bill was defeated and then reconsidered. I was among those who voted both originally and upon the reconsideration against the bill, but as long as the House has passed the bill making the same requirements as to police, it seems to me that we should be consistent and pass this bill so that our regulations as to firemen in these cities, is the same as the police, so that when the bills get to the Senate for its consideration, they can either adopt or reject both, and although I opposed the other bill, as long as it has passed, I hope that this bill will pass so that the position of the House is consistent for the Senate in its consideration of the bills.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—116.

Alexander,
Anderson,
Armstrong,
Arthur,
Baker,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bentley,
Berger,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brewster,
Bromley,
Burns,
Clutton,
Colville,
Craig,
Diehm,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Evans, J.,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Gallaher,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Gundy,
Hall,
Harer,
Haslett,
Heffernan
Henderson,
Hetrick,
Himes,
Holcombe,
Hoover,
Horne,
Huber,
Irvin,
Jones, C. B.,
Keene,
Kelly,
Kohler,
Kunkle,
Little,
Ludlow,
MacKinney,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDermott,
McVicar,
Metcalf,
Millar,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Price,
Raymond,
Richards,
Sample,
Sautter,
Schoener,
Schwartz,
Smith, G. A.
Smith, H. J.,
Sprowls,
Stark,
Staudenmeier,
Sterling,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Walker,
Weamer,
Wells,
Williams, G. W.,
Woner,
Wood. N.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—1.

Lucas,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILLS SIGNED BY THE SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 246.

A Joint Resolution proposing an amendment to section eleven of article eight of the Constitution of Pennsylvania

HOUSE BILL No. 830.

An Act amending section one of an act entitled "a further supplement to an act entitled 'An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expense thereof' approved the fifth day of May one thousand nine hundred and eleven constituting the said court the juvenile court of said county and prescribing its organization jurisdiction and powers therein and otherwise" approved March nineteen one thousand nine hundred and fifteen (Pamphlet Laws five) by providing that the said county court sitting as a juvenile court shall have sole jurisdiction in all proceedings for the custody of dependent neglected incorrigible and delinquent children

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 955.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 16, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 955, entitled, "An Act making an appropriation to the legal representative of the estate of Honorable Samuel A. Whitaker deceased elected a Representative in the General Assembly of the Commonwealth from Chester County."

GIFFORD PINCHOT.

RECESS.

Mr. DUNN. Mr. Speaker, I move that this House take a recess until 9:00 o'clock this evening.

Whereupon at 5:55 P. M. the House took a recess until 9:00 o'clock this evening.

AFTER RECESS.

The HOUSE reconvened at 9:00 o'clock P. M.

The SPEAKER (C. J. Goodnough) in the Chair.

SENATE MESSAGE.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 14, 1923.

Resolved (if the Senate concur), That House Bill No. 317, File Folio 1015, entitled "An Act to amend section one of the act, approved the seventeenth day of May, one thousand nine hundred and nineteen (Pamphlet Laws two hundred and eight), entitled 'An Act prohibiting under certain conditions the commutation, encumbrance or assignment of the proceeds of life insurance and annuity policies and the income arising therefrom by persons entitled thereto; prohibiting the attachment of such proceeds and income, and authorizing life insurance companies to hold such proceeds as part of the general corporate funds', by extending the same to the proceeds and income from policies issued by both domestic and foreign companies", be recalled from the Governor for the purpose of amendment.

SENATE MESSAGE.

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 957.

An Act to provide for the laying out altering and vacating roads lying partly in one county and partly in an adjoining county forming or intended to form a continuous highway from one county to another and providing for the location construction of a joint county bridge on said road

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the House of Representatives and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE.

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 227.

An Act to further amend the fifth section of an act entitled "An act relating to the organization and jurisdiction of orphans' court and to establsh a separate orphans' court in and for counties having more than one hundred and fifty thousand inhabitants and to provide for the election of judges thereof" approved May nineteenth Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six) as amended by fixing and determining the salaries of the assistant clerks of said court in counties of the first second third and fourth classes

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the House of Representatives and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE.

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1312.

An Act to amend sections one two three and four of an act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An Act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools" By providing for reimbursement for certain transportation costs of schools not consolidated

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the House of Representatives and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE.

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 162.

An Act to amend section one thousand seven hundred and eight of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the House of Representatives and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE.

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 540.

An Act prohibiting persons from concealing changing or destroying manufacturers' serial numbers or identification marks upon machines or apparatus or from taking possession of any such machine with the knowledge of such concealment change or destruction and prescribing penalties for violation thereof

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the House of Representatives and the bill amended, in which amendments the Senate has concurred.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 374.

An Act to amend Section one of an Act approved June first one thousand nine hundred and seven (Pamphlet Laws three hundred and eighty-three) entitled "An Act Regulating the collection of taxes and other claims and demands due the Commonwealth and providing for six per centum interest thereon and an attorney's commission"

HOUSE BILL No. 1025.

An Act to provide a method of relieving real estate of the charge of a life interest imposed thereon by any order judgment or decree of any court in this Commonwealth in any partition proceedings

HOUSE BILL No. 1306.

An Act to amend section seven of an act, entitled "An act to establish a Department of Mines, in Pennsylvania; defining its purposes and authority; providing for the appointment of a chief of said Department, and assistants, and fixing their salaries and expenses;" approved the fourteenth day of April, Anno Domini one thousand nine hundred and three (Pamphlet Laws one hundred and eighty); increasing fees paid by applicants for certificates of qualification as mine foremen and assistant mine foremen in the anthracite mines; providing for the disposition of fees received, and providing for copies of lost or destroyed certificates.

HOUSE BILL No. 1309.

An Act to amend rule thirty-four of article twenty-five of an act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred and fifty-six) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by requiring mine operators to pay the Department of Mines for certain report and record books

HOUSE BILL No. 84.

An Act making an appropriation to the Washington Crossing Park Commission for the purpose of the acquisition of land and property and the making of improvements in accordance with the provisions of the act of July twenty-fifth, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand two hundred and nine), entitled "An act to authorize the acquisition by purchase or condemnation of land for a park and the erection of a monument commemorative of Washington Crossing the River Delaware and for the appointment of a commission to acquire said lands and erect such monument, and making an appropriation for the purposes of this act.

HOUSE BILL No. 85.

An Act making an appropriation to the Pennsylvania State Park and Harbor Commission of Erie

HOUSE BILL No. 86.

An Act making an appropriation to the several fire companies of the city of Harrisburg

HOUSE BILL No. 216.

An Act to provide for the payment of moneys by the Commonwealth to counties and townships the tax funds of which are diminished by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions and making an appropriation

HOUSE BILL No. 217.

An Act making an appropriation to the Superintendent of Public Instruction to carry into effect the provisions of the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand and thirty-four) entitled "An act to provide for the payment of moneys to school districts the taxes of which are reduced by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions"

HOUSE BILL No. 93.

An Act making an appropriation to carry into effect the provisions of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State Supervisor and assistants and fixing the salaries of such State Supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties"

HOUSE BILL No. 99.

An Act making an appropriation to the Commissioners of Valley Forge Park

HOUSE BILL No. 653.

An Act making an appropiration to the Lake Erie and Ohio River Canal Board of Pennsylvania for the payment of expenses incurred in printing distributing and making available for public use reports maps documents and records of the board in securing the co-operation and aid of the Government of the United States and other public authorities in the construction of the canal or waterway authorized to be constructed by the board for the payment of incidental office expense and for the payment of salaries fees and expenses

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 1209. (HOUSE BILL No. 1596).

An Act making a deficiency appropriation for the payment of salaries of the officers and employes of the Senate for the session of one thousand nine hundred and twenty-three.

Referred to the Committee on Appropriations.

SENATE BILL No. 1223. (HOUSE BILL No. 1597).

An Act appropriating to the Department of Publications the unexpended balances of appropriations heretofore made to the Department of Public Printing and Binding including the Division of Documents.

Referred to the Committee on Appropriations.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1392 (Senate Bill No. 600), as follows:

An Act to amend section one of the act approved the eighth day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred and fifteen) entitled "An act to fix the salaries of the deputies in the offices of the clerk of the courts county controller recorder of deeds county treasurer chief deputy sheriff and chief clerk to the county commissioners in counties of this Commonwealth having over two hundred and fifty thousand population and less than four hundred thousand popoulation by changing the manner of fixing salaries and prescribing the minimum thereof and making the act apply to counties of the third class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the eighth day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred and fifteen) entitled "An act to fix the salaries of the deputies in the offices of the clerk of the courts county controller recorder of deeds county treasurer chief deputy sheriff and chief clerk to the county commissioners in counties of this Commonwealth having over two hundred and fifty thousand population and less than four hundred thousand population" is hereby amended to read as follows

Section 1 Be it enacted et cetera That from and after the passage of this act in counties (having over two hundred and fifty thousand population and less than four hundred thousand population) of the third class the salaries of the deputy clerk of the courts deputy county controller deputy recorder of deeds deputy county treasurer chief deputy sheriff and chief clerk to the county commissioners shall be twenty-five hundred dollars ($2,500.00) fixed by the salary board of said counties the minimum salary in no case to be less than three thousand dollars ($3,000.00) per annum each payable in monthly installments by the treasurer of such county according to existing laws

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—140.

Albert,
Alexander,
Armstrong,
Aston,
Baldi,
Beaver,
Bell, F. A.,
Bentley,
Berger,
Bidelspacher,
Bluett,
Blumberg,
Brenneman,
Brewster,
Brown,
Burchinal,
Bush,
Chaplin,
Coldsmith,
Colville,
Conner,
Coyne,
de Young,
Dietz,
Dilsheimer,
Donahue,
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Eshelman,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Gallaher,
Gelder,
Glasgow,
Goehring,
Golder,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hoover,
Horne,
Huber,
Johnson,
Jones, D. J.,
Jones, E. P.,
Kelly,
Kennedy,
Kohler,
Kunkle,
Labar,
Lafferty,
Lauver,
Long,
Ludlow,
Mack,
Malie,
Marcus, J.,
Marcus, J. C.,
Marshall, W. F.,
Mathay,
McBride,
McCann,
McCaig,
McClure,
McCurdy,
McDaniel,
McGowan,
McVicar,
Metcalf,
Minehart,
Moffatt,
Morrison,
Munley,
Myers, G. C.,
Nolte,
O'Boyle,
Orr,
Patterson,
Peelor,
Perry,
Post,
Raymond,
Richards,
Rinn,
Rippman,
Sarig,
Sautter,
Schaeffer,
Schilling,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Sprowls,
Stark,
Stavitski,
Sterling,
Stevens, A. J.,
Stoner,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Weamer,
Wettach,
Whitehouse,
Williams, G. W.,
Williams, J. M.
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information the House has passed the same with amendments in which the concurrence of the same is requested.

REPORTS FROM COMMITTEES.

Mr. McCAIG, from the Committee on Appropriations, reported as committed House Bill No. 1596 (Senate Bill No. 1209), entitled:

An Act making a deficiency appropriation for the payment of salaries of the officers and employes of the Senate for the session of one thousand nine hundred and twenty-three.

Mr. McCAIG, from the Committee on Appropriations, reported as committed House Bill No. 1597 (Senate Bill No. 1223), entitled:

An Act appropriating to the Department of Publications the unexpended balances of appropriations heretofore made to the Department of Public Printing and Binding including the Division of Documents.

Mr. McCAIG, from the Committee on Appropriations, re-reported as amended House Bill No. 257, entitled:

An Act constituting a commission to make an investigation of the condition of disabled World War Veterans of Pennsylvania and to take appropriate action to assure such veterans of relief and full benefits and advantages and making an appropriation.

BILLS ON FIRST READING.

Mr. McCAIG asked and obtained unanimous consent to have House Bill No. 1596 (Senate Bill No. 1209), and House Bill No. 1597 (Senate Bill No. 1223), read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1596 (Senate Bill No. 1209), entitled:

An Act making a deficiency appropriation for the payment of salaries of the officers and employes of the Senate for the session of one thousand nine hundred and twenty-three

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1597 (Senate Bill No. 1223), entitled:

An Act appropriating to the Department of Publications the unexpended balances of appropriations heretofore made to the Department of Public Printing and Binding including the Division of Documents

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RECONSIDERATION OF VOTE.

Mr. KUNKLE. Mr. Speaker, I move that the vote by which Senate Bill No. 600, House Bill 1392, file folio 3611, passed finally be reconsidered.

Mr. GOEHRING. Mr. Speaker, I second the motion.

BILL POSTPONED.

Mr. KUNKLE. Mr. Speaker, I move that this bill be placed on the postponed calendar.

Mr. GOEHRING. Mr. Speaker, I second the motion.

The motion was agreed to.

HOUSE BILL No. 36 MADE A SPECIAL ORDER OF BUSINESS.

Mr. DUNN. Mr. Speaker, I move that House Bill No. 36, file folio 643, entitled:

An Act to regulate the practice of Chiropractic and to provide for the appointment and maintenance of the Board of Chiropractic Examiners To define the powers and duties of said Board of Chiropractic Examiners To provide for the examining and licensing of Chiropractors in this State and provide for penalties for the violation of this act

be made a special order of business for Monday evening, May 21, 1923, at 9:30 o'clock.

Mr. LUCAS. Mr. Speaker, I second the motion.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE.

Mr. DUNN. Mr. Speaker, I rise to a question of perpersonal privilege.

The SPEAKER. The gentleman will state his question of personal privilage.

Mr. DUNN. Mr. Speaker and members of the House, we are nearing the close of this legislative session and we have a calendar here which we should complete before the last day of final adjournment. Those who have been former members in this House, know that in the last week before the day set for final adjournment, no House bills can be passed; only Senate bills will be acted on in this House. Therefore, if final adjournment is set, according to a resolution passed by this House, for May 31, we know that we have only one more week to complete the work of this House as we wish it completed. Now, I think the Speaker of this House and the members who come here trying to carry out the work of this Commonwealth, should be assisted by all members being here at the various meetings set for the purpose of passing this legislation. I think that not only tonight, but tomorrow and next week every member of this House should stay here, as we do. Some members come on Monday and go away on Tuesday; others come on Wednesday and go away on Wednesday, leaving the House without a quorum. I think it is time for us who stay here to enforce the rules on those who go away neglecting the duties of this House. I hope that we who stay here will see that the rules are enforced, and bring those back who neglect the duties of the Commonwealth.

The SPEAKER. The remarks of the gentleman on his question of personal privilege will be spread upon the Journal.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1456, (Senate Bill No. 570), as follows:

An Act providing for the temporary transfer of moneys held in certain special funds in the State Treasury for the payment of appropriations payable from the general fund and for the return of said moneys to said special funds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all moneys paid into special funds in the State Treasury from whatsoever source derived and to whatsoever purpose dedicated by the laws of the Commonwealth except moneys belonging to the sinking fund the Workmen's Compensation Insurance Fund the State bond road fund the county gasoline tax fund and fund derived from the tax upon the premiums of foreign fire insurance companies the Federal Vocational Education Fund the Industrial Rehabilitation Fund and funds under the control of the retirement board and all moneys in such special funds in the State Treasury at the date of the approval of this act other than those hereinbefore excepted may be temporarily transferred into the general fund of the State Treasury upon order of the Governor in such amounts and for such time and for such specific purpose or purposes as the order of the Governor may direct with the approval of the head of the department board commission or other agency authorized to expend such moneys

Section 2 The State Treasurer and Auditor General shall continue to keep an accurate record upon their books of the amount of money belonging to each special fund which has been heretofore or shall hereafter me dedicated for the purposes for which such special fund was created and in all cases where moneys belonging to such special in lieu thereof fund or funds shall be transferred as provided above the State Treasurer shall on the date stated in the Governor's order repay said moneys from the general fund into the said special fund or funds It is not the intent of this act to abolish any special fund now existing in accordance with law but only to make available temporarily the moneys held in certain special funds for the payment of appropriations payable from the general fund under the conditions specified above

Section 3 All acts or parts of acts inconsistent with this act are hereby repealed

BILL POSTPONED.

Mr. McCAIG. Mr. Speaker, I move that further consideration of House Bill 1456, (Senate No. 570) be postponed for the present.

Mr. LUDLOW. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Mr. CRAIG asked and obtained unanimous consent to call up out of order House Bill No. 254 on page 16 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 254, as follows:

An Act to carry into effect section one of article fifteen of the Constitution giving cities the right and power to frame adopt and amend their own charters and to exercise the powers and authority of local self-government and providing the procedure therefor imposing certain restrictions limitations and regulations imposing duties upon city councils city officers county commissioners and prothonotaries and providing for the payment of certain expenses by cities

ARTICLE I

ADOPTION OF CITY CHARTERS

CITIES EMPOWERED TO ADOPT CHARTERS

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any city may frame and adopt a charter for its own government in the following manner

Section 2 INITIATION OF PROCEEDINGS TO ADOPT CHARTER The city council or other legislative authority of said city by a two-thirds vote of its members may or upon petition signed by qualified electors equal in number to at least twenty per centum of the total number of electors registered at the preceding general or municipal election shall forthwith provide by ordinance for the submission to the qualified electors of the city of the question "Shall a commission be chosen to frame a charter for the government of the city of..........?" But in no case shall more than twenty-five thousand signatures be required on any such petition

Such ordinance shall require that the question be submitted to the qualified electors at the next general or municipal election occurring at least sixty days after the enactment of the ordinance

A copy of said ordinance certified by the secretary or clerk of the legislative authority of the city shall be filed with the county commissioners

Section 3 NOMINATIONS OF CANDIDATES FOR COMMISION At the same election a charter commission shall be elected Candidates for the commission shall be nominated by petition filed with the county commissioners at least twenty-eight days before the election The petition of each candidate shall be signed by qualified electors equal in number to not less than two per centum of the total number of qualified electors of the city as shown by the last preceding personal registration of the electors of the city but in no case shall less than one hundred nor more than one thousand signatures be required for the nomination of any one candidate Each petition shall have attached thereto the affidavit of the person or persons circulating the same stating that the signatures thereon were signed in his presence and by the parties themselves and that to the best of his knowledge the persons signing are qualified electors The form of the petition shall be prepared by the secretary or clerk of the legislative authority of the city and copies of such petitions shall be furnished by him to candidates upon application

Section 4 PROCEEDINGS TO SET ASIDE NOMINATION PETITIONS Application to set aside any nomination petition may be made by petition filed in the court of common pleas of the county within five days after the last day for the filing of nomination petitions with the county commissioners and such petitions shall specifically set forth the matters objected to Upon the presentation of any such petition the court shall make an order fixing a time for hearing which shall be not later than ten days after the last day for filing nominotion petitions with the county commissioners The court shall also specify the time and the manner of notice that shall be given to the candidate named in the nomination petition sought to be set aside

No nomination petition shall be set aside except for

(a) Material error or defects apparent upon the face thereof or on the face of the appended or accompanying affidavit or

(b) Material alterations made after signing without the consent of the signers or

(c) Want of sufficient number of genuine signatures of persons qualified with respect to age residence and citizenship to be electors

If the matters objected to are such as are specified in subdivision (a) of this section the court upon hearing the case in its discretion permit amendments within such time and upon such terms as to the payment of costs as the court may specify

In case the petition to set aside a nomination petition is dismissed the petitioner shall pay the whole of the costs of the proceedings including all witness fees

Section 5 FORM OF QUESTION ARRANGEMENT OF NAMES OF CANDIDATES The county commissioners shall cause the question hereinbefore provided for and the names of the candidates for the charter commission to be printed upon the ballot to be used at this election in the form and manner provided by the laws governing general or municipal election The names of the candidates shall be printed on the ballot without any party designation The position of the names of the candidates upon the ballot shall be determined by the drawing of lots at a time and place fixed by the county commissioners

Section 6 NUMBER OF CANDIDATES TO BE VOTED FOR MEMBERSHIP OF COMMISSION TIE VOTES Each qualified elector shall be entitled to vote for ten candidates only and the fifteen candidates receiving the highest respective vote shall be declared elected and shall constitute the charter commission In case of a tie vote between two or more candidates the person to be entitled to membersship on the commission shall be selected by the casting of lots before the prothonotary of the county at a time and place to be fixed by him

Section 7 VACANCIES Vacancies in the membership of the commission caused by death resignation removal from the city or otherwise shall be filled by the remaining members of the commission

Section 8 EFFECT OF NEGATIVE AND MAJORITY VOTES ORGANIZATION OF COMMISSION If a majority of the qualified electors voting on the question "shall a commission be chosen to frame a charter for the government of the city of..........?" shall vote in the negative then no further proceedings shall be had and all proceedings theretofore had shall be of no effect If a majority of the qualified electors so voting shall vote in the affirmative then the mayor of the city shall fix a time and place and call a meeting of the members of the charter commission within thirty days after said election and at such meeting the commission shall organize and proceed to frame a charter for the government of such city No member of the commission shall receive any compensation for his or her services on said commission All meetings of the commission shall be open to the public except when the commission may desire an executive session

Section 9 FRAMING OF PROPOSED CHARTER AND BALLOT QUESTIONS SIGNING FILING AND DISTRIBUTION OF OFFICIAL DRAFT SEPARATE AND ALTERNATIVE PROVISIONS The charter commission thereupon shall proceed to frame a charter for the government of the city for submission as one proposal or as one main proposal and separate proposals for severable or alternative provisions

The commission shall prepare an official draft setting forth the text of the proposal or proposals submitted by it for vote of the qualified electors together with the form of the question or questions to be printed on the ballot The commission shall endeavor to frame each separate proposal and ballot question so as to avoid any conflicts among provisions which may be adopted by vote of the qualified electors and so as to show on the ballot when a proposition must fail with another proposition Should two or more propositions adopted by vote of the qualified electors be found to conflict the proposition receiving the largest number of votes shall control as to all matters in conflict

The official draft shall be signed by at least a majority of the members of the commission Not later than nine months after the election of the commission the commission shall file this draft with the secretary or clerk of the legislative authority of the city and he shall cause it to be recorded at length in the minutes or also transmit a correct copy of the question or questions to be placed on the ballot to the county commissioners or other authority charged with the preparation of the ballots upon which the questions are to be placed at least thirty days before the election at which the questions are to be submitted

The commission shall cause the official draft of its proposal and ballot questions to be printed in pamphlet form and in such number as the commission shall determine Said pamphlets shall be deposited with the secretary or clerk of the legislative authority of the city at least seventy days before the election hereinafter provided for and shall by him be distributed to qualified electors of the city upon application The commission shall make such further provisions as it may deem necessary for giving to the qualified electors of the city information concerning its proposals

Section 10 SUBMISSION OF PROPOSED CHARTER The charter so framed shall be submitted for approval to the qualified electors of the city at the general or municipal election next succeeding the one at which the commission was elected

Section 11 EFFECT OF CHARTER ON EXISTING LAWS Such proposal or proposals as are approved by a majority of qualified electors voting thereon subject to the exceptions provided herein shall become the organic law of the city at such time as may be fixed therein and all courts shall take judicial notice thereof So far as the same is consistent with the grant of powers and the limitations restrictions and regulations hereinafter prescribed it shall supersede any existing charter and all acts or parts of acts affecting the organization government and powers of such city which are in conflict therewith All existing acts or parts of acts and ordinances affecting the organization government and powers of the city not in conflict with the organic law so adopted shall remain in full force No contract existing at the time of the adoption of a charter by a city under the provisions of this act shall be affected thereby but such contract shall have the same force and effect and be of the same validity as if such charter had not been adopted

Section 12 RECORDING AND FILING OF CHARTER PRINTING IN PAMPHLET LAWS The secretary or clerk of the legislative authority of the city shall forthwith cause the said charter as approved by the qualified electors to be recorded in the ordinance book of the city and in the office of the recorder of deeds of the proper county or counties in a book to be provided and kept for that purpose He shall also file a certified copy thereof in the office of the Secretary of the Commonwealth and the text thereof shall be published as an appendix to the pamphlet laws subsequently published

Section 13 CONDUCT OF ELECTIONS RETURNS CERTIFICATE OF ELECTION All elections provided for in this act shall be conducted by the election officer for such city in accordance with the laws governing general elections The election officers shall count the votes cast and make return thereof to the prothonotary of the county The result of any election shall be computed in the same manner and by the same return board as is provided by law for the computation of other returns at any such election Certificates of the result of any such election shall be filed by the prothonotary with the city council or other legislative authority of the city and with the Secretary of the Commonwealth and the certificates of election shall be by him given to the candidates elected to any charter commission

Section 14 NOTICE OF ELECTIONS At least thirty days' notice of each election herein provided for shall be given by proclamation of the mayor A copy of such proclamation shall be posted at each polling place of the city and shall be published in each daily newspaper of the city once a week for four successive weeks prior to the election

Section 15 EXPENSES PAID BY CITY The expenses of the charter commission including the cost of publishing and distributing the commission's proposal or proposals and all other expenses incurred in connection with any proceedings hereinbefore provided for when not otherwise provided for by law shall be paid from the city treasury and the appropriating authority of the city shall provide therefor

ARTICLE II

NEW CHARTERS AMENDMENTS

Section 20 INITIATION PROCEEDINGS "Any charter adopted under the provisions of this act may be amended or replaced by a new charter" through the medium of a commission in the same manner as is hereinbefore provided for the adoption of a charter Amendments to any charter "adopted under the provisions of this act" may also be proposed by a two-thirds vote of the city council or other legislative authority of the city or by a petition filed with the city council or other legislative authority of the city setting forth the proposed amendment or amendments and signed by qualified electors equal in number to not less than twenty per centum of the total number of qualified electors registered in the city at the preceding general or municipal election but in no case shall more than twenty-five thousand signatures be required

Section 21 QUALIFIED ELECTORS TO VOTE ON AMENDMENTS All amendments proposed by the council or other legislative authority of the city or by petition of qualified electors shall be submitted to the qualified electors of the city for adoption at the next general or municipal election occurring at least ninety days after such proposal by the city council or other legislative authority or the filing of a petition by qualified electors

Section 22 QUESTION TO BE SUBMITTED TO QUALIFIED ELECTORS Whenever it is proposed to create a commission for the purpose of drafting a new charter or amendments to an existing charter the question to be submitted to the qualified electors shall be "Shall a commission be chosen to frame (a new charter for) (amendments to the charter of) the city of ....?"

Whenever amendments are proposed by the city council or other legislative authority of the city or by petition of qualified electors the question to be submitted to the qualified electors of the city shall be framed by the city council or other legislative authority

Ballot questions must be so framed that a qualified elector may vote for or against any amendment without voting for or against all amendments submitted

Section 23 ELECTIONS ON NEW CHARTERS AND AMENDMENTS PUBLICATION Except as in this article otherwise provided all proceedings for the holding of elections to vote on the adoption of a new charter or amendments to an existing charter shall be as hereinbefore provided for elections on the question of the adoption of a charter Amendments proposed by the city council or other legislative authority of the city or by petition of qualified electors shall be published and distributed in the manner provided for the publication and distribution of the proposal or proposals of the charter commission

Section 24 LIMITATIONS ON THE ADOPTION OF NEW CHARTERS AND AMENDMENTS No question for the election of a commission to frame a new charter or to frame amendments to an existing charter shall be submitted to the qualified electors oftener than once in every four years Amendments proposed by the city council or other legislative authority of the city or by petition of qualified electors may be proposed at any general or municipal election

Section 25 EFFECT OF NEW CHARTERS AND AMENDMENTS All new charters or amendments to existing charters when duly adopted filed and recorded as hereinbefore provided in the case of the adoption of a charter shall become the organic law or part thereof of the city and shall take effect at the time specified therein

ARTICLE III

GENERAL GRANT OF POWERS LIMITATIONS

Section 30 GENERAL GRANT OF POWER AND AUTHORITY Subject to the limitations hereinafter prescribed each city taking advantage of this act and framing and adopting or amending its own charter thereunder shall have and may exercise all powers and authority of local self government and shall have complete powers of legislation and administration in municipal affairs The charter of any city adopted in accordance with this act may provide for any form or system of municipal government and for the exercise of any and all powers thereof not inconsistent with the Constitution of the United States or of this Commonweath to the full extent that the general assembly may legislate in reference thereto as to cities or cites of any class and with like effect and the city may enact ordinances rules and regulations necessary and proper for carrying into execution the foregoing powers and all other powers vested in the city by the charter it adopts or by this or any other law Ordinances rules and regulations adopted under the authority of this act or under the provisions of the charters adopted hereunder shall be enforceable by the imposition of fines forfeitures and penalties not exceeding three hundred dollars and by imprisonment for a period not exceeding ninety days

Section 31 LIMITATIONS Nothing contained in the foregoing grant of powers and authority shall authorize any city to adopt provisions in any charter contrary to provisions of law

1 Applicable to a class or classes of cities on the following subjects

(a) Limiting rates and fixing subjects of taxation
(b) Providing for the assessment of real or personal property and persons for taxation purposes
(c) Providing for the filing and collection of municipal and tax claims or liens and for the sale of real or personal property in satisfaction thereof
(d) Providing the procedure for the condemnation of property for public purposes
(e) Providing for the assessment of damages and benefits for property taken injured or destroyed
(f) Providing methods for the incurring or increasing of indebtedness
(g) Providing for the annexation or exclusion or detachment of territory
(h) Providing for the personal registration of electors or
(i) Regulating public schools
2 Applicable in every part of the Commonwealth or
3 Applicable to all the cities of the Commonwealth nor
Shall any city exercise any powers or authority beyond the city limits except such as are conferred by Act of General Assembly

ARTICLE IV

GENERAL PROVISIONS

Section 40 VALIDATION OF CHARTER PROCEEDINGS No charter or any amendment to an existing charter when adopted by a majority vote of the qualified electors of any city voting at any general or municipal election shall be declared invalid or be set aside on account of any defect error or omission in the proceedings for the adoption of any such charter or amendment and all such proceedings after such adoption shall be and are hereby validated

Section 41 CONSTRUCTION OF ACT The provisions of this act are declared to be severable and if any of its provisions are declared unconstitutional such decision shall not affect or impair any of the remaining provisions of this act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 42 "REPEALER" All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Will the House agree to the Bill on third reading?

BILL POSTPONED.

Mr. CRAIG. Mr. Speaker I move that further consideration of House Bill No. 254, file folio 6929, be postponed for the present.

Mr. HEYBURN. Mr. Speaker, I second the motion.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE.

Mr. SPANGLER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. SPANGLER. Mr. Speaker and members of the House, there is no reason why this House should not now proceed with the calendar. There is a very fair attendance here this evening, and if there are any bills called up to which objection is made, the bills can be regularly postponed. It has been the custom of the House on many occasions to act on its third reading and final passage calendars when there were fewer members in the House than there are at the present time. I can see no reason why we should not proceed now with the regular business.

POLL OF THE HOUSE.

The SPEAKER. The gentleman of course is aware of the consequences if a roll develops less than a quorum.

The Seargeant-at-arms will present himself at the bar of the House. The Chair directs you to close the bar of the House.

All those who are not members will retire from the floor of the House or be in contempt of the House. Those who are members of the House will be in their seats or be in contempt of the House.

The Clerk will call the roll.

The SPEAKER. The roll will be verified.

The roll was verified as follows:

PRESENT—109.

Alexander.
Anderson,
Armstrong,
Arthur,
Beaver,
Behney,
Bell, F. A.,
Bentley,
Bidelspacher,
Blair,
Brewster,
Bromley,
Brown,
Bush,
Chaplin,
Clutton,
Coldsmith,
Craig,
Diehm,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Goehring,
Griffith,
Grimes,
Gundy,
Haas,
Harer,
Haslett,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, B. P.,
Keene,
Kelly,
Kunkle,
Lauver,
Long,
Lucas,
Ludlow,
Mack,
MacKinney,
Marshall, J. G.,
Marshall, W. F.,
McCaig,
McCurdy,
McDermott,
McKim,
McVicar,
Metcalf,
Miller,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
O'Boyle,
Ogle,
Orr,
Parkinsen,
Peelor,
Posey,
Raymond,
Richards,
Rippman,
Sample,
Schwartz,
Shambach,
Smith, G. A.,
Spangler,
Stark,
Stavitski,
Stevens, A. J.,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Weamer,
Wells,
Wheeler,
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodneugh,
Speaker

The SPEAKER. One hundred and nine members being present, constituting a constitutional majority, the Sergeant-at-arms is directed to open the bar of the House.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1421, (Senate Bill No. 268), as follows:

A Joint Resolution proposing an amendment to article four section eight of the Constitution of the Commonwealth of Pennsylvania prohibiting after adjournment the appointment to office of any person whose nomination the Senate failed to confirm

Be it resolved by the Senate and House of Representatives in General Assembly met That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section eight of article four be amended by adding thereto the following

No person nominated for any office for the advice and consent of the Senate whose nomination was rejected by the Senate shall be appointed during the ensuing recess of the Senate to any office to which the advice and consent of the Senate is required by the Constitution or the laws of the Commonwealth except Justice of the Peace or Notary Public

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. LUDLOW. In fairness to the sponsor of the bill and in view of the relatively slight number here, I move that House Bill 1421, (Senate Bill 268) be placed on the postponed calendar.

Mr. EACHES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1149 (Senate Bill No. 346), as follows:

An Act authorizing the sheriffs of the several counties of this Commonwealth to organize themselves into a State Association for the purpose of holding annual meetings to secure more uniformity and co-operation in the conduct of their offices and providing for the payment of certain expenses in connection with such meetings by the various counties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the sheriffs of the several counties of this Commonwealth are hereby authorized to organize themselves into a State Association with power to hold annual meetings at such time and place within the State as they may designate for the purpose of securing more uniformity and co-operation in the conduct of their offices and improving their services to the public

Section 2 Except in counties of the sixth seventh and eighth each sheriff or deputy sheriff or solocitor representing any sheriff shall be allowed all reasonable expenses including hotel bill and travelling expenses actually incurred going to attending and returning from any annual meeting of the Association but not in excess of fifty dollars in any one year which shall be paid by the county of which he is an officer by orders drawn on the Treasurer thereof The time spent in attending such meetings shall not be more than three days exclusive of the time employed in travelling thereto and therefrom The expenses of the annual meetings of the Association including any necessary amount for printing committee meetings and stenographic service shall except in counties of the sixth seventh and eighth classes be paid by the proper counties but shall not exceed Twenty-five dollars for each county the sheriff of which is a member of said Asociation In any county of the sixth seventh or eighth class the sheriff of which may be a member of said Association the county commisioner may allow like expenses to such sheriff or his representative for attending any such annual meeting and may join with the other counties aforesaid in sharing the expenses of such meetings to the extent aforesaid

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. ALEXANDER. Mr. Speaker, I move that House Bill 1149, (Senate Bill 346) be placed on the postponed calendar.

Mr. CRAIG. Mr. Speaker, I second the motion.

The motion was agreed to.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 112.

An Act to amend section five of the act approved June 17, 1913, (P. L. 507) entitled "An act to provide revenue for State and County purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property, providing for the assessment and collection of the same, providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes providing for the assessment of property and the collection of taxes, interest and penalties in cases of the refusal or failure of taxables to make return and in the case of false or incomplete returns.

With the information that the Senate has passed the passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 5, line 28, by striking out the words, "a penalty of fifty per centum thereon and."

Amend section 1, page 6, line 11, by striking out the words, "a penalty of fifty per centum and".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. EDMONDS. Mr. Speaker, I would like to say to the members of the House that this is one of the bills that I had the pleasure of introducing for the purpose of strengthening the collecting of personal property taxes. I feel that the amendments of the Senate will strengthen this bill. It strikes out that part which was undoubtedly unfair, therefore I feel sure we can vote for it in this form.

On the question recurring,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—110.

Alexander,
Anderson,
Armstrong,
Arthur,
Beaver,
Behney,
Bell, F. A.,
Bentley,
Bidelspacher,
Blair,
Brewster,
Bromley,
Brown,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Craig,
Diehm,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Goehring,
Griffith,
Grimes,
Gundy,
Haas,
Harer,
Haslett,
Heffernan,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kunkle,
Lauver,
Long,
Lucas,
Ludlow,
Mack,
MacKinney,
Marcus, J. C.,
Marshall, J. G.,
McCaig,
McCurdy,
McDermott,
McKim,
McVicar,
Metcalf,
Miller,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
O'Boyle,
Ogle,
Orr,
Parkinson,
Peelor,
Posey,
Raymond,
Richards,
Rippman,
Sample,
Schwartz,
Shambach,
Smith, G. A.,
Spangler,
Stark,
Stavitski,
Stevens, A. J.,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Weamer,
Wells,
Wheeler,
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 1159.

An Act providing a system of registering titles to motor vehicles for the protection of owners of motor vehicles and to facilitate the recovery of motor vehicles stolen or unlawfully taken regulating the certification of such titles the purchase sale and transfer of motor vehicles and their registration providing for the collection of fees for the certification of titles and for disposition thereof forbidding the destruction removal alteration covering or defacement of any engine manufacturer's or other distinguishing number or identification mark on motor vehicles and providing for the assignment of special numbers in certain cases duties on the State Highway Commissioner sheriffs constables police officers and other peace officers and providing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 2, page 5, line 28, by striking out the word "or" and inserting in lieu thereof the word "of".

Amend section 2, page 5, line 28, by striking out the word "or" and inserting in lieu thereof the word "of".

Amend section 7, page 11, line 4, by inserting after the word "approved" the word "apply".

Amend section 8, page 13, line 8, by inserting after the word "misdemeanor" the word "and", and by striking out after the word "be" the word "be".

Amend section 11, page 15, line 21, by inserting after the word "after" the words, "the date".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—110.

Alexander,
Anderson,
Armstrong,
Arthur,
Beaver,
Behney,
Bell, F. A.,
Bentley,
Bidelspacher,
Blair,
Brewster,
Bromley,
Brown,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Craig,
Diehm,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Goehring,
Griffith,
Grimes,
Gundy,
Haas,
Harer,
Haslett,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kunkle,
Lauver,
Long,
Lucas,
Ludlow,
Mack,
MacKinney,
Marshall, J. G.,
Marshall, W. F.,
McCaig,
McCurdy,
McDermott,
McKim,
McVicar,
Metcalf,
Miller,
Moffat,
Moore,
Morrison,
Munley,
Myers, G. C.,
O'Boyle,
Ogle,
Orr,
Parkinson,
Peelor,
Posey,
Raymond,
Richards,
Rippman,
Sample,
Schwartz,
Shambach,
Smith, G. A.
Spangler,
Stark,
Stavitski,
Stevens, A. J.,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Weamer,
Wells,
Wheeler,
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 1236.

An Act providing for a giant power survey creating a Giant Power Survey Board defining the power and duties thereof requiring officers Departments Commissions and other agencies of the Commonwealth to give information thereto and making an appropriation

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 2, by striking out the word "power" and inserting in lieu thereof the word "powers."

Amend section 4, page 3, line 4, by striking out the words "both as to water supply and river regulations," and inserting in lieu thereof the following: "to study and consider the best practicable utilization of streams for navigation water supply purity of waters river regulation and flood prevention in relation to power and both as to waters."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—110.

Alexander,
Anderson,
Armstrong,
Arthur,
Beaver,
Behney,
Bell, F. A.,
Bentley,
Bidelspacher,
Blair,
Brewster,
Bromley,
Brown,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Craig,
Diehm,
Driggs,
Dunn,
Eaches,
Earley,
Edmonds,
Evans, B. P.,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Goehring,
Griffith,
Grimes,
Gundy,
Haas,
Harer,
Haslett,
Henderson,
Hetrick,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Irvin,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Keene,
Kelly,
Kunkle,
Lauver,
Long,
Lucas,
Ludlow,
Mack,
MacKinney,
Marshall, J. G.,
Marshall, W. F.,
McCaig,
McCurdy,
McDermott,
McKim,
McVicar
Metcalf,
Miller,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
O'Boyle,
Ogle.
Orr,
Parkinson,
Peelor,
Posey,
Raymond,
Richards,
Rippman,
Sample,
Schwartz,
Shambach,
Sheridan,
Spangler,
Stark,
Stavitski,
Stevens, A. J.,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Weamer,
Wells,
Wheeler,
Whiteman,
Williams, G. W.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook.
Goodnough,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 1337.

An Act providing a method for deciding a tie vote in borough councils

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend section 1, page 1, line 6, by striking out the word "agree" and inserting in lieu thereof the following: "enact or pass any ordinance".

On the question,

Will the House concur in the amendment made by the Senate?

Mr. DAVID J. JONES. Mr. Speaker, the amendments made by the Senate are not satisfactory, and I move that the House do non-concur.

Mr. MOFFATT. Mr. Speaker, I second the motion.

The motion was agreed to.

Ordered, that the Clerk inform the Senate accordingly.

SENATE MESSAGE.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 262.

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 262, entitled:

An Act to amend part of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and fifty-five) entitled "An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution"

And has appointed Messrs. Weaver, Baldwin and Homsher a committee of conference to confer with a similar committee of the House of Representatives (If the House of Representatives shall appoint such committee) on the subject of the differences existing between the two houses in relation to said bill.

Mr. KUNKLE. Mr. Speaker, I move that the House insist upon its nonconcurrence in the amendments made by the Senate and that a Committee of Conference be appointed.

Mr. COLDSMITH. Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

APPOINTMENT OF CONFERENCE COMMITTEE.

The SPEAKER. The Chair appoints as such Conference Committee the gentleman from Westmoreland, Mr. Kunkle; the gentleman from Allegheny, Mr. Kelly; and the gentleman from Washington, Mr. Post.

Ordered that the Clerk inform the Senate accordingly.

Mr. STAVITSKI. Mr. Speaker, I move that the vote by which House Bill No. 1268, file folio 6427, entitled:

An Act prohibiting the appointment of certain persons as police officers game protectors fish wardens and detectives

was defeated on final passage on Wednesday, May 9, 1923, be reconsidered.

Mr. McDERMOTT. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. SPANGLER. Mr. Speaker, I am informed that the only reason for asking for a reconsideration is for the purpose of amendment, and for that reason, in the interest of the sponsor of this bill, I ask the House to vote to reconsider at this time.

On the question recurring,

Will the House agree to the motion?

The SPEAKER. The Chair is unable to decide.

Whereupon, a division was called for, and 89 members having voted in the affirmative, and 21 in the negative, the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. STAVITSKI. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McDERMOTT. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. STAVITSKI. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title, line 1, by inserting before the word "police" the word "State"

Amend title, line 2, by inserting after the word "protectors" the word "and"

Amend title, line 2, by striking out the words "and detectives"

Amend section 1, page 1, lines 9, 10, 11 and 12, by striking out all of said lines

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON THIRD READING.

Mr. KUNKLE asked and obtained unanimous consent to call up out of order on page 21 of today's calendar, House Bill No. 1324, file folio 7527, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1324, as follows:

An Act to amend an act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred and forty-six) entitled "An Act regulating requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving-picture machines regulating requiring and defining certain general specifications for the use and construction of portable booths or enclosures for operating therein moving-picture machines and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred and forty-six) entitled "An act regulating requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving-picture machines regulating requiring and defining certain general specifications for the use and construction of portable booths or enclosures for operating therein moving-picture machines and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes" which was amended by an act approved the tenth day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred and sixty-three) entitled "An Act to amend an act approved May first one thousand nine hundred and nine entitled 'An Act regulating requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving-picture machines regulating requiring and defining certain general specifications for the use and construction or portable booths or enclosures for operation therein moving-picture machines and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes' providing for the promulgation of rulings by the Industrial Board of the Department of Labor and Industry and providing for appeal to the said Industrial Board and providing for the supervision and inspection of the said booths or enclosures by the Department of Labor and Industry of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes" is hereby further amended to read as follows

Section 1 Be it enacted et cetera That in all theatres motion-picture theatres and opera houses other than those situated in cities of the first and second class where motion-pictures are usually or regularly projected or where a motion-picture projector is regularly housed and held in readiness for the purpose of projecting motion pictures there shall be provided a permanent projection room of fire-proof construction erected equipped and maintained in accordance with rules and regulations to be drafted by the Department of Labor and Industry in the manner now prescribed by law for the drafting of such rules and regulations and all motion-pictures projectors and stereopticans operated or used in connection therewith shall be installed maintained and kept within the said projection room at all times and all films propected stored held or used in connection therewith shall be stored and kept within the said projection room or rewinding room if there be one at all times and in such manner as shall be set forth in the aforesaid rules and regulations and shall be made either of one-and-one-half inch by one-and-one-half inch by one-fourth inch angle-irons or of two inch by two inch by one-fourth inch tee-irons

Tee-irons to which roof is attached shall be made of one-and-one-half inch by one-and-one-half by three-sixteenth inch tee-irons

All joints shall be made with a three-sixteenth inch steel plate to which each angle-iron or tee-iron shall be riveted or bolted by the use of at least two (2) one-fourth inch bolts or rivets

All bolts or rivets in frame shall have flat heads and said heads shall always be placed on the exterior side of the booth or enclosure and all angle-irons and tee-irons shall be so countersunk as to accomplish this result

The frame of the booth or enclosure shall be provided with a doorway six-feet high by two feet wide The frame of the doorway shall be built of one inch by one inch by three-sixteenth angle-irons which shall be joined together by the use of a three-sixteenth inch steel plate

Covering of Booth

The sides and top of booth shall be covered with asbestos boards of at least one-fourth inch in thickness and said boards shall be cut and arranged in such manner that all vertical joints between boards shall always come over an angle-iron or tee-iron so that both boards may be securely fastened to such angle-irons or tee-irons

After the booth is complete all openings where combustible material is exposed must be plugged with asbestos cement or with other equally satisfatcory material Where joints of asbestos boards on the outside of the booth do not come over angle-irons or tee-irons the cracks between the boards shall be covered by a strip of asbestos board at least one-eighth inch thick and two inches wide Such strips shall be securely fastened to both boards in such manner as to cover the exposed joints The above-mentioned strips and all other asbestos boards shall be secured in the proper place by means of proper bolts and nuts and all such bolts and nuts shall be spaced not more than six inches apart

Flooring

The floor of the booth shall be made of two parts an upper and a lower floor The lower floor shall be made of boards of seven-eighth inch minimum thickness supported on the lower legs of the horizontal angle-irons Resting on this floor there shall be a floor made of asbestos boards of three-eighth inch minimum thickness or an equally fireproof material

Provided That such permanent booths or enclosures may be constructed of concrete brick or hollow tile in a substantial manner provided the herein prescribed regulations as to size windows door shelves ventilation wiring rheostats machines and all other structural features and equipment are fully met observed and furnished and that no wood or other combustible material shall be used in the construction of such booths

There shall be not more than two windows per machine in the booth one for the operator and one for the machine The window for the machine shall be not more than six inches high and twelve inches long and shall be located and cut after the machine is set up The operator's window shall be not more than four inches wide or more than twelve inches high

All windows in the booth shall be provided with gravity-doors which when closed shall overlap the window opening at least one inch on all sides Such gravity-doors shall be held open normally by use of a fine combustible cord in series with a fusible link directly over each machine and so arranged that the doors may easily be released by hand

Main Door

The main door of the booth shall be provided with substantial spring hinges and heavy steel spring or springs sufficient to keep doors closed and said door shall be kept closed at all times The door frame shall be provided with a stop to prevent the door from swinging into the booth or injuring the hinges

Shelves

Two shelves shall be permitted in the booth each of which shall not exceed four feet in length or twelve inches in width Such shelves shall be made up of slate slabs or boards of not less than seven-eighths inch thickness and shall be substantially suported by means of angle-irons If such shelves are made of boards they shall be painted with at least three coats of asbestos paint Additional wooden shelves or cupboards shall not be installed

Film Cases

A separate fireproof metal case made without solder shall be provided for each individual film and such film cases shall be tightly closed at all times Each film shall be kept in one of such cases at all times when the same is not in the magazine of the machine or in process of rewinding

Ventilaiton

Each booth shall be provided with an inlet in each of four sides Such inlets shall be fifteen inches long and three inches high and the lower side of each shall be not more than three inches above the floor level Such inlets shall be covered on the inside by a wire net of not greater than one-eighth inch mesh netting and the wire shall be firmly secured to the asbestos boards or walls of the booth by means of iron strips and screws

Near the center of the top of the booth there shall be a circular opening of not less than ten inches or more than twelve inches in diameter The upper side of said opening shall be provided with an iron flange which flange shall be securely fastened to the tee-irons suporting the roof Securely fastened to this flange shall be a vent-pipe of not less than ten inches or more than twelve inches in diameter Such vent-pipe shall lead directly to the outside of the building or to a special

Section 2 That section two of the said act is hereby further amended to read as follows

Section 2 That in all buildings except those situated in cities of the first and second class where motion-pictures are projected and where a permanent projection room is not required by section one of this act and where the installation of a motion-picture projector is temporary or transient there shall be provided a portable enclosure of fireproof material erected equipped and maintained in accordance with rules and regulations to be drafted by the Department of Labor and Industry in the manner now prescribed by law for the drafting of such rules and regulations

Provided however That portable enclosures shall not be permitted to be used in any theatre motion-picture theatre opera house or public hall in which a permanent projection room has been installed it being the intention of this section that portable enclosures shall be used only for temporary exhibitions of motion-pictures in places of assemblage such as schools churches association halls lodge-rooms or other public halls without permanent projection room And provided That no enclosure shall be required for any motion-picture exhibition in which the apparatus for projecting such motion-pictures uses only an enclosed incandescent lamp and shall have previously been approved by the Department of Labor and Industry for such use And provided That the auditorium in which such motion-pictures are to be projected shall conform to the requirements of laws and rules governing such auditoriums and shall have been approved by the Department of Labor and Industry for such use before any such projection of motion-pictures shall take place

Section 3 That section three of the said act is hereby further amended to read as follows

Section 3 No person shall be permitted to operate a motion-picture projector using a carbon arc light who has not first been examined and granted by the Department of Labor and Industry a Projectionist's License authorizing him to operate such projector Rules and regulations necessary to carry out the intent and purpose of this section shall be promulgated by the said department A fee of four dollars shall be paid by each person examined and a fee of three dollars additional paid by each successful candidate to whom a license is issued A fee of two dollars shall be charged for each and every renewal Provided such licenses shall be issued by the Department of Labor and Industry shall upon applying for their next renewal be required to pay the fees required for the first license And provided further That no Projectionist's License shall be issued to any person under the age of eighteen years

Apprentices to projectionists shall be required to obtain a license from the Department of Labor and Industry and a fee of one dollar shall be charged for such Apprentice License and a fee of fifty cents for each and every renewal Provided That such Apprentice License shall be issued for a period of one year And provided further That no person under the age of sixteen years shall be eligible to obtain such Apprentice License

Every person who shall intend to operate a projector of a type approved by the Department of Labor and Industry which uses only an enclosed incandescent lamp and for which no projection room or enclosure is required shall first be examined ad if successful in passing the examination shall be granted a permit good for one year A fee of two dollars shall be paid for the examination and an additional fee of two dollars for a permit issued to a successful candidate A fee of one dollar shall be paid for each and every renewal Provided That no person under eighteen years of age shall be eligible to obtain such permit

The fees provided for in this section shall be paid to the Commissioner of Labor and Industry who shall pay the same into the State Treasury for the use of the Department of Labor and Industry

This section shall become effective on and after the first day of January one thousand nine hundred and twenty-four

Any person who shall believe the rules and regulations provided for in sections one and two of this act will work unnecessary hardship upon him or do not in the best manner provide for the safety and health of projectionists or users of a building as destribed in the foregoing sections of this act may appeal to the Industrial Board of the Department of Labor and Industry for a hearing on the reasonableness of any rule or regulation The said Industrial Board may after due investigation of the ground for such appeal and not less than one public hearing make such amendments to the said rules and regulations as will best accomplish the intent and purposes of this act Provided That no ruling shall be made which does not in the judgment of the Industrial Board after public hearing and investigation maintain a condition of safety and health for the employes and users of such buildings as herein described as is intended by this act

It shall be the duty of the Commissioner of Labor and Industry by and through the Chief Inspector and authorized inspectors of the Department of Labor and Industry to take such means as may be deemed necessary to enforce the provisions of this act It shall be the duty of the Chief Inspector or authorized inspectors of the Department of Labor and Industry to inspect from time to time all auditoriums projection rooms or enclosures in which motion-picture projectors or stereopticans are operated and should any projector projection room or enclosure be found which does not comply in all respects with the rules and regulations of the Department of Labor and Industry governing such auditoriums projectors projection rooms or enclosures the said inspectors shall immediately order the correction of all existing deficiencies or the discontinuance of the use of such auditorium projector projection room or enclosure The owner agent superintendent person or persons in charge and control of such auditorium projector room or enclosure shall correct all such deficiencies or shall discontinue the use of such auditorium projection room or enclosure within ten (10) days after the service of such order or notice by the said inspector

Section 4 That section four of the said act is hereby further amended to read as follows

Section 4 Any person firm association corporation owner agent or superintendent who shall fail to comply with the aforesaid order for the correction of existing deficiencies or for the discontinuance of the use of such auditorium projector projection room or enclosure or who shall violate or ignore any of the provisions of this act or any of the provisions of this act or any of the provisions of the rules and regulations hereinbefore provided for shall upon conviction thereof before an alderman magistrate or justice of the peace be punished by a fine of not less than twenty-five dollars or not more than two hundred dollars or an imprisonment in the county jail for a term of not less than ten days or more than sixty days for each and every such violation

Prosecutions for violations of this act may be instituted by any inspector of the Department of Labor and Industry upon oath or affirmation All prosecutions for violations of this act shall be in the form of summary criminal proceedings instituted before an alderman magistrate or justice of the peace Upon conviction after a hearing the sentences provided for in this act shall be imposed

Section 5 That section five of the said act is hereby further amended to read as follows

Section 5 All fines imposed and collected for any violation of this act shall be forwarded to the Commissioner of Labor and Industry who shall pay the same into the office of the State Treasurer for the use of the Commonwealth

Section 6 All acts or parts of acts inconsistent with this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. KUNKLE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information,

The Clerk then read the amendments as follows:

Amend bill page 4, line 29 by inserting after the last word therein the following: "]"

Amend bill, page 5, line 1 by inserting before the word "Such" the following: "["

Amend bill page 5, line 28 by inserting after the word "plate" the following: "]"

Amend bill page 6, line 1 by inserting before the word "covering" the following: "["

Amend bill page 6, line 29 by inserting after the word "material" the following: "]"

Amend bill page 7, line 1 by inserting before the word "Provided" the following: "["

Amend bill page 7, line 29 by inserting after the word "swinging" the following: "]"

Amend bill page 8, line 1 by inserting before the word "into" the following: "["

Amend bill page 8, line 29 by inserting after the word "shall" the following: "]"

Amend bill page 9, line 1 by inserting before the word "be" the following: "["

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. HOWELL asked and obtained unanimous consent to call up out of order from page 16 of today's calendar, House Bill No. 200, file folio 6905, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 200, entitled:

An Act providing for the assistance of voters at General Municipal or Special Elections regulating the manner and return thereof providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation

On the question,

Will the House agree to the bill on third reading.

BILL RECOMMITTED.

Mr. HOWELL. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purpose of amendment.

Mr. RIPPMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL DROPPED FROM CALENDAR

Mr. JOHN G. MARSHALL. Mr. Speaker, at the request of the sponsor, I move that House Bill No. 1182, file folio 7209, entitled:

An Act to amend section five hundred and twenty-four as amended of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the classification of real estate for purposes of taxation into two classes to wit the buildings on land and the land exclusive of buildings and by providing for the assessment of a less tax upon the buildings than upon the land exclusive of the buildings in cities of the second class

on page 18 of todays calendar be dropped from the calendar.

Mr. GEORGE W. WILLIAMS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Mr. BIDELSPACHER, asked and obtained unanimous consent to call up out of order from page 16 of today's calendar, bills on third reading, House Bill No. 1303, file folio 6757.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1303, entitled:

An Act to repeal an act entitled "An act supplementary to an act passed thirteenth April one thousand eight hundred and fifty-nine relating to Billiard Saloons et cetera in the counties of Chester and Delaware extending the same to Lycoming and Clinton counties" approved the twenty-second day of March Anno Domini one thousand eight hundred and sixty as far as said act relates and extends to Lycoming county

On the question,

Will the House agree to the bill on third reading?

Mr. BIDELSPACHER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information

The Clerk then read the amendments as follows:

Amend Title, page 1, line 7 by inserting after the word "sixty" the following: "(P. L. 222)"

Amend Sec. 1, page 1, line 9 by inserting after the word "sixty" the following: "(P. L. 222)"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. O'BOYLE asked and obtained unanimous consent to call up out of order on page 17 of today's calendar, House Bill 117, file folio 6759, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1170, entitled:

An Act to further amend section six of an act, approved the thirty-first day of May, one thousand nine hundred and eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of Commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance, and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise in the improvement thereof; providing for purchase or acquiring of turnpikes or tollroads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work to be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads, and prescribing the contents of township, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts in consistent herewith; and providing that existing contracts are not affected by provisions of this act."

On the question,

Will the House agree to the bill on third reading?

Mr. O'BOYLE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend title, page 1, line 3, by inserting after "eleven" the following: "(P. L. 468)"

Amend title, page 2, line 7, by inserting after the word "requiring" the words: "the State Highway Commissioner to make maps to be complete records"

Amend section 1, page 3, line 5, by inserting after the word "eleven" the following: "(P. L. 468)"

Amend section 1, page 5, line 10, by striking out the word "which"

Amend section 1, page 5, line 12, by inserting after the word "thirteen" the following: "(P. L. 941)"

Amend section 1, page 7, line 3, by inserting after the word "act" the word: "and"

Amend section 1, page 7, line 5, by inserting after the word "all" the following: "acts or"

Amend section 1, page 7, line 7, by striking out the word "which"

Amend section 1, page 7, line 9, by inserting after the word "fifteen" the following: "(P. L. 860)"

Amend section 1, page 7, line 22, by striking out the word "number" and inserting in lieu thereof: "numbers"

Amend section 1, page 8, line 24, by striking out the word "material" and inserting in lieu thereof: "materials"

Amend section 1, page 9, line 8, by striking out the word "hence" and inserting in lieu thereof: "thence"

Amend section 1, page 9, line 10, by striking out the word "over" and inserting in lieu thereof: "by"

Amend section 1, page 9, line 13, by underscoring "hundred"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. WILLIAM F. MARSHALL asked and obtained unanimous consent to call up out of order on page 16 of today's calendar, House Bill No. 149, file folio 6961, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 149, as follows:

An Act establishing a State highway in the counties of Clarion Forest Elk and McKean providing for its location construction improvement and maintenance by the Commonwealth and vacating certain sections of State road in the counties of Clarion Forest McKean and Elk

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a State highway is hereby established the route of which shall be as follows

Beginning at a point on Route number two hundred and forty-eight at Ieeper in Farmington township Clarion county and extending in a general northerly direction through the villages of Crown Vowinckel Marienville and via Lamont Siding and connecting with route number ninety-five at Kane Pennsylvania

Section 2 The said State highway shall be constructed improved and maintained by the State Highway Department in accordance with the existing laws of the Commonwealth relating to the construction improvement and maintenance of State highways

The cost of such construction improvement and maintenance shall be paid from moneys appropriated from time to time to the State Highway Department for the construction improvement and maintenance of State highways

Section 3 That the following sections of State Highway as now established are hereby vacated namely (a) that part of State Highway route number two hundred forty-eight between Leeper and Cocksburg that part of State Highway route number ninety-eight between Nebraska and a point three miles east of Millstone In addition thereto there is to be eliminated from the present States Highway system sufficient mileage from State Highway route ninety-seven by an amendment thereto now pending authority the running of said route from Mount Jewett by way of Big Lewis Run and Custer City to Bradford to make up the mileage added to the State Highway system by the provisions of this act

The sections of State Highway hereby vacated shall become township or borough highways or roads in accordance with the municipal districts in which the same are respectively located and shall hereafter be maintained and improved at the expense of the respective boroughs and townships in which located

On the question,

Will the House agree to the bill on third reading?

Mr. WILLIAM F. MARSHALL. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend page 1, section 1, line 11, by striking out the words "and via".

Amend page 2, section 1, line 1, by striking out the words "Lamont Siding."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

LEAVES OF ABSENCE.

Mr. JOHN G. MARSHALL asked and obtained leave of absence for himself for to-morrow.

Mr. PARKINSON asked and obtained leave of absence for himself for to-morrow.

Mr. MASLETT asked and obtained leave of absence for himself for to-morrow.

Mr. BIDELSPACHER asked and obtained leave of absence for himself for to-morrow.

Mr. NORMAN WOOD asked and obtained leave of absence for himself for to-morrow.

Mr. WILLISTON P. WOOD asked and obtained leave of absence for himself for to-morrow.

Mr. ANDERSON asked and obtained leave of absence for himself for to-morrow.

Mr. GOEHRING asked and obtained leave of absence for himself for to-morrow.

ADJOURNMENT.

Mr. McCAIG. Mr. Speaker, I move that this House do now adjourn until tomorrow morning at 10:00 o'clock.

The motion was agreed to, and (at 10:45 P. M.) the House adjourned until tomorrow morning at 10:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

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HOUSE OF REPRESENTATIVES

THURSDAY MAY 17, 1923.

The House met at 10:00 o'clock A. M.
The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

Rev. A. W. Brownmiller, pastor of the Harris Street Evangelical Church offered the following prayer:

Our Father in Heaven, from everlasting to everlasting Thou art God; before the mountains were brought forth, whereever Thou hast formed the earth and the world, from everlasting to everlasting Thou art God; our hope and confidence is in Thee. We pray Thy blessing upon all those who are in authority, on the President of the great United States, upon the Governor, upon every member of this House, upon all those who are leading the people. Help us to remember that we live in deeds, not years, in thoughts, not breaths, in feelings, not in figures on a dial. Help us to count time with heart-throbs and remember that they live most who think most, feel the noblest and act the best. Lead us gently and kindly by Thine own hand and by Thine own gracious spirit and bring us to our rest in heaven after while, for Thy name's sake. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Driggs, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 242. (HOUSE BILL No. 1549).

An Act to amend sections one, eleven, twelve and fourteen of and to add section eight (a) to an act entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," approved March 19, 1909, (P. L. 46); providing additional qualifications for a member of the State Board of Osteopathic Examiners; providing for the examination and licensing of osteopathic physicians to practice surgery, regulating the practice of the same and requiring additional qualifications therefor, defining osteopathy and providing for the effect of reports and certificates made by osteopathic physicians and granting additional powers to the Board of Osteopathic Examiners to revoke licenses.

Referred to the Committee on Public Health And Sanitation

SENATE BILL No. 1147. (HOUSE BILL No. 1550).

An act to authorize and provide for the transfer of person or persons confined in any penitentiary under sentence of law to some other prison or institution.

Referred to the Committee on Judiciary General.

SENATE BILL No. 65. (HOUSE BILL No. 1551).

An act making an appropriation to the Sewickley Valley Hospital Association Incorporated of Allegheny County, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 93. (HOUSE BILL No. 1552).

An act making an appropriation to the Frederick Douglas Memorial Hospital and Training School of Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 103. (HOUSE BILL No. 1553).

An Act making an appropriation to the North Pennsylvania General Hospital and Sanitorium ot Austin, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 110. (HOUSE BILL No. 1554).

An Act making an appropriation to the Grand View Hospital located near Sellersville, Bucks County, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 114. (HOUSE BILL No. 1555).

An Act making an appropriation to the Allentown Hospital, Allentown, Lehigh County, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 116. (HOUSE BILL No. 1556).

An Act making an appropriation to the Saint Luke's Hospital located at Bethlehem, Lehigh County, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 121. (HOUSE BILL No. 1557).

An Act making an appropriation to the Tyler Hospital, Ridley Park, Delaware County, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 187. (HOUSE BILL No. 1558).

An Act making an appropriation to the Saints Vincent's Hospital Association of the city of Erie, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 189. (HOUSE BILL No. 1559).

An Act making an appropriation to the Butler County General Hospital at Butler, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 204. (HOUSE BILL No. 1560).

An Act making an appropriation to the West Philadelphia Hospital for Women in the City of Philadelphia.

Referred to the Committee on Appropriations.

SENATE BILL No. 219. (HOUSE BILL No. 1561).

An Act making an appropriation to the Franklin City Hospital, Franklin, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 236. (HOUSE BILL No. 1562).

An Act making an appropriation to the South Side Hospital of Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 244. (HOUSE BILL No. 1563).

An Act making an appropriation to the Western Pennsylvania Hospital.

Referred to the Committee on Appropriations.

SENATE BILL No. 245. (HOUSE BILL No. 1564).

An Act making an appropriation to the Homeopathic Medical and Surgical Hospital and Dispensary of Pittsburgh.

Referred to the Committee on Appropriations.

SENATE BILL No. 251. (HOUSE BILL No. 1565).

An Act making an appropriation to the Mercy Hospital of Philadelphia.

Referred to the Committee on Appropriations.

SENATE BILL No. 279. (HOUSE BILL No. 1566).

An Act making an appropriation to the Children's Homeopathic Hospital of Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 280. (HOUSE BILL No. 1567).

An Act making an appropriation to the Reading Hospital of Reading Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 288. (HOUSE BILL No. 1568).

An Act making an appropriation to the Berwick Hospital Berwick Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 290. (HOUSE BILL No. 1569).

An Act making an appropriation to the Bloomsburg Hospital Bloomsburg Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 298. (HOUSE BILL No. 1570).

An Act making an appropriation to the Lancaster General Hospital Lancaster Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 304. (HOUSE BILL No. 1571).

An Act making an appropriation to the Polyclinic Hospital of the University of Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 305. (HOUSE BILL No. 1572).

An Act making an appropriation to the Medico-Chirurgical Hospital of the University of Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 306. (HOUSE BILL No. 1573).

An Act making an appropriation to the Hospital of the University of Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 336. (HOUSE BILL No. 1574).

An Act making an appropriation to the Annie M. Warner Hospital Gettysburg Adams County Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 361. (HOUSE BILL No. 1575).

An Act making an appropriation to the McKeesport Hospital McKeesport, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 370. (HOUSE BILL No. 1576).

A supplement to an act approved the thirteenth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and thirty-six) entitled "An act providing for the appointment and expenses of a commission of three persons to codify and revise the laws relating to poor districts and the care of the poor and making an appropriation" continuing the commission appointed under the provisions of said act for the further period of two years and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 371. (HOUSE BILL No. 1577).

An Act making an appropriation to the Hospital of the Hahnemann Medical College and Hospital.

Referred to the Committee on Appropriations.

SENATE BILL No. 372. (HOUSE BILL No. 1578).

An Act making an appropriation to the Wills Hospital for the Relief of the Indigent Blind and Lame Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 428. (HOUSE BILL No. 1579).

An Act making an appropriation to the Easton Hospital at Easton Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 431. (HOUSE BILL No. 1580).

An Act making an appropriation to the Clearfield Hospital.

Referred to the Committee on Appropriations.

SENATE BILL No. 443. (HOUSE BILL No. 1581).

An Act making an appropriation to the Allegheny General Hospital.

Referred to the Committee on Appropriations.

SENATE BILL No. 480. (HOUSE BILL No. 1582).

An Act making an appropriation to the Homeopathic Medical and Surgical Hospital of Reading, Pennsylvania.

Referred to Committee on Appropriations.

SENATE BILL No. 561. (HOUSE BILL No. 1583).

An Act to amend sections one two and three of an act entitled "A further supplement to the act regulating elections in this Commonwealth" approved the thirtieth day of January Anno Domini one thousand eight hundred and seventy-four as amended so as to abolish the December assessment of voters.

Referred to the Committee on Elections.

SENATE BILL No. 591. (HOUSE BILL No. 1584).

An Act making an appropriation to the Stetson Hospital of Philadelphia Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 606. (HOUSE BILL No. 1585).

An Act providing for the rebuilding by the Commonwealth through the Department of Highways of certain county bridges the procedure therefor the payment of a portion of the cost thereof in certain cases by counties cities and railroads and the maintenance thereof when completed by the counties.

Referred to the Committee on Ways and Means.

SENATE BILL No. 607. (HOUSE BILL No. 1586).

An Act to amend sections one and two as amended and sections three five six eight nine and ten of the act approved the eighteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand and forty-nine) entitled "An act authorizing the Board of Commissioners of Public Grounds and Buildings to erect a Soldiers' and Sailors' Memorial Bridge with the approaches thereto and memorial pylons in the city of Harrisburg to commemorate the services of the soldiers and sailors of the Commonwealth providing for the letting of contracts therefor providing for a proportion of the cost to be paid by the city of Harrisburg and public service corporations using or affected by the buildings of said bridge providing for acquiring any property necessary by eminent domain giving the Board of Commissioners of Public Grounds and Buildings the right to sell a portion of the land to the Pennsylvania Railroad Company to conform to the plans of the architect providing for the maintenance of said bridge and making an appropriation to carry out the provisions of this act" by transferring to the Secretary of Highways the powers and duties granted to and imposed on the Board of Commissioners of Public Grounds and Buildings of said act.

Referred to the Committee on Public Roads.

SENATE BILL No. 625. (HOUSE BILL No. 1587).

An Act making an appropriation to the American Hospital for Diseases of the Stomach of Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 647. (HOUSE BILL No. 1588).

An Act making an appropriation to the Bonair Sanatorium Bells Camp McKean County, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 658. (HOUSE BILL No. 1589).

An Act making an appropriation to the Philadelphia Orthopaedic Hospital and Infirmary for Nervous Diseases.

Referred to the Committee on Appropriations.

SENATE BILL No. 659. (HOUSE BILL No. 1590).

An Act making an appropriation to the Gynecean Hospital, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 682. (HOUSE BILL No. 1591).

An Act making an appropriation to the Saint Christopher's Hospital for Children, Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 745. (HOUSE BILL No. 1592).

An Act relating to depositories of county funds in counties of the second class providing for the selection thereof by the county treasurer county commissioners and controller if any there be and for the payment of interest on county funds for the use of the county imposing certain expenses upon counties in connection therewith and providing penalties.

Referred to the Committee on Counties and Townships.

SENATE BILL No. 875. (HOUSE BILL No. 1593).

An act making an appropriation to the Nesbit West Side Hospital, Dorrencetown Luzerne County, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 876. (HOUSE BILL No.1594).

An act making an appropriation to the Columbia Hospital at Columbia Lancaster County, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 982. (HOUSE BILL No. 1595).

An act making an appropriation to the Misericordia Hospital of the Sisters of Mercy of Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 986. (HOUSE BILL No. 1598.

An act making an appropriation to the St. Joseph's Hospital of Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 989. (HOUSE BILL No. 1599).

An act making an appropriation to the Mercy Hospital of Johnstown, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 991. (HOUSE BILL No. 1600).

An act making an appropriation to the Saint Agnes' Hospital of Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 994. (HOUSE BILL No. 1601).

An act making an appropriation to the Saint Marys' Hospital of Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 996. (HOUSE BILL No. 1602).

An act making an appropriation to the Pittsburgh Hospital Association (Sisters of Charity, Frankstown, Ave of Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 997. (HOUSE BILL No. 1603).

An act making an appropriation to the DuBois Hospital, of DuBois, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 1002. (HOUSE BILL No. 1604).

An act making an appropriation to the Mercy Hospital of Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 1004. (HOUSE BILL No. 1605).

Making an appropriation to the Jewish Hospital Association of Philadelphia.

Referred to the Committee on Appropriations.

SENATE BILL No. 1056. (HOUSE BILL No. 1606.

An act making an appropriation to the Home for the Training in Speech of Deaf Children before they are of school age at Belmont Avenue and Monument Road, Philadelphia.

Referred to the Committee on Appropriations.

SENATE BILL No. 1064. (HOUSE BILL No. 1607).

An Act making an appropriation to the Saint Joseph's Hospital and Dispensary of Pittsburgh, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 1085. (HOUSE BILL No. 1608).

An Act making an appropriation to the Saint Joseph's Hospital of Reading, Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 1133. (HOUSE BILL No. 1609).

A joint resolution making an appropriation to the Auditor General for the purpose of adjusting and paying certain outstanding bills contracted by the commission appointed under the provisions of the act approved the twenty-fifth day of July, one thousand nine hundred and thirteen, (P. L. 1306), entitled "An Act to provide for the selection of a site and the erection of a State institution for the detention, care and treatment of inebriates, or persons habitually addicted to the use of alcoholic drink or intoxicating drugs, to be called the State Institution for Inebriates, and making an appropriation therefor."

Referred to the Committee on Appropriations.

SENATE BILL No. 1144. (HOUSE BILL No. 1610).

An Act providing for the collection of city and school taxes in third class cities by the city treasurer and fixing and providing for the payment of his salary and expenses and the salaries of his assisstants and clerks.

Referred to Committee on Municipal Corporations.

SENATE BILL No. 1168. (HOUSE BILL No. 1611).

An Act making an appropriation to the Presbyterian Hospital at Pittsburgh Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 1172. (HOUSE BILL No. 1612).

An Act validating certain elections of school districts of the third class held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections.

Referred to the Committee on Judiciary General.

SENATE BILL No. 1211. (HOUSE BILL No. 1613).

An Act providing for the rebuilding of county bridges over two hundred feet in length on improved primary State highways routes in counties of the seventh and eighth classes by the State Highway Department at the expense of the Commonwealth.

Referred to the Committee on Public Roads.

SENATE BILL No. 1212. (HOUSE BILL No. 1614).

An act to amend clauses (b) and (c) of section fifty-six of an act approved the seventh day of June, one thousand nine hundred and seventeen, (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates, including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians and trustees herein designated as fiduciaries, the administration and distribution of the estates of presumed decedents widow's and children's exemptions, debts of decedents, rents of real estates as assets for payment thereof, the lien thereof, sales and mortgages of real estate, for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof, contracts of decedents, for the sale or purchase of real estate legacies, including legacies charged on land, the discharge of residuary estates, and of real estate from the lien of legacies and other charges, the appraisement of real estate devised at a valuation, the ascertainment of the curtilage of dwelling houses or other buildings devised, the abatement and survival of actions, and the substitution of executors and administrators therein and suits against fiduciaries, investments by fiduciaries, the organization of corporations to carry on the business of decedents, the audit and review of accounts of fiduciaries refunding bonds, transcripts to the court of common pleas of balances due by fiduciaries, the rights, powers and liabilities of non-resident and foreign fiduciaries, the appointment, bonds rights, powers, duties and liabilities of trustees durante absentia the recording and registration of decrees, reports and other proceedings, and the fees therefor, appeals in certain cases, and also generally dealing with the jurisdiction, powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," so as to permit the orphans' court in its discretion to permit a bank or trust company authorized to act as executor, administrator, or trustee under the laws of the Commonwealth of Pennsylvania appointed as trustee in the place of an executor or executors, trustee or trustees dying, renouncing, resigning, dismissed or refusing to act, to give its own bond without surety.

Referred to the Committee on Judiciary General.

SENATE BILL No. 1217. (HOUSE BILL No. 1615).

A supplement to the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and fourteen) entitled "An act providing for the erection and construction by the Commonwealth of Pennsylvania and the State of New Jersey of a bridge over the Delaware River connecting the city of Philadelphia and the city of Camden and the approaches thereto providing for a joint commission for that purpose and defining its powers and duties providing for an independent commission in this Commonwealth in relation thereto and defining its powers and duties providing for the payment of a part of the cost thereof by the City of Philadelphia and providing for the acquiring taking and condemnation of the real estate for the site and approaches thereof providing for the turning over of said bridge upon its completion and making an appropriation for the purposes of this act" as amended by an act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred eighty-seven) extending the power and authority of the Delaware River Bridge Joint Commission and its successors to provide for equipment of the Delaware River Bridge with facilities for railway railroad mortorbus vehicles or other means of transportation also for telegraph telephone electric or other public service facilities authorizing operation maintenance and leasing thereof providing for the fixing and collection of charges rates rentals or tolls therefor and authorizing the making of contracts or leases for use and occupation of property acquired.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 1218. (HOUSE BILL No. 1616).

An Act to amend section three of article eighteen of the act approved the twenty-fifth day of June, one thousand nine hundred and nineteen, (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth;" providing that when indebtedness made by council is assumed, funded or refunded with the assent of the electors, said indebtedness shall thereafter be excluded in computing the amount incurred by council without the assent of electors.

Referred to Committee on Municipal Corporations.

SENATE BILL No. 1222. (HOUSE BILL No. 1617).

An Act making an appropriation to the Sacred Heart Hospital of Allentown, Lehigh County, Pennsylvania.

Referred to Committee on Appropriations.

REPORTS FROM COMMITTEES.

Mr. LORENZO D. THOMAS, from the Committee on Public Roads, reported as committed, House Bill No. 12, entitled:

An Act establishing a State highway in the County of Luzerne; providing for its construction, improvement, and maintenance by the Commonwealth.

Mr. GELDER, from the Committee on Counties and Townships, reported as committed, House Bill No. 1073, entitled:

An Act to amend, revise, change and consolidate the laws relating to the assessment of persons, property and subjects of taxation, in counties of the second, third, fourth, fifth, sixth seventh, and eighth classes, and in cities of the third class, boroughs, towns, townships, school districts of the second, third, and fourth classes, independent school districts and certain poor districts; permitting cities of the second class to accept the provisions of this act and become subject thereto; and repealing existing laws.

Mr. WHITEMAN, from the Committee on Appropriations, reported as amended, House Bill No. 764, entitled:

An Act making an appropriation to the Passavant Memorial Homes for the Care of Epileptics, at Rochester, Beaver County, Pennsylvania.

Mr. ALLEN J. STEVENS, from the Committee on Elections, reported as amended, House Bill No. 200, entitled:

An Act providing for the assistance of voters at General Municipal or Special Elections regulating the manner and return thereof providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation.

BILL ON FIRST READING.

Mr. LORENZO D. THOMAS asked and obtained unanimous consent to have House Bill No. 12 read for the first time.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 12, entitled:

An Act establishing a State Highway in the County of Luzerne providing for its construction improvement and maintenance by the Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON FIRST READING.

The SPEAKER. If there are no objections, the Chair will take up bills on first reading. Are there objections? The Chair hears none.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2, entitled:

An act making an appropriation to the Benevolent Association's Home for Children Pottsville Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 196, entitled:

An act making an appropriation to the Boy's Industrial Home of Western Pennsylvania located at Oakdale Allegheny County

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 263, entitled:

An act making an appropriation to the Westmoreland Children's Aid Society at Greensburg, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 266, entitled:

An act making an appropriation to the Colored Women's Relief Association of Western Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 290, entitled:

An act making an appropriation to the Pennsylvania Home Teaching Society and Free Circulating Library for the Blind at Philadelphia

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 292, entitled:

An act making an appropriation to the Berean Manual Training and Industrial School.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 301, entitled:

An act making an appropriation to the Almira Home Association at New Castle Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 318, entitled:

An act making an appropriation to the Pennsylvania Working Home for Blind Men Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 336, entitled:

An act making an appropriation to the Children's Industrial Home at Harrisburg Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 339, entitled:

An act making an appropriation to the Florence Critenton Home of Harrisburg Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 340, entitled:

An act making an appropriation to the Nursery Home of Harrisburg, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 342, entitled:

An act making an appropriation to the Home for the Friendless of Harrisburg Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 355, entitled:

An Act making an appropriation to the Old Ladies' Home located at Wissinoming Philadelphia.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 422, entitled:

An Act making an appropriation to the Children's Aid Society of Western Pennsylvania at Pittsburgh Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 463, entitled:

An Act making an appropriation to the Florence Crittenton Circle of Wilkes-Barre Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 473, entitled:

An Act making an appropriation to the United Charities of Hazelton Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 542, entitled:

An Act making an appropriation to the Home for Colored Children Termon Avenue Twenty-Seventh Ward Pittsburgh Pennsylvania or its successor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 546, entitled:

An Act making an appropriation to the Pennsylvania Board of Pharmacy

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 562, entitled:

An Act making an appropriation to the Home for the Aged of Westmoreland County at Greensburg Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 572, entitled:

An Act making an appropriation to the Bethel Orphanage located at Osceola Tioga County Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 583, entitled:

An Act making an appropriation to the Home for Friendless Women and Children of the City of Scranton

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 584, entitled:

An Act making an appropriation to the Curtis Home of Western Avenue North Side Pittsburgh or its successor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 590, entitled:

An Act making an appropriation to the Orphan Asylum of the Holy Family of Emsworth Allegheny County Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 640, entitled:

An Act making an appropriation to the Ladies of the Grand Army of the Republic Home Department of Pennsylvania at Hawkins Station Allegheny County Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 650, entitled:

An Act making an appropriation to the Meadville Children's Aid Society and Home for the Aged Meadville Crawfor County Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 683, entitled:

An Act making an appropriation to the Northern Tier Home Harrison Valley Potter County Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 716, entitled:

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 732, entitled:

An Act making an appropriation to the Beaver County Children's Home of New Brighton Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 824, entitled:

An Act making an appropriation to the First Allegheny Day Nursery and Temporary Home for Children Pittsburgh Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 843, entitled:

An Act making an appropriation to the Pennsylvania Memorial Home of Brookville Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 875, entitled:

An Act making an appropriation to the Woods Run Settlement Association Petosky Street Northside Pittsburgh Allegheny County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for a second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 886, entitled:

An Act making an appropriation to the Christian Home for Women at fourteen hundred twenty-three Liverpool Street North Side city of Pittsburgh Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for a second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 989, entitled:

An Act making an appropriation to the York Society to Protect Children and Aged Persons at York Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for a second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1005, entitled:

An Act making an appropriation to the Pittsburgh Home for Babies Pittsburgh Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for a second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1030, entitled:

An Act making an appropriation to the El wood Home for Boys at Erie Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for a second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1054, entitled:

An Act making an appropriation to the Erie Home for the Friendless of the city of Erie Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for a second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1055, entitled:

An Act making an appropriation to the Erie Infants Home and Hospital of Erie Pennsylvania

And said bill having been read at length the first time,
Ordered to be laid aside for a second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1056, entitled:

An Act making an appropriation to the Florence Crittenton Home of Erie Pennsylvania

And said bill having been read at length the first time,
Ordered to be laid aside for a second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1123, entitled:

An Act making an appropriation to the Philadelphia Association for the Protection of Colored Women Philadelphia Pennsylvania

And said bill having been read at length the first time,
Ordered to be laid aside for a second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1273, entitled:

An Act making an appropriation to the Pittsburgh and Allegheny Home for the Friendless situated in the City of Pittsburgh Pennsylvania

And said bill having been read at length the first time,
Ordered to be laid aside for a second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1343, entitled:

An Act making an appropriation to the Pennsylvania Association for the Blind at Pittsburgh Pennsylvania

And said bill having been read at length the first time,
Ordered to be laid aside for a second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1362, entitled:

An Act making an appropriation to the Aged Colored Women's Home at Williamsport Lycoming County Pennsylvania

And said bill having been read at length the first time,
Ordered to be laid aside for a second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1363, entitled:

An Act making an appropriation to the Williamsport Training Home for Girls at Williamsport Lycoming County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1364, entitled:

An Act making an appropriation to the Florence Crittenton Mission of the City of Williamsport Lycoming County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideratin of House Bill No. 1365, entitled:

An Act making an appropriation to the Home for the Friendless of the City of Williamsport Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1366, entitled:

An Act making an appropriation to the Boys' Industrial Home at Williamsport Lycoming County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 801, entitled:

An act to amend section four of an act approved the twenty-fifth day of June one thousand eight hundred eighty-five (Pamphlet Laws one hundred eighty-seven) entitled "An Act regulating the collection of taxes in the several brooughs and townships of this Commonwealth" by changing the time of issuing duplicates

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 739, entitled:

An Act to amend sections one two five and six of the act approved the sixteenth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred fifty-two) entitled "A Supplement to an act entitled 'An Act providing for the incorporation and government of cities of the third class' approved the twenty-third day of May Anno Domini one thousaid eight hundred eighty-nine creating a City Planning Department defining its jurisdiction and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the city and for three miles beyond the city limits and to regulate the making and use of certain public improvements until said plans are approved by said department and authorizing the exercise of the powers herein provided by a park or other municipal commission" by providing for annual appropriations to be made by the city councils to the said commission prohibiting the recording of deeds and transfers of certain properties until the streets and roads abutting upon or bounded within the same have been legally established or approved by the commission and providing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 530, entitled:

An Act to amend section fifteen of an act approved the thirtieth day of January, one thousand eight hundred and seventy-four, (P. L. 31), entitled, "A further supplement to the act regulating elections in this Commonwealth"; providing for the appointment of registry assessors in cities of the first class by the registration commissioners.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 324, entitled:

An Act providing for the Collection of City and school taxes in third class cities by the city treasurer and fixing and providing for the payment of his salary and expenses and the salaries of his assistants and clerks

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 661, entitled:

An Act making the report of the board of view viewers or jury of view upon appeal to the court of common pleas prima facie evidence of benefits therein assessed

And said bill having been read at length the first time,
Ordered to be laid aside forsecond reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1349, entitled:

An Act prescribing certain fees to be charged and collected by The Public Service Commission of the Commonwealth of Pennsylvania for the testing and providing by said Commission the accuracy of gas water or electric meters and certain other apparatus appropriation the moneys received from such fees to such Commission for the expenses of conducting operating and maintaining its standardization laboratory and other meter or apparatus testing or proving activities of said Commission

And said bill having been read at length the first time,
Ordered to be laid asid for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1285, entitled:

An Act establishing minimum standards of plants, equipment service, administration and care and treatment for State-aided hospitals; requiring the Department of Public Welfare to investigate any hospital to which an appropriation is made and if such hospital conforms to at least the standards established by this act, to so certify to the Auditor General; and prohibiting the Auditor General from drawing a warrant upon the State Treasurer in favor of any hospital which does not conform to the standards established by this act."

And said bill havin been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1291, entitled:

An Act establishing the per diem rates of payment to hospitals to which the General Assembly may appropriate money to pay for the care and treatment of indigent sick or injured persons and for that purpose classifying such hospitals, defining "indigent;" and prescribing the manner of determining whether a person is indigent and the method of calculating the number of free days of care and treatment rendered to indigent persons.

And said bill havin been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1542, Senate Bill No. 1018), entitled:

A Joint Resolution proposing an amendment to section seven of article three of the Constitution of Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1539, entitled:

A Joint Resolution proposing an amendment to section twelve of article three of the Constitution of Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1536, (Senate Bill No. 1140), entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the purchase by the United State of about one hundred and forty-seven and five hundred and fortythree thousandths acres of land in O'Hara Township Allegheny County Pennsylvania for use in the care and treatment of discharged sick and disabled soldiers or for other uses of the United States and ceding jurisdiction over such land and also providing for the retention of a concurrent jurisdiction by the Commonwealth of Pennsylvania with the United States on such land for the service of legal process thereupon

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1507, (Senate Bill No. 1080), entitled:

An Act amending section two of Article XVI of an act approved the twenty-ninth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and eighty-one) entitled "An Act for the better government of cities of the first class of this Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

The House proceeded to the first reading and consideration of House Bill No. 1505 (Senate Bill No. 763), entitled:

An Act relating to the preparation of a new Constitution of the Commonwealth by a convention and its adoption or rejection by the people and making an appropriation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING.

The SPEAKER. If there are no objections the Chair will take up bills on second reading. Are there objections? The Chair hears none.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 303, as follows:

An Act making an appropriation to the New Castle Hospital of New Castle Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-seven thousand dollars ($27,000) or so much thereof as may be necessary is hereby specifically appropriated to the New Castle Hospital of New Castle Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid at the rate of three dollars per diem for the medical and surgical services rendered to and maintenance of each indigent person treated in said hospital the same to be paid quarterly on requisition of the Commissioner of Public Welfare when accompanied by a certificate from the Auditor General of the State that such sums have been properly earned as shown by the audit made by the travelling auditors of the Auditor General's Department

Any part of this appropriation not actually earned by the said Hospital in accordance with the terms of this act shall lapse

The purpose of this act is to provide a fund out of which payment can be made to the said Hospital for actual service rendered to persons to whom the Commonwelath owes a duty and not to grant a gratuity to said institution

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 592, as follows:

An Act making an appropriation to the Montefiore Hospital Association of Western Pennsylvania located at Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty thousand dollars ($40,000) or so much thereof as may be necessary is hereby specifically appropriated to the Montefiore Hospital Association of Western Pennsylvania located at Pittsburgh Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid at the rate of three dollars per diem for the medical and surgical services rendered to and maintenance of each indigent person treated in said hospital the same to be paid quarterly on requisition of the Commissioner of Public Welfare when accompanied by a certificate from the Auditor General of the State that such sums have been properly earned as shown by the audit made by the traveling auditors of the Auditor General's Department

Any part of this appropriation not actually earned by the said Hospital in accordance with the terms of this act shall lapse

The purpose of this act is to provide a fund out of which payment can be made to the said Hospital for actual service rendered to persons to whom the Commonwelath owes a duty and not to grant a gratuity to said institution

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 718, as follows:

An Act making an appropriation to the Providence Hospital of Beaver Falls Beaver county Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-two thousand five hundred dollars ($22,500) or so much thereof as may be necessary is hereby specifically appropriated to the Providence Hospital located at Beaver Falls Beaver county Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid at the rate of three dollars per diem for the medical and surgical services rendered to and maintenance of each indigent person treated in said hospital the same to be paid quarterly on requisition of the Commissioner of Public Welfare when accompanied by a certificate from the Auditor General of the State that such sums have been properly earned as shown by the audit made by the traveling auditors of the Auditor's Department

Any part of this appropriation not actually earned by the said Hospital in accordance with the terms of this act shall lapse

The purpose of this act is to provide a fund out of which payment can be made to the said Hospital for actual service rendered to persons to whom the Commonwelath owes a duty and not to grant a gratuity to said institution

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1155, as follows:

An Act making an appropriation to the Columbia Hospital Wilkinsburg Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty-four thousand ($44,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Columbia Hospital Wilkinsburg Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid at the rate of three dollars per diem for the medical and surgical services rendered to and maintenance of each indigent person treated in said hospital the same to be paid quarterly on requisition of the Commissioner of Public Welfare when accompanied by a certificate from the Auditor General of the State that such sums have been properly earned as shown by the audit made by the traveling auditors of the Auditor General's Department

Any part of this appropriation not actually earned by the said Hospital in accordance with the terms of this act shall lapse

The purpose of this act is to provide a fund out of which payment can be made to the said Hospital for actual service rendered to persons to whom the Commonwealth owes a duty and not to grant a gratuity to said institution

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1199, as follows:

An Act making an appropriation to the Passavant Hospital of Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-seven thousand ($27,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Passavant Hospital of Pittsburgh Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid at the rate of three dollars per diem for the medical and surgical services rendered to and maintenance of each indigent person treated in said hospital the same to be paid quarterly on requisition of the Commissioner of Public Welfare when accompanied by a certificate from the Auditor General of the State that such sums have been properly earned as shown by the audit made by the traveling auditors of the Auditor General's Department

Any part of this appropriation not actually earned by the said Hospital in accordance with the terms of this act shall lapse

The purpose of this act is to provide a fund out of which payment can be made to the said Hospital for actual service rendered to persons to whom the Commonwealth owes a duty and not to grant a gratuity to said institution

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1204, as follows:

An Act making an appropriation to the Duquesne University of the Holy Ghost Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby specifically appropriated to the Duquesne University of the Holy Ghost Pittsburgh Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance The appropriation hereby made is upon condition that it be finally determined by the Courts of this Commonwealth in the mandamus proceeding instituted by Duquesne University of the Holy Ghost at number twenty-two Commonwealth Docket one thousand nine hundred and twenty-two that Duquesne University of the Holy Ghost is entitled to the appropriation made to it by Act of Assembly of the Commonwealth of Pennsylvania approved May twenty-seventh one thousand nine hundred and twenty-one

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1503 (Senate Bill No. 1070), entitled

An Act to amend part of section two of the act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Appropriation Acts page thirty-three) entitled "An act to provide for the ordinary expenses of the Executive Judicial and Legislative Departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and twenty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and twenty-one"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1516 (Senate Bill No. 765), entitled

A Joint Resolution providing for the continuation of the commission appointed in accordance with the provisions of a joint resolution approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and eighty-eight) entitled "A joint resolution providing for a commission to submit a revised penal code of Pennsylvania and making an appropriation for the expenses of the commission" providing for additional members and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1519 (Senate Bill No. 1082), entitled

An Act making an appropriation for the care treatment removal and maintenance of the indigent insane for two years ending the thirty-first day of May one thousand nine hundred and twenty-five

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1520 (Senate Bill No. 1083), entitled

An Act making an appropriation to pay for the deficiency in the care treatment removal and maintenance of the indigent insane for the two years ending May thirty-first one thousand nine hundred and twenty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1596 (Senate Bill No. 1209), entitled

An Act making a deficiency appropriation for the payment of salaries of the officers and employes of the Senate for the session of one thousand nine hundred and twenty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1597 (Senate Bill No. 1223), entitled

An Act appropriating to the Department of Publications the unexpended balances of appropriations heretofore made to the Department of Public Printing and Binding including the Division of Documents

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 257, as follows:

An Act constituting a commission to make an investigation of the condition of disabled World War Veterans of Pennsylvania and to take appropriate action to assure such veterans of relief and full benefits and advantages and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a commission is hereby constituted which shall be composed of five citizens who were former Pennsylvania soldiers sailors or marines in the United States forces during the World War and shall be appointed by the Governor on or before the fifteenth day of June one thousand nine hundred and twenty-three to conduct an investigation into the condition of all soldiers sailors and marines and all former soldiers sailors and marines who were in the military or naval forces of the United States in the World War and who were wounded or disabled in the service thereof Provided That all such present and former soldiers sailors and marines were legal residents of this Commonwealth at the time of entering the service of the United States or have been legal residents of this Commonwealth for at least one year since the termination of hostilities The members of the commission shall be empowered to take appropriate action in such cases as they deem essential to obtain relief and full benefits and advantages in compensation or training accruing to any such soldier or marine under the laws of the United States The members of the commission shall receive no compensation for their services as such but shall be allowed all expenses necessarily incurred in the performance of their duties

Section 2 The commission is hereby authorized to employ the necessary clerical help and fix their salaries and for the purpose of paying for said clerical services postage and other necessary expenses the sum of seven thousand five hundred dollars ($7,500) or so much thereof as may be necessary is hereby specifically appropriated

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1263, entitled:

An Act to amend an act approved May third one thousand nine hundred and nine entitled "An act for the safety of persons from fire or panic in certain buildings not in cities of the first and second classes by providing proper exits fire-escapes fire-extinguishers and other preventatives of fire by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection and by providing proper penalties for any violation of the same" as amended providing for the safe construction of such buildings providing for the drafting of rules and regulations to carry out the provisions of this act by vesting jurisdiction for the enforcement of this act in the Department of Labor and Industry

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the third day of May one thousand nine hundred and nine (Pamphlet Laws four hundred and seventeen) entitled "An act for the safety of persons from fire or panic in certain buildings not in cities of the first and second classes by providing proper exits fire-escapes fire-extinguishers and other preventatives of fire by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection and by providing proper penalties for any violation of the same" which was amended by an act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand and seventy-four) entitled "An act to amend an act approved May third one thousand nine hundred and nine entitled "An act for the safety of persons from fire or panic in certain buildings not in cities of the first and second classes by providing proper exits fire-escapes fire-extinguisher and other preventatives of fire by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection and by providing proper penalties for any violation of the same' " and which was further amended by an act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and five) "An act amending section one of the act approved the third day of May one thousand nine hundred and nine (Pamphlet Laws four hundred and seventeen) entitled 'An act for the safety of persons from fire or panic in certain buildings not in cities of the first and second classes by providing proper exits fire-escapes fire-extinguishers and other preventatives of fire by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection and by providing proper penalties for any violation of the same' as amended" and which was further amended by an act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and sixteen) entitled "An act to amend section two of an act approved the third day of May one thousand nine hundred and nine (Pamphlet Laws four hundred and seventeen) entitled 'An act for the safety of persons from fire or panic in certain buildings not in cities of the first and second classes by providing proper exits fire-escapes fire-extinguishers and other preventatives of fire by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection and by providing proper penalties for any violation of the same' as amended" is hereby further amended to read as follows

Section 1 That every building in this Commonwealth other than buildings situated in cities of the first and second classes having two or more stories and buildings having one or more galleries above the first or ground floor now used or hereafter to be used in whole or in part as a public building office building public or private institution sanatorium surgical institute asylum hospital schoolhouse academy dormitory college hotel restaurant and every building used or hereafter to be used in whole or in part as a theatre motion picture theatre church public hall lodge hall dance hall or place of public resort and every building in which persons are employed above the first or ground floor in a factory work-shop or mercantile establishment and every boarding-house or lodging-house in which more than four persons reside or lodge above the second story and every tenement-house apartment-house or flat occupied by two or more families above the first story shall be constructed equipped and maintained in accordance with rules and regulations pertaining to fire protection to be drawn up by the Department of Labor and Industry in the manner prescribed by law and all such buildings shall be provided with proper ways of egress or means of escape from fire sufficient for the use of all persons accomodated assembled employed lodged or residing therein and such ways of egress and means of escape shall be kept free from obstruction in good repair properly lighted and ready for use at all times and all ways of egress or means of escape in said buildings wherein persons are employed or assemble after darkness shall be provided with a reliable emergency electric lighting circuit independent of the main lighting circuit of a type to be approved by the Commissioer of Labor and Industry An in all buildings other than in boarding-houses lodging-houses tenement-houses apartment-houses or flats the exit doors shall be not less than five feet in width in the clear when open shall open outward and shall be equipped with panic locks of a type to be approved by the Department of Labor and Industry Where such doors lead from stairways there shall be landings inside the external doorways of dimensions not less than four feet between the external doors and the adjoining stairways said landings to be of a width not less than the stairway approaches thereto

On the question,

Will the House agree to the section?

Mr. MOFFATT. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 3, line 3 to 15 by striking out all the words in said section beginning with the word "and" in line 3 to and including the word "amended" in line 15

Amend section 1, page 3, line 17 by inserting before the word "That" the following: "Be it enacted, &c.,"

Amend section 1, page 4, line 3 by inserting after the word "lodging-house" the following: (used exclusively for such purpose)

Amend section 1, page 5, line 16 by striking out the word "reasonably" and inserting in lieu thereof the word "reasonable"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 That section two of the said act is hereby further amended to read as follows

Section 2 Every theatre motion-picture theatre opera house or other building in which the public assemblies as in a church public hall lodge hall or dance hall shall be constructed and equipped with ways of egress or means of escape adequate for the number of persons accomodated in such buildings so as to provide a safe place for persons to assemble rules and regulations for the carrying into effect of these provisions shall be drafted by the Department of Labor and Industry in the manner prescribed by law

In every building as described in this section the number and location of ways of egress the arrangement of all aisles seats or other space the equipment of the auditorium and all parts of the building including any stage and dressing-rooms shall be in accordance with the aforesaid rules and regulations

In every such building hereafter erected or adapted for the purpose of a theatre motion-picture theatre or opera house the floor of the auditorium shall not be located above or below the ground or grade level except that the highest point of such auditorium floor may be not more than five feet above the lowest point of such ground or grade level

In schoolhouses normal schools academies colleges and churches hereafter erected the floor of the auditorium shall not be located above the first floor level nor below the grade level

On the question,

Will the House agree to the section?

Mr. MOFFATT. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 6, line 10 by inserting after the word "act" the following: as amended by an act approved the eleventh day of May, one thousand nine hundred and twenty-one, (P. L. 516), entitled "An act to amend section two of an act, approved the third day of May, one thousand nine hundred nine, (Pamphlet Laws, four hundred and seventeen) entitled 'An act for the safety of persons from fire or panic in certain buildings, not in cities of the first and second classes, by providing proper exits, fire-escapes, fire-extinguishers, and other preventatives of fire; by vesting jurisdiction for the enforcement of this act, in the Department of Factory Inspection; and by providing proper penalties for any violation of the same,' as amended"

Amend Sec. 2, page 8, line 2, by striking out the word "not"

Amend Sec. 2, page 8, line 3, by inserting after the word "be" the word "not"

Amend Sec. 2, page 9, line 7, by inserting after the word "academies" the word (and)

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 That section three of the said act is hereby further amended to read as follows

Section 3 In such buildings as are enumerated in section one of this act two or more stories in height the ways of egress or means of escape shall be by means of internal stairways enclosed in walls of fire-resistive construction the number of same construction and location to be in accordance with rules and regulations to be drafted by the Department of Labor and Industry in the manner prescribed by law except that one main stairway of a width set forth in such rules and regulations but not so enclosed may be installed in such buildings Provided That in such buildings erected prior to the passage of this act where it is not practicable to obtain the required internal stairways external stairways may be erected the same to be constructed and erected according to the rules and regulations hereinbefore provided for and where such external stairways hereafter **erected pass within ten feet** of any door window or other opening in the wall of the said building such doors shall be approved fire doors and such windows or other openings shall be equipped with wire glass set in metal frame and sash and permanently fixed in a closed position Such external stairways shall be painted at least once a year and be kept in safe condition and up to the standard requirements of this section

On the question,

Will the House agree to the section?

Mr. MOFFATT. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 3, page 9, line 11, by inserting after the word "act" the following: as amended by an act approved the eighteenth day of July, one thousand nine hundred and seventeen (P. L. 1074), entitled "An act to amend an act, approved May third, one thousand nine hundred and nine, entitled 'An act for the safety of persons from fire or panic in certain buildings, not in cities of the first and second classes, by providing proper exits, fire-escapes, fire- extinguishers, and other preventives of fire; by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection; and by providing proper penalties for any violation of the same' "

Amend Sec. 3, page 9, line 19, by striking out the word "directions" and inserting in lieu thereof the word "instructions"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read as follows

Section 4 That section four of the said act is hereby further amended to read as follows

Section 4 Where any of the aforementioned buildings erected prior to the passage of this act are so constructed that an external stairway cannot be erected upon the same without trespassing upon the property of the owner or owners of adjoining lands or buildings or upon a public throughfare and where permission to erect external stairways has been refused the owner or owners of any of the aforementioned buildings shall erect internal fire-proof means of escape the same to be located and erected in accordance with the rules and regulations hereinbefore provided for Should the construction of any of the aforementioned buildings be such as will neither permit of an external stairway nor of an internal fire-proof escape the Department of Labor and Industry shall notify in writing the owner or owners of any building so constructed to discontinue the occupancy of the whole or of such part of the said building as does not conform to the provisions of this act

On the question,

Will the House agree to the section?

Mr. MOFFATT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 4, page 10, line 20 by inserting after the word "act" the following: as amended by the said act approved the eighteenth day of July, one thousand nine hundred and seventeen (P. L. 1074)

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth section was read as follows

Section 5 That section five of the said act is hereby further amended to read as follows

Section 5 The owner architect or contractor of any building which is to be erected or adapted to any of the aforesaid uses shall before erecting or adapting any such building submit to the Bureau of Inspection of the Department of Labor and Industry detailed architectural designs and specifications of such buildings in duplicate showing compliance with this act Work on the adaption or erection of such building shall not be begun before the said architectural designs and specifications have been approved by the Department of Labor and Industry

On the question,

Will the House agree to the section?

Mr. MOFFATT. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be ready by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 5, page 11, line 22 by inserting after the word "act" the following: "as amended by the said act approved the eighteenth day of July, one thousand nine hundred and seventeen, (P. L. 1074)".

Amend Sec. 5, page 11, line 26 by inserting after the word "aforesaid" and before the closing bracket the word "and".

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixth section was read as follows:

Section 6 That section six of the said act is hereby further amended to read as follows:

Section 6 Any person who shall fail or refuse to comply with the provisions or who shall fail or refuse to observe orders for the enforcement of this act or the rules and regulations provided for herein or who shall hinder or delay any officer of said department in the performance of his duty in the enforcement of this act or the said rules and regulations shall upon conviction be punished by a fine of not more than five hundred dollars ($500.00) or not more than six months imprisonment or both in the discretion of the court Provided That in addition where any person or persons shall fail to comply within a reasonable time with orders issued by officers charged with the enforcement of this act the building affected by such orders may be ordered closed in whole or in part by the Commissioner of Labor and Industry

Prosecutions for violations of this act may be instituted by the Commissioner of Labor and Industry or under his directions by any inspector of the Department of Labor and Industry and shall be in the form of summary criminal proceedings instituted before a magistrate alderman or justice of the peace

All fines collected under this act shall be forwarded to the Commissioner of Labor and Industry and by him paid into the State Treasury for the use of the Commonwealth.

And in case of fire or panic occurring in any of the said buildings in the absence of such safe-guards which it is the intent and purpose of this act to have provided the owner or owners aforesaid shall be liable for damages in case of death or personal injury the result of fire or panic in any of the said buildings and such action for damages may be maintained by any person now authorized by law to sue as in other case of loss by death or injuries

On the question,

Will the House agree to the section?

Mr. MOFFATT. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Sec. 6, page 12, line 26 by inserting after the word "act" the following: "as amended by the said act approved the eighteenth day of July, one thousand nine hundred and seventeen, (P. L. 1074)

Amend Sec. 6, page 13, line 6 by inserting before the word "said" the word "the".

Amend Sec. 6, page 13, line 24 by striking out the word "sentence" and inserting in lieu thereof the word "sentences"

Amend Sec. 6, page 14, line 9 by striking out the word "the" preceding the word "said".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventh section was read as follows:

Section 7 That section seven of the said act is hereby amended to read as follows:

Section 7 An act approved the twentieth day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred and seventy-two) entitled "An act regulating the openings of buildings upon over or under external fire-escapes" is hereby repealed and all other acts or parts of acts inconsistent with this act hereby repealed

On the question,

Will the House agree to the section?

Mr. MOFFATT. Mr. Speaker, I desire to offer the following amendment.

The Speaker. The amendment will be read by the Clerk.

The Amendment was read by the Clerk as follows:

Amend Sec. 7, page 14, lines 13 and 14 by striking out all the words in said lines.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act to amend an act approved May third one thousand nine hundred and nine entitled "An act for the safety of persons from fire or panic in certain buildings not in cities of the first and second classes by providing proper exits fire-escapes fire-extinguishers and other preventatives of fire by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection and by providing proper penalties for any violation of the same" as amended providing for the safe construction of such buildings providing for the drafting of rules and regulations to carry out the provisions of this act by vesting jurisdiction for the enforcement of this act in the Department of Labor and Industry

On the question,

Will the House agree to the title?

Mr. MOFFATT. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 2 by inserting before the word "entitled" the following: "(P. L. 417)".

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the titled as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1438, (Senate Bill No. 494), as follows:

An Act to exempt from county city borough township road school and poor taxes real property owned by one or more institutions of purely public charity used and occupied partly by such owner or owners and partly by other institutions of purely public charity and necessary for the occupancy and enjoyment of such institutions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all real and personal property

That all real property owned by one or more institutions of purely public charity used and occupied partly by such owner or owners and partly by other institutions of purely public charity and necessary for the occupancy and enjoyment of such institutions so using it as aforesaid be and the same hereby are exempt from all and every county city borough township road school and poor tax

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1509, (Senate Bill No. 1077), as follows:

An Act to amend section ten of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) entitled "An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) entitled "An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" which was amended by an act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and forty-three) entitled "An Act amending section ten of an act entitled 'An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof' approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and eleven) by changing the jurisdiction in civil actions" is hereby further amended to read as follows which was further amended by an act approved the eleventh day of May one thousand nine hundred and twenty-three entitled 'An act to amend section ten of the act approved the twelfth day of July one thousand nine hundred and thirteen Pamphlet Laws seven hundred and eleven) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" as amended

Section 10 The said court hereby created shall have jurisdiction in all civil actions at law and in equity where the value of the matter or thing in controversy exclusive of interest and cost does not exceed the sum of two thousand five hundred dollars ($2,500) The amount claimed by the plaintiff where the said claim is for a sum certain shall be conclusive as to the jurisdiction of the court in all actions brought for the recovery of money and in actions at law or in equity not involving any sum certain the plaintiff shall file with his statement a certificate as to the amount of the thing or matter in controversy The said court shall also have jurisdiction in adoption proceedings and in any civil case transferred to it by order of a majority of the judges of any court of common pleas of Philadelphia county

The said court shall also have authority with the consent of the Court of Common Pleas upon the application of the plaintiff to transfer to that court all suits wrongfully brought in the municipal court in excess of its jurisdiction and also to transfer to the court of common pleas upon the application of the defendant all suits which may be brought in the municipal court within its jurisdiction where the defendent sets up as a defence a counter-claim or for an amount in excess of the jurisdiction of the municipal court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 568, as follows:

An Act prohibiting the operation of enclosed motor and auto busses carrying passengers for hire unless the same are provided with proper exists

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter it shall be unlawful for any person to operate upon any of the highways of the Commonwealth any enclosed motor bus or auto bus carrying passengers for hire and constructed for such purpose unless the same is so constructed as to afford at least two exits therefrom one at the side near the front of the auto bus and the other at the rear Any person violating the provisions of this act shall upon conviction thereof in a summary proceeding be sentenced to pay a fine not exceeding twenty-five dollars ($25.00) for each day such bus was operated contrary to this act

Section 2 This act shall take effect on the first day of July one thousand nine hundred and twenty-three but shall not apply to any motor bus or auto bus in actual use or actually contracted for prior to the passage of this act

And said bill having been read at length the second time and agreed to.

Orderd, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 478, as follows:

An Act to provide for the nomination of candidates for President of the United States at primaries and the appointment of delegates to the national conventions by the candidates of each party receiving the largest number of votes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose of enabling every voter to express directly a choice for the nomination of candidates for President of the United States the names of candidates for nomination for President shall be submitted to the voters at the regular spring primary held in each precinct of the State in each year in which electors for President and Vice-President of the United States are to be elected

Section 2 The name of no candidate for President shall be printed upon an official ballot used at the aforesaid primary unless at least forty days prior to such primary a nomination petition shall have been filed with the Secretary of the Commonwealth in his behalf in the form and under the conditions provided by statute for the nomination of state officers

Section 3 Whenever such nomination petition shall have been filed with the Secretary of the Commonwealth the names of such candidates shall be certified to the county commissioners and shall be printed upon the official party ballots No candidate shall be so certified unless within ten days after the filing of his nomination papers he shall have filed with the Secretary of the Commonwealth written consent to serve and to designate delegates and alternate delegates as required by this act

Section 4 Official ballots shall be printed and provided for use in each voting precinct in the form provided herein and annexed hereto The names of all candidates for whom nomination papers shall have been duly filed shall be printed therein

Said official ballot shall be made up of the several party tickets arranged alphabetically according to party names all of which shall be securely fastened together at the top and folded provided that there shall be as many separate tickets as there are parties entitled to participate in said election

The names of all candidates shall be arranged according to surname under the appropriate title and under the proper party designated upon the party ticket in the form and manner used in the preparation of ballots for the nomination of state officers

Section 5 After preparing his ballot the elector shall detach the same from the remaining tickets and fold it so that its face will be concealed and the printed indorsements and signatures or initials thereon seen The remaining tickets attached together shall be folded in like manner by the elector who shall thereupon without leaving the polling place vote the marked ballot forthwith and deposit the remaining tickets in a separate ballot box to be marked and designated as the blank ballot box

Immediately after the canvass the inspectors shall without examination destroy the tickets deposited in the blank ballot box

Section 6 The candiate of each party for the office of President of the United States receiving the largest number of votes of the candidates of that party shall immediately upon the completion of the canvass and determination of the fact as in the case of nomination of candidates for State offices be notified of such nomination by the Secretary of the Commonwealth The candidate thus nominated by each party shall within not less than ten days preceding the holding of the national convention for the nomination of candidates for President and Vice-President by that party file with the Secretary of the Commonwealth his designation of delegates to the national convention of that party as follows four delegates at large and two delegates from each congressional district and four alternate delegates at large and two alternate delegates from each congressional district The delegates and alternate delegates shall be residents of the State and of the congressional district as the case may be

Such filing shall be accompanied by the written consent to serve signed by each delegate and alternate delegate so named In case of death disability or other vacancy another person shall be named in like manner to fill such vacancy The Secretary of State shall within ten days after such filing cause notice thereof to be published in the official State paper The delegates and alternate delegates so designated shall be the delegates for the State at large and for the respective congressional districts to the national convention of the party

Section 7 Except as herein otherwise provided such primary shall be noticed held and conducted and the result canvassed and returned in the same manner that the primary for candidates for State officers is noticed held and conducted and the results canvassed and returned The forms necessary to carry out the provisions of this act shall be prepared and provided and the expense incurred in the preparation for and conduct of such primary shall be paid in the same manner and by the same officers as in the case of a primary for State officers The following form of ballot shall be substantially followed in carrying out the provisions of this act and such forms shall be printed with copies of this act for public use and distribution

OFFICIAL BALLOT

NOMINATION OF CANDIDATES FOR PRESIDENT OF UNITED STATES

.... Party
(Designation of party)

To vote for a person whose name is printed on the ballot make a cross (X) in the square after the name of the person for whom you desire to vote

Each voter is entitled to vote for one person for candidate for president at the party national convention and by such vote authorizes the candidate receiving the largest number of votes of the candidate of that party to name the delegates of the state of .... to the national convention of the party

FOR PRESIDENT

Vote for one

John Doe ....
John Doe ....

Section 8 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Orderd, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 646, entitled:

An Act requiring safety gates to be erected or watchmen stationed at certain railroad crossings and providing that in suits growing out of accidents at crossings where act has not been complied with negligence of company shall be presumed and defense of contributory negligence forfeited

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all railroad companies operating any railroad or railroads within the Commonwealth shall erect maintain and operate safety gates at each point where the lines of said railroad or railroods cross any public highway at grade and over which five or more trains are operated during any period of twenty-four hours or shall at all times have a watchmen stationed at said crossing to warn travelers of the approach of trains

Section 2 In the trial of any action at law for damages for injury to person or prperty by reason of any accident occurring at any such crossing the railroad company shall be presumed to be guilty of negligence per se in the event that no safety gates have been erected and maintained or no watchman stationed at said crossing as provided herein and the contributory negligence of the party injured or whose property is injured or destroyed shall not be available as a defense by said company

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. HEYBURN. Mr. Speaker. I move that this bill be recommitted to the Committee on Railroads for the purpose of a hearing.

Mr. CRAIG. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 996, as follows:

An Act to amend section twelve of the act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and thirty-nine) entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" providing for the reinstatement of licensees in certain cases

Section Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assemby met and it is hereby enacted by the authority of the same That section twelve of the act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred and thirty-nine) entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" which was amended by the act approved the twenty-fourth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and seventy-one) entitled "An Act to further amend an act approved the third day of June one thousand nine hundred and eleven entitled 'An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith' as amended by an act approved the twenty-fifth day of July one thousand nine hundred and thirteen entitled 'An Act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" approved the third day of June one thousand nine hundred and eleven by providing for further instruction prior to examination for licensure by clarifying sections five (5) and twelve (12)" and the act approved the twentieth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and fifty-eight) entitled "An Act to further amend an act approved the third day of June one thousand nine hundred and eleven (Pamphlet Laws six hundred thirty-nine) the title of which was amended by an act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws twelve hundred twenty) reads 'Relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith' by amending sections three (3) and four (4) and five (5) and six (6) and twelve (12) by providing certain equivalents for preliminary education by omitting certain required published notices by reconstituting a quorum by omitting second year examinations by recasting and extending terms on which reciprocity may be established and by clarifying the several sections" is hereby further amended to read as follows

Section 12 The Bureau of Medical Education and Licensure shall refuse to grant a license to practice medicine and surgery to an applicant upon the presentation to said Bureau of Medical Education and Licensure of a court record showing the conviction in due course of law of said persons for producing or aiding or abetting in producing a criminal abortion or miscarriage by any means whatsoever and further the Bureau of Medical Education and Licensure upon such evidence and proof shall cause the name of any physician licensed to practice medicine and surgery in the Commonwealth of Pennsylvania to be removed from the record in the office of the Superintendent of Public Instruction

The Bureau of Medical Education and Licensure may for a definite or indefinite time refuse revoke or suspend the right to practice medicine and surgery in this State for any or all of the following reasons to wit The conviction of a crime involving moral turpitude habitual intemperance in the use of ardent spirits or stimulants narcotics or any other substance or any condition which impairs intellect and judgment to such an extent as to incapitate for the performance of professional duties

Any person who is licensed to practice medicine and surgery or any of its branches in the Commonwealth of Pennsylvania or who is an applicant for examination for lincensure to practice medicine and surgery in this State against whom are preferred any of the foregoing charges for causing the revocation or suspension of license or for causing refusal of the right to be examined for licensure shall be furnished by the Bureau of Medical Education and Licensure with a copy of the complaint and shall have a hearing before the Bureau or by attorney and witnesses may be examined by said Bureau respecting the guilt or innocense of said accused

The revocation or suspension of license of any person licensed to practice medicine and surgery shall be removed when said narocotic or vicous habit hereinbefore specified shall have been adjudged by the said Bureau to be cured or overcome and said suspended licentiate deemed capable of practicing his profession The revocation or suspension for any other cause of the license of any person licensed to practice medicine and surgery may be removed at such time as it shall appear to the Bureau to be just and proper to do so Provided however That any action taken in regard to suspension or revocation of a license or removal of any suspension or revocation and the reinstatement of any licentate must be by an unanimous vote by the members of the Bureau

And said bill having been read at length the second time and agred to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1187, as follows:

An Act conferring upon cities of the second class power and authority to create and conduct as part of the Legal Department a Bureau of Conciliation Small Claims and Legal Aid

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the second class be and they are hereby authorized and empowered to maintain as part of their Legal Department a Bureau of Conciliation Small Claims and Legal Aid and through such Bureau to render legal aid in meritorious cases without charge to applicants whose claims and means are such as to make it impracticable to employ counsel and to that end to take over the funds and like cases of any existing Legal Aid Society desirous of surrendering its functions and assets to such city and such city is hereby empowered to select and pay such employees and incur such expenses and make such appropriations and do all such other things as in the discretion of the municipal authorities may be necessary or convenient to carry out the power and authority hereby conferred

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1158, as follows:

An Act to amend sections twenty-four as amended section twenty-six as amended twenty-nine as amended sections thirty thirty-one thirty-two thirty-three as amended and thirty-four and thirty-five of an act approved the thirtieth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred and seventy-eight) entitled "An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by or trailing after motor vehicles requiring the registration of the same and the licensing of all operators thereof providing the fees therefor and the disposition of such fees prohibiting the unauthorized use of and tamperin with motor vehicles limiting and defining the powers of cities boroughs incorporated townships and counties as to the regulation of the use and equipment of motor vehicles and the taxing registration or licensing thereof imposing certain duties on the State Highway Commissioner and on proprietors of public garages providing procedure and penalties for violation thereof and the disposition of fines collected and regulating the services of process and proceedings in actions for damages arising from the use of any motor vehicle" by providing for the hearing and disposition of certain violations thereof by traffic courts in cities and in counties of the first second third and fourth classes creating traffic courts and providing for the appointment and compensation of the judges thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-four of the act approved the thirtieth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred and seventy-eight) entitled "An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by or trailing after motor vehicles requiring the registration of the same and the licensing of all operators thereof providing the fees therefor and the disposition of such fees prohibiting the unauthorized use of and tampering with motor vehicles limiting and defining the powers of cities boroughs incorporated towns townships and counties as to the regulation of the use and equipment of motor vehicles and the taxing registration or licensing thereof imposing certain duties on the State Highway Commissioner and on proprietors of public garages providing procedure and penalties for violations thereof and the disposition of fines collected and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle" as amended by the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and eighty-two) entitled "An act to amend an act approved the thirtieth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred and seventy-eight) entitled 'An act relating to and regulating the use and operation of motor vehicles and vehicles propelled by or trailing after motor vehicles requiring the registration of the same and the licensing of all operators thereof providing the fees therefor and the disposition of such fees prohibiting the unauthorized use of and tampering with motor vehicles limiting and defining the powers of cities boroughs incorporated towns townships and counties as to the regulation of the use and equipment of motor vehicles and the taxing registration or licensing thereof imposing certain duties on the State Highway Commissioner and on proprietors of public garages providing procedure and penalties for violations thereof and the disposition of fines collected and regulating the service of process and proceedings in actions for damages arising from the use of any motor vehicle' providing additional requirements with regard to applications for and transfers of registrations and with regard to speed and weight of and lights upon motor vehicles requiring operators to carry registration cerificates providing standard tests to ascertain the vision and hearing of operators providing for the payment of certain witness fees authorizing officers to stop and examine motor vehicles designating the officers before whom information may be brought and imposing additional penalties" is hereby amended to read as follows:

Section 24 No motor vehicle of any description shall be used or operated on the public highways unless the engine be muffled so that the explosion thereof shall not constitute a nuisance to the public and no muffler cut-out shall be used on any public highway

No motor vehicle shall be used upon any public highway with chains or other devices projecting more than one (1) inch upon the tires thereof

No commercial motor vehicle shall be used or operated on any public highway the weight of which including chassis body and load shall be in excess of seven thousand (7,000) pounds for a vehicle in class AA (11,000) pounds for a vehicle in class A thirteen thousand (13,000) pounds for a vehicle in class B eighteen thousand (18,000) pounds for a vehicle in class C twenty-two thousand (22,000) pounds for a vehicle in class D twenty-six thousand (26,000) pounds for a vehicle in class F and no commercial motor vehicle the chassis of which weighs less than two thousand (2,000) pounds shall be used or operated on any public highway when the weight of said chassis body and load combined exceeds five thousand (5,000) pounds

No motor vehicle or trailer shall be operated upon any public highway having a gross weight of vehicle and load combined in excess of twenty-six thousand (26,000) pounds or in excess of nineteen thousand five hundred (19,500) pounds on any axle or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel or that exceeds an over-all length of vehicle of three hundred and thirty-six (336) inches except hook-and-ladder trucks and water-towers or an over-all width of vehicle and load of ninety (90) inches All commercial vehicles or trailers registered under this act shall have painted on a conspicuous place on the outside and on both sides of said vehicle or trailer the maximum weight limit of said vehicle or trailer including chassis body and load in figures three (3) inches high Any person or persons carrying on any motor vehicle or trailer a load in excess of the maximum carrying capacity as so fixed by this act or any person or persons who remove or disfigure said signs shall upon summary conviction thereof before a judge of the traffic court justice of the peace alderman or magistrate be subject to a fine of not less than one hundred ($100) dollars or more than two hundred ($200) dollars and the judge of the traffic court justice of the peace alderman or magistrate imposing such fine shall forthwith certify such convictions to the State Highway Commissioner of Pennsylvania who may forthwith revoke the license of any licensee so convicted

Any person intending to use a truck or trailer for special hauling gross weight of vehicle and load combined or of length in excess of the specifications hereinbefore mentioned shall apply to the State Highway Commissioner for permission so to do upon a blank in such form as the State Highway Department shall prescribe Such application shall set forth the location of the roads over which it is proposed to haul the counties townships and municipalities in which such roads are located the weight and length of truck and its registration number the number of trailers to be used the maximum capacity of such trailers the weight of each when empty the kind of materials to be hauled and the date at which said hauling will be completed

The State Highway Commissioner upon receipt of such application and a fee of five ($5) dollars shall immediately inform himself as to the condition of the highway mentioned in said application by referring the same to the local authorities or otherwise and if satisfied that the purposed use of such roadways will not result in damage thereto may grant a permit for such number of days and under such restrictions as in his discretion may be necessary to prevent extraordinary damage to the roads by reason of such hauling

All the provisions of this section shall apply to the owner of the motor vehicle or the person having control thereof who causes or permits such motor vehicle to be operated or equipped contrary to such provisions and any such person shall be deemed equally guilty with the operator of any violation thereof

Section 2 That section twenty-six of said act as amended is hereby amended to read as follows

Section 26 The operator of any motor vehicle shall stop upon request or signal of any constable police officer or member of the State Police Force or designated officer of the State Highway Department who shall be in uniform or shall exhibit his badge or other sign of authority and shall upon request exhibit his registration certificate or license and shall write his name in the presence of such officer if so required for the purpose of establishing his identity He shall also furnish to any legally constituted authority any information in his possession as to the identity of the operator or owner of any motor vehicle

Any constable or salaried police officer or member of the State Police Force or designated officer of the State Highway Department who shall be in uniform or shall exhibit his badge or other sign of authority shall have the right to stop any motor vehicle upon request or signal for the purpose of inspecting the said motor vehicle as to its equipment or manufacturer's number or motor number or weight and securing such other information as may be necessary

Section 3 That section twenty-nine of said act as amended is hereby amended to read as follows:

Section 29 Informations for all offenses defined in this act except misdemeanors committed by motor vehicle owners or operators shall be brought under this act and not under any local ordinance rule or regulation and all such information shall be made before a judge of the traffic court herein created a mayor burgess magistrate alderman or justice of the peace within the city or county borough incorporated town or township wherein such offense is alleged to have occurred if there be no judge of the traffic court mayor burgess magistrate alderman or justice of the peace within the city borough incorporated town or township wherein such offenses is alleged to have occured then information shall be made before a nearby judge of the traffic court mayor burgess magistrate alderman or justice of the peace informations for misdemeanors shall be made before a magistrate alderman or justice of the peace in the county wherein the offense is alleged to have occurred

The council of each city and the court of common pleas of counties of the first second third and fourth class for territory within the county but outside the limits of any city create one or more traffic courts and appoint one judge for each such court fix the salary or compensation of such judge and the place where such court shall be located The salary or compensation of said judges shall be paid from the respective county and city treasuries

The traffic courts created shall be courts not of record and the judges thereof shall have and possess all the powers of justices of the peace as now or hereafter fixed by law in relation to summary proceedings and convictions

Each traffic court shall have jurisdiction in any of said proceedings or prosecutions where the offense was committed within the limits of the city for which the said court was created and each traffic court created by the Courts of Common Pleas of counties of the first second third and fourth class shall have jurisdiction in any proceedings or prosecutions where the offense was committed within the limits of the county for which said court was created exclusive of the territory of any city

All proceedings and prosecutions before any traffic court shall be instituted and tried in the same manner as in the case of prosecutions brought before a justice of the peace The judges of said traffic courts shall tax and collect the same fees for their services and for services of the officers in making arrests and serving warrants as are charged and collected by justices of the peace and constables for similar services in accordance with the laws of this Comonwealth and all such fees so received and collected shall be paid into the respective county and city treasuries

When the rate of speed of any motor vehicle is timed on a measured stretch of any highway for the purpose of ascertaining whether or not the operator of such motor vehicle is violating the provisions of this act such time shall be taken by not less than two (2) persons one of whom shall have been stationed at each end of such measured stretch and no conviction shall be had upon the unsupported evidence of one person and no such measured stretch shall be less than one-eighth (⅛) of a mile in length

Section 4 That section thirty of said act is hereby amended to read as follows

Section 30 In any proceedings for the violation of the provisions of this act or for damages growing out of the use or operation of a motor vehicle the registration number displayed on such motor vehicle shall be prima facie evidence that the owner of such vehicle was then operating the same Provided however That if at any hearing or proceeding the owner shall testify under oath or affirmation that he was not operating the said motor vehicle at the time of the alleged violation of this act and shall submit himself to an examination as to who at that time was operating such motor vehicle and reveal the name of the person if known to him or if the information is made in a county other than that of his own residence shall forward to the mayor burgess judge of the traffic court magistrate alderman or justice of the peace an affidavit setting forth these facts then the prima facia evidence arising from the registration number shall be overcome and removed and the burden of proof shifted

Section 5 That section thirty-one of said act is hereby amended to read as follows

Section 31 Constable and police officers of the State and of the cities boroughs incorporated towns townships and counties of this Commonwealth may arrest upon view any person or persons violating any of the provisions of this act and such officer shall forthwith make and file with the mayor burgess magistrate alderman justice of the peace or judge of the traffic court before whom the person arrested is taken an affidavit setting forth in detail the offense complained of and at once furnish a copy thereof to the person arrested

If the defendent is unable to give bail as is provided for in section thirty-three of this act for a hearing or for his appearance at court the mayor burgess magistrate alderman or justice of the peace judge of the traffic court shall accept as bail any article of sufficient value or provided the defendant is the owner thereof shall hold in custody the motor vehicle found in his possession and the court mayor burgess magistrate alderman justice of the peace or judge of the traffic court after the trial of the defendant or when bail according to law has been given shall make such order as to the disposition of such motor vehicle or other articles accepted as bail as shown seem just and proper

Section 6 That section thirty-two of said act is hereby amended to read as follows

Section 32 Proceedings under this act may be commenced by warrant issued in the name of the Commonwealth which warrant may be served by a constable policeman or other officer having authority to serve warrants in the county in which the violation is alleged to have been committed but if the person charged cannot be served within such county then the burgess magistrate alderman justice of the peace or judge of the traffic court shall deputize a constable policeman or other officer having legal authority to serve warrants in the county wherein the person charged resides or may be found who shall serve such warrant and for such service shall receive the usual fee and expenses therefor as allowed by law for such service

A copy of the information shall be served with such warrant and the officer serving such warrant shall take the defendant before the nearest magistrate alderman justice of the peace or judge of the traffic court of the county in which the defendant is found who shall take bail either for the defendant's appearance before the mayor burgess magistrate alderman justice of the peace or judge of the traffic court who issued the warrant or for his appeaance for trial in the proper court if a summary hearing is waived

All informations charging violations of any of the provisions of this act excepting violations of the provisions of sections three ten eleven fourteen sixteen twenty-three twenty-four thirty-four and thirty-five shall be brought within two (2) weeks after the commission of the alleged offense and not after Provided That before the service of any warrant and within the period of seven (7) days after information has been lodged the mayor burgess magistrate alderman justice of the peace or judge of the traffic court shall mail to the person so charged at the address shown by the records of the State Highway Department a notice in writing of the issuing of the warrant together with a copy of the information and if the person named in the warrant shall not voluntarily appear with in ten (10) days thereafter the warrant may then be served as herein provided

Section 7 That section thirty-three of the said act as amended is hereby amended to read as follows

Section 33 Any person except as provided in sections three four eleven fourteen sixteen twenty-three- twenty-four thirty-five convicted of violating any of the provisions of this act shall be subject to a fine or penalty of not less than ten ($10) dollars nor more than twenty-five ($25) dollars to be collected by summary conviction before a judge of the traffic court of the city or county wherein such offense is elleged to have occurred any mayor burgess magistrate alderman or justice of the peace as like fines and penalties are now by law collected or in case of nonpayment of such fines to undergo an imprisonment in the county jail for a period not exceeding five (5) days Provided That any person so convicted shall have the right of appeal as in other cases of summary convictions And further provided That any person accused of violating any of the provisions of this act may waive summary hearing and give bond in a sum equal to double the amount of the maximum fine that might be imposed for appearance for trial before a judge of the court of quarter sessions or in the county court or in the municipal court in counties wherein such courts exist and thereupon the judge of the said traffic court the burgess magistrate alderman or justice of the peace shall within fifteen (15) days return the complaint or information to the said court and if any person so accused shall be convicted in such court of the offense charged he shall be subject to a fine of not less than ten ($10) dollars nor more than twenty-five ($25) or in case of nonpayment of such fine to undergo imprisonment in the county jail for a period not exceeding five days

Any person previously convicted of violating any of the provisions of this act shall upon conviction of any second or subsequent violation within a period of six (6) months after such conviction be subject to pay a fine of not less than twenty-five ($25) nor more than fifty ($50) dollars or in case of nonpayment of such fine to undergo imprisonment in the county jail for a period not exceeding ten (10) days Provided That any person so accused of any second or subsequent violation of the provisions of this act shall have the same right of appeal or may waive summary hearing in the same manner and upon the same conditions as is provided for in cases of first violation

Section 8 That section thirty-four of said act is hereby amended to read as follows

Section 34 Every mayor burgess magistrate alderman justice of the peace or judge of a traffic court shall in every case arising under this act which are not misdemeanors make and preserve for the period of one (1) year an exact record of the proceedings showing fine and costs paid if any which shall be subject to inspection on demand of any person

The mayor burgess magistrate alderman justice of the peace or judge of the traffic court shall deliver without charge to the defendant a receipt showing in detail the amount of fine and costs imposed upon and paid by him No mayor burgess magistrate alderman or justice of the peace shall divide the fees of his office with any constable or other officer or with any individual not an officer who may assist in making an arrest or furnish evidence in any case arising under this act

Any mayor burgess magistrate alderman justice of the peace other officer or judge of the traffic court violating any of the provisions of this section shall be deemed guilty of a misdemeanor in office and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred ($100) dollars nor more than five hundred ($500) dollars or undergo imprisonment in the county jail for a period not exceeding sixty (60) days or both at the discretion of the court

Section 9 That section thirty-five of said act is hereby amended to read as follows

Section 35 All fines and penalties collected under the provisions of this act for violations of the same and all bail forfeited shall be paid to the State Treasurer to be placed in a deposit-fund to be available for the use of the State Highway Department except those collected for violations of the provisions as to speed or weight which shall be paid to the treasurer of the city borough town or township wherein the violation occurred to be used for the construction repair and maintenance of the highways thereof and sworn statements of all fines and penalties so collected shall also be made upon blanks to be furnished by the State Highway Department by the burgess magistrate justice of the peace other officer or judge of the traffic court imposing or receiving the same to the State Highway Commissioner Said reports shall be made quarterly not later than the tenth (10th) day of the months of January April July and October of each year Any burgess magistrate justice of the peace other officer or judge of the traffic court who shall fail to make such quarterly reports and returns or either of them shall be deemed guilty of a misdemeanor in office and upon conviction thereof shall be subject to a fine of not less than one hundred ($100) dollars nor more than five hundred ($500) dollars or imprisonment in the county jail for a period of sixty (60) days or both at the discretion of the court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1501 (Senate Bill No. 1006), as follows:

An Act exempting in certain cases the net proceeds of life insurance policies or annuities from the claims of creditors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the net amount payable under any policy of life insurance or under any annuity contract upon the life of any person heretofore or hereafter made for the benefit of or assigned to the wift or children or dependent relative of such person shall be exempt from all claims of the creditors of such person arising out of or based upon any obligation created after the passage f this act whether or not the right to change the named beneficiary isreserved by or permitted to such person

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1468 (Senate Bill No. 797), entitled:

An Act relating to the powers and duties of probation officers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1506 (Senate Bill No. 796), entitled:

An Act providing for the alteration of the boundaries of counties in certain cases for the adjustment of the indebtedness thereof providing the effect thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1527 (Senate Bill No. 998), entitled:

An Act to repeal the act approved the fourteenth day of February one thousand eight hundred and sixty-seven (Pamphlet Laws two hundred and five) entitled "A supplement to an act passed the thirteenth day of April Anno Domini one thousand eight hundred and fifty-nine relating to billiard saloons et cetera in the counties of Chester and Delaware extending the same to the county of Bradford

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1518 (Senate Bill No. 1058), entitled:

An Act for the encouragement of unincorporated co-operative associations of agricultural and industrial workers providing that membership therein and interest in the funds and property thereof may be made non-transferable and imposing penalties upon persons making or accepting unlawful assignment transfer or pledge of such membership or interest

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1514 (Senate Bill No. 394), entitled:

An Act to amend section fifteen as amended and section seventeen of chapter six of article seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating thereto"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1530 (Senate Bill No. 1166), entitled:

An Act fixing the salary of coutny commissioners in counties of the first class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1424 (Senate Bill No. 464), entitled:

An Act providing a means whereby real estate devised upon a trust to divide it among other persons and the trustee has died without performing the trust may be divided amicably by the interested persons with the approval of the Orphans' Court and the legal title vested in them by judicial decree

The first, second, third, fourth and fifth sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever in a will executed heretofore or hereafter and proved in the office of the register of wills there is a devise of real estate or any interest therein to one or more persons upon a trust for purposes stated whereby it is to be divided either immediately or in the future among two or more persons designated by the testator or to be ascertained as directed by him or to be designated and ascertained by others to whom the testator has given a power of appointment for such purpose and the time for such division has arrived and the trustee in the will has died without having made such division it shall be lawful for the persons among whom the division of the realty or of interests therein is to be made and in case any of them have died or conveyed or otherwise disposed of their right title or interest under the will of the testator their heirs devisees and successors in right title and interest to make an amicable division or partition among themselves according to their several rights or to agree that they shall hold the same as tenants in common in such proportions as they shall agree upon to be stated in the agreement Provided however That no agreement for the division or partition of or for holding land as tenants in common under the provisions of this act shall be entered into unless all of the persons interested in the land at the time of doing so are of full age and competent to act nor until the expiration of the time when by law a will devising realty is conclusive as to such real estate nor in case a suit to determine the validity of the will under or through the parties claim be pending until its validity shall have been established

Section 2 The agreement provided for in section one shall state the name of the testator the date of his decease the county wherein and the date when the will was proved and established the name of the trustee or trustees to whom the land was devised in trust and the fact and the date of their death without having made division of the real estate or of the interests therein mentioned or any conveyance thereof under the trust that the persons executing it are of full age and competent to act and are the only persons interested in the land under the will of the testator or by title or right derived from or through it the location and a description of the land devised and to be divided and of the purparts into which it is divided if it is divided into purparts reference to the place of record of all written instruments and of all legal or equitable actions or proceedings and a statement of material facts not of record if any through or under which the right or interest of each person executing it was acquired and exists together with a reference to the statute under which the agreement is executed The agreement shall be subscribed by the parties each of whom shall be qualified to the truth of the contents thereof before an officer authorized to administer oaths

Section 3 The agreement authorized by the foregoing sections of this act when executed as therein provided shall be filed in the office of the clerk of the orphans' court in the county where the will of the decedent was proved and shall be entered upon the records of the court as of the term thereof when filed and indexed under the name of the decedent as "Agreement for division of devised real estate" With the agreement there shall be filed an affidavit made by one or more of the parties to it setting forth the name and residence of the surviving spouse of the decedent if any and also the names and residences of the next of kin

Section 4 Upon the request of one or more of the persons who executed the agreement provided for in the foregoing sections the clerk of the court shall issue a citation under the seal of the court returnable at the ensuing term if there shall be thirty days between the issuance and the term otherwise to the first Monday of any month occurring thirty days or more after its issuance directed to the spouse and next of kin of the decedent setting forth the purport of the agreement and commanding them to appear in the court and file an answer to the contents of the agreement within fifteen days after service showing cause if any exist why the court should not approve the agreement filed and make a decree that the legal title to the real estate shall vest in the parties to the agreement according to the purparts or proportionate interest stated in it The citation shall be served upon all of the respondents resident within the state by delivering to each a cerified copy and upon those resident without the state either by delivering to each a certified copy or by mailing the same to them by registered mail addressed to their proper or last known address as the clerk of court shall order at the issuance of the citation or later as the case may require If for any reason the original citation cannot be served within the proper time previous to its return-day alias and pluries citations shall be issued by the clerk of the court as occasion may require returnable at such time as he shall direct and be served and returned as herein provided in the case of the original In case service of a citation upon any of the persons in the manner hereinbefore provided cannot be made the court or a judge thereof upon satisfactory proof of the fact shall order that the citation be served by publication thereof in a newspaper of general circulation within the county once each week during three successive weeks the last insertion to be at least one week previous to the return-day Due proof of the service of the citation shall be made and filed with the clerk of the court

Section 5 At the term of court to which the citation is returnable or at a subsequent time as may be necessary or convenient in case an answer has been filed the orphans' court shall examine the agreement and the answer of the respondents and should either of the parties desire it evidence shall be received to establish the truth of the contents of the agreement and in support of the averments in the answer The investigation by the court shall be conducted as nearly as possible according to the practice of the courts in equity trials If upon consideration of the agreement and the answer together with the testimony if such be introduced the court shall find that the contents of the agreement are true it shall enter the decree hereinafter provided but if found not true the agreement shall be ordered stricken from the records of the court In case no answer be filed the court shall approve the agreement of the parties as filed and enter a decree that the legal title to the various purparts of the real estate therein described be vested in the respective persons who executed the agreement as therein stated or in case no division into purparts has been made then to the whole of the real estate as tenants in common and that such title be and remain in them firm and stable Upon the decree having been entered the parties to the agreement shall be vested with the legal title to their respective purparts of the land as the agreement sets forth or if they have agreed to hold the land in common then to the whole thereof as tenants in common in the proportionate interest or shares stated in the agreement and they shall hold and enjoy the same according to the title and estate possessed by the testator at the time of his or her decease and may freely alien convey devise or transmit the same by descent with the same effect as though the legal title had been conveyed to them by the trustee or trustees named in the will of the testator

The sixth section was read as follows:

Section 6 The proceedings provided for by this act when finally entered upon the records of the court shall have the force and effect of a deed of conveyance of the legal title to the real estate described in the agreement as possessed by the devisor and such record shall be notice to purchasers and encumbrances for all purposes A duly certified transcript of such record may be filed in the office of the recorder of deeds in any other county where any of the real estate may be situated and be indexed in the direct index under the name of the decedent and in the adsectum index under the names of the parties to the agreement and the record thereof shall be of like force and effect as the original record

On the question,

Will the House agree to the section?

Mr. ZOOK. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 6, pages 6 and 7 by striking out the whole of said section, and inserting in lieu thereof the following:

Section 6 The proceedings provided for by this act, when finally entered upon the records of the court, shall have the force and effect of a deed of conveyance of the legal title to the real estate described in the agreement, and it was held by the decedent at the time of his decease, and such record shall be notice to purchasers, incumbrances and others for all purposes. A transcript of the proceedings had in the court, exclusive of the testimony taken, if any, certified by the clerk, shall be filed in the office of the register of wills in such county, and be entered at large upon the register's docket under the name of the decedent, and be indexed as "Decree of the Orphans' Court vesting the legal title to devised lands in the devisees". A transcript of such proceedings in the court, exclusively of the testimony, certified by the clerk thereof, shall be filed in the office of the recorder of deeds in each county of the Commonwealth where any of the real estate embraced in the agreement and effected by the decree of the court is situated, and it shall be recorded as conveyances of realty are recorded, and be indexed in the direct index under the name of the decedent, and in the adsectum index under the names of the persons who subscribed the agreement, and be noted in the indices as "Decree of the Orphans' Court vesting title in devisees". A like transcript may be recorded in the office of the recorder of deeds in the county where the procedings were had, and be indexed and designated as is herein provided for in other counties.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventh, eighth and ninth sections and title were separately read and agreed to as follows:

Section 7 Nothing done under the provisions of this act shall impair the security of existing liens upon the real estate or relieve it from liability for money justly due and owing to the estate of the deceased trustee for expenses incurred or money expended in connection with the trust created by the will of the testator

Section 8 It shall be the duty of the clerk of the orphans' court of the proper county to file and enter upon the records of the court the instrument in writing provided for by this act and perform such other services as may be required in the proceedings authority hereby and charge for so doing the sum allowed by law for similar services

Section 9 The parties may appeal from the judgment or decree of the court to the superior court if the value of the land or interests therein involved does not exceed fifteen hundred dollars but otherwise to the supreme court upon complying with the law regulating appeals and giving security in such sum as the court from which the appeal is taken or a law judge thereof shall direct conditioned to pay the costs accrued and likely to accrue on the appeal The court below or a law judge thereof shall certify what is the value of the land or interests involved and shall approve the security The appellate court shall review the entire record including the evidence taken and render judgment as right and justice require and enter such order or decree as the facts and law justify and demand

An Act providing a means whereby real estate, devised upon a trust to divide it among other persons, and the trustee has died without performing the trust, may be divided amicably by the interested persons, with the approval of the Orphans' Court and the legal title be vested in them by judicial decree.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1445, (Senate Bill No. 24), as follows:

An Act providing for the survey construction reconstruction improvement and maintenance of an industrial State highway between the cities of Chester and Philadelphia and making the same a part of the system of State highways providing for the taking of certain roads and of certain private property therefor under the power of eminent domain and the payment of damages by certain counties and imposing certain powers and duties upon the Highway Commissioner and county commissioners.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Highway Commissioner is hereby authorized to cause surveys to be made for a proposed industrial State highway between the City of Chester in the county of Delaware and the City of Philadelphia its western terminal to be in the vicinity of the boundary line of the City of Chester and its eastern terminal to be the city line of the City of Philadelphia the survey of said proposed industrial State Highway to follow the shortest practicable line between the said two terminals following the present public roads through the southern part of Delaware county as far as practicable

Section 2 Upon the completion of said survey if an industrial highway as herein described and designated is in the judgment of the State Highway Commissioner justificable and if an equitable distribution of the cost of construction and maintenance can be arrived at by the parties in interest he is hereby authorized to take over such existing roads or private property as he shall designate for construction reconstruction improvement and maintenance of said industrial State highway and thereafter to construct reconstruct improve and maintain the same in the manner in which State highways or State-aid highways are now authorized to be constructed reconstructed improved and maintained as a part of its system of State highways to be known as an Industrial State Highway

Said Industrial State Highway shall be of a width not exceeding one hundred and twenty feet and if and when permanently improved shall be constructed of a durable type

Section 3 In carrying out the provisions of this Act the State Highway Commissioner shall possess all the powers now by law vested in him in relation to the laying out constructing reconstructing improvement and maintenance of State highways and State-aid highways and in addition thereto he shall have and is hereby authorized to exercise the rights of eminent domain for the purpose of condemning and taking private property for any purpose connected with the location relocation widening construction reconstruction improvement or maintenance of said industrial highway

Provided That before any private property is condemned and taken for said purposes the State Highway Commissioner shall notify the proper Board of County Commissioners of the proper county within which said property lies in writing of his intention to condemn and take said land whereupon the said commissioners when possible shall enter into an agreement with the owner or owners of said property as to the amount of damage to be paid to said owner or owners which damage if agreed upon shall be paid by the proper county as to property lying within its limits or in case an agreement satisfactory to said county commissioners and the said owner or owners cannot be made the State Highway Commissioner may proceed with the work of construction or improvement and the owner or owners of said property so taken may present their petition to the Court of Quarter Sessions for the appointment of viewers to ascertain and assess damages due therefore The proceedings upon said petition and by said viewers shall be governed by existing laws relating to the ascertainment and assessment of damages for laying out and opening public highways and such damages when ascertained shall be paid by the county in which said property or highway is located

Provided, That the county commissioners or any other party to such proceedings may appeal from the award of the viewers to the Court of Common Pleas and shall be entitled to a trial by jury From the judgment of the Court of Common Pleas an appeal may be had to the Supreme or Superior Court as in other cases

Any State funds appropriated or available for the construction improvement and maintenance of State Highways shall be available for the construction improvement and maintenance of said Industrial State Highway"

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1524, (Senate Bill No. 744), entitled:

An Act to amend section one of an act approved the fifteenth day of March one thousand eight hundred and fifteen (Pamphlet Laws one hundred and fifty) entitled "An Act concerning divorces" making the degree of cruelty as a ground for divorce the same for husband and wife and to repeal section ten of the said act

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1500, (Senate Bill No. 984), entitled:

An Act granting water companies organized after April 13, 1905, the right of eminent domain, and requiring such water companies, and also water companies incorporated under Clause eighteen, section two, of the act approved April 29, 1874, entitled "An Act to provide for the incorporation and regulation of certain corporations," to secure certificates from the Water Supply Commission prior to the exercise of the power of condemnation.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1481 (Senate Bill No. 613), as follows:

An Act amending sections one two and eleven of an act approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred and seventy-four) entitled "An act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such power may be exercised" providing that the Juvenile Courts in the several counties of this Commonwealth shall have exclusive jurisdiction in all cases of juvenile delinquency.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred and seventy-four) entitled "An act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such power may be exercised" is hereby amended to read as follows

Section 1 Be it enacted etc. That the courts of quarter sessions of the peace within the several counties of this Commonwealth shall have and possess full and exclusive jurisdiction in all proceedings (which may be brought before them) affecting the treatment and control of dependent neglected incorrigible and delinquent children (under the age of sixteen years and for the purpose of this act the words "dependent child" and "neglected child" shall mean any child who is destitute homeless abandoned or dependent upon the public for support or who has not proper parental care or guardianship The words "incorrigible children" shall mean any child who is charged by its parent or guardian with being unmanageable The words "delinquent child" shall mean any child including such as have heretofore been designated "incorrigible children" who may be charged with the violation of any law of this Commonwealth or the ordinance of any city borough or township

The powers of the court of quarter sessions of the peace as provided for in this act may be exercised by any one or more judges of such court who may be assigned for the purpose at a session of said court which shall be known as the juvenile court and all sessions of such juvenile court shall be held separate and apart from any session of the court held for the purpose of its general criminal or other business and the records of the proceedings of such juvenile court shall be kept in a docket seperate from all other proceedings of said court)

Section 2 That section two of said act is hereby amended to read as follows

Section 2 The powers of the court may be exercised

1 Upon the petition of any citizen resident of the county setting forth that a child is neglected dependent or delinquent and is in need of the care and protection of the court

2 Whenever any magistrate or justice of the peace (in committing) shall commit a child arrested (for an indictable offense shall certify that in his opinion the good of the child and the interests of the State do not require a prosecution upon an indictment under the criminal laws of the Commonwealth) for any indictable offense other than murder or for the violation of any other law of this Commonwealth or the ordinance of any city borougn or township

(3 Whenever after return made by a magistrate of the proceedings upon the arrest of such delinquent child for an indictable offense the district attorney of the county either before or after the indictment shall certify that in his opinion the good of the child and the interests of the State do not require a prosecution upon an indictment under tb criminal laws of this Commonwealth)

(4 Whenever upon the trial of any indictment of such delinquent child the judge trying the case is of the opinion that the good of the child and the interests of the State do not require a conviction under the criminal laws of this Commonwealth)

Upon the filing of any petition as above set forth or whenever the jurisdiction of the court has attached by the (filing of a certificate of a) commitment of a child by any magistrate or justice of the peace (or the district attorney or by the action of a judge as above set forth) it shall be (within the power) the duty of the judge holding said juvenile court to make all necessary orders for compelling the production of such child and the attendance of the parents and all persons having the custody or control of the child or with whom the child may be and pending the final disposition of any case the child shall be subject to the order of the court and may be permitted to remain in the control of its parents or the person having it in charge or the probation officer or may be kept in some place provided by the for one of its objects the care of delinquent or neglected State or county authorities or by any association having children as the court may order

Section 3 That section eleven of said act is hereby amended to read as follows

Section 11 Whenever any child being above the age of fourteen years has been held by any magistrate or justice of the peace for any offense other than murder punishable by imprisonment in a State penitentiary the judge of the juvenile court having jurisdiction if in his opinion the interests of the State require a prosecution of such case on an indictment may certify the same to the District Attorney of the county who shall thereupon proceed with the case in the same manner as though the jurisdiction of the juvenile court had never attached and nothing (herein) in this act contained shall be in derogation of the powers of the courts of quarter sessions and of oyer and terminer to try upon an indictment any delinquent child whose case may as above provided have been certified to the district attorney and who may in due course (may) be brought to trial before such court

Nothing in this act shall be construed to repeal any of the provisions of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" or the amendments thereto nor to repeal any of the provisions of an act approved the twelfth day of July one thousand nine hundred and thirteen entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" or the amendments thereto

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

RESOLUTION.

REQUESTING INFORMATION FROM THE AUDITOR GENERAL.

Mr. ALEXANDER offered the following resolution which was twice read, considered and adopted.

In the House of Representatives, May 17, 1923.

Resolved: That the Auditor General of the Commonwealth be requested to furnish to the House of Repersentatives not later than Tuesday, May 22, a report of the finances of the Commonwealth, showing the total estimated revenues for the biennium beginning June 1, 1923 and ending May 31, 1925; together with the total estimated expenditures for the same period and a statement showing the estimated appropriation liabilities which now confront the State; and that as far as possible the Auditor General be requested to furnish the House of Representatives a statement of such appropriation liabilities which in his estimation could be lapsed without seriously imparing the credit or efficency of the Commonwealth.

ADJOURNMENT.

Mr. HARER. Mr. Speaker, I move that this House do now adjourn until Monday evening, May 21, 1923, at 9:00 o'clock.

The motion was agreed to and (at 10:45 o'clock A. M.) the House adjourned until Monday evening, May 21, 1923 at 9:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

Session 1923 125th of the General Assembly

Vol. 7. HARRISBURG, PA., MONDAY, MAY 21, 1923. No. 60.

SENATE

MONDAY, MAY 21, 1923.

The Senate met at 9:00 o'clock P. M.

The PRESIDENT (Lieutenant-Governor David J. Davis) in the Chair.

PRAYER.

The Chaplain, Rev. Edward S. Ninde, offered the following prayer:

Our Heavenly Father: We worship Thee as the omnipotent God. Thou dost rule and overrule in the affairs of men. Kings and princes are but as the small dust of the balance before Thee. Thou art the King of kings and Lord of lords. May we hear Thy voice speaking to us as of old: "Be still, and know that I am God; I will be exalted among the nations, I will be exalted in the earth." May we bring our lives into such perfect harmony with Thy will, and may we be so earnest in our faith and obedience, that we can say with honest hearts, "The Lord of Hosts is with us; the God of Jacob is our refuge."

We ask it in the Redeemer's name. Amen.

JOURNAL APPROVED.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BUCKMAN, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE.

Mr. DAVIS asked and obtained leave of absence for the Senator from Luzerne, Mr. Joyce, on account of illness.

PETITION.

PRAYING FOR RELIEF FROM HIGH COST OF SUGAR.

The CHAIR laid before the Senate, comunication from the city council of New Castle, which was read as follows, and referred to the Committee on Judiciary General.

City of New Castle, Pennsylvania,
Office of the City Clerk, May 16, 1923.

To The Hon. The Chairman of the Senate, Harrisburg Pennsylvania.

Honorable Sir: Enclosed please find Resolution adopted by the Council of the City of New Castle.

Very truly yours,
C. Ed. Brown,
City Clerk.

C.E.B: C.Z.

Whereas, the price of sugar has risen until now it is and has been for some time past unreasonable and prohibitive and burdensome to the great majority of our people and threatens to become even more distressing since the annual season for canning and preserving fruits and vegetables is fast approaching; and

Whereas, the prohibitive and exorbitant prices are beyond the control of any local dealers and are the result of a national condition either brought about by the high tariff or the operations of speculators and gamblers, which condition should not be tolerated further and must be corrected by the force of the government;

Therefore, Be it Resolved by the Council of the City of New Castle, That His Excellency, the Governor of the Commonwealth, and the Legislature of the Commonwealth are hereby petitioned and implored to adopt every means within their powers to bring prompt relief and to transmit to the proper federal officials and bodies an official protest and demand for immediate relief and legal prosecution of guilty persons; and

Be it further Resolved, That the City Clerk is hereby directed to send copies of this resolution, properly certified, to the Governor of the Commonwealth and to the officials of the Senate and House of Representatives of the State Legislature.

I, C. Ed. Brown, City Clerk, of the City of New Castle, Pa., do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Council of the City of New Castle, May 11th. 1923, and signed by the Mayor thereof.

In witness whereof I hereunto set my hand and affix the seal of the City this the 16th. day of May, 1923.

C. Ed. Brown,
City Clerk.

REPORTS FROM COMMITTEES.

Mr. PHIPPS, from the Committee on Military Affairs, reported as committed, Senate Bill No. 1257, entitled:

An Act allowing leaves of absence to officers and employees of the Commonwealth who are members of the Organized Reserves of the United States Army, while engaged in the service of the United States.

Mr. BALDWIN, from the Committee on Municipal Affairs, re-reported as committed, Senate Bill No. 267, entitled:

An Act relating to the collection of city county school poor and other taxes in the several cities of the third class in this Commonwealth providing that the city treasurer of each of said cities shall be the collector of the said several taxes prescribing his duties providing for his compensation authorizing him to appoint deputy collectors and clerks and providing for their compensation.

Mr. LONG, from the Committee on Elections, reported as committed, Senate Bill No. 1124, (House Bill No. 970), entitled:

An Act to amend section one of an act approved July 21, 1919, (P. L. 65) entitled "A further supplement to an act approved Juy 24, 1913, (P. L. 977) entitled 'An Act to provide for the personal reigstration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith'"

Mr. PATTON, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1157, entitled:

An Act to amend article nineteen, section thirteen, paragraphs five, and six and section eighteen, of an act approved the twenty-fifth day of June, one thousand nine hundred and nineteen, (P. L. 581) entitled "An Act for the better government of cities of the first class of this commonwealth".

Mr. DAVIS, from the Committee on Mines and Mining, re-reported as amended, Senate Bill No. 1143, entitled:

An Act for the protection of persons employed in the anthracite coal mines, by requiring the use of approved electric motors in certain mines, and attendants at ventilating fans, and providing penalties.

Mr. DAIX, from the Committee on Judiciary Special, re-reported as committed, Senate Bill No. 241, entitled:

An Act to amend section one of the act approved the third day of June one thousand nine hundred and fifteen(Pamphlet Laws eight hundred and seven) entitled "An Act relating to municipal improvements and the collecting of assessments therefor."

Also from the Committee on Judiciary Special, reported as committed, Senate Bill No. 542, (House Bill No. 605), entitled:

An Act to amend section one of Article two of the act approved the seventh day of March one thousand nine hundred and one (Pamphlet Laws twenty) entitled "An Act for the government of cities of the second class" as amended by changing the name of the Department of Charities to the Department of Public Welfare.

Also from the Committee on Judiciary Special, reported as committed, Senate Bill No. 611, entitled·

An Act to repeal an act approved the twenty-fourth day of February, one thousand eight hundred and seventy-three, (P. L. 155), entitled "An Act relating to the office of surveyor and civil engineer for the County Allegheny."

Also from the Committee on Judiciary Special, re-reported as amended, Senate Bill No. 834, (House Bill No. 848), entitled:

An Act to provide for the care treatment and maintenance of dependent crippled children conferring powers in connection therewith upon the Department of Public Welfare and Juvenile Courts and imposing certain expenses upon counties.

Also from the Committee on Judiciary Special, reported as amended, Senate Bill No. 1156, (House Bill No. 871), entitled:

An Act relating to matresses, pillows, bolsters, feather beds, comfortables, cushions and upholstered furniture, regulating the making, remaking, renovating, sterilizing, disinfecting sale, leasing, delivering and consigning thereof and the possession thereof with intent to sell, lease, deliver or consign.

Mr. LONG, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1253, entitled:

An Act to amend clause (3) of and to add clause (8) to section thirteen of the act approved May 25, 1921 (P. L. 1144) entitled "An Act creating a Department of Public Welfare; defining its powers and duties; abolishing the Board of Public Charities, the Committee on Lunacy and the Prison Labor Commission, and all officers thereunder, and vesting all the powers of said board, committee, and consideration in the Department of Public Welfare; requiring all reporting notices, statements, or matters heretofore required to be made given, or submitted to the Board of Public Charities to the Committee on Lunacy, to be made, given, or submitted to the Department of Public Welfare; and providing penalties."

Mr. SCHANTZ, from the Committee on Appropriations, reported as amended, Senate Bill No. 32, entitled:

An Act making an appropriation to the Chester Day Nursery and Children's Home, at Chester, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 43, entitled:

An Act making an appropriation to the Lewistown Hospital, of Lewistown, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 115, entitled:

An Act making an appropriation to the Children's Home, of Bethlehem, Salisburg Township, Lehigh County, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 205, entitled:

An Act making an appropriation to the Philadelphia Home for Incurables.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 252, entitled:

An act making an appropriation to the Western Temporary Home of Philadelphia.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 253, entitled:

An Act making an appropriation to the Home for Veterans of the Grand Army of the Republic and Wives, Philadelphia.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 254, entitled:

An act making an appropriation to the Home for Widows and Single Women of Lebanon and Lebanon County, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 261, entitled:

An Act making an appropriation to the Northern Home for Friendless Children of Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 299, entitled:

An Act making an appropriation to the Home for Friendless Children, of Lancaster, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 333, entitled:

An Act making an appropriation to the Children's Aid Society, of Franklin County, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 369, entitled:

An Act making an appropriation to the Home for Friendless Children, in the City of Reading, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 373, entitled:

An Act making an appropriation to the Pennsylvania Seamen's Friend Society, of Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 375, entitled:

An Act making an appropriation to the Midnight Mission of Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 376, entitled:

An Act making an appropriation to the Florence Crittenton Home, located at one hundred and thirty-nine Queen Street, Germantown, Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 379, entitled:

An Act making an appropriation to the Children's Aid Society of Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 387, entitled:

An Act making an appropriation to the Tabor Home for Children, Doylestown, Bucks County, Pa., for the two fiscal years beginning June first, one thousand nine hundred and twenty-three, for the purpose of maintenance.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 401, entitled:

An Act making an appropriation to the George Junior Republic Association of Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 408, entitled:

An Act making an appropriation to the Christian Home, of Johnstown, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 458, entitled:

An Act making an appropriation to the Easton Home for Friendless Children, at Easton, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 459, entitled:

An Act making an appropriation to the Home for Aged and Infirm Women, of Easton, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 473, entitled:

An Act making an appropriation to the Philadelphia Home for Infants located at 4618 Westminster Ave., Philadelphia.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 474, entitled:

An Act making an appropriation to the Home of Industry for Discharged Prisoners, of the city of Philadelphia and State of Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 615, entitled:

An Act making an appropriation to the Julia White Priscilla Home for Colored People, located at LaMott, Montgomery County, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 618, entitled:

An Act making an appropriation to the Home for Widows and Single Women of Reading, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 619, entitled:

An Act making an appropriation to the Robert Wood Home, of Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 620, entitled:

An Act making an appropriation to the Friends' Home for Children, situated at four thousand eleven, Aspen Street, Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 621, entitled:

An Act making an appropriation to theUnion Home for Old Ladies, of West Philadelphia.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 624, entitled:

An Act making an appropriation to the Nazarene Home for the Aged, at Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 626, entitled:

An Act making an appropriation to the Home for the Aged, located at one thousand eight hundred nine Mount Vernon Street, Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 630, entitled:

An Act making an appropriation to the Industrial Home for Crippled Children, at Pittsburgh, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 648, entitled:

An Act making an appropriation to the Beacon Light Mission, near the City of Bradford, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 788, entitled:

An Act making an appropriation to the Pittsburgh Newsboys' Home, of Pittsburgh, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 794, entitled:

An Act making an appropriation to the Buelah Anchorage, of Reading, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 870, entitled:

An Act making an appropriation to the Home for the Aged and Infirm Colored Women at Pittsburgh Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 873, entitled:

An Act making an appropriation to the Penn Asylum for Indigent Widows and Single Women Philadelphia Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 879, entitled:

An Act making an appropriation to the Bethesda Home, Pittsburgh, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 880, entitled:

An Act making an appropriation to the Coleman Industrial Home for Colored Boys, Pittsburgh, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 983, entitled:

An Act making an appropriation to the Saint Vincent's Hospital for Women and Children, Seventieth Street, and Woodland Avenue, of Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 999, entitled:

An Act making an appropriation to the Rosalia Foundling Asylum and Maternity Hospital of the City of Pittsburgh, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 1075, entitled:

An Act making an appropriation to the United Evangelical Home and Orphanage at Lewisburg, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 1249, entitled:

An act making an appropriation to the Saint Joseph's Infant Asylum and Maternity Hospital, 2010 Adams Avenue, of Scranton, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 1343, (House Bill No. 842), entitled:

An Act making an appropriation to the Adrian Hospital Association of Punxsutawney Jefferson County Pennsylvania

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 437, entitled:

An Act making an appropriation to the Commissioners of Fairmount Park.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 501, entitled:

A supplement to an act approved the twenty-fifth day of July, one thousand nine hundred and thirteen (P. L. 1311), entitled "An Act providing for the establishment of a State Industrial Home for Women; authorizing the purchase of a site, and the erection thereon and equipment of necessary buildings; providing for the commitment to said State Industrial Home for Women of females between the ages of sixteen and thirty years, convicted of, or pleading guilty to, the commission or any criminal offense, and providing for the government and management of said institution; and making an appropriation to carry out the purposes of this act;" changing the name of said home.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 548, (House Bill No. 698), entitled:

An Act lapsing certain appropriations available for expenditure by the Department of Public Instruction

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1090, entitled:

An Act reappropriating certain moneys to the Trustees of the Pennsylvania Training School at Morganza, Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1173, entitled:

An act making an appropriation to the Saint Joseph's Protectory for Homeless Boys, Pittsburgh, Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1236, (House Bill No. 83), entitled:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries for two years from June first one thousand nine hundred and twenty-three

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1237, (House Bill No. 89), entitled:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries for the maintenance of a nautical school to be located at the port of Philadelphia for two years from June first one thousand nine hundred and twenty-three

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1238, (House Bill No. 96), entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1239, (House Bill No. 107), entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1240, (House Bill No. 108), entitled:

An Act making an appropriation to the trustees of the Philadelphia School of Design for Women at Philadelphia Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1241, (House Bill No. 495), entitled:

An Act making an appropriation to the State Highway Department for the payment of rewards to townships of the second class

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1242, (House Bill No. 602), entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the Veterinary School of Medicine

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1243, (House Bill No. 803), entitled:

An Act making an appropriation to the payment of the expenses required by an act approved the twenty-fifth day of May one thousand eight hundred and eighty-nine entitled "An act to provide for the continuance of the education and maintenance of the destitute orphans of deceased soldiers sailors and marines and the destitute children of permanently disabled soldiers sailors and marines of the State" also making an appropriation to carry out the provisions of an act to provide for the education and maintenance of the children admitted to the Pennsylvania Soldiers' Orphan Industrial School and the Soldiers' Orphans Schools approved May twenty-seventh one thousand eight hundred and ninety-three and its supplements

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1244, (House Bill No. 817), entitled:

An Act making an appropriation to the board of trustees of the Pennsylvania Soldiers' and sailors' Home at Erie Pennsylvania for maintenance of said home and the payment of expenses of administration including salaries of officials and clerks and providing that all moneys received from the United States Government by the Governor of Pennsylvania on account of maintenance shall be paid into the State Treasury

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1246, (House Bill No. 1131), entitled:

An Act making an appropriation to the Board of Trustees of The Philadelphia Museum

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1247, (House Bill No. 1171), entitled:

An Act to amend section one of an act approved the eighteenth day of July one thousand nine hundred and nineteen (Appropriation Acts two hundred and forty-six) entitled "An act making an appropriation to the Water Supply Commission of Pennsylvania or the Department of Conservation for the purpose of cooperating with the Government of the United States in making investigations examinations and surveys and in preparing plans and estimates of cost with a view of devising and carrying into effect plans for controlling the flood waters of rivers and their tributaries being either in whole or in part within this Commonwealth" saving said appropriation from lapsing

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 1250, entitled:

An act making an appropriation to the Saint Mary's Keller Memorial Hospital of Scranton, Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1256, entitled:

An act making an appropriation to the De Paul Institute of Mount Lebanon Township, Allegheny County, Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1259, (House Bill No. 3), entitled:

An Act making an appropriation to the trustees of the Milliken Hospital Pottsville Pennsylvania

Also from the Committee on Appropriations reported as committed, Senate Bill No. 1260, (House Bill No. 4), entitled:

An Act making an appropriation to the Pottsville Hospital Pottsville Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1261, (House Bill No. 39), entitled:

An Act making an appropriation to the Mary M. Packer Hospital Sunbury Pennsylvania

Also from the Committee on Appropriations reported as committed, Senate Bill No. 1262, (House Bill No. 47), entitled:

An Act making an appropriation to the Coatesville Hospital Coatesville Pennsylvania

Also from the Committee on Appropriations, reported as committed Senate Bill No. 1263, (House Bill No. 56), entitled:

An Act making an appropriation to the Charleroi Monessen Hospital at Charleroi Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1264, (House Bill 78), enttiled:

An Act making an appropriation to the Hahnemann Hospital in city of Scranton Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1265, (House Bill No. 173), entitled:

An Act making an appropriation to the Taylor Hospital Association of the borough of Taylor Lackawanna County Pennsylvania

Also from the Committee on Appropriations, reported as committed Senate Bill No. 1266, (House Bill No. 198), entitled:

An Act making an appropriation to the Wayne County Memorial Hospital at Honesdale Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1267, (House Bill No. 223), entitled:

An Act making an appropriation to the Citizens General Hospital of New Kensington Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1268, (House Bill No. 264), entitled:

An Act making an appropriation to the Westmoreland Hospital Association of Cannonsburg Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1269, (House Bill No. 270), entitled:

An Act making an appropriation to the Chester Hospital in the city of Chester

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1270, (House Bill No. 284), entitled:

An Act making an appropriation to the Women's Medical College of Philadelphia Pennsylvania for hospital maintenance

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1271, (House Bill No. 300), entitled:

An Act making an appropriation to the Shenango Valley Hospital of New Castle Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1272, (House Bill No. 305), entitled:

An Act making an appropriation to the Carbondale Emergency Hospital Carbondale Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1273, (House Bill No. 308), entitled:

An Act making an appropriation to the Mid-Valley Hospital Association at Blakely Pennsylvania

Also from the Committee on Appropriations, reported as amended Senate Bill No. 1274, (House Bill No. 315), entitled:

An Act making an appropriation to the Simon H. Barnes Memorial Hospital of Susquehanna Pennsylvania

Also from the Committee on Appropriations, reported as committed Senate Bill No. 1275, (House Bill No. 332), entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1276, (House Bill No. 335), entitled:

An Act making an appropriation to the Williams Valley Hospital of Williamstown Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1277, (House Bill No. 338), entitled:

An Act making an appropriation to the Harrisburg Hospital of Harrisburg Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1278, (House Bill No. 341), entitled:

An Act making an appropriation to the Harrisburg Polyclinic Hospital of Harrisburg Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1279, (House Bill No. 349), entitled:

An Act making an appropriation to the Trustees of the Samaritan Hospital Philadelphia Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1280, (House Bill No. 356), entitled:

An Act making an appropriation to the Frankford Hospital located at Frankford Philadelphia

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1281, (House Bill No. 360), entitled:

An Act making an appropriation to the Indiana Hospital of Indiana County Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1282, (House Bill No. 367), entitled:

An Act making an appropriation to the Children's Hospital of Pittsburgh in the city of Pittsburgh Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1283, (House Bill No. 369), entitled:

An Act making an appropriation to the West Side Hospital Association of Scranton Lackawanna County Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1284, (House Bill No. 385), entitled:

An Act making an appropriation to the Washington Hospital Washington Pennsylvania or its successors

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1285, (House Bill No. 386), entitled:

An Act making an appropriation to the Ellwood City Hospital Elwood City Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1286, (House Bill No. 391), entitled:

An Act making an appropriation to the Mercy Hospital of Altoona Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1287, (House Bill No. 392), entitled:

An Act making an appropriation to the Altoona Hospital Altoona Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1288, (House Bill No. 393), entitled:

An Act making an appropriation to the Ohio Valley General Hospital at McKees Rocks Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1289, (House Bill No. 407), entitled:

An Act making an appropriation to the Women's Homeopathic Hospital of Philadelphia

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1290, (House Bill No. 408), entitled:

An Act making an appropriation to the Maple Avenue Hospital Association of DuBois Clearfield County Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1291, (House Bill No. 418), entitled:

An Act making an appropriation to the Trustees of the Garretson Hospital Philadelphia Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1292, (House Bill No. 419), entitled:

An Act making an appropriation to the Diagnostic Hospital of the City of Philadelphia Philadelphia Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1293, (House Bill No. 424), entitled:

An Act making an appropriation to the Punxsutawney Hospital Association of Punxsutawney Jefferson County Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1294, (House Bill No. 429), entitled:

An Act making an appropriation to the Homestead Hospital Homestead Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1295, (House Bill No. 430), entitled:

An Act making an appropriation to the Carlisle Hospital Carlisle Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1296, (House Bill No. 439), entitled:

An Act making an appropriation to the Saint Luke's Homeopathic Hospital of Philadelphia

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1297, (House Bill No. 442), entitled:

An Act making an appropriation to the Greenville Hospital Greenville Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1298, (House Bill No. 443), entitled:

An Act making an appropriation to the Christian H. Buhl Hospital of Sharon Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1299, (House Bill No. 453), entitled:

An Act making an appropriation to the Lying-in-Charity Hospital Philadelphia

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1300, (House Bill No. 455), entitled:

An Act making an appropriation to the Woman's Hospital of Philadelphia two thousand one hundred and thirty-seven North College Avenue

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1301, (House Bill No. 491), entitled:

An Act making an appropriation to the Northeastern Hospital of Philadelphia Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1302, (House Bill No. 492), entitled:

An Act making an appropriation to the Pottstown Hospital Pottstown Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1303, (House Bill No. 493), entitled:

An Act making an appropriation to the Pottstown Homeopathic Hospital Pottstown Pennsylpania

Also from the Committee on Appropriations, reported as committed Senate Bill No. 1304, (House Bill No. 499), entitled:

An Act making an appropriation to the Wilkes-Barre City Hospital Wilkes-Barre Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1305, (House Bill No. 513), entitled:

An Act making an appropriation to the Memorial Hospital at Roxborough Philadelphia Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1306, (House Bill No. 517), entitled:

An Act making an appropriation to the J. C. Blair Memorial Hospital of Huntingdon Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1307, (House Bill No. 518), entitled:

An Act making an appropriation to the Mercy Hospital at Wilkes-Barre Pennsylvania

Also from the Committee on Appropriations, reported as committed Senate Bill No. 1308, (House Bill No. 533), entitled:

An Act making an appropriation to the Wyoming Valley Homeopathic Hospital at Wilkes-Barre Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1309, (House Bill No. 550), entitled:

An Act making an appropriation to the Waynesburg Hospital of Waynesburg Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1310, (House Bill No. 553), entitled:

An Act making an appropriation to the Chambersburg Hospital at Chambersburg Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1311, (House Bill No. 564), entitled:

An Act making an appropriation to the Nason Hospital Association of Roaring Springs Blair County Pennsylvania

Also from the Committee on Appropriations, reported as committed Senate Bill No. 1312, (House Bill No. 567), entitled:

An Act making an appropriation to the Robert Packer Hospital

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1313, (House Bill No. 589), entitled:

An Act making an appropriation to the Saint Francis' Hospital of Pittsburgh Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1314, (House Bill No. 599), entitled:

An Act making an appropriation to the Pittston Hospital Association of the city of Pittston Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1315, (House Bill No. 613), entitled:

An Act making an appropriation to the Kane Summit Hospital Association of Kane McKean County Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1316, (House Bill No. 614), entitled:

An Act making an appropriation to the Bradford Hospital of the city of Bradford

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1317, (House Bill No. 621), entitled:

An Act making an appropriation to the Saint John's General Hospital of Pittsburgh Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1318, (House Bill No. 622), entitled:

An Act making an appropriation to the Northwestern General Hospital of Philadelphia Pennsylvania

Also from the Committee on Appropriations, reported as committed Senate Bill No. 1319, (House Bill No. 628), entitled:

An Act making an appropriation to the Latrobe Hospital Latrobe Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1320, (House Bill No. 634), entitled:

An Act making an appropriation to the Good Samaritan Hospital at Westfield Tioga County Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1321, (House Bill No. 648), entitled:

An Act making an appropriation to the Spencer Hospital Meadville Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1322, (House Bill No. 649), entitled:

An Act making an appropriation to the Titusville Hospital Meadville Hospital Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1323, (House Bill No. 651), entitled:

An Act making an appropriation to the Meadville Hospital Meadville Hospital Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1324, (House Bill No. 655), entitled:

An Act making an appropriation to the Roosevelt Hospital of Philadelphia Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1325, (House Bill No. 656), entitled:

An Act making an appropriation to the Allegheny Valley Hospital at Tarentum Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1326, (House Bill No. 658), entitled:

An Act making an appropriation to the Grove City Hospital in the Borough of Grove City Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1327, (House Bill No. 672), entitled:

An Act making an appropriation to the Coudersport General Hospital at Coudersport Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1328, (House Bill No. 699), entitled:

An Act making an appropriation to the Eye and Ear Hospital of Pittsburgh Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1329, (House Bill No. 703), entitled:

An Act making an appropriation to the Bellefonte Hospital Bellefonte Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1330, (House Bill No. 734), entitled:

An Act making an appropriation to the Mount Sinai Hospital of Philadelphia Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1331, (House Bill No. 765), entitled:

An Act making an appropriation to the Beaver Valley General Hospital at New Brighton Pennsylvania

Also from the Committee on Appropriations, report d as committed, Senate Bill No. 1332, (House Bill No. 766), entitled:

An Act making an appropriation to the Rochester General Hospital at Rochester Beaver County Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1333, (House Bill No. 767), entitled:

An Act making an appropriation to the Good Samaritan Hospital of Lebanon Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1334, (House Bill No. 778), entitled:

An Act making an appropriation to the Kittanning General Hospital Kittanning Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1335, (House Bill No. 779), entitled:

An Act making an appropriation to the Rush Hospital for Consumption and Allied Diseases of Philadelphia

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1336, (House Bill No. 780), entitled:

An Act making an appropriation to the Memorial Hospital at Mount Pleasant Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1337, (House Bill No. 807), entitled:

An Act making an appropriation to the Miner's Hospital of Northern Cambria at Spangler Cambria County Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1338, (House Bill No. 816), entitled:

An Act making an appropriation to the Warren General Hospital of Warren Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1339, (House Bill No. 829), entitled:

An Act making an appropriation to the Pennsylvania Epileptic Hospital and Colony Farm Chester County Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1340, (House Bill No. 834), entitled:

An Act making an appropriation to the National Stomach Hospital of Philadelphia Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1341, (House Bill No. 828), entitled:

An Act making an appropriation to the Conemaugh Valley Memorial Hospital at Johnstown Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1342, (House Bill No. 841), entitled:

An Act making an appropriation to the Brookville Hospital Brookville Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1344, (House Bill No. 845), entitled:

An Act making an appropriation to the Suburban General Hospital of Bellevue Allegheny County Pennsylvania

Also from the Committee on Appropriations, reported as committed Senate Bill No. 1345, (House Bill No. 867), entitled:

An Act making an appropriation to the Memorial Hospital Association of Monongahela City Washington County Pennsylvania

Also from the Committee on Appropriations, reported as commited, Senate Bill No. 1346, (House Bill No. 872), entitled:

An Act making an appropriation to the Uniontown Hospital Uniontown Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1347, (House Bill No. 907), entitled:

An Act making an appropriation to the Women's Southern Homeopathic Hospital of Philadelphia Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1348, (House Bill No. 934), entitled:

An Act making an appropriation to the Oil City Hospital Oil City Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1349, (House Bill No. 960), entitled:

An Act making an appropriation to the Canonsburg General Hospital Association at Canonsburg Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1351, (House Bill No. 988), entitled:

An Act making an appropriation to the York Hospital West College Avenue York Pennsylvania

Also from the Committee on Appropriations, reported as committed Senate Bill No. 1352, (House Bill No. 1021), entitled:

An Act making an appropriation to the Brownsville General Hospital Brownsville Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1353, (House Bill No. 1058), entitled:

An Act making an appropriation to the Community Hospital of the borough of Somerset in the County of Somerset

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1354, (House Bill No. 1048), entitled:

An Act making an appropriation to the Hamot Hospital Association of Erie Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1355, (House Bill No. 1064), entitled:

An Act making an appropriation to the Germantown Dispensary and Hospital Germantown Philadelphia Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1356, (House Bill No. 1068), entitled:

An Act making an appropriation to the Maternity Hospital in the City of Philadelphia Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1357, (House Bill No. 1072), entitled:

An Act making an appropriation to the Howard Hospital of Philadelphia Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1358, (House Bill No. 1102), entitled:

An Act making an appropriation to the Lock Haven Hospital Lock Haven Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1359, (House Bill No. 1116), entitled:

An Act making an appropriation to the Renova Hospital

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1360, (House Bill No. 1124), entitled:

An Act making an appropriation to the Providence General Hospital of Philadelphia Philadelphia County Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1361, (House Bill No. 1154), entitled:

An Act making an appropriation to the Braddock General Hospital Braddock Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1362, (House Bill No. 1160), entitled:

An Act making an appropriation to the Elk County General Hospital of Ridgway Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1363, (House Bill No. 1161), entitled:

An Act making an appropriation to the General Hospital East Stroudsburg Monroe County Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1364, (House Bill No. 1166), entitled:

An Act making an appropriation to Montgomery Hospital at Norristown in the county of Montgomery

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1366, (House Bill No. 1210), entitled:

An Act making an appropriation to the Corry Hospital Association of Corry Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1367, (House Bill No. 1213), entitled:

An Act making an appropriation to the Williamsport Hospital of the City of Williamsport Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1368, (House Bill No. 1245), entitled:

An Act making an appropriation to the Chester County Hospital West Chester Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1369, (House Bill No. 1247), entitled:

An Act making an appropriation to the Phoenixville Hospital Phoenixville Pennsylvania Chester County.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1370, (House Bill No. 1248), entitled:

An Act making an appropriation to the Homeopathic Hospital West Chester Chester County Pennsylvania.

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1371, (House Bill No. 1317), entitled:

An Act making an appropriation to the Kensington Hospital for women of Philadelphia Pennsylvania

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1372, (House Bill No. 1848), entitled:

An act providing for the purchase of the copyright and property interest therein of Smull's Legislative Hand Book and Manual providing for the future editing compilation and distribution thereof and making an appropriation for such purchase

Mr. DAIX, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1057, entitled:

An Act to repeal section six of an act approved the twenty-seventh day of April, one thousand eight hundred and fifty-two, (P. L. 467), entitled "An Act relating to the Towanda Plank Road Company; to hawkers and peddlers in Bradford and Beaver counties; to the trustees of Athens Academy; and to tenpin alleys and billiard rooms in Wyoming County."

Mr. JONES, from the Committee on Banks and Building and Loan Associations, reported as amended, Senate Bill No. 1061, entitled:

An Act to amend section one of an act approved the fifth day of April, 1917 (P. L. 46), entitled, "An act authorizing executors, administrators, guardians and other trustees to invest trust funds in farm loan bonds issued by Federal Land Banks under the provisions of the act of Congress of the United States of July 17, 1916, its amendments or supplements," extending the act to bonds issued by Joint Stock Land Banks organized in Pennsylvania.

Mr. SALUS, from the Committee on Elections, reported as committed, Senate Bill No. 1128, (House Bill No. 1134), entitled:

An Act fixing the per diem compensation of assistant or registry assessors of boroughs and second class townships for attendance at election.

BILLS INTRODUCED.

Mr. PATTON read in his place and presented to the Chair Senate Bill No. 1373, entitled:

An Act to exempt from payment of inheritance taxes bequest and devises to institutions of purely public charity.

Which was committed to the Committee on Finance.

Mr. CHRISTLEY read in his place and presented to the Chair Senate Bill No. 1374, entitled:

An Act to establish State Highway Route number two hundred and fourteen from Clairon, Clarion County, to Butler, Butler County, as a primary State Highway.

Which was committed to the Committee on Public Roads and Highways.

Mr. EYRE read in his place and presented to the Chair Senate Bill No. 1375, entitled:

An Act making a reappropriation to the Legislative Reference Bureau, created under the provisions of the Act approved the seventh day of May one thousand nine hundred and twenty-three, entitled "An Act creating a Legislative Reference Bureau providing for the election of a Director by the General Assembly designating the officers and employes of such Bureau, defining their duties, fixing their salaries, abolishing the present Legislative Reference Bureau, and making an appropriation," of all moneys appropriated in the general appropriation act of May twenty-seventh, one thousand nine hundred and twenty-one, to the Legislative Reference Bureau, abolished by said act of May seventh, one thousand nine hundred and twenty-three.

Which was committed to the Committee on Appropriations.

Also read in his place and presented to the Chair Senate Bill No. 1376, entitled:

An Act making an appropriation to the Trustees of the State Institution for Feeble-Minded of Eastern Pennsylvania at Spring City.

Which was committed to the Committee on Appropriations.

Mr. STITES read in his place and presented to the Chair Senate Bill No. 1377, entitled:

A supplement to an Act approved the 31st day of May, 1911, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties and townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act." providing that the State Highway Commissioner may take over, as a part of the system of State highways, the roads, highways, and avenues situate within Valley Forge Park, the location or relocation of such roads, highways and avenues to be approved by the Commissioners of Valley Forge Park.

Which was committed to the Committee on Public Roads and Highways.

Mr. SMITH read in his place and presented to the Chair Senate Bill No. 1378, entitled:

An act relating to public improvements by boroughs, townships, school districts and poor districts, and requiring the filing of plans and specifications thereof in the office of the clerk of the courts in certain cases; and requiring copies to be furnished by the secretary, architect or engineer of the municipality to applicants therefor.

Which was committed to the Committee on Judiciary Special.

Mr. STEELE read in his place and presented to the Chair Senate Bill No. 1379, entitled:

An Act making an appropriation to the Board of managers of the Pennsylvania Village for Feeble Minded Women, at Laurelton, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. QUIGLEY read in his place and presented to the Chair Senate Bill No. 1380, entitled:

An Act to establish as a State Highway a certain section of public road in the counties of Forest and Elk.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 1381, entitled:

An Act to establish as a State Highway a certain section of public road in the counties of Forest and Jefferson.

Which was committed to the Committee on Public Roads and Highways.

Also read in his place and presented to the Chair Senate Bill No. 1382, entitled:

An Act to exempt superintendents, assistant superintendents, principals, supervisors and teachers from jury duty.

Which was committed to the Committee on Judiciary General.

Mr. SONES read in his place and presented to the Chair Senate Bill No. 1383, entitled:

An Act providing for the erection and construction of temporary buildings at the penitentiary at Rockview for the detention of convicts transferred from the several penitentiaries, and re-appropriating for such purposes the unexpended balances of moneys heretofore appropriated to the Commission to select a site and erect an institution for inebriates under the provisions of the act approved the twenty-fifth day of July, one thousand nine hundred and seventeen, (P. L. 1212), entitled "A supplement to an act approved the twenty-fifth day of July, one thousand nine hundred and thirteen, entitled 'An act to provide for the selection of a site and the erection of a State institution for the detention care, and treatment of inebriates, or persons habitually addicted to the use of alcoholic drink or intoxicating drugs, to be called the State Institution for Inebriates, and making an appropriation therefor,' making an appropriation, and providing for the admission of patients to said institution, and providing for the payment of the costs and fees of hearings and of maintenance of patients by the respective counties."

Which was committed to the Committee on Appropriations.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 1384, entitled:

An Act requiring juries in actions of joint tort or concurrent negligence to return separate verdicts and authorizing separate executions thereon.

Which was committed to the Committee on Judiciary General.

Also read in his place and presented to the Chair Senate Bill No. 1385, entitled:

An act making the owner of an automobile or other vehicle used or operated by others by the express or implied permission of the owner, liable in damages for injuries caused by their negligence; and also making their contributory negligence a bar to recover by the owner against third persons for injury to such automobile or other vehicle.

Which was committed to the Committee on Judiciary General.

Mr. WOODWARD read in his place and presented to the Chair Senate Bill No. 1386, entitled:

An act establishing the Children's Court of Philadelphia; prescribing and defining its jurisdiction with regard to delinquent, dependent, neglected and incorrigible children under the age of sizteen years and the enforcement of attendance and compulsory school laws; regulating procedure in said court; providing for the appointment of a probation committee and officers and employes of said court and for their salaries; and imposing the expenses of said court upon the county.

Which was committed to the Committee on Judiciary General.

Mr. DAVIS read in his place and presented to the Chair Senate Bill No. 1387, entitled:

An act to further amend an act, approved the twenty-fifth day of June, one thousand, nine hundred and thirteen (Pamphlet Laws, five hundred and fifty), entitled "An Act authorizing the several counties, incorporated towns, and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans, and the Army of the Philippines, and to each post of the American Veterans of Foreign Service in the respective counties, boroughs, and towns, to aid in defraying the expenses of Memorial Day," by authorizing appropriations to each post of the disabled American Veterans of the World War.

Which was committed to the Committee on Military Affairs.

Mr. SCHANTZ read in his place and presented to the Chair Senate Bill No. 1338, entitled:

An act declaring it unlawful to make arrests without warrant except upon view of the commision of a crime.

Which was committed to the Committee on Military Affairs.

RESOLUTION RELATIVE TO THE PURCHASE OF LAND UNDER THE WEEKS LAW.

Mr. PHIPPS offered the following resolution, which was twice read, as follows:

In the Senate, May 19, 1923.

Whereas, The Federal Government in the enactment of the Weeks Law after prolonged inquiry and discussion, in order to meet urgent National needs, adopted the permanent policy of purchasing lands on the watersheds of navigable rivers to be administered as National forests and for the protection and improvement of navigation, and provided for expenditure for that purpose at the rate of $2,000,000 a year; and

Whereas, Owing to the condition of the Federal Treasury resulting from the burdens of the war, the appropriation for said purpose for the fiscal year ending June 30, 1923, was cut down to $450,000, an amount inadequate to carry out the said policy with economy and efficiency; and

Whereas, The failing timber supply and the expense of transportation have brought the eastern part of the United States to a condition of virtual famine in this fundamental resource wherefore appropriations to correct this condition should be made with increasing liberality and considered as vital to the welfare of the Nation; and

Whereas, This Commonwealth, sensible of its own needs and its duty towards sister states in the matter of timber supply and stream regulation through forest restoration on lands more suitable for that purpose than for other uses, has purchased and is administering as State forests more than 1,130,000 acres of land, chiefly on the watersheds of navigable rivers; and

Whereas, the General Assembly desiring more nearly to meet the need of forest restoration on the remaining 13,000,000 acres of land chiefly valuable for forest production within the borders of the Commonwealth has initiated at this present Session an amendment of the Constitution of the Commonwealth to authorize a bond issue of $25,000,000 for the purchase of approximately 5,000,000 additional acres of land for State forest which will be located chifely on the watersheds of navigable streams;

Now therefore, be it Resolved, (the House of Representatives concurring) That it is hereby recommended and respectfully urged upon the President, the Congress and the Federal Budget Bureau that expenditures for land purchased under the Weeks Law at the rate of $2,000,000 per year be resumed beginning with the fiscal year ending June 30, 1924, as the minimum present contribution consistent with the performance of National duty toward the States and the people in this matter; and be it further

Resolved, That a copy of this resolution be transmitted by the Secretary of the Commonwealth to the following officers of the United States: The President, The President of the Senate, the Speaker of the House of Representatives, the Director of the Bureau of the Budget, the Chairman of the National Forest Reservation Commission, the Chairman of the Select Committee of the Senate on Reforestation; also to each Senator and Representatives representing the Commonwealth in Congress.

Mr. PHIPPS. Mr. President I ask unanimous consent that Rule 39, which requires concurrent resolutions to be referred to an appropriate committee be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT, Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION GIVING AUTHORITY TO PLACE TABLET IN ROTUNDA OF CAPITOL IN HONOR OF THE LATE DR. JOSEPH TRIMBLE ROTHROCK.

Mr. CULBERTSON offered the following resolution, which was twice read, considered and agreed to.

In the Senate, May 21, 1923.

Resolved, (if the House of Representatives concur), That authority is hereby given to the Board of Commissioners of Public Grounds and Buildings to permit the placing without cost to the Commonwealth of a memorial tablet on the wall of the main corridor of the Capitol building, at a point just south east of the rotunda in honor of the late Dr. Joseph Trimble Rothrock a gallant and patriotic soldier and officer in the Civil War, the first Commissioner of Forestry of Pennsylvania, founder of the Mont Alto Sanatorium, and of the Mont Alto Forest School.

Mr. CULBERTSON. Mr. President, I ask unanimous consent that Rule 39, which requires concurrent resolutions to be referred to an appropriate committee be suspended and that the Senate do now proceed to the immediate consideration of the resolution just read.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES.

Mr. JONES. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JONES, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 1377, entitled:

A Supplement to an act approved the 31st day of May, 1911, entitled "An act providing for the establishment of State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of Highways, and staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties and townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act." providing that the State Highway Commissioner may take over, as a part of the system of State highways, the roads, highways, and avenues situate within Valley Forge Park, the location or relocation of such roads, highways and avenues to be approved by the Commissioners of Valley Forge Park.

Mr. PHIPPS. Mr. President, I ask unanimous consent to make report from Commiittee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PHIPPS, from the Committee on Military Affairs, reported as committed, Senate Bill No. 1387, entitled:

An Act to further amend an act, approved the twenty-fifth day of June, one thousand nine hundred and thirteen (Pamphlet Laws, five hundred and fifty), entitled "An act authorizing the several counties, incorporated towns, and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans, and of the Army of the Philippines; and to each post of the American Veterans of Foreign Service in the respective counties, boroughs, and towns, to aid in defraying the expense of Memorial Day," by authorizing appropriations to each post of the Disabled American Veterans of the World War.

Mr. BALDWIN. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BALDWIN, from the Committee on Finance, reported as committed, Senate Bill No. 170, (House Bill No. 9), entitled:

An Act to repeal the act approved the thirtieth day of March, one thousand nine hundred and twenty-one, (Pamphlet Laws sixty-seven), entitled "An Act authorizing the State Treasurer to apoint a Deputy State Treasurer and Commissioner of Trusts; defining his powers and duties; providing for the care, custody, safe-keeping, and recording of stocks, bonds, mortgages, securities, and indemnity bonds, held in trust or otherwise, or owned by the Commonwealth or by any of the departments, bureaus, divisions, commissions, or agencies thereof; and fixing his salary."

Mr. SCHANTZ. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCHANTZ, from the Committee on appropriations, reported as amended, Senate Bill No. 72, entitled:

An Act making an appropriation to the Trustees of the State Institution for Feeble-Minded of Eastern Pennsylvania at Spring City.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 134, entitled:

An Act making an appropriation to the trustees of the State Institution for Feeble Minded of Western Pennsylvania, at Polk, Venango County, for maintenance and training.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 1379, entitled:

An Act making an appropriation to the Board of managers of the Pennsylvania Village for Feeble Minded Women, at Laurelton, Pennsylvania.

Also from the Committee on Appropriations, reported as committed Senate Bill No. 1383, entitled:

An Act providing for the erection and construction of temporary buildings at the penitentiary at Rockview for the detention of convicts transferred from the several penitentiaries, and re-appropriation for such purposes the unexpended balances of moneys heretofore appropriated to the Commission to select a site and erect an institution for inebriates under the provisions of the act approved the twenty-fifth day of July, one thousand nine hundred and seventeen, (P. L. 1212), entitled "A Supplement to an act approved the twenty-fifth day of July, one thousand nine hundred and thirteen, entitled 'An Act to provide for the selection of a site and the erection of a State institution for the detention, care, and treatment of inebriates, or persons habitually addicted to the use of alcoholic drink or intoxicating drugs, to be called the State Institution for Inebriates, and making an appropriation therefor,' making an appropriation, and providing for the admission of patients to said institution, and providing for the payment of the costs and fees of hearings and of maintenance of patients by the respective counties."

Also from the Committee on Appropriations, reported as committed, Senate Bill No. 1375, entitled:

An Act making a reappropriation to the Legislative Reference Bureau, created under the provisions of the Act approved the seventh day of May, one thousand nine hundred and twenty-three, entitled "An Act creating a Legislative Reference Bureau, providing for the election of a Director by the General Assembly, designating the officers and employees of such Bureau, defining their duties, fixing their salaries, abolishing the present Legislative Reference Bureau, and making an appropriation," of all moneys appropriated in the general appropriation not of May twenty-seventh, one thousand nine hundred and twenty-one, to the Legislative Reference Bureau, abolished by said act of May seventh, one thousand nine hundred and twenty-three.

BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 282, as follows:

An Act concerning liability for participation in breaches of fiduciary obligations and to make uniform the law with reference thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That (Definition of Terms) (1) In this act unless the context or subject-matter otherwise requires

"Bank" includes any person or association of persons whether incorporated or not carrying on the business of banking

"Fiduciary" includes a trustee under any trust expressed implied resulting or constructive executor administrator guardian conservator curator receiver trustee in bankruptcy assignee for the benefit of creditors partner agent officer of a corporation public or private public officer or any other person acting in a fiduciary capacity for any person trust or estate

"Person" includes a corporation partnership or other association or two or more persons having a joint or common interest

"Principal" includes any person to whom a fiduciary as such owes an obligation

(a) A thing is done "in good faith" within the meaning of this act when it is in fact done honestly whether it be done negligently or not

Section 2 (Application of Payments made to Fiduciaries) A person who in good faith pays or transfers to a fiduciary any money or other property which the fiduciary as such is authorized to receive is not responsible for the proper application thereof by the fiduciary and any right or title acquired from the fiduciary in consideration of such payment or transfer is not invalid in consequence of a misapplication by the fiduciary

Section 3 (Registration of Transfer of Securities held by Fiduciaries) If a fiduciary in whose name are registered any shares of stock bonds or other securities of any corporation public or private or company or other association or of any trust transfers the same such corporation or company or other association or any of the managers of the trust of its or their transfer agent is not bound to inquire whether the fiduciary is committing a breach of his obligation as fiduciary in making the transfer or to see to the performance of the fiduciary obligation and is liable for registering such transfer only where registration of the transfer is made with actual knowledge that the fiduciary is committing a breach of his obligation as fiduciary in making the transfer or with knowledge of such facts that the action in registering the transfer amounts to bad faith

Section 4 (Transfer of Negotiable Instrument by Fiduciary) If any negotiable instrument payable or indorsed to a fiduciary as such is indorsed by the fiduciary or if any negotiable instrument payable or indorsed to his principal is indorsed by a fiduciary empowered to endorse such instrument on behalf of his principal the indorsee is not bound to inquire whether the fiduciary is committing a breach of his obligation as fiduciary in indorsing or delivering the instrument and is not chargeable with notice that the fiduciary is committing a breach of his obligation as fiduciary unless he takes the instrument with actual knowledge of such breach or with knowledge of such facts that his action in taking the instrument amounts to bad faith If however such instrument is transferred by the fiduciary in payment of or as security for a personal debt of the fiduciary to the actual knowledge of the creditor or is transferred in any transaction known by the transferee to be for the personal benefit of the fiduciary the creditor or other transferee is liable to the principal if the fiduciary in fact commits a breach of his obligation as fiduciary in transferring the instrument

Section 5 (Check drawn by Fiduciard payable to third person) If a check or other bill of exchange is drawn by a fiduciary as such or in the name of his principal by a fiduciary empowered to draw such instrument in the name of his principal the payee is not bound to inquire whether the fiduciary is committing a breach of his obligation as fiduciary in drawing or delivering the instrument and is not chargeable with notice that the fiduciary is committing a breach of his obligation as fiduciary unless he takes the instrument with actual knowledge of such breach or with knowledge of such facts that his action in taking the instrument amounts to bad faith If however such instrument is payable to a personal creditor of the fiduciary and delivered to the creditor in payment of or as security for a personal debt of the fiduciary to the actual knowledge of the creditor or is drawn and delivered in any transaction known by the payee to be for the personal benefit of the fiduciary the creditor or other payee is liable to the principal if the fiduciary in fact commits a breach of his obligation as fiduciary in drawing or delivering the instrument

Section 6 (Check Drawn by and Payable to Fiduciary) If a check or other bill of exchange is drawn by a fiduciary as such or in the name of his principal by a fiduciary empowered to draw such instrument in the name of his principal payable to the fiduciary personally or payable to a third person and by him transferred to the fiduciary and is thereafter transferred by the fiduciary whether in payment of a personal debt of the fiduciary or otherwise the transferee is not bound to inquire whether the fiduciary is committing a breach of his obligation as fiduciary in transferring the instrument and is not chargeable with notice that the fiduciary is committing a breach of his obligation as fiduciary unless he takes the instrument with actual knowledge of such breach or with knowledge of such facts that his action in taking the instrument amounts to bad faith

Section 7. (Deposit in Name of Fiduciary as Such) If a deposit is made in a bank to the credit of a fiduciary as such the bank is authorized to pay the amount of the deposit or any part thereof upon the check of the fiduciary signed with the name in which such deposit is entered without being liable to the principal unless the bank pays the check with actual knowledge that the fiduciary is committing a breach of his obligation as fiduciary in drawing the check or with knowledge of such facts that its action in paying the check amounts to bad faith If however such a check is payable to the drawee bank and is delivered to it in payment of or as security for a personal debt of the fiduciary to it the bank is liable to the principal if the fiduciary in fact commits a breach of his obligation as fiduciary in drawing or delivering the check

Section 8 (Deposit in Name of Principal) If a check is drawn upon the account of his principal in a bank by fiduciary who is empowering to draw checks upon his principal's account the bank is authorized to pay such check without being liable to the principal unless the bank pays the check with actual knowledge that the fiduciary is committing a breach of his obligation as fiduciary in drawing such check or with knowledge of such facts that its action in paying the check amounts to bad faith If however such a check is payable to the drawee bank and is delivered to it in payment of or as security for a personal debt of the fiduciary to it the bank is liable to the principal if the fiduciary in fact commits a breach of his obligation as fiduciary in drawing or delivery the check

Section 9 (Deposit in Fiduciary's Personal Account) If a fiduciary makes a deposit in a bank to his personal credit of checks drawn by him upon an account in his own name as fiduciary or of checks payable to him as fiduciary or of checks drawn to him upon an account in the name of his principal if he is empowered to draw checks thereon or of checks payable to his principal and indorsed by him if he is empowered to endorse such checks or if he otherwise makes a deposit of funds held by him as fiduciary the bank receiving such deposit is not bound to inquire whether the fiduciary is committing thereby a breach of his obligation as fiduciary and the bank is authorized to pay the amount of the deposit or any part thereof upon the personal check of the fiduciary without being liable to the principal unless the bank receives the deposit or pays the check with actual knowledge that the fiduciary is committing a breach of his obligation as fiduciary in making such deposit or in drawing such check or with knowledge of such facts that its action in receiving the deposit or paying the check amounts to bad faith

Section 10 (Deposit in Names of Two or More Trustees) When a deposit is made in a bank in the name of two or more persons as trustees and a check is drawn upon the trust account by any trustee or trustees authorized by the other trustee or trustees to draw checks upon the trust account neither the payee nor other holder nor the bank is bound to inquire whether it is a breach of trust to authorize such trustee or trustees to draw checks upon the trust account and is not liable unless the circumstances be such that the action of the payee or other holder or the bank amounts to bad faith

Section 11 (Act not Retroactive) The provisions of this act shall not apply to transactions taking place prior to the time when it takes effect

Section 12 (Cases not Provided for in Act) In any case provided for in this act the rules of law and equity including the law merchant and those rules of law and equity relating to trusts agency negotiable instruments and banking shall continue to apply

Section 13 (Uniformity of Interpretation) This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it

Section 14 (Short Title) This act may be cited as the Uniform Fiduciaries Act

Section 15 (Inconsistent Laws Repealed) All acts or parts of acts inconsistent with this act are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 686, as follows:

An Act relating to the registration and re-registration of nurses by the State Board of Examiners for Registration of nurses and licensed attendants and the issuance of a license to practice nursing making the violation of the provisions of this act a misdemeanor and providing penalties therefor

Section 1 Be it enacted et cetera that all persons registered as registered nurses with the State Board of Examiners for Registration of Nurses and all persons registered with said Board as Licensed Attendants shall in every year following the passage of this act during the month of January again cause his or her certificate to be recorded in the office of the State Board of Examiners for Registration of Nurses The registered nurse shall pay to the said board a fee of one dollar ($1.00) for such re-registration and the licensed attendant shall pay to the said Board a fee of fifty cents ($.50) for such re-registration

Section 2 On or before the first day of November of each year after the year one thousand nine hundred and twenty-three the Secretary of the Board shall mail to every registered nurse and licensed attendant in the State of Pennsylvania a blank application for re-registration addressthe same in accordance with the post office address given at the last previous registration Upon the receipt of such application blank which shall contain space for the insertion of his or her name office or post office address date and number of his or her license and such other information as the Board may deem necessary he or she shall sign same with his or her name in his or her own handwriting and fill out the address and other blanks in his or her own handwriting after which he or she shall forward such statement and application for renewal of his or her registration certificate to the Secretary of the Board together with the fee of one dollar ($1.00) for registered nurses or fifty cents ($.50) for licensed attendants Upon receipt of such application and fee and having verified the accuracy of the same by comparison with the applicant's initial registration statements the secretary of the Board shall issue a certificate of registration which shall render the holder thereof a legally qualified registered nurse or licensed attendant as the case may be for the ensuing year Provided however That the said Board may revoke any certificate of registration for sufficient cause in accordance with the rules and by-laws of the Board and in the manner provided by law Every license shall be issued by the Board under seal and shall be signed by the President and Secretary of the Board of Examiners Before any license issued it shall be numbered and properly recorded in the office of the Board and its number shall be noted in the license The Board shall license to practice nursing all registered nurses practicing as such within the State of Pennsylvania on or before the first day of July one thousand nine hundred and twenty-three who make application therefor prior to the first day of December one thousand nine hundred and twenty-three and submit satisfactory evidence that he or she is at the time of the application therefor registered and legally authorized in the manner now provided by law to assume the title of registered nurse The Board shall license to care for the sick all practicing as such within the State of Pennsylvania on or before the first day of July one thousand nine hundred and twenty-three who make application therefor prior to to the first day of December one thousand nine hundred and twenty-three and submit satisfactory evidence that he or she is at the time of the application therefor registered and legally authorized in the manner now provided by law to assume the title of licensed attendant These certificates of registration shall all bear date of September first of the year of issue and shall expire on the thirty-first day of August in the year following All nurses already registered in this State at the time of the passage of this act shall make application to the Secretary of the

Board for the registration blank upon receipt of which he or she shall in like manner already described make application for re-registration forwarding to the Secretary of the Board the re-registration blank properly filled in accompanied by the fee of one dollar ($1.00) All registered licensed attendants already registered in this State at the time of the passage of this act shall make applcation to the Secretary of the Board for the registration blank upon receipt of which he or she shall in like manner already described make application for re-registration forwarding to the Secretary of the Board the registration blank properly filled in and accompanied by the fee of fifty ($.50) cents Said application and fee must reach the Secretary on or before the first day of December following the adoption of this statute Should any registered nurse or licensed attendant continue to practice nursing and care of the sick beyond the thirty-first day of January without having registered as required by the provisions of this act he or she shall be counted as an illegal practitioner and his or her license may be suspended or revoked by the Board of Examiners Any nurse whose certificate is revoked because of failure to register as required by the provisions of this act shall be entitled to re-instatement as a registered nurse or licensed attendant as the case may be upon application made to the Board accompanied by the annual fee and by two affidavits as to good character made by a director of a traning school for nurses and by a superintendent of a hospital recognized as such by the Board No person whose certificate has been suspended or revoked for failure to register shall thereafter practice as a trained certified graduate or registered nurse or licensed attendent nurse until he or she has been granted a license by the Board upon the application for re-instatement provided for above

Section 3 Any person who violates any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty ($50.00) dollars nor more than two hundred ($200.00) dollars for each offense

Section 4 Nothing contained in this act shall be construed as conferring any authority to practice medicine or to undertake the treatment or cure of disease in violation of the Laws of the Commonwealth

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President, I move to reconsider the vote by which the bill passed third reading.

Mr. McCLINTOCK. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. BARR. Mr. President, I ask unanimous consent to amend title, line 1, by inserting after the word "nurses" the following: "and licensed attendents"; also line three, by striking out after the word "nurses", the words: "and licensed attendents".

he PRESIDENT. Is there objection? The Chair hears none

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 101, as follows:

An Act for the registration and regulation of certain individuals and entities selling offering for sale or delivery soliciting subscriptions to or orders for or undertaking to dispose of inviting offers for or inquiries about or dealing in any manner in securities defined herein conferring powers and imposing duties on the Commissioner of Banking and otherwise providing for the administration of this act prescribing penalties and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 This act shall be known and may be cited as "The Securities Act"

Section 2 The following terms shall unless the context otherwise indicates have the following respective meanings

(a) The terms "security" or "securities" shall include any bond stock certificate under a voting trust agreement treasury stock note debenture certificate in or under a profit-sharing or participation agreement subscription or reorganization certificate oil gas or mining lease or cersificate of any interest in or under the same evidence of indebtedness or any certificate or instrument representing or secured by an interest in the capital assets or property of any corporation unincorporated organization association trust or public corporation or body or any other instrument commonly known as a security

(b) The term "company" shall include a corporation part-stock company partnership association company syndicate trust incorporated or unincorporated heretofore or hereafter formed under the laws of this state or any other state or territory of the United States or any foreign state or country as used herein The term "trust shall be deemed to include a common law trust but shall not include a trust created or appointed under or by virtue of a last will and testament or by a court of law or equity

(c) The term "dealer" shall include every person or company other than a salesman who engages for profit in this state either for all or part of his time directly or through an agent in selling offering for sale or delivery or soliciting subscriptions to or orders for or undertaking to dispose or to invite offers for or inquiries about or dealing in any manner in any security or securities within this state

None of the following transactions shall constitute the person or company engaging therein a "dealer" within the meaning of this act that to say a sale offer for sale solicitation subscription invitation dealing in or delivery

(1) Of a security issued or guaranteed by any of the following the United States of America or a state or territory insular possession political sub-division or agency thereof the District of Columbia a national bank corporation created or acting as an instrumentality of the Government of the United States pursuant to the authority of Congress

(2) At any judicial executor's administrator's guardian's committee's or conservator's sale or at any sale by a receiver or trustee in insolvency or bankruptcy

(3) In an isolated transaction in which any security is sold or offered for sale subscription or delivery by the owner thereof or by his representative or agent for the owner's account such sale or offer for sale subscription or delivery not being made in the course of repeated and successive transactions of a like character by such owner or on his account by such representative or agent and such owner or representative or agent not being the underwriter of such security

(4) By or for the account of a pledge holder or mortgagee selling or offering for sale or delivery in the ordinary course of business to liquidate a bona fide debt a security pledged in good faith as security for such debt

(5) To any bank savings institution or trust company created under the laws of this Commonwealth or to any person or company registered under the provisions of this act

(6) Wherein the securities disposed of consist exclusively of unsecured commercial paper

(7) Wherein the securities disposed of consist exclusively of mortgages upon real or personal property situated in Pennsylvania and the entire mortgage is sold or transferred with the note or notes secured thereby

(8) Wherein the issuer a company organized under the laws of this state disposes of its own securities in good faith and not for the purpose of avoiding the provisions of this act for the sole account of the issuer without any commission or fee and at a total expense of not more than three per centum of the proceeds realized thereon and where no part of the issue is used directly or indirectly

in payment for patents services good will or for property located outside of this state

(9) Wherein the securities are the securities of any corporation organized under the laws of this State whose authorized capital stock added to its other outstanding securities does not exceed twenty-five thousand dollars ($25,000) shares of stock without nominal ro par value being considered for the purpose of this act to be of one hundred dollars ($100) each and such securities are issued and disposed of for the sole account of the issuer in good faith and not for the purpose of avoiding the provisions of this act

(10) In the original issuance and sale of any corporation organized under the laws of this State of its stock issued in good faith and not for the purpose of avoiding the provisions of this act for the sole account of the issuer so long as the number of stockholders of said corporation does not exceed twenty-five (25) and the securities are issued and disposed of without the use of advertisements circulars agents salesmen solicitors or any form of public solicitation

(11) The distribution by a corporation of capital stock bonds or other security to its stockholders as stock dividend or other distribution out of earnings or surplus or the issue of securities to the security holders or other creditors of a corporation in the process of a bona fide reorganization of such corporation made in good faith either in exchange for the securities of such security holders or claims of such creditors or partly for cash and partly in exchange for the securities or claims of such security holders or creditors or the issue of increased capital stock of a corporation sold or distributed by it entirely among its own stockholders

(12) The transfer or exchange by or on account of one corporation to another corporation of their own securities in connection with a proposed consolidation or merger of such corporations

(d) The term "salesman" shall include every person or company employed or appointed or authorized by a dealer to sell offer for sale or deliver or solicit subscriptions to or orders for or dispose of inquiries about or deal in any manner in securities within this State whether by direct act or through sub-agents

(e) The term "commissioner" shall mean the Commissioner of Banking of the Commonwealth of Pennsylvania

(f) The terms "fraud" "fraudulent" or "fraudulent practice" shall include any misrepresentation in any manner of a relevant fact not made honestly and in good faith any promise or representation or predication as to the future not made honestly and in good faith or an intentional failure to disclose a material fact the gaining directly or indirectly through the sale of any security of an underwriting or promotion fee or profit selling or managing commission or profit so gross and exorbitant as to be unconscionable and fraudulent and any scheme device or other artifice to obtain such a profit fee or commission provided however that nothing herein shall limit or diminish the full meaning of the terms "fraud" and "fraudulent" as applied or accepted in courts of law or equity

Section 3 No dealer shall by direct solicitation or through agents or salesmen or by letter telephone telegraph circular or advertising sell offer for sale tender for sale or delivery or solicit subscriptions to or orders for or dispose or undertake to dispose of or invite offers for or inquiries about any securities within this state without first being registered as in this act provided No salesman or agent shall in behalf of any dealer sell offer for sale tender for sale or delivery or solicit subscriptions to or orders for or dispose or undertake to dispose of or invite offers for or inquiries about any securities within this state unless registered as a salesman or agent of a dealer under the provisions of htis act The list of dealers agents or salesman registered under the provisions of this act shall at all times be open to the public

Section 4 A dealer to be registered must submit a sworn application therefor to the Commissioner which shall be in such form as the Commissioner may determine and which shall state the principal place of business of the applicant wherever situated and the location of the principal place of business and all branch offices in this state if any the name or style of doing business and the address of the dealer the names residences and business addresses of all persons interested in the business as principals officers directors or managing agents specifying as to each his capacity and title the general plan and character of business of such applicant and the length of time during which the dealer has been engaged in business such application shall also contain such additional information as to applicant's previous history record and associations as may be required by the Commissioner Each application shall be accompanied by certificates or other evidences satisfactory to the Commissioner establishing the good repute in business of the applicant his directors officers copartners or principals If the applicant is a corporation organized under the laws of any other state or territory or government or shall have its principal place of business therein it shall accompany the application with a copy of its Articles of Incorporation certified by the proper officers of such state territory or government and of its regulations and by-laws if a limited partnership a copy of its Articles of co-partnership and if an unincorporated association organized under the laws of any other state territory or government or having its principal place of business therein a copy of its Articles of Association trust agreement or deed of settlement

Section 5 Every company organized under the Laws of any other state or having its principal office therein and every non-resident individual shall file with it or his application a written consent irrevocable that actions may be commenced against it or him in the proper court of any county of this Commonwealth in which the cause of action may arise or in which the plaintiff may reside by a service of process upon the Commissioner as its or his agent and stipulating and agreeing that such service of process shall be taken and held in all courts to be as valid and binding as if due service had been made upon the person or company itself according to the laws of this or any other state and such instrument shall be authenticated by the seal of such corporation or by the signature of all the members of such copartnership or by the signature of the president and secretary of the association if it is a corporation or association and shall be accompanied by a duly certified copy of the resolutions of the board of directors trustees or managers of the corporation authorizing the said secretary and president to execute the same

Section 6 If the Commissioner is satisfied that the applicant is of good repute and that the proposed plan of business of the applicant is not unfair unjust or inequitable he shall register the applicant and issue to him a registry certificate stating the principal place of business and address of the dealer the names residences and business addresses of all persons interested in the business as principals officers directors or managing agents and the fact that the dealer has been registered for the current calendar year as a dealer in securities Pending final disposition of an application the commissioner may for special cause show grant temporary permission revocable at any time and subject to such terms and conditions as the commissioner may prescribe to transact business as a dealer under this act

Section 7 If the Commissioner declines or fails to so register the applicant he shall immediately give notice of the fact to the applicant and upon request from such applicant filed within ten days after the receipt of such notice shall fix a time and place for hearing of which ten days' notice shall be given to such applicant and to other persons interested or protesting to offer evidence relating to the dealers application If satisfied as aforesaid as a result of said hearing the commissioner shall thereupon register the dealer

Section 8 The certificates shall be in such form as the Commissioner may determine Changes in the certificates necessitated by changes in the personnel of a partnership or in the principals officers directors or managing agents of any dealer may be made at any time upon written application setting forth the fact necessitating the change Upon the issue of the amended certificates the original certificate and the certified copies thereof outstanding shall be promptly surrendered to the Commissioner

Section 9 Upon written application by a registered dealer and upon satisfactory evidence as to the fitness and qualification the Commissioner shall register as agents or salesmen of such dealers such persons as the dealer may request The application shall be in such form as the Commissioner may prescribe and shall state the residences and addresses of the persons whose registration is requested together with such information as to such agent's or salesman's previous history record and associations as may be required by the Commissioner Such Application shall also be signed and sworn to by the agent or salesman for whom registration is requested The Commissioner shall issue to each person so registered a registration certificate stating his name residence and address of the dealer and the fact that he is registered for the current calendar year as an agent or salesman as the case may be of the dealer The certificate shall be in such form as the Commissioner shall determine Upon application by the dealer the registration of any agent or salesman shall be cancelled

Section 10 All registrations shall expire at the close of the calendar year but new registrations for the succeeding year shall be issued upon written application and upon payment of the fee as hereinafter provided without filing of further statements or furnishing any further information unless specifically requested by the Commissioner Applications for renewals must be made not less than thirty nor more than sixty days before the first day of January of the ensuing year All applications for renewals received otherwise shall be treated as original applications

Section 11 Any registered dealer may and any person or company named in the registration certificate as above provided as an agent or salesman may in behalf of any dealer sell offer for sale or delivery or solicit subscriptions to or orders for or dispose or undertake to dispose of or invite offers for or inquires about securities in this state But such dealer agent or salesman shall at all times when so engaged carry with him a registration certificate or a copy thereof certified by the Commissioner which shall at any time be shown to any prospective customers upon such customer's request

No dealer agent or salesman shall use the fact of his registry by public display or advertisement except as hereinafter expressly provided or the registry certificate or any certified copy thereof in connection with any sale or effort to sell any security except to a prospective customer upon such customer's request

Section 12 Immediately upon receipt of the dealer's registry certificate issued pursuant to the authority of this act the dealer named therein shall cause such certificate to be posted and at all times conspicuously displayed in such dealer's principal place of business if one is maintained in this state and shall likewise forthwith cause a duplicate of such certificate to be posted and at all times conspicuously displayed in each branch office located within this state

Section 13 No dealer agent or salesman shall issue or publish within this state any circular advertisement pamphlet prospectus program or other matter in the nature thereof concerning any security or securities which such dealer handles or proposes to sell until such dealer shall have been registered or temporary permission obtained as in this act provided Nor shallany dealer agent or salesman issue or publish within this state any circular advertisement phamphlet prospectus program or other matter in the nature thereof concerning any security or securities to be sold or offered for sale unless the name of the dealer shall be subscribed thereto and a true copy thereof filed in the office of the Commissioner or deposited in a United States Post Office property enclosed envelope addressed to the Commissioner of Banking at Harrisburg Pennsylvania with the postage duly prepaid thereon Nor shall any dealer agent or salesman issue or publish within this state any circular advertisement pamphlet prospectus program or other matter in the nature thereof after notice in writing given to him by the Commissioner that in the Commissioner's opinion the same contains any statement that is false or misleading or otherwise likely to deceive a reader thereof

Section 14 The Commissioner may at any time require a dealer to file with him a list of securities which within this state he has offered for sale or has advertised within the preceeding six months or which he is at the time offering for sale or advertising or any portion thereof and thereupon if it shall appear that any of such offerings of the dealer have not been made honestly and in good faith but have been made with intent to deceive or defraud he may prohibit the dealer from selling or offering such securities as have been so sold or offered or from in any way advertising them within this State

Section 15 If the Commissioner at any time has reason to believe any dealer has in any way violated or is violating or is about to violate any of the provisions of this act or has been guilty of any fraud or fraudulent practice then the Commissioner may after hearing and having reasonable cause to believe that the dealer has been guilty of such offense revoke said dealer's registration Notice of the time and place of any such hearing shall be sent to such dealer at least seven days prior thereto If the Commissioner believes the public interest may be endangered by such dealer cointinuing in business pending such hearing the Commissioner may also suspend such dealer's registration pending such hearing In either event the dealer shall not be regarded as registered under the provisions hereof until restored to registration by the Commissioner either on his own initiative or upon order of the court as in this act hereinafter provided In case of revocation or suspension all registration certificates shall at once be surrendered to the Commissioner upon his request The revocation or suspension of the dealer's registration shall constitute a revocation or suspension of any agent or salesman of the dealer and notice of its operation on such agent's or salesman's registration shall be forthwith sent by the Commissioner to each of such agents and salesmen

Section 16 If the Commissioner at any time has reason to believe any agent or salesman of any dealer has in any way violated or is violating or is about to violate any of the provisions of this act or has been guilty of any fraud or fraudulent practice then the Commissioner may after hearing and having reasonable cause to believe that the agent or salesman has been guilty of such offense revoke said agent's or salesman's registration Notice of the time and place of such hearing shall be sent to such dealer and to such agent or salesman at least seven days prior thereto If the Commissioner believes the public interest may be endangered by such agent or salesman continuing in business pending such hearing the Commissioner may also suspend such agent's or salesman's registration pending such hearing In either event the agent or salesman shall not be regarded as registered under the provisions hereof until restored to registration by the Commissioner either on his own initiative or upon order of the court as in this act hereinafter provided In case of revocation or suspension as a result of proceedings under this section or in case of the revocation or suspension of an agent's or salesman's registration as a result of proceedings against a dealer under Section fifteen hereof in either such event all agent's or salesman's registration certificates shall at once be surrendered to the Commissioner upon his request

Section 17 Any notice required by this act shall be sufficient if sent by registered mail addressed to the dealer agent or salesman as the case may be at the address designated in the application for registration

All decisions of the Commissioner shall be in writing signed by him and shall briefly state the grounds therefor

Section 18 Any dealer salesman or agent aggrieved by any decision of the Commissioner may file within thirty days thereafter in the Court of Common Pleas of Dauphin County a petition against the Commissioner officially as defendant alleging therein in brief detail the action and decision complained of and praying for a reversal thereof Upon service of summons upon said defendant returnable within three days from its date the Commissioner shall within one week from such return date file an answer in which he shall allege by way of defense the grounds for his decision and such other grounds as shall in the meantime accrue or be discovered All allegations of the answer shall be deemed to stand denied without further pleading and upon application of either party the cause shall be advanced and heard without delay Mere technical irregularities in the procedure of such Commissioner shall be disregarded The Court's decision shall consult only the rights of the plaintiff and the protection of the public and the Commissioner shall prosecute no proceedings to obtain a reversal modification or a vacation of a judgment rendered in favor of the plaintiff A judgment sustaining the refusal of the Commissioner to grant or renew a registration shall not bar after one year a new application by the plaintiff for registration nor shall a judgment in favor of the plaintiff prevent such Commissioner from thereafter revoking or refusing to renew such registration for any proper cause which may thereafter accrue or be discovered The Court shall have full power to dispose of all costs

Section 19 The Commissioner may require by subpoena records papers and correspondence except stock transfer books or other records or indices showing the names and addresses of stockholders relating to any matter which the Commissioner has authority by this act to consider or investigate and for this purpose the Commissioner may sign subpoena administer oaths and affirmations examine witnesses and receive evidence Provided however that all information of every kind and nature contained therein shall be treated as confidential by the Commissioner and shall not be disclosed to the public except under order of court In case of disobedience of any subpoena or of the contumacy of any witness appearing before the Commissioner the Commissioner may invoke the aid of the Court of Common Pleas within whose jurisdiction the principal place of business of the dealer in this State is located or of any Court of Common Pleas in which the witness may be found and such Court may thereupon issue an order requiring the person subpoenaed to obey the subpoena or to give evidence or produce books accounts records papers and correspondence touching the matter in question Any failure to obey such order of the Court may be punished by such Court as a contempt thereof

Each witness required to attend before the Commissioner shall receive for each day's attendance the sum of $2.00 and shall receive in addition the sum of ten cents for each mile circular travelled by such witness by the usual route between his home and the place where his presence is required All disbursements made in the payment of such fees shall be included in and paid in the same manner as is provided for the payment of other expenses incident to the administration and enforcement of this act as hereinafter provided for

The fees for serving a subpoena shall be the same as those paid the sheriff for similar services The fees expenses and cost of or in connection with any hearing may be imposed by the Commissioner upon any party to the record or may be divided between any or all parties to the record in such proportions as the Commissioner may determine

Section 20 In any prosecution or proceeding under this act the accused shall be deemed to have knowledge of any fact or circumstance where in the exercise of reasonable diligence he could or should prior to the commission of the offense complained of have secured such knowledge

Section 21 Any dealer agent salesman principal officer or employe who shall within this state sell offer for sale or delivery solicit subscriptions to or orders for dispose of invite offers for or inquiries about or who shall deal in any manner in any security or securities without being registered as in this act provided or who makes any false statement of fact in any statement or matter of information required by this act to be filed with the Commissioner or any advertisement prospectus letter telegram circular or in any other document containing an offer to sell or to dispose of or in or by verbal or written solicitation to purchase or in any commendatory matter concerning any securities with intent to aid in the disposal or purchase of the same or who makes any false statement or representation concerning any registration made under the provision of this act or who is guilty of any fraud or fraudulent practice shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than $5000.00 or imprisonment for not more than two years or both Any dealer officer agent salesman principal officer or employe who shall commit in whole or in part any other act declared unlawful by this statute shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than $1000.00 or imprisonment for not more than one year or both

Section 28 Copies of all papers instruments or documents filed in the office of the Commissioner certified under his hand and sel shall be admitted to be read in evidence in all Courts of Law and elsewhere in this Commonwealth in all cases where the originals would be admitted in evidence provided that in any proceeding the Court having jurisdiction may on cause shown require the production of the originals

Section 23 Nothing herein contained shall limit or diminish the liability of any person or company or of any officers or agents thereof now imposed by law to prevent the prosecution of any person or company or of the officers or agents thereof for the violation of the provisions of any other statute

Section 24 The administration of the provisions of this act shall be vested in the Commissioner of Banking The Commissioner shall with the approval of the Governor appoint one deputy who shall be learned in the investment banking business The deputy appointed under this act shall perform such duties as the Commissioner shall generally or specifically direct and shall have all the powers by this act conferred on the Commissioner which may be necessary for the complete discharge of such duties In case of vacancy in the office of the Commissioner or in case of inability of the Commissioner by reason of absence physical disability or other cause to properly administer the provisions of this act the Governor may designate a deputy appointed under this statute to act for and in such Commissioner's stead and thereupon the deputy thus designated shall have generally for the time being all the power and authority in this act conferred upon the Commissioner

Section 25 The Commissioner with the approval of the Governor shall employ from time to time such clerks investigators special agents and other employes as he may need to discharge in a proper manner the duties imposed on him by this act They shall perform such duties as the Commissioner shall assign to them and their compensation and the compensation of the deputies herein provided for shall be fixed by the Commissioner with the approval of the Governor

The deputies and each of the employes shall take and subscribe and file the oath of office prescribed by law for the Commissioner Bonds shall be given to the Commonwealth by the deputies and such of said employes in such amounts and with surety as may be determined by the Commissioner conditioned for the faithful performance of their duties The cost of all bonds given pursuant to this section shall constitute expenses for the administration of this act

Section 26 The Commissioner deputy or any person appointed or employed by the Commissioner shall be paid in addition to their salary or compensation the railroad fare board lodging and other travelling expenses necessary and actually incurred by each of them in the performance of the duties required by this act or performed by the direction of the Commissioner

Section 27 It shall be the duty of the Commissioner to see that the provisions of this act are at all times properly administered and obeyed and to take such measures and make such investigations as will detect the violation of any provisions thereof In the event he shall discover any such violation he shall in addition to revoking and registration take such measures as may be necessary to cause the apprehension and prosecution of all persons deemed guilty thereof The Commissioner shall have power to establish equip and maintain offices in the cities of Philadelphia and Pittsburgh and to place a deputy in charge of each with such power and authority as the Commissioner may determine necessary for the proper administration of the provisions of this act

Section 28 The Board of Commissioners of Public Ground and Buildings or its successor in authority shall furnish the Commissioner with such rooms in the Capital Building or other public buildings in the city of Harrisburg as may be necessary to properly administer the provisions of this act and shall furnish equip and maintain the same

Section 29 The Board of Commissioners of Public Ground and Buildings or a successor in authority shall upon requisition of the Commissioner furnish such books stationery furniture and supplies for the office of the Commissioner at Harrisburg as may be needed to properly administer the provisions of this act The Department of Public Printing and Binding shall do such printing as the Commissioner shall by requisition deem expedient to have done by the State Printer to conform to regulation now in force or that may be hereafter adopted in the banking department with respect to printing.

Section 30 The Commissioner shall charge and collect the following fees and shall daily cover all fees received into the State Treasury

(a) for the filing of any original or renewal application the sum of Ten $10.00 Dollars

(b) for each and every registration certificate whether on an original or renewal application of a dealer forty $40.00 dollars except as hereinafter provided

(c) for each and every registration certificate whether on an original or renewal application of an agent or saleeman ten $10.00 dollars

(d) for each and every registration certificate issued to a dealer after the first day of July of any year twenty $20.00 dollars

For copies of any papers filed in the office of the Commissioner or for the certification thereof the Commissioner shall charge such fees as he shall by general rule or regulation prescribe

Section 31 The expenses for the organization under and of the administration of the provisions of this act shall until the first January one thousand nine hundred and twenty-four be paid in whole or in part by the State on requisition of the Commissioner and on warrant of the Auditor General out of the monies appropriated by Section thirty-four of this act

Upon and after the effective date of this act all monies derived from fees assessments or charges under this act shall be paid by the Commissioner into the State Treasury for safe keeping and shall by the State Treasurer be placed in a separate fund to be available for the use of the Commissioner in the administration of this act upon requisition of the Commissioner All such monies so paid into the State Treasury are hereby specifically appropriated to the Banking Department for the purpose of paying the salaries of the deputy or deputies herein provided for of all employes appointed for the administration of this act and all other expenses necessary and proper for the administration of this act including rentals equipment and maintenance of and supplies for such offices or quarters as the Commissioner may deem necessary outside of the Capitol Building or other public building in the city of Harrisburg

The Auditor General shall upon requisition of the Commissioner from time to time draw warrants upon the State Treasury for the amounts specified in such requisition not exceeding however the amount in such fund at the time of the making of any requisition therefor

Section 32 In case at any time the funds on hand in the State Treasury and available under this act to the Commissioner are insufficient to insure the continuous and effectual administration of the provisions of this act the Commissioner shall be empowered to requisition from the State Treasurer by warrant from the Auditor General the amount of money sufficient to insure the effectual administration of this act but not exceeding the sum of five thousand dollars in any one year and such amount is hereby specifically appropriated annually to the Commissioner of Banking

Section 33 The provisions of this act are severable and in the event that any provision thereof should be declared unconstitutional it is hereby declared that the remaining provisions would have been enacted notwithstanding such judicial determinations of the invalidity of any particular provision or provisions in any respect

Section 34 The sum of ten thousand $10,000 dollars is hereby specifically appropriated to the Banking Department out of the general funds of the State for organization under and for the administration of the provisions of this act to be paid by the State Treasurer out of monies not otherwise appropirated upon warrant of the Auditor General and upon requisitio nof the Commissioner The monies hereby appropriated shall be available immediately upon the approval of this act and shall continue available until the first day of January one thousand nine hundred and twenty-four

A sum equal to the amount of this appropriation actually used for the organization and administration of the provisions of this act shall be returned and paid into the general funds of the State Treasury by way of reimbursement out of the fees collected hereunder but only at such time or times or in such instalment amounts as the Commissioner may deem expedient

Section 35 This act shall take effect on the first day of the second calendar month next succeeding the date of the Governor's approval of this act except that it shall be lawful for the Commissioner to perfect his organization and to appoint a deputy or deputies and such employes as herein provided for and except that application for registration may be filed prior to said time upon public announcement by the Commissioner that his office has been sufficiently organized to receive the same

Section 36 All acts or parts of acts inconsistent with this act are repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

And the question recurring,

Mr. CLARK. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. CLARK. Mr. President, I ask unanimous consent to amend bill, page 17, lines 20 and 21, by striking out the lines 20 and 21 both inclusive; also in section 19, page 17, line 22, by inserting after the word "supeoena" the following: "or summons issued by him the attendance and testimony of witnesses and the production of any books accounts."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1095, (House Bill No. 1238), entitled:

An Act authorizing the Department of Forestry to lease for periods of not more than fifty years on terms conditions and stipulations expressed in each lease any portions of the State Forests for dams reservoirs canals pipe lines and other water conduits power houses and transmission lines for the development of water power for steam raising and condensation and for the generation and transmission of electric energy

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Forestry with the approval of the Governor and Attorney General is hereby authorized in its discretion to lease for periods of not more than fifty years any portions of the State Forests for use as sites for dams and other water obstructions reservoirs canals pipe lines and or other water conduits for the purpose of the development of water power and or for the main purpose of storage conveyance and or cooling of water for steam raising and or steam condensation in the generation of electric energy for public service and or for use as sites for power houses and or transmission lines for the generation and transmission of electric energy Every such lease shall be on such terms conditions and stipulations expressed in each lease as the Department with the approval of the Governor and Attorney General shall deem necessary for the protection of the present and future interests of the Commonwealth and its people and suitable for affording a reasonable opportunity for a fair return on the actual investment prudently made on the faith of such lease which may include provisions not repugnant to the rights of the United States its permittees licensees or transferees existing at the time of the making of such lease reserving an option in the Commonwealth to renew or extend for not more than fifty (50) years such lease or to take over the project works by and for itself or by and for another prospective lessee upon payment by the Commonwealth or by such other prospective lessee of the actual net investment in the project works by which is meant a complete unit of improvement or development consisting of a power house and appurtenant works all water conduits all dams and works appurtenant thereto which are a part of said unit and all storagem diverting or forebay reservoirs directly connected therewith the primary line or lines transmitting power from the power house to the point of junction with the distribution system or with an interconnected primary transmission system all miscellaneous structures used and useful in connection with such unit or any part thereof and all water rights rights-of-way ditches dams reservoirs lands or interests in lands the use and occupancy of which are necessary or appropriate in the maintenance and operation of such unit

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1192, as follows:

An Act to further amend section eleven of article six and section fifteen of article seven of an act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and sixty-eight) entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" by changing the salaries of councilmen and mayors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eleven of article six of an act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and sixty-eight) entitled "An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" as amended by the act approved the twenty-seventh day of May one thousand nine hundred and nineteen (Pamphlet Laws three hundred ten) entitled "An act to amend and revise an act entitled 'An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto' approved the twenty-seventh day of June Anno Domini one thousand nine hundred and thirteen enlarging changing modifying and defining certain of the powers of cities of the third class" is hereby further amended to read as follows

Section 11 The councilmen in cities of the third class shall receive for their services during their term of service annual salaries to be fixed by ordinance payable in monthly instalments Councils may by the ordinance fixing said salaries provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings of council or councilmanic committees The salary paid to any councilman shall not be less than two hundred and fifty dollars per year nor more than (three) four thousand five hundred dollars per year Provided however That for the term of city councilmen and until thereafter changed by ordinance the salary of each councilman shall be as follows

In cities of the third class of fifteen thousand inhabitants or under by the last United States census each councilman shall receive a salary of three hundred dollars per annum where said population is between fifteen thousand and thirty thousand seven hundred and fifty dollars per annum in cities having a population above thirty thousand and not exceeding fifty thousand two thousand dollars per annum in cities having a population of over fifty thousand and not exceeding seventy thousand two thousand five hundred dollars per annum in cities having a population of over seventy thousand three thousand dollars per annum The council elected under the provisions of this act shall have power by ordinance to determine the amount of salaries to be paid in said cities The compensation to be received by councilmen shall not be increased or diminished during the term for which they shall be elected but succeeding councils may change all compensation said change to take effect after the expiration of term of office of the council making the change

Section 2 That section fifteen of article seven of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and nineteen (Pamphlet Laws three hundred ten) is hereby further amended to read as follows

Section 15 The mayor of each city of the third class elected under the provisions of this act shall receive for his services during the term of service an annual salary to be fixed by ordinance payable in monthly instalments The council shall by ordinance fix the amount of salary to be paid to the mayor for his services and may provide for the assessment and retention therefrom of reasonable fines for absence from regular or special meetings of council or councilmanic committees The amount of salary in cities of the third class shall not be less than five hundred dollars nor more than (three thousand five hundred) five thousand two hundred and fifty dollars per year Until changed by ordinance the salary of said mayors in cities of the third class shall be as follows In cities having a population of fifteen thousand or under by the last United States census five hundred dollars per annum in cities having a population of over fifteen thousand and less than thirty thousand inhabitants one thousand two hundred dollars per annum in cities having a population exceeding thirty thousand and not exceeding fifty thousand inhabitants two thousand five hundred dollars per annum in cities having a population of over fifty thousand and not exceeding seventy thousand inhabitants three thousand dollars per annum in cities having a population of over seventy thousand inhabitants three thousand five hundred dollars per annum and the amount of compensation for the mayor in any of the said cities shall not be increased or diminished during the term of office for which he shall be elected Succeeding councils may change the amount of such compensation but such change shall not affect the compensation of the mayor then in office

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—2.

Lanius,
Sisson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. McCLINTOCK. Mr. President, I ask that Senate Bill No. 327, on third reading, entitled:

An Act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the second class of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primary elections in said cities to provide for the appointment of Registration Commissioners by the Governnor and of the registrars and other employees by the Registration Commissioners and fixing their compensation to prescribe the duties and powers of said Registration Commissioners and registrars and the days times places and methods for the registration of electors to provide for the payment of salaries and expenses including materials and supplies for the County Commissioners to provide for the assistance of keepers of hotels lodging houses boarding houses and rooming houses and municipal authorities in securing this data for and in the investigation and supervision of the registration or electors to authorize the registration commissioners to appoint inspectors to supervise the registration of electors to provide for the payment of witness fees for persons summoned before the Commissioners and appeals to the Courts of Common Pleas to provide penalties for violations of its provisions and repealing all acts or parts of acts inconsistent herewith

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 335, entitled:

An Act making an appropriation to the Waynesboro Hospital Waynesboro Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 377, entitled:

An Act making an appropriation to the Chestnut Hill Hospital of Philadelphia Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
Harris,
Einstein,
Eyre,
DeWitt,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Woodward,
Weaver,

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. HUFFMAN. Mr. President, I ask that Senate Bill No. 415, (House Bill No. 449), on third reading, entitled:

An Act to amend paragraph one section five of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An Act to provide for the incorporation and regulation of certain corporations" as amended changing the effect of the by-laws of corporations

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 525, (House Bill No. 380), entitled:

An Act to amend section one of the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand seventy-two) entitled "An Act providing a method of establishing title to land acquired at a sale for unpaid taxes"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. BUCKMAN. Mr. President, I ask that Senate Bill No. 536, (House Bill No. 551), on third reading entitled:

An act to amend sections two three four five as amended seven nine and ten of the act approved the thirtieth day of March one thousand nine hundred and seventeen (Pamphlet Laws twenty-one) entitled "An Act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and licensure and means and methods whereby the right to practice optometry may be obtained and providing the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by the board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 586, as follows:

An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and certain existing and certain new Administrative Departments Boards Commissions and officers abolishing combining changing the names or reorganizing or authorizing the reorganization of certain administrative Departments Boards Commissions Bureaus Divisions offices and Agencies defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative Departments Boards and Commissions fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain Departments Boards and Commissions and prescribing the manner in which the number and compensation of the Deputies and all other assistants and employees of certain Departments Boards and Commissions shall be determined

ARTICLES

Article I	Short Title and General Reorganization Provisions
Article II	Administrative Organization
Article III	Organization of Independent Administrative Boards and Commissions
Article IV	Organization of Pennsylvania State Police and of Departmental Administrative Bodies Boards and Commissions and Advisory Boards and Commissions
Article V	Powers and Duties in General
Article VI	Budgetary and Financial Powers and Duties of Administrative officers Departments Boards and Commissions
Article VII	Powers and Duties of the Governor and other Constitutional officers of the Executive Board and of the Pennsylvania State Police
Article VIII	Powers and Duties of the Department of State Finance
Article IX	Powers and Duties of the Department of Justice and its Departmental Administrative Bodies Boards and Commissions
Article X	Powers and Duties of the Department of the Auditor General
Article XI	Powers and Duties of the Treasury Department and its Departmental Administrative Board
Article XII	Powers and Duties of the Department of Internal Affairs and its Departmental Administrative Board
Article XIII	Powers and Duties of the Department of Public Instruction and its Departmental Administrative Boards and Commissions
Article XIV	Powers and Duties of the Department of Military Affairs and its Departmental Administrative Boards and Commissions
Article XV	Powers and Duties of the Department of Agriculture and its Departmental Administrative Commission
Article XVI	Powers and Duties of the Department of Forests and Waters its Officers and Departmental Administrative and Advisory Boards and Commissions
Article XVII	Powers and Duties of the Department of Labor and Industry and its Departmental Administrative and Advisory Boards
Article XVIII	Powers and Duties of the Department of Health and its Departmental Administrative and Advisory Boards
Article XIX	Powers and Duties of the Department of Highways
Article XX	Powers and Duties of the Department of Welfare and its Departmental Administrative and Advisory Boards and Commissions
Article XXI	Powers and Duties of the Department of Property and Supplies and its Departmental Administrative and Advisory Boards and Commissions
Article XXII	Powers and Duties of the Department of Banking and its Departmental Administrative Board
Article XXIII	Powers and Duties of the Department of Insurance
Article XXIV	Powers and Duties of the Department of Mines and its Departmental Administrative Board
Article XXV	Powers and Duties of the Board of Game Commissioners and its Enforcers and its Enforcement Officers
Article XXVI	Powers and Duties of the Board of Fish Commissioners and its Enforcement Officers
Article XXVII	Powers and Duties of the Public Service Commission of the Commonwealth of Pennsylvania
Article XXVIII	Interpretation and Effective Date
Article XXIX	Repealer

ARTICLE I

SHORT TITLE AND GENERAL REORGANIZATION PROVISIONS

Section 1 Short Title Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "The Administrative Code"

Section 2 Certain Existing Departments Boards Commissions and offices abolished To accomplish the purposes of this act all places and positions except those specifically retained by this act in or under the executive and administrative bureaus divisions boards commissions offices and agencies of the State Government and in or under the several executive and administrative departments except the Departments of the Auditor General the State Treasurer and the Department of Internal Affairs are hereby abolished and the following departments bureaus divisions boards commissions offices and agencies of the State Government as now established by law are hereby abolished namely Deputy Secretary of the Commonwealth the Executive Corporation Commission Election and Legislative Requisition and Warrant and Registration Bureaus in the Department of the Secretary of the Commonwealth First Deputy Attorney General and all Deputy Attorneys General Deputy Superintendent of State Police Bureau of Fire Protection Chief of the Bureau of Fire Protection Bureaus of Vocational Education and of Professional Education in the Department of Public Instruction The State Library and Museum State Librarian and Director of the Museum Deputy State Librarian and Director of the Museum General Library Law Library Public Records Library Extension and Museum Divisions in the State Library and Museum the Bureaus of Administration of Accounts of Records and of Supplies in the Adjutant General's Department State Military Board Soldiers' Bonus Commission State Military Cemetery Commission Commission to make an Investigation of the Battlefields of France and Belgium Deputy Secretary of Agriculture Economic Zoologist Dairy and Food Commissioner State Veterinarian Bureaus of Animal Industry of Plant Industry of Markets of Foods of Chemisty and of Statistics in the Department of Agriculture State Live Stock Sanitary Board State Forest Commission Bureau of Forest Protection Fort Washington Park Commission Snyder Middleswartn Park Commission Wyoming Valey Memorial Park Commission Chief Inspector of the Department of Labor and Industry Bureaus of Inspection of Mediation and Arbitration of Rehabilitation of Workmen's Compensation and of Employment in the Department of Labor and Industry Division of Industrial Hygiene and Engineering Industrial Board Manager Assistant Manager Actuary and Counsel for the State Workmen's Insurance Board Bureaus of Housing of Vital Statistics and the Advisory Board in the Department of Health Assistant State Highway Commissioner Chief Engineer of the State Highway Department Division of Township Highways Township Commissioner Deputy Commissioner of Public Welfare Bureau of Mental Health Board of Inspectors of Eastern State Penitentiary Philadelphia Board of Inspectors of the Western Penitentiary Rockview Board of Managers Pennsylvania Industrial Reformatory at Huntingdon Board of Managers of State Industrial Home for Women Muncy Board of Managers Pennsylvania Training School Morganza Board of Trustees Pennsylvania State Oral School for the Deaf of Scranton Lackawanna County Pennsylvania Trustees of the State Hospital for the Insane at Danville Pennsylvania Board of Trustees Home for the Training in Speech of Deaf Children Before they are of School Age Philadelphia Soldiers' Orphan School Commission Board of Trustees Soldiers' and Sailors' Home Erie Board of Trustees Homeopathic State Hospital for the Insane Allentown Board of Trustees State Hospital for the Criminal Insane Farview Board of Trustees Harrisburg State Hospital Harrisburg Board of Trustees State Hospital for the Insane of the Southeastern District of Pennsylvania Norristown Board of Trustees of the State Hospital for the Insane at Warren Pennsylvania Board of Trustees State Asylum for the Chronic Insane of Pennsylvania South Mountain Board of Trustees Western State Hospital for the Insane Torrence Board of Trustees State Hospital for Injured Persons of the Anthracite Coal Regions of Pennsylvania Ashland The Trustees of the Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Blossburg Board of Trustees State Hospital of Coaldale Schuylkill County The Trustees of the Cottage State Hospital for injured persons of the Bituminous and semi-Bituminous Coal of Pennsylvania at Connellsville The Trustees of the State Hospital of the Middle Coal Field of Pennsylvania at Hazleton The Trustees of the Cottage State Hospital for Injured Persons of the Bituminous and semi-Bituminous Coal Regions of Pennsylvania at Mercer Board of Trustees State Hospital of Luzerne County Nanticoke The Trustees of the Cottage State Hospital for Injured Persons of the Bituminous and semi-Bituminous Coal Regions of Pennsylvania at Philipsburg The Trustees of the State Hospital of the Northern Anthracite Coal Region of Pennsylvania Scranton The Trustees of the State Hospital of the Trevorton Shamokin and Mt. Carmel Coal Fields of Pennsylvania Shamokin Board of Managers Pennsylvania Village for Feeble-Minded Women Laurelton Board of Trustees State Institution for the Feeble-Minded and Epileptic of Eastern Pennsylvania Pennhurst Board of Trustees State Institution for Feeble-Minded of Western Pennsylvania Polk Commission for the selection of a site and the erection of a State Institution for Inebriates Building Commission of the Eastern State Hospital for the Insane Selinsgrove Board of Commissioners of Public Grounds and Buildings Superintendent of Public Grounds and Buildings Deputy Superintendent of Public Grounds and Buildings Assistant Deputy Superintendent of Public Grounds and Buildings Bureau of Information The Department of Public Printing and Binding Superintendent of Public Printing and Binding Deputy Superintendent of Public Printing and Binding Division of Documents Chief of the Division of Documents Director of Pubilcations Gettysburg Battlefield Memorial Commission for the Erection of a Statue of General George Gordon Meade Robert Morris Monument Commission General Galusha Pennypacker Mounment Camp Curtin Park Commission First Deputy Commissioner of Banking Second Deputy Commissioner of Banking Third Deputy Commissioner of Banking Deputy Insurance Commissioner Assistant Counsel of the Public Service Commission of the Commonwealth of Pennsylvania Board to Pass Upon the Necessity for the Construction of Elevated and Underground Passenger Rail ways Valley Forge-Fairmount Park Road Commission State Truancy School Commission Engineer to Co-operate with Director of Wharves Docks and Ferries Philadelphia Emergency Public Works Commission Secretary and Assistant Secretary of Board of Pardons and Thaddeus Stevens Educational Memorial Commission

Section 3 Transfer of Functions of Abolished Governmental Agencies All rights powers and duties which have heretofore been vested in exercised by or imposed upon any officer whose office is abolished by this act or any board commission institution bureau division or department abolished by this act or any deputy officer agent or other subordinate or employe thereof and which are by this act transferred either in whole or in part to a department board or commission created by this act shall be vested in exercised by and imposed upon the department board or commission to which the same are transferred by this act and not otherwise and every act done in the exercise of such rights or powers and the performance of such duties shall have the same legal effect as if done by the former officer board commission institution bureau division or department or deputy officer agent or other subordinate or employe thereof Every person or corporation shall be subject to the same obligation and duties and shall have the same rights arising from the exercise of such rights or powers or in the performance of such duties as if such rights or powers had been exercised or such duties performed by the officer board commission institution bureau division or department or deputy officer agent or other subordinate or employe thereof designated in the respective laws which are to be administered by departments boards or commissions created by this act Every person and corporation shall be subject to the same penalty or penalties civil or criminal for failure to perform any such obligation or duty or for doing a prohibited act as if such obligation or duty arose from or such act were prohibited in the exercise of such rights powers or duties by the officer board commission institution bureau division or department deputy officer agent or other subordinate or employe thereof designated in the respective laws which are to be administered by the Departments Boards or Commissioners created by this act

Section 4 Documents Where an existing office board Commission institution bureau division or department is abolished by this act all books papers maps charts plans records and all other equipment in the possession of such office board commission institution bureau division or department or of any member or officer thereof shall be delivered to the head of the administrative department or independent or departmental administrative board or commission to which its rights powers duties and obligations are transferred If such rights powers duties and obligations are not specifically transferred to any such department board or Commission by this act such books documents and equipment shall be delivered to the Secretary of the Commonwealth who shall make such disposition of them as is appropriate In case rights powers duties and obligations are divided between two or more departments boards or commissions each of said departments boards or commissions shall receive such books papers maps charts plans records and other equipment as pertain to the rights powers duties and obligations transferred to that department board or commission All questions arising under this section shall be determined by the Governor

Section 5 Employes Where an existing office board commission institution bureau division or department is abolished by this act all employes thereof shall as temporary appointees of the department board or commission to which the rights powers duties and obligations of such office board commission institution bureau division or department are transferred continue to perform their usual duties upon the same terms and conditions as theretofore until removed appointed to positions in accordance with the provisions of this act relative to such department board or commission or transferred to other departments boards or commissions Where the rights powers duties and obligations of any such office board commission institution bureau division or department are divided between two or more departments boards or commissions each of said departments boards or commissions shall receive on the above terms and conditions such of the employes of said office board commission institution bureau division or department as are regularly occupied in connection with the functions thereof which are by this act transferred to such department board or commission Provided That every employe of such office board commission institution bureau division or department shall be placed temporarily in one of said departments boards or commission All questions arising under this section shall be determined by the Governor

Section 6 Retirement Rights Persons who at the time when this act takes effect are appointed to or employed by any office board commission institution bureau division or department abolished by this act and are appointed to positions in any other administrative departments boards or commissions shall retain all rights to retirement with pension that shall have accrued or would thereafter accrue to them and their services shall be deemed to have been continuous as if this act had not been passed

Section 7 Pending Proceedings All petitions hearings and other proceedings pending before any officer board commission institution bureau division or department which is abolished by this act and all prosecutions legal or other proceedings and investigations begun by such officer board commission institution bureau division or department and not completed at the time of the taking effect of this act shall continue and remain in full force and effect notwithstanding the passage of this act and may be completed before or by the department board or commission which succeeds to the rights powers duties and obligations of such office board commission institution bureau division or department All questions arising under this section shall be determined by the Governor

Section 8 Rules and Regulations All orders rules and regulations made by any officer board commission institution bureau division or department which is abolished by this act shall remain in full force and effect until revoked or modified by the department board or commission which succeeds to the rights powers duties and obligations of such officer board commission institution bureau division or department

Section 9 Contracts and Obligations All existing contracts and obligations of the officers boards commissions institutions bureaus divisions or departments abolished by this act shall remain in full force and effect and shall be performed by the departments boards or commissions to which the rights powers duties and obligations of such governmental offices boards commissions institutions bureaus divisions or departments are transferred

Section 10 Service of Notices Wherever reports or notices are now required or given or papers or documents furnished or served by any person to or upon any officer board commission institution bureau or department or deputy officer agent or other subordinate or employe thereof abolished by this act the same shall be made given furnished or served in the same manner to or upon the department board or commission upon which are devolved by this act the rights powers and duties now exercised or discharged by such officer board commission institution bureau or department or deputy officer agent or other subordinate or employe thereof and every penalty for failure so to do shall continue in effect

ARTICLE II

ADMINISTRATIVE ORGANIZATION

Section 201 Executive Officers Administrative Departments and Independent Administrative Boards and Commissions The executive and administrative work of this Commonwealth shall be performed by the Executive Department consisting of the

Governor
Lieutenant Governor
Secretary of the Commonwealth
Attorney General
Auditor General
State Treasurer
Secretary of Internal Affairs and
Superintendent of Public Instruction

by the

Executive Board

which is hereby created by the Department of the State Police hereafter to be known as Pennsylvania State Police by the following administrative departments which except as in this act expressly otherwise provided shall continue as now organized and existing

Department of the Auditor General
Treasury Department
Department of Internal Affairs

by the Department of the Secretary of the Commonwealth the Attorney General's Department the Department of Public Instruction the Adjutant General's Department the Department of Agriculture the Department of Forestry the Department of Labor and Industry the Department of Health the State Highway Department the Department of Public Welfare the Banking Department the Insurance Department and the Department of Mines, which shall be reorganized as in this act provided and shall hereafter be known respectively as

Department of State and Finance
Department of Justice
Department of Public Instruction
Department of Military Affairs
Department of Agriculture
Department of Forests and Waters
Department of Labor and Industry
Department of Health
Department of Highways
Department of Welfare
Department of Banking
Department of Insurance and
Department of Mines

by the following administrative department which is hereby created

Department of Property and Supplies

and by the Board of Game Commissioners the Department of Fisheries and The Public Service Commission of the Commonwealth of Pennsylvania which shall be reorganized as provided in this act and shall be known as independent administrative Boards and Commissions under the following names respectively

Board of Game Commissioners
Board of Fish Commissioners and
The Public Service Commission of the Commonwealth of Pennsylvania

Section 202 Departmental Administrative Bodies Boards Commissions and Offices The following departments boards commissions and offices are hereby placed and made departmental administrative bodies boards commissions or offices as the case may be in the respective Administrative Departments mentioned in the preceding section as follows

In the Treasury Department
  The Board created by the act approved the eighth day of April one thousand eight hundred and sixty-nine entitled "An Act relating to the settlement of public accounts" its amendments and supplements the Board of Public Accounts Board of Revenue Commissioners and Sinking Fund Commission which shall be combined into one department administrative board and therein reorganized as provided in this act and hereafter known as
  Board of Finance and Revenue
In the Department of Internal Affairs
  Board of Property
In the Department of Justice
  Board of Pardons
  Board of Commissioners on Uniform State Laws
In the Department of Public Instruction
  Council of Education
  Pennsylvania State Board of Censors
  Public School Employes' Retirement Board
  Pennsylvania Historical Commission
  Bureau of Medical Education and Licensure hereafter to be known as
  State Board of Medical Education ond Licensure
  The Pennsylvania Board of Pharmacy hereafter to be known as
  State Board of Pharmacy

Dental Council of Pennsylvania and Board of Dental Examiners of the Commonwealth of Pennsylvania which are hereby combined into one Departmental Administrative Board to be known as
State Dental Council and Examining Board
Board of Optometrical Education Examination and Licensure hereafter to be known as
State Board of Optometrical Examiners
State Board of Osteopathic Examiners
State Board of Examiners for the Registration of Nurses
State Board of Undertakers
State Board of Veterinary Medical Examiners
State Board for the Examination of Public Accountants
State Board for Registration of Professional Engineers and of Land Surveyors
State Board of Examiners of Architects
Anthracite Mine Inspectors' Examining Board
Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania
In the Department of Military Affairs
Armory Board of the State of Pennsylvania
In the Department of Agriculture
State Fair Commission
In the Department of Forests and Waters
Water Supply Commission of Pennsylvania hereafter to be known as
Water and Power Resources Board
Lake Erie and Ohio River Canal Board
Pennsylvania State Park and Harbor Commission of Erie
Washington Crossing Park Commission
Commissioners of Valley Forge Park hereafter to be known as
Valley Forge Park Commission
In the Department of Labor and Industry
Workmen's Compensation Board
Workmen's Compensation Referees
State Workman's Insurance Board
In the Department of Health
Anatomical Board
In the Department of Banking
Board to License Private Bankers
In the Department of Property and Supplies
State Art Commission
In the Department of Mines Anthracite Mine Inspectors Bituminous Mine Inspectors State Anthracite Mine Cave Commission

All the foregoing departmental administrative boards and commissions shall be reorganized as provided in this act

The following departmental administrative boards and commissions are hereby created in the respective Administrative Departments as follows
In the Department of Public Instruction
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Home for Training in Speech of Deaf Children before they are of School Age
Board of Trustees of Pennsylvania Soldiers' Orphan School
In the Department of Forest and Waters
Geographic Board
In the Department of Health
Santiary Water Board
In the Department of Welfare
Board of Trustees of the Eastern State Penitentiary
Board of Trustees of Western State Penitentiary
Board of Trustees of Pennsylvania Industrial Reformatory
Board of Trustees of State Industrial Home for Women
Board of Trustees of Pennsylvania Training School
Board of Trustees of Pennsylvania Soldiers' and Sailors' Home
Board of Trustees of Allentown State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Hazleton State Hospital
Board of Trustees of Mercer State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Philipsburg State Hospital
Board of Trustees of Scranton State Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School
Board of Trustees of New Cumberland Industrial Farm
In the Department of Property and Supplies
Board of Commissioners of Public Grounds and Buildings

Section 203 Advisory Boards and Commissions The following advisory boards and commissions are hereby created and designated in and as parts of the respective departments as follows
In the Department of Forests and Waters
State Forest Commission
Fort Washington Park Commission and
Wyoming Valley Memorial Park Commission
In the Department of Labor and Industry
Industrial Board
In the Department of Health
Advisory Health Board
In the Department of Welfare
State Welfare Commission
In the Department of Property and Supplies
Gettysburg Battlefield Memorial Commission
General George Gordon Meade Statue Commission
Robert Morris Monument Commission
General Galusha Pennypacker Monument Commission
Camp Curtin Monument Commission

Section 204 Executive Board The Executive Board shall consist of the Governor who shall be chairman thereof and four other heads of administrative departments to be designated from time to time by the Governor

Section 205 Department Heads Each Administrative Department shall have as its head an officer who shall either personally by deputy or by the duly authorized agent or employe of the department and subject at all times to the provisions of this act exercise the powers and perform the duties by law vested in and imposed upon the department and the heads of the Department

(a) The following officers shall be the heads of the Administrative Departments following their respective titles
Auditor General of the Department of the Auditor General
State Treasurer of the Treasury Department
Secretary of Internal Affairs of the Department of Internal Affairs
Secretary of the Commonwealth of the Department of State and Finance
Attorney General of the Department of Justice
Superintendent of Public Instruction of the Department of Public Instruction
Adjutant General of the Department of Military Affairs
Secretary of Agriculture of the Department of Agriculture
Commissioner of Forestry who shall hereafter be known as
Secretary of Forests and Waters of the Department of Forests and Waters
Commissioner of Labor and Industry who shall hereafter be known as
Secretary of Labor and Industry of the Department of Labor and Industry
Commissioner of Health who shall hereafter be known as
Secretary of Health of the Department of Health
State Highway Commissioner who shall hereafter be known as Secretary of Highways of the Department of Highways
Commssioner of Public Welfare who shall hereafter be known as
Secretary of Welfare of the Department of Welfare
Commissioner of Banking who shall hereafter be known as Secretary of Banking of the Department of Banking
Insurance Commissioner who shall hereafter be known as Secretary of Insurance of the Department of Insurance
Chief of the Department of Mines who shall hereafter be known as Secretary of Mines of the Department of Mines

(b) The incumbent of the office known as Secretary of Property and Supplies which is hereby created shall be the head of the Department of Property and Supplies

Section 206 Appointment The Governor shall nominate and by and with the advice and consent of two-thirds of all the members of the Senate appoint

(a) The Secretary of the Commonwealth the Attorney General the Superintendent of Public Instruction The Adjutant General the Secretary of Agriculture the Secretary of Forests and Waters the Secretary of Labor and Industry the Secretary of Health the Secretary of Highways and Secretary of Welfare the Secretary of Banking the Secretary of Insurance the Secretary of Mines the Secretary of Property and Supplies and the members of all independent administrative boards and commissions

(b) Except as in this act otherwise provided the members of all departmental administrative bodies boards and commissions and the officers who shall fill the departmental administrative offices mentioned in this article

(c) Except as in this act otherwise provided the members of all advisory boards and commissions

Section 207 Terms of Office The terms of office of the persons appointed by the Governor under the preceding section shall be as follows

(a) The Secretary of the Commonwealth and the Attorney General shall serve during the pleasure of the Governor

(b) The term of the Superintendent of Public Instruction shall be four years

(c) Except as in this act otherwise provided the heads of other administrative departments, the members of independent administrative boards and commissions of departmental administrative bodies boards commissions and of advisory boards and commissions and departmental administrative officers shall hold office for terms of four years from the third Tuesday of January next following the election of a Governor and until their successors shall have been appointed and qualified Provided That except as in this act otherwise provided the terms of the persons appointed hereunder to fill offices or as members of Boards or Commissions shall expire upon the third Tuesday of January one thousand nine hundred and twenty-seven

Section 208 Compensation of the Governor Lieutenant Governor and Heads of Departments Annual salaries shall be payable in equal semi-monthly instalments as follows

To the Governor eighteen thousand dollars

To the Lieutenant Governor eight thousand dollars

To the Secretary of the Commonwealth eight thousand dollars

To the Attorney General twelve thousand dollars

To the Auditor General ten thousand dollars

To the State Treasurer ten thousand dollars

To the Secretary of Internal Affairs eight thousand dollars

To the Superintendent of Public Instruction twelve thousand dollars

To the Adjutant General eight thousand dollars

To the Secretary of Agriculture eight thousand dollars

To the Secretary of Forest and Waters eight thousand dollars

To the Secretary of Labor and Industry ten thousand dollars

To the Secretary of Health ten thousand dollars

To the Secretary of Highways twelve thousand dollars

To the Secretary of Welfare ten thousand dollars

To the Secretary of Banking ten thousand dollars.

To the Secretary of Insurance seven thousand five hundred dollars

To the Secretary of Mines six thousand dollars

To the Secretary of Property and Supplies eight thousand dollars

Neither the Governor Lieutenant Governor nor the head of any administrative department hereafter elected or appointed shall receive any additional compensation for any services rendered to the Commonwealth in any capacity

Section 209 Compensation of Members of Independent Administrative Boards and Commissions Annual salaries shall be payable in equal semi-monthly instalments as follows

To the Commissioner of Fisheries four thousand five hundred dollars

To the Chairman of The Public Service Commission of the Commonwealth of Pennsylvania ten thousand five hundred dollars

To the members of The Public Service Commission of the Commonwealth of Pennsylvania other than the Chairman each ten thousand dollars

The members of the Board of Game Commissioners and of the Board of Fish Commissioners other than the Commissioner of Fisheries shall not receive any compensation

Section 210 Compensation of Departmental Administrative Bodies Boards and Commissions and of Advisory Boards and Commissions Except as in this act otherwise provided the members of departmental administrative bodies boards and commissions and of advisory boards and commissions shall serve without compensation

Section 211 Employes of the Governor's Office The Governor shall appoint to serve at his pleasure a Secretary to the Governor and such consultants experts accountants investigators clerks stenographers messengers watchmen and other employes as may be required for the proper conduct of the work of his office and of the Executive Board and shall fix their salaries wages fees or other compensation

Section 212 Bureaus and Divisions The heads of the several administrative departments except the Auditor General State Treasurer and Secretary of Internal Affairs and the several independent administrative boards and commissions shall subject to the approval of the Executive Board establish such Bureaus or Divisions in their respective Departments Boards or Commissions as may be required for the proper conduct of the work of such Departments Boards or Commissions

Section 213 Deputies The head of any Administrative Department except the Auditor General Treasurer and Secretary of Internal Affairs shall have the power with the approval of the Governor to appoint and fix the compensation of a Deputy or such number of deputies as the Executive Board shall approve who shall in the absence of the head of such Department have the right to exercise all the powers and perform all the duties by law vested in and imposed upon the head of such department except the power to appoint deputies bureau or division chiefs or other assistants or employes and who may at any time exercise such of the powers and perform such of the duties of the head of his department as may be prescribed by the head of his department Provided however That any such deputy shall not have the right to exercise any power or perform any duty which the Constitution of the Commonwealth of Pennsylvania requires the head of his Department personally to exercise or perform

Section 214 Employment and Compensation of Directors Bureau Chiefs and other Employes The heads of the several Administrative Departments except the Auditor General State Treasurer and Secretary of Internal Affairs and the independent Administrative Boards and Commissions shall appoint and fix the compensation of such Directors Superintendents Bureau or Division Chiefs Assistant Directors Assistant Superintendents Assistant Chiefs Experts Scientists Engineers Surveyors Draftsmen Accountants Secretaries Auditors Inspectors Examiners Statisticians Marshals Clerks Stenographers Bookkeepers Messengers and other assistants and employes as may be required for the proper conduct of the work of their respective departments boards or commissions Except as otherwise provided in this act the heads of the respective administrative departments shall appoint and fix the compensation of such clerks stenographers and other assistants as may be required for the proper conduct of the work of any departmental admisistrative bodies boards commissions or officers and of any advisory boards or commissions established in their respective departments

The number and compensation of all employes appointed under this section shall be subject to approval by the Governor and after the Executive Board shall have fixed the standard compensation for any kind grade or class of service or employment the compensation of all persons in that kind grade or class appointed hereunder shall be fixed in accordance with such standard

Section 215 Extra Compensation Prohibited No employe in any administrative department or independent administrative board or commission employed at a fixed compensation shall be paid for any extra service unless expressly authorized by the Executive Board prior to the rendering of such services

Section 216 Expenses The heads of Admisistrative Departments the members of indepenednt administrative boards and commissions the members of departmental administrative bodies and commissions the members of advisory boards and commissions all administrative officers and all persons employed under the provisions of this act shall be entitled to receive their traveling and other necessary expenses actually incurred in the performance of their public duties upon requisition of the head of the appropriate administrative department or of the appropriate independent administrative board or commission

Section 217 Qualifications All Deputies Directors Superintendents and Bureau or Division Chiefs and other employes shall be persons especially qualified for their positions by training and experience in the particular kind of work which their official duties will require them to perform

Section 218 Oath of Office All persons appointed by the Governor under the provisions of this act and all deputy heads of administrative departments shall before entering upon the duties of their offices take and subscribe the constitutional oath of office which shall be filed in the office of the Secretary of the Commonwealth

Section 219 Fidelity Bonds The heads of all Administrative departments and such deputies directors bureau or division chiefs and such other officers or employes and such members of departmental administrative bodies boards and commissions as the heads of the various Departments shall subject to the approval of the Governor prescribe the Secretary of the Board of Game Commissioners the Commissioner of Fisheries the members of The Public Service Commission of the Commonwealth of Pennsylvania the members of the Pennsylvania State Board of Censors and such officers and employes of the independent administrative boards and commissions as the respective boards and commissions shall subject to the approval of the Governor prescribe shall before entering upon the discharge of the duties of their respective offices or positions give bond with security to be approved by the Attorney General in such penal sums as shall be fixed by the Governor conditioned for the faithful performance of their respective duties which bonds shall be filed with the State Treasurer Provided That the amount of such bond in the case of the head of any Administrative Department or any of the officers specifically mentioned in this section shall not be less than twenty thousand dollars

Section 220 Departmental Offices Each Administrative Department and each independent administrative Board and Commission shall maintain a central office at Harrisburg in rooms assigned to them by the Board of Commissioners of Public Grounds and Buildings The head of any Department or any independent administrative Board or Commission may with the approval of the Governor establish and maintain at places other than Harrisburg in quarters assigned by the Board of Commissioners of Public Grounds and Buildings branch offices for the conduct of any one or more functions of such department board or commission or of any departmental administrative or advisory board or commission in such department

Section 221 Office Hours All administrative offices of the State Government shall be open for the transaction of public business at least eight hours each day except Saturdays Sundays and legal holidays On Saturdays when not legal holidays such offices shall be open for business for at least three hours The hours when such offices shall open and close shall from time to time be determined by the Executive Board

Section 222 Work-Hours and Vacations Each employe of an administrative department or of an independent administrative board or commission if employed for continuous service shall work during such hours as the head of the department or the board or commission shall require but not less than thirty-eight hours per week Such employe shall be entitled during each calendar year to fifteen days' leave of absence with full pay and in special and meritorious cases where to limit the annual leave to fifteen days in any one calendar year would work peculiar hardships the extent of such leave with pay may in the discretion of the head of the department or of the board or commission be extended but any such extension shall not be for more than fifteen days except with the approval of the Executive Board This section shall be construed to mean that the pay of such employe shall cease upon the expiration of the granted leave regardless of his or her continuation thereafter upon the rolls of the department board or commission The annual leave of absence with pay shall be exclusive of Sundays and legal holidays

Section 223 Payment of salaries All salaries and other compensation payable under the provisions of this Act shall be paid out of the State Treasury upon the warrant of the Auditor General drawn upon the State Treasurer The Auditor General shall draw warrants for salaries or other compensation upon requisition of the head of the proper Department or of the proper independent administrative Board or Commission All warrants for the payment of salaries compensation or other disbursements of or for Departmental Administrative Boards or Commissions or of Advisory Boards or Commissions shall be drawn upon requisition of the head of the Department with which such Departmental Administrative Bords or Commissions or Advisory Boards or Commissions are connected Warrants for all salaries compensation or other disbursements of or for the Governor's office and the Executive Board shall be drawn by the Auditor General upon requisition of the Governor

ARTICLE III

ORGANIZATION OF INDEPENDENT ADMINISTRATIVE BOARDS AND COMMISSIONS

Section 301 Board of Game Commissioners The Board of Game Commissioners shall consist of six competent citizens of this Commonwealth no two of whom shall be from the same senatorial district The Board shall annually elect a president and a vice-president from among its members It shall also appoint to serve at its pleasure and with the approval of the Governor fix the compensation of an executive secretary who need not be a member of the Board and who shall attend to the administrative work of the Board

Four members of the Board shall constitute a quorum

Members of the Board shall be appointed to serve for terms of six years

Section 302 Board of Fish Commissioners The Board of Fish Commissioners shall consist of a Commissioner of Fisheries and seven other citizens of the Commonwealth

Five members of the Board shall constitute a quorum

The Commissioner of Fisheries shall be the president and executive officer of the Board and chief superintendent of all hatching-stations and fish cultural establishments belonging to the State

Members of the Board shall be appointed to serve for terms of six years

Section 303 The Public Service Commission of the Commonwealth of Pennsylvania The Public Service Commission of the Commonwealth of Pennsylvania shall consist of seven members who shall have the qualifications and be appointed as now provided by law

A member designated by the Governor as now provided by law shall be the Chairman of the Commission during such member's term of office When present the Chairman shall preside at all meetings but in his absence the member whose term shall first expire shall preside In addition to the authority now conferred by law the Chairman shall have power as often as he may deem the work of the Commission requires (a) to designate the time and place for the conducting of investigations inquiries and hearings (b) to assign cases to a commissioner or commissioners for hearing investigation inquiry study or other similar purposes (c) to assign cases to special agents or examiners for the taking and receiving of evidence and (d) to direct and designate officers and employes of the commission to make investigations inspections inquiries studies and other like assignments for report to the Commission

The Commission may appoint a Secretary to hold office at its pleasure Such secretary if appointed shall have such powers and shall perform such duties not contrary to law as the Commission shall prescribe and shall receive such compensation as the Commission with the approval of the Governor shall determine He shall have power and authority to administer oaths in all parts of the Commonwealth in all proceedings by or before the Commission or any Commissioner and in all cases or matters appertaining to the duties of his office and shall further have the power to designate from time to time one of the clerks appointed by the Commission to perform the duties of the Secretary during his absence and the clerk so appointed shall possess for the time so designated the powers of the Secretary of the Commission

The terms of the members of the Commission shall be ten years

The offices of Counsel of Marshall and of Investigator of Accidents as they exist under the Public Service Company Law are hereby retained appointments thereto to be made as now provided by law The Compensation of counsel marshall and investigator of accidents shall be fixed by the Commission with the approval of the Governor

ARTICLE IV

ORGANIZATION OF PENNSYLVANIA STATE POLICE AND OF DEPARTMENTAL ADMINISTRATIVE BODIES BOARDS AND COMMISSIONS AND ADVISORY BOARDS AND COMMISSIONS.

Section 401 Pennsylvania State Police The Pennsylvania State Police shall consist of a Superintendent the State Police Force as now or hereafter authorized by law and such deputies chiefs statisticians clerks experts and other assistants as the Superintendent with the approval of the Governor shall deem necessary for the work of the force

The Superintendent of the Pennsylvania State Police shall receive a salary at the rate of six thousand dollars per annum

The State Police Force shall receive such compensation as is now or may hereafter be fixed by law

The deputies chiefs statisticians clerks experts and other assistants engaged in the work of the Pennsylvania State Police shall be appointed by the Superintendent and shall receive such compensation as shall be fixed by the Superintendent with the approval of the Governor which compensation shall however conform to the standards established by the Executive Board

The members of the State Police Force shall be appointed by the Superintendent

Section 402 Board of Finance and Revenue The Board of Finance and Revenue shall consist of the Secretary of the Commonwealth the Attorney General the Auditor General and the State Treasurer

Three members of the Board shall constitute a quorum The powers and duties vested in and imposed upon the Board shall in all cases be exercised or performed by a majority of the Board

The Board shall keep full and exact minutes of its proceedings which shall at all times be open to the inspection of the Governor and the General Assembly

Section 403 Board of Property The Board of Property shall consist of the Secretary of Internal Affairs the Secretary of the Commonwealth and the Attorney General Two members of the Board shall constitute a quorum

Section 404 Board of Pardons The Board of Pardons shall consist of the Lieutenant Governor Secretary of the Commonwealth Attorney General and Secretary of Internal Affairs

Three members of the Board shall constitute a quorum

Section 405 Board of Commissioners on Uniform State Laws The Board of Commissioners on Uniform State Laws shall consist of three persons learned in the law and the Attorney General ex-officio

Section 406 State Council of Education The State Council of Education shall consist of the Superintendent of Public Instruction who shall be the president and chief executive officer thereof and nine other members

All appointments shall be for terms of six years The Superintendent of Public Instruction and five other members shall continue a quorum

Section 407 Pennsylvania State Board of Censors The Pennsylvania State Board of Censors shall consist of three residents and citizens of Pennsylvania two males and one female well qualified by education and experience to act as censors of moton-picture films and stereoptican views or slides One member of the Board shall be designated as Chairman one member as vice-chairman and the other member as secretary thereof

The Chairman of the Board shall receive a salary of three thousand six hundred dollars per annum and the vice-chairman and secretary shall receive a salary of three thousand three hundred dollars per annum

Two members of the Board shall constitute a quorum

Section 408 Public School Employes' Retirement Board The Public School Employes' Retirement Board shall consist of the Superintendent of Public Instruction who shall be Chairman thereof the State Treasurer one member who shall be appointed by the Governor three members of the School Employes' Association elected from among their number in a manner to be approved by the Superintendent of Public Instruction the State Treasurer and the member of the Retirement Board appointed by the Governor and one member not an officer or employee of the State who shall be elected by the Board

A vacancy occuring during a term shall be filled for the unexpired term by the appointment or election of a successor in the same manner as his or her predecessor

Of the members of the Public School Employes' Retirement Board the member who is appointed by the Governor shall serve until his successor is appointed The members elected by the School Employes' Association shall be elected for terms of three years The member elected by the Board shall be elected annually to serve for a term of one year

The members of the Board elected by the School Employes' Association shall not suffer any loss of salary or wages through serving on the Board

Section 409 Pennsylvania Historical Commission The Pennsylvania Historical Commission shall consist of the Superintendent of Public Instruction ex-officio and five citizens of the Commonwealth

Three members of the Commission shall constitute a quorum

The Commission shall select from their number a chairman and shall elect a secretary who need not be a member of the Commission

The Secretary shall receive such compensation as the Commission shall with the approval of the Superintendent of Public Instruction determine but such salary shall not exceed eighteen hundred dollars per annum

Section 410 State Board of Medical Education and Licensure The State Board of Medical Education and Licensure shall consist of seven members two of whom shall be the Superintendent of Public Instruction and the Secretary of Health ex-officio Of the five remaining members one shall be appointed from the Medical Society of the State of Pennsylvania one from the Homeopathic Medical Society of the State of Pennsylvania and one from the Eclectic Medical Society of the State of Pennsylvania The two remaining members shall not be of the same school or system of practice

Each of the five members appointed shall at the time of his appointment be licensed and qualified under the existing laws of this Commonwealth to practice medicine and surgery and shall have practiced the same in this Commonwealth for a period of not less than ten years prior to his appointment No member of the Board shall be a member of the faculty of any undergraduate school or college or university teaching medicine and surgery

The terms of members of the Board shall be four years from the respective dates of their appointment

Four members of the Board shall constitute a quorum

The Board shall select from among their number a Chairman and shall elect a Secretary who need not be a member of the Board

Each member of the Board other than the Superintendent of Public Instruction and the Secretary of Health shall receive fifteen dollars per diem while actually engaged in the work of the Board The Secretary shall receive such reasonable compensation as shall be determined by the Board with the approval of the Superintendent of Public Instruction

Section 411 State Board of Pharmacy The State Board of Pharmacy shall consist of the Superintendent of Public Instruction ex officio and five persons who shall be appointed for term of six years from among the most skillful pharmacists in Pennsylvania who are not teachers or instructors in any educational institution teaching pharmacy Each appointee must have been registered as a pharmacist in Pennsylvania at least ten years previous to his appointment and he must be actually engaged in conducting a pharmacy

Three members of the Board shall constitute a quorum The Board shall select from their number a Chairman and shall elect a Secretary who need not be a member of the Board

The members of the Board other than the Superintendent of Public Instruction shall be paid fifteen dollars per diem when actually engaged in the performance of their official duties and the Secretary shall receive such reasonable compensation as the Board shall determine with the approval of the Superintendent of Public Instruction

Section 412 State Dental Council and Examining Board The State Dental Council and Examining Board shall consist of the President of the Pennsylvania State Dental Society the Superintendent of Public Instruction the Secretary of Health and six persons whose term of office shall be six years from the first day of September of the year in which they may be appointed

The Pennsylvania State Dental Society shall have power to nominate from its membership at least double the number of candidates required to fill the vacancies occurring annually in the membership of the State Dental Council and Examining Board Such candidates shall have been engaged in the actual practice of dentistry in this Commonwealth during a period of not less than ten years The Governor shall appoint members to fill all vacancies occurring from any cause only from the candidates nominated as aforesaid No member of the faculty of a Dental College shall be eligible to appointment as a member of the State Dental Council and Examining Board In the event of failure of the Pennsylvania State Dental Society to nominate candidates as aforesaid the Governor shall appoint members in good standing of the said Society without other restriction

The members of the State Dental Council and Examining Board shall annually select one of their number to act as Chairman and shall elect a Secretary who need not be a member of the Board

Each of the members of the State Dental Council and Examining Board other than the Superintendent of Public Instruction the Secretary of Health and the President of the Pennsylvania State Dental Society shall receive fifteen dollars per diem while actually engaged in the work of the Board and the Secretary shall receive such reasonable compensation as the Board shall determine with the approval of the Superintendent of Public Instruction

The terms of the present members of the Dental Council and of the Board of Dental Examiners for the Commonwealth of Pennsylvania shall expire upon the date when this Act becomes effective Of the first members of the State Dental Council and Examining Board appointed under this Act two shall be appointed for two years two for four years and two for six years

Section 413 State Board of Optometrical Examiners The State Board of Optometrical Examiners shall consist of the Superintendent of Public Instruction ex officio and seven members all of whom shall be Optometrists citizens of Pennsylvania who possess the requisite qnalifications to practice Optometry under the laws of this Commonwealth and who shall have been so practicing in this Comomnwealth during the five years next previous to their appointment

The terms of members of the Board shall be four years from the respective dates of their appointment

No member of the Board shall be a member of the Facultty of any undergraduate school or college teaching Optometry

Four members of the Board shall constitute a quorum and the Board shall select from its membership a Chairman and shall elect a Secretary who need not be a member of the Board

The members of the Board other than the Superintendent of Public Instruction shall receive fifteen dollars per diem for each day actually devoted to the work of the Board and the Secretary shall receive such reasonable compensation as shall be determined by the Board with the approval of the Superintendent of Public Instruction

Section 414 State Board of Osteopathic Examiners The State Board of Osteopathic Examiners shall consist of the Superintendent of Public Instruction ex officio and five members each of whom shall be a graduate of a legally incorporated and reputable college of Osteopathy and shall have been licensed to practice Osteopathy under the laws of this Commonwealth and shall not be in any manner financially interested in or connected with the faculty or management of any Osteopathic School or College and shall have been engaged in the practice of Osteopathy in this Commonwealth for a period of at least three years

The members of the Board qualified as aforesaid shall be appointed from a full list of the members in good standing of the Pennsylvania Osteopathic Association which list shall be furnished to the Governor by the President and Secretary of such Association annually In the case of the failure of the Pensylvania Osteopathic Association to submit such a list to the Governor the Governor shall appoint members in good standing of such Association without restriction

The terms of members of the Board shall be four years from the respective dates of their appointment

Three members of the Board shall constitute a quorum and the Board shall annually select from among its number a Chairman and shall elect a Secretary who need not be a member of the Board

The members of the Board other than the Superintendent of Public Instruction shall receive fifteen dollars per diem when actually engaged in the performance of their official duties and the Secretary shall receive such reasonable compensation as the Board shall determine with the approval of the Superintendent of Public Instruction

Section 415 State Board of Examiners for Registration of Nurses The State Board of Examiners for Registration of Nurses shall consist of the Superintendent of Public Instruction ex officio and five members who shall be registered nurses graduated from training schools connected with hospitals where practical and theoretical instruction is given in general surgical and medical nursing and who shall have been engaged in nursing in the Commonwealth of Pennsylvania for at least five years since graduation

The Governor shall appoint the original members of the board from a list of not less than twenty names submitted to him by the Board of Directors of the Graduate Nurses Association of Pennsylvania One member shall be appointed for six years two members for four years and two for two years and upon expiration of the term of office of any member the Governor shall appoint a person with the above specified qualifications from a list of not less than ten names submitted to him by the Board of Directors of the Graduate Nurses Association of Pennsylvania for a term of six years and until a successor is appointed and qualified Vancancies shall be filled in like manner

Three members of the Board shall constitute a quorum and the Board shall select from among its members a Chairman and shall elect a Secretary who need not be a member of the Board

The Board with the approval of the Superintendent of Public Instruction shall also appoint and fix the compensation of a State Educational Director of Training Schools for Nurses who shall have the same qualifications as the members of the Board

The members of the Board other than the Superintendent of Public Instruction shall receive fifteen dollars per diem when actually engaged in the transaction of official business and the Secretary shall receive such reasonable compensation as shall be determined by the Board with the approval of the Superintendent of Public Instruction

The terms of the present members of the Board shall expire upon the date when this Act becomes effective

Section 416 State Board of Undertakers The State Board of Undertakers shall consist of the Superintendent of Public Instruction ex officio and five persons who shall be practicing undertakers The terms of members of the Board shall be six years

Three members of the Board shall constitute a quorum The Board shall select from among their number a Chairman and shall elect a Secretary who need not be a member of the Board

Each member of the Board other than the Superintendent of Public Instruction shall receive fifteen dollars per diem when actually engaged in the transaction of official business

The Secretary of the Board shall receive such reasonable compensation as the Board may determine with the approval of the Superintendent of Public Instruction

Section 417 State Board of Veterinary Medical Examiners The State Board of Veterinary Medical Examiners shall consist of the Superintendent of Public Instruction ex officio and five members who shall be of good standing in the Veterinary Profession and shall be graduates of a legally incorporated and reputable veterinary school They shall have practiced veterinary medicine for at least five years immediately preceeding their appointment

Three members of the Board shall constitute a quorum The Board shall select from among their number a Chairman and shall elect a Secretary who need not be a member of the Board

Each member of the Board other than the Superintendent of Public Instruction shall receive fifteen dollars per diem while actually engaged in the transaction of official business and the Secretary shall receive such reasonable compensation as the Board shall determine with the approval of the Superintendent of Public Instruction

Section 418 State Board of Examiners of Public Accountants shall consist of the Superintendent of Public Instruction ex officio and five members two of whom shall be appointed from the eastern part of the State two from the western part and one from the central part Three of them shall be certified public accountants holding degrees of the same from the Commonwealth of Pennsylvania The other two shall be practicing attorneys in good standing in any of the Courts of the Commonwealth

The terms of members of the Board shall be four years from the respective dates of their appointment

Three members of the Board shall constitute a quorum

The Board shall select from among their number a Chairman and shall elect a Secretary who need not be a member of the Board

Each member of the Board other than the Superintendent of Public Instruction shall receive fifteen dollars per diem when actually engaged in the work of the Board and the Secretary shall receive such reasonable compensation as the Board shall determine with the approval of the Superintendent of Public Instruction

Section 419 State Board of Registration of Professional Engineers and of Land Surveyors The State Board of Registration of Professional Engineers and of Land Surveyors shall consist of the Superintendent of Public Instruction ex officio and five members all of whom shall be registered professional engineers and full corporate members in good standing in at least one of the following societies American Society of Civil Engineers American Institute of Mining and Metallurgical Engineering American Society of Mechanical Engineers or American Institute of Electrical Engineers The members of the Board shall be so selected that not more than two of them shall be members of the same Society Each member of the Board shall be a citizen of the United States and a resident of this Commonwealth shall have been engaged in the practice of the Profession of engineering for at least ten years and shall have been in responsible charge of engineering work for at least five years

The term of members of the Board shall be six years

Three members of the Board shall constitute a quorum

The Board shall select from their number annually a President and shall elect a Secretary who need not be a member of the Board

Each member of the Board except the Superintendent of Public Instruction shall receive fifteen dollars per diem when actually attending to the work of the Board and the Secretary shall receive such reasonable compensation as shall be determined by the Board with the approval of the Superintendent of Public Instruction

Section 420 State Board of Architects shall consist of the Superintendent of Public Instruction ex officio and five members all of whom shall be architects who have been in active practice in this Commonwealth for not less than ten years prior to their appointment

The terms of members of the Board shall be six years

Three members of the Board shall constitute a quorum

The Board shall annually select from among their number a President and shall elect a Secretary who need not be a member of the Board

Each member of the Board except the Superintendent of Public Instruction shall receive fifteen dollars per diem while actually engaged in the work of the Board and the Secretary shall receive such reasonable compensation as shall be determined by the Board with the approval of the Superintendent of Public Instruction

Section 421 Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania The Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania shall consist of the Superintendent of Public Instruction ex officio the Secretary of Mines two mining engineers who shall have had at least five years' experience in the bituminous mines of Pennsylvania and three members who shall have passed successfully examinations qualifying them to act as inspectors or mine foremen in bituminous mines generating explosive gas and shall have had at least five years' practical experience as miners in the bituminous mines of Pennsylvania All members of the Board shall be at least thirty years of age

The Secretary of Mines shall be Chairman of the Board

The Board shall elect a Secretary who need not be a member of the Board

Each member of the Board other than the Superintendent of Public Instruction and the Secretary of Mines shall receive fifteen dollars per diem while actually engaged in the performance of the work of the Board and the Secretary shall receive such reasonable compensation as shall be determined by the Board with the approval of the Superintendent of Public Instruction Provided That the Secretary of Mines shall have the right to determine from time to time the maximum number of days for which the members of the Board entitled thereto shall recive compensation

Section 422 Anthracite Mine Inspectors' Examining Board The Anthracite Mine Inspectors' Examining Board shall consist of the Superintendent of Public Instruction ex officio the Secretary of Mines two mining engineers who shall have had at least five years' experience in the anthracite mines of Pennsylvania and three members who shall be coal miners in actual practice and shall have had at least five years' practical experience in the anthracite mines of Pennsylvania

All members of the Board shall be at least thirty years of age

The Secretary of Mines shall be the Chairman of the Board

The Board shall elect a Secretary who need not be a member of the Board

Each member of the Board other than the Superintendent of Public Instruction and the Secretary of Mines shall receive fifteen dollars per diem while actually engaged in the performance of the work of the Board and the Secretary shall receive such reasonable compensation as shall be determined by the Board with the approval of the Superintendent of Public Instruction Provided That the Secretary of Mines shall have the right to determine from time to time the maximum number of days for which the members of the Board entitled thereto shall receive compensation

Section 423 Armory Board of the State of Pennsylvania The Armory Board of the State of Pennsylvania shall consist of the Governor the Adjutant General and five other persons of whom three shall be officers of the National Guard of Pennsylvania

The Adjutant General shall be Chairman of the Board

The Board shall select a Secretary

Four members of the Board shall constitute a quorum

Each member of the Board except the Governor and the Adjutant General shall receive a salary at the rate of twelve hundred dollars per annum

Section 424 State Fair Commission The State Fair Commission shall consist of eleven citizens of the Commonwealth of Pennsylvania of whom three shall be the Secretary of Agriculture the Superintendent of Public Instruction and the Secretary of Labor and Industry

The Secretary of Agriculture shall be Chairman of the Commission and the Commission shall elect a Secretary who need not be a member thereof

Six members of the Commission shall constitute a quorum

Section 425 Water and Power Resources Board The Water and Power Resources Board shall consist of five members four of whom shall be the Secretary of Forests and Waters and the Secretary of Health the Commissioner of Fisheries and the Chairman of the Public Service Commission of the Commonwealth of Pennsylvania The fifth member shall be an engineer and shall receive compensation for his services at such rate per diem as shall be fixed by the other members of the Board but such compensation shall not exceed three thousand dollars per annum

The terms of the present members of the Water Supply Commission of Pennsylvania shall expire upon the date when this act becomes effective

The Secretary of Forests and Waters shall be Chairman of the Board

Section 426 Geographic Board The Geographic Board shall consist of the Secreary of Forests and Waters who shall be the chairman thereof the Secretary of Highways the President of the Pennsylvania Historical Commission and the Chief of the Land Office Bureau in the Department of Internal Affairs

Three members of the Board shall constitute a quorum

Section 427 Lake Erie and Ohio River Canal Board The Lake Erie and Ohio River Canal Board shall consist of the Secretary of Forests and Waters ex officio and seven members three of whom may be non-residents of Pennsylvania

The Governor shall designate one member of the Board as Chairman and the Board shall elect a Secretary

Four members of the Board shall constitute a quorum

Section 428 Pennsylvania State Park and Harbor Commission of Erie The Pennsylvania State Park and Harbor Commission of Erie shall consist of nine persons of whom two shall be appointed by the Council of the City of Erie The Secretary of Forests and Waters The Secretary of Internal Affairs and the Commissioner of Fisheries shall be members ex officio of the Commission

The Commission shall annually elect a Chairman and a secretary

Five members of the Commission shall constitute a quorum

Section 429 Washington Crossing Park Commission The Washington Crossing Park Commission shall consist of the Secretary of Forests and Waters ex officio and ten other persons

The Commission shall annually elect a Chairman and a Secretary

Six members of the Commission shall constitute a quorum

Section 430 Valley Forge Park Commission The Valley Forge Park Commission shall consist of the Secretary of Forests and Waters ex officio and thirteen other persons

The Commission shall annually elect a Chairman and a Secretary

Seven members shall constitute a quorum

Section 431 Workmen's Compensation Board The Workmen's Compensation Board shall consist of three members of whom the Governor shall designate one as Chairman The Secretary of Labor and Industry shall be ex officio a member of the Board Two members of the Board shall be a quorum and no action of the Board shall be valid unless it shall have the concurrence of at least two members A vacancy on the Board shall not impair the right of a quorum to exercise all the rights and perform all the duties of the Board

The Secretary of Labor and Industry with the approval of th Governor shall appoint a Secretary to the Workmen's Compensation Board who shall receive such salary as the Secretary of Labor and Industry with the approval of the Governor shall determine

The Chairman of the Workmen's Compensation Board shall receive a salary at the rate of nine thousand dollars per annum The other members of the Board except the Secretary of Labor and Industry shall receive salaries at the rate of eight thousand five hundred dollars per annum

Section 432 Workmen's Compensation Referees There shall be in the Department of Labor and Industry as many Workmen's Compensation Referees as in the judgment of the Governor and of the Secretary of Labor and Industry shall be necessary properly to administer the Workmen's Compensation Laws of the Commonwealth Such Referees shall be subject to the direction and control of the Workmen's Compensation Board The Board shall assign them to the various Workmen's Compensation Districts and shall prescribe from time to time the duties to be performed by them

Each Workmen's Compensation Referee shall receive a salary at the rate of five thousand dollars per annum

Section 433 Sanitary Water Board The Sanitary Water Board shall consist of the Secretary of Health who shall be Chairman thereof the Secretary of Forests and Waters the Attorney General the Commissioner of Fisheries and the Chairman of the Public Service Commission of the Commonwealth of Pennsylvania

Three members of the Board shall constitute a quorum

Section 434 Anatomical Board The Anatomical Board of the State of Pennsylvania shall consist of the Professors of anatomy the professors of surgery the demonstrators of anatomy and the demonstrators of surgery of the medical and dental schools and colleges of this Commonwealth which are now or may hereafter become incorporated together with one representative from each of the unincorporated schools of anatomy or practical surgery within this Commonwealth in which there are or from time to time at the time of the appointment of such representatives shall be not less than five scholars

The Secretary of Health shall be a member of the Board ex officio

The Board shall effect such organization and elect such officers as it shall from time to time determine

Section 435 Boards of Trustees of State Institutions

The Board of Trustees of each of the State Institutions hereinafter mentioned shall consist of nine members and the head of the Department having supervision over the Institution ex officio The Auditor General shall be ex officio a member of the Board of Trustees of Pennsylvania Soldiers' and Sailors' Home

Of the first members of each such Board appointed under this act three shall be appointed for two years three for four years and three for six years Thereafter all appointments shall be for terms of six years

Five members of any such Board shall constitute a quorum

Each such Board shall annually elect a President and Vice-President from among its members and a Secretary and Treasurer who need not be members of the Board The Secretary and Treasurer may be the same person

This section shall apply to

Board of Trustees of Eastern State Penitentiary
Board of Trustees of Western State Penitentiary
Board of Trustees of Pennsylvania Industrial Reformatory
Board of Trustees of State Industrial Home for Women
Board of Trustees of Pennsylvania Training School
Board of of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Home for Training in Speech of Deaf Children before they are of School age
Board of Trustees of Pennsylvania Soldiers' Orphan School
Board of Trustees of Pennsylvania Soldiers' and Sailors' Home
Board of Trustees of Allentown State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Hazelton State Hospital
Board of Trustees of Mercer State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Philipsburg State Hospital
Board of Trustees of Scranton State Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School

Section 436 Board of Commissioners of Public Grounds and Buildings The Board of Commissioners of Public Grounds and Buildings shall consist of the Governor the Auditor General and the State Treasurer

Section 436 State Art Commission The State Art Commission shall consist of five citizens of this Commonwealth of whom the Governor shall designate one as Chairman and another as Secretary of the Commission

Three members shall constitute a quorum

Section 438 State Anthracite Mine Cave Commission The State Anthracite Mine Cave Commission shall consist of a Chairman and two other members one of whom shall be a practical mining engineer and all of whom shall be citizens of the anthracite producing counties of this Commonwealth

The Governor shall designate one of the members as Chairman of the Commission

Every member of the Commission shall receive a salary of eight thousand dollars per annum Provided however that all salaries and other expenses of the Commission shall be payable only out of the funds received by them from mine owners and operators who shall have accepted the provisions of Section eight of the act approved the twenty-seventh day of May one thousand nine hundred and twenty-one entitled "An Act affecting anthracite operations establishing the Pennsylvania State Anthracite Mine Cave Commission defining its jurisdicton and powers imposing duties upon owners and operators of anthracite coal mines and imposing penalties"

Section 439 Advisory Boards and Commissions The advisory boards and commissions created by this article shall be constituted as follows

(a) The State Forest Commission shall consist of four persons and the Secretary of Forests and Waters ex officio who shall be chairman thereof

(b) The Fort Washington Park Commission shall consist of the Commissioners of Fairmount Park Philadelphia and the Secretary of Forests and Waters ex officio

The Commission shall annually elect a chairman and a Secretary

Seven members of the Commission shall constitute a quorum

(c) The Wyoming Valley Memorial Park Commission shall consist of the Secretary of Forests and Waters ex officio and ten citizens of this Commonwealth

The Commission shall annually elect a chairman and Secretary

Six members of the Commission shall constitute a quorum

(d) The Industrial Board shall consist of the Secretary of Labor and Industry and four additional members one of whom shall be an employer of labor one a wage earner and one a woman The Secretary of Labor and Industry shall be the Chairman of the Board Three members of the Board shall be a quorum

The members of the Industrial Board other than the Chairman shall receive ten dollars per day while in the performance of their official duties

(e) The Advisory Health Board shall consist of the Secretary of Health and six members a majority of whom shall be physicians graduates of legally constituted medical colleges and of at least ten years experience in the practice of their profession and one of whom shall be a civil engineer The Secretary of Health shall be Chairman of the Board

Three members of the Board together with the Secretary of Health shall constitutte a quorum

(f) The State Welfare Commission shall consist of nine members three of whom as ex officio members shall be the Secretary of Welfare the Secretary of Labor and Industry and the Secretary of Health The Secretary of Welfare shall be Chairman of the Board The Secretary of Welfare and four other members of the Board shall constitute a quorum

(g) The Gettysburg Battlefield Memorial Commission shall consist of five persons and the Secretary of Property and Supplies ex officio

The Commission shall annually elect a Chairman and a Secretary

Three members shall constitute a quorum

(h) The General George Gordon Meade Statue Commission shall consist of the Governor of the Commonwealth and the Secretary of Property and Supplies ex officio the Commander of the Grand Army of the Republic Department of Pennsylvania one member of the Senate and one member of the House of Representatives to be designated by the Governor and the General Chairman of the Committee on Meade Statue of the Philadelphia Brigade Association and three other persons

The Commission shall annually elect the Chairman and a Secretary

Five members of the Commission shall constitute a quorum

(i) The Robert Morris Monument Commission shall consist of five persons and the Secretary of Property and Supplies ex officio

The Commission shall annually elect a Chairman and a Secretary

Three members of the Commission shall constitute a quorum

(j) The General Galusha Pennypacker Monument Commission shall consist of the Secretary of Property and Supplies the President of the Pennsylvania Academy of Fine Arts Philadelphia and three other persons The Commission shall annually elect a President and Secretary

Three members of the Commission shall constitute a quorum

(k) The Camp Curtin Monument Commission shall consist of seven persons and the Secretary of Property and Supplies ex officio

The Commission shall annually elect a President and Secretary

Four members shall constitute a quorum

Section 440 Mine Inspectors There shall be as many Anthracite Mine Inspectors and as many Bituminous Mine Inspectors as may now or hereafter be provided by law All such Mine Inspectors shall be appointed respectively from among persons holding valid certificates of qualification issued by the Anthracite Mine Inspectors Examining Board or the Examining Board for the Bituminous Coal Mines of Pennsylvania

The manner of appointing Mine Inspectors their qualifications and their terms of office shall be as may now or hereafter be provided by law

Each Mine Inspector shall receive a salary at the rate of four thousand eight hundred dollars per annum

Section 441 Board to License Private Bankers The Board to License Private Bankers shall consist of the Secretary of Banking who shall be Chairman thereof the Secretary of the Commonwealth and the State Treasurer

Section 442 State Workmen's Insurance Board The State Workmen's Insurance Board shall consist of the Secretary of Labor and Industry who shall be the Chairman thereof the State Treasurer and the Secretary of Insurance

ARTICLE V

POWERS AND DUTIES IN GENERAL

Section 501 Coordination of Work The heads of the several administrative departments except the Auditor General State Treasurer and Secretary of Internal Affairs and the several independent administrative boards and commissions shall devise a practical and working basis for cooperation and coordination of work eliminating duplication and overlapping of functions and shall so far as practical cooperate with each other in the employment of assistance and use of quarters and equipment The head of any administrative department board or commission to which this section applies may empower or require an employe of another department board or commission to which this section applies subject to the consent of the head of such department or of such board or commission to perform any duty which he or it might require of the employes of his or its own department board or commission

Section 502 Cooperative Duties Whenever in this act power is vested in a department board or commission to inspect examine secure data or information or to procure assistance from any other department board or commission a duty is hereby imposed upon the department board or commission upon which demand is made to render such power effective

Section 503 Departmental Administrative Boards and commissions except as otherwise provided in this act departmental administrative bodies boards and commissions within the several administrative departments shall exercise their powers and perform their duties independently of the heads or any other officers of the respective administrative departments with which they are connected but in all matters involving the expenditure of money all such departmental administrative boards and commissions shall be subject and responsible to the departments with which they are respectively connected

Whenever the head of a Department is by this Act made ex offico a member of a departmental administrative board or commission such department head shall have the privilege of attending meetings and participating in the deliberations of such Board or Commission but shall not have the right to vote upon any matter coming before such Board or Commission

Section 504 Departmental Reports The head of each administrative department and each independent administrative board and commission shall not later than October first of each even-numbered year report in writing to the Governor concerning the condition management and financial transactions of the department board or commission Such reports shall except where impracticable be for the two year period ending May thirty-first of the year in which they are made Each departmental administrative body board and commission and each advisory board and commission shall not later than September first of each even-numbered year report in writing to the head of the department of which such body board or commission is a part All such reports shall be attached as exhibits to the report made by the head of the department to the Governor

Section 505 Departmental Seals Each Administrative Department each independent administrative board and commission shall and any departmental administrative body board or commission may adopt and use an official seal A copy of any paper or document on file with any such Department Board or Commission authenicated by any such seal shall be evidence equally and in like manner as the original

Section 506 Rules and Regulations The heads of all administrative departments the several independent administrative boards and commissions the several departments administrative bodies boards and commissions and the Executive Board are hereby empowered to prescribe rules and regulations not inconsistent with law for the government of their respective departments boards or commissions the conduct of their employes and clerks the distribution and performance of their business and the custody use and preservation of the records books documents and property pertaining thereto

Section 507 Purchases It shall be unlawful for any administrative Department other than the Department of Property and Supplies or for any independent administrative Board or Commission or for any departmental administrative Body Board or Commission or for any advisory Board or Commission to purchase any furniture materials or supplies except

(a) The Department of Health which shall have the right to purchase medicines medical and surgical supplies required by the Department and furniture materials and supplies for the Tuberculosis Senatoria maintained by the Department

(b) The Department of Highways which shall have the right to purchase materials supplies and equipment necessary for the construction and repair of highways

(c) Any Department Boards or Commissions which by law are authorized to purchase materials or supplies and pay for the same out of fees or other moneys collected by them or out of moneys appropriated to them by the General Assembly Provided That every such Department Board and Commission shall make its purchases through the Department of Property and Supplies as its purchasing agency and

(d) Board of Trustees of State Institutions Provided That after the Department of Property and Supplies shall have established a standard specification for any article required by any such institution it shall be unlawful for any such institution to purchase such article under any other specifications unless such institution shall forward to the Department of Property and Supplies at the time the purchase is made the modified specification the price paid thereunder and the reason for the modification and whenever practicable forward to the Department for analysis a sample of the article purchased under the modified specification

Section 508 Disposition of Unserviceable Personal Property Whenever any furnishings or other personal property of this Commonwealth shall be no longer of service to the Commonwealth it shall be the duty of the department board or commission in whose possession such property shall be or come to put such property into the custody of the Department of Property and Supplies Provided however that in the case of any perishable property which is not in the City of Harrisburg the department board or commission having possession of the same may sell it in such manner and upon such terms as the head of the department or the board or commission may determine

Section 509 Legal Advice and Services Whenever any Department Board Commission or Officer of the State Government shall require legal advice concerning its conduct or operation or when any legal difficulty or dispute arises or litigation is commenced or to be commenced in which any Department Board Commission or Officer is concerned or whenever any taxes or other accounts of any kind whatever due the Commonwealth remain overdue and unpaid for a period of six months it shall be the duty of such Department Board Commission or Officer to refer the same to the Department of Justice except as provided for in the act approved the twelfth day of April one thousand nine hundred and twenty-three entitled "An act to amend an act approved June fifteenth one thousand nine hundred and eleven (Pamphlet Laws nine hundred and fifty-five) entitled 'An act making State taxes unpaid bonus interest penalties and all public accounts a first lien upon the franchise and property of corporations companies associations joint-stock associations and limited partnerships against which the same may be settled providing for enforcing the payment thereof and for the furnishing of certificates as to the existence of such liens upon application thereof and repealing section four of the act approved April sixteenth one thousand eight hundred and twenty-seven' by providing for the employment of counsel fixing such counsels' commissions and giving such commissions and costs the same priority and liens as such taxes bonus interest penalties and public accounts"

It shall be the duty of any Department Board Commission or Officer having requested and received legal advice from the Department of Justice regarding the official duty of such Department Board Commission or Officer to follow the same and when any officer shall follow the advice given him by the Department of Justice he shall not be in any way liable for so doing upon his official bond or otherwise

Except as heretofore in this section otherwise provided it shall be unlawful for any Department Board Commission or Officer of the Commonwealth to engage any Attorney to represent such Department Board Commission or Officer in any matter or thing relating to the public business of such Department Board Commission or Officer without the approval in writing of the Attorney General

Section 510 Contracts No member or officer of any department of the government shall be in any way interested in any contract for furnishing stationery printing paper fuel furniture materials or supplies to the State government or for the printing binding and distributing of the laws journals department reports or any other printing and binding or for the repairing and furnishing the halls and rooms used for the meetings of the General Assembly and its Committees

Section 511 Administering Oaths The head of every administrative department all deputy heads of administrative departments every member of a departmental administrative board or commission the Superintendent of the Pennsylvania State Police the Secretary of the Workmen's Compensation Board every Workmen's Compensation Referee and such employes of the several administrative departments as their respective heads shall designate shall have the power to administer oaths or affirmation with regard to any matter or thing which may properly come before such head deputy member superintendent secretary or referee as the case may be

Section 512 Meetings of Boards and Commissions Every departmental administrative board or commission and every advisory board or commission shall meet upon the call of the chairman thereof at such times and places as the chairman shall designate and at such times and places as the board or commission may by rule designate

Section 513 Geographic Names Every administrative Department Board or Commission of the Commonwealth shall in preparing or publishing maps reports or other documents showing or referring to any mountain river creek or other topographic feature within the Commonwealth designate such mountain river creek or other topographic feature by and only by such name as shall have been adopted therefor by the Geographic Board created by this act

Section 514 Subpoenas Every Administrative Department Board and Commission every departmental administrative board and commission every advisory board and commission and the several Workmen's Compensation Referees shall have the power to issue subpoenas requiring the attendance of witnesses and the production of books and papers pertinent to any hearing before such Department Board Commission or officer and to examine such witnesses books and papers

Any witness who refuses to obey a subpoena issued hereunder or who refuses to be sworn or affirmed or to testify or who is guilty of any contempt after summons to appear may be punished as for contempt of court and for this purpose an application may be made to any court of common pleas within whose territorial jurisdiction the offense was committed for which purpose such court is hereby given jurisdiction

ARTICLE VI

BUDGETARY AND FINANCIAL POWERS AND DUTIES OF ADMINISTRATIVE OFFICERS DEPARTMENTS BOARDS AND COMMISSIONS

Section 601 Preparation of Budget The Secretary of the Commonwealth shall in each even-numbered year obtain and prepare information necessary for the preparation of a State Budget for the biennium beginning June first of the following year He shall not later than the fifteenth day of August of such even-numbered year distribute to the Governor to the Lieutenant Governor to each Administrative Department to independent Administrative Board and Commission to the Chief Clerk of the Senate to the Chief Clerk of the House of Representatives to the Prothonotaries of the various Courts of the Commonwealth and to all Institutions or other agencies which desire State appropriations to be made to them the proper blanks necessary to the preparation of the budget estimates with a request that such blanks be returned with the information desired not later than the first day of November of the same year Such blanks shall be in such form as shall be prescribed by the Secretary of the Commonwealth to procure any or all information pertaining to the revenues and expenditures for the preceding fiscal years and for the current fiscal year the appropriations made by the previous General Assembly the expenditures therefrom encumbrances thereon the amount unencumbered and unexpended an itemized estimate of the revenues and expenditures of the currnt fiscal year and for the succeding biennium and an estimate of the revenues and amounts needed for the respective Departments Boards and Commissions for expenses of the General Assembly for the Judicial Department and for any and all Institutions or other agencies to which appropriations are likely to be made by the General Assembly for the two fiscal years next succeeding Such blanks shall also request the person returning them to accompany them with a statement in writing giving the facts and an explanation of and reasons for the estimates of receipts and expenditures for the succeeding biennium contained upon the blanks returned It shall be the duty of each Administrative Department and each Independent Administrative Board and Commission to comply not later than November first with any and all requests made by the Secretary of the Commonwealth in connection with the budget

The Secretary of the Commonwealth may under the direction of the Governor make further inquiries and investigation as to the financial needs expenditures estimates or revenues of any Department Board Commission Institution or other agency The Governor may after giving to each Department Board Commission Institution or other agency an opportunity to be heard approve disapprove or alter the estimates The Secretary of the Commonwealth shall on or before the first day of January next succeeding submit to the Governor in writing the above information and any additional information requested by the Governor as a basis for the Governor's estimates for appropriations for the next succeeding biennium

Section 602 Submission of Budget to General Assembly As soon as possible and not later than four weeks after the organization of the General Assembly the Governor shall submit a State Budget embracing therein the amounts recommended by him to be appropriated to the General Assembly the Judicial Department the Governor and the several administrative Departments Boards and Commissions of the State Government and to Institutions within the State and for all other public purposes the estimated revenues or receipts from any and all sources and an estimated amount to be raised by taxation or otherwise Together with such budget the Governor shall transmit the estimates of receipts and expenditures as received by the Secretary of the Commonwealth from the elective offices in the Executive and Judicial Departments

Section 603 List of Employes to be Furnished to the Auditor General The heads of all Administrative Departments and the several independent administrative boards and commissions shall on the fifeenth day of June of each year transmit to the Auditor General and to the Secretary of the Commonwealth a complete list as of June first preceding of the names of all persons except day-laborers entitled to receive compensation from the Commonwealth for services rendered in or to the Department Board or Commission as the case may be Such list shall show the position occupied by each such person the date of birth and voting residence of such person the salary at which or other basis upon which such person is entitled to be paid the date when such person entered the service of the Commonwealth whether such person has been continuously employed by the Commonwealth since that date and all periods of service and positions held as an employee of the Commonwealth

Each month thereafter the heads of the several administrative Departments and the several independent administrative boards and commissions shall certify to the Auditor General and to the Secretary of the Commonwealth any changes in the annual list of employes last transmitted to them which shall have occurred during the preceding month

The information received by the Auditor General and the Secretary of the Comomnwealth under this section shall be public information

Section 604 Estimates of Current Expenditures by Departments Boards and Commissions Each administrative Department Board and Commission except the Departments of which the Auditor General the State Treasurer and the Secretary of Internal Affairs are respectively the heads shall from time to time as requested by the Governor prepare and submit to the Governor for approval or disapproval an estimate of the amount of money required for each activity or function to be carried on by such Department Board or Commission during the ensuing month quarter or such other period as the Governor shall prescribe If such estimate does not meet with the approval of the Governor it shall be revised in accordance with the Governor's desires and resubmitted for approval

After the approval of any such estimate it shall be unlawful for the Department Board or Commission to expend any appropriation or part thereof except in accordance with such estimate unless the same be revised with the approval of the Governor

If any Department Board or Commission to which this section applies shall fail or refuse to submit to the Governor estimates of expenditures in accordance with the Governor's request the Governor may notify the Auditor General in writing of such failure or refusal and after receipt of such notice the Auditor General shall not draw any warrant in favor of such Department Board or Commission until the Governor shall have notified the Auditor General in writing that the delinquent Department Board or Commission has furnished him with and he has approved the estimate as required by this section

Section 605 Estimates of Current Expenditures by Departments of Elective Officers The Auditor General State Treasurer and Secretary of Internal Affairs shall from time to time as requested by the Governor prepare and submit to the Governor estimates of the amounts of money required for each activity or function to be carried on by their respective Departments during the ensuing month quarter or such other period as the Governor shall prescribe

Section 606 Departmental Administrative Bodies Boards and Commissions It shall be the duty of each departmental administrative body board and commission promptly to furnish to the head of the Department of which it is a part such information as may be requested by the head of the Department for the departmental budget estimates or the periodical estimates of the current expenditures of the department

Section 607 Fiscal Year All Books and accounts kept by the Auditor General the State Treasurer and every department board and commission shall be kept as of the fiscal year which shall be the period beginning on the first day of June each calendar year and ending on the thirty-first day of May of the calendar year next succeeding The books and accounts kept by the Auditor General and State Treasurer which under laws in force at the date of the passage of this act would be closed as of November thirtieth one thousand nine hundred and twenty-three shall be closed as of the thirty-first day of May one thousand nine hundred and twenty-three

Section 608 Collection of Moneys Authorized Each Executive Officer Administrative Department independent Administrative Board and Commission and Departmental Administrative Board and Commission shall collect such fees licenses fines and costs as are or may be authorized by law in connection with the exercise of its powers and the performance of its duties

ARTICLE VII

POWERS AND DUTIES OF THE GOVERNOR AND OTHER CONSTITUTIONAL OFFICERS AND OF THE EXECUTIVE BOARD

Section 701 The Governor The Governor shall have power and it shall be his duty

(a) To take care that the laws of the Commonwealth shall be faithfully executed

(b) To act as Commander-in-Chief of the Army and Navy of the Commonwealth and of the Militia except when they shall be called into active service by the United States Government

(c) To submit to the General Assembly a State Budget and

(d) To do all other acts make all appointments fill all vacancies exercise all the powers vested in him and perform all the duties imposed upon him as provided and required by the Constitution and laws of this Commonwealth

Section 702 Lieutenant Governor The Lieutenant Governor shall exercise such powers and perform such duties as may now or hereafter be vested in or imposed upon him by the Constitution and laws of this Commonwealth

Section 703 Secretary of the Commonwealth The Secretary of the Commonwealth shall

(a) Keep a record of all official acts and proceedings of the Governor and when required lay the same with all papers minutes and vouchers relating thereto before either branch of the General Assembly

(b) Record and file in his office the recommendations of the Board of Pardons together with the reasons therefor

(c) Keep the seal of the Commonwealth and affix it to all public instruments to which the attestation of the Governor's signature now is or may hereafter be required by law

(d) Have power and authority to administer to all officers of the State Government such oaths or affirmations as by the Constitution or laws of the Commonwealth such officers are required to make in any and all matters pertaining to the administrative work of the Commonwealth

(e) Procure the copyright of the State Reports in his name and be the custodian of the plates from which the State Reports are printed after the same are delivered to him as required by law

(f) Procure and keep deposited in his Department as required by law an official state flag

(g) Perform such other duties as may now or hereafter be imposed upon him by law

Section 704 Attorney-General The Attorney-General shall be the legal advisor of the Governor in the performance of his official duties and the chief law officer of the Commonwealth

He shall exercise such powers and perform such duties as may now or hereafter be vested in or imposed upon him by the Constitution of the Commonwealth of Pennsylvania and by law

Section 705 Secretary of Internal Affairs The Secretary of Internal Affairs shall exercise all the powers and perform all the duties vested in and imposed upon him by the Constitution of the Commonwealth of Pennsylvania and subject to any inconsistent provisions in this act contained by law

Section 706 Auditor-General The Auditor-General shall exercise such powers and perform such duties as are vested in and imposed upon him by the Constitution of the Commonwealth of Pennsylvania and subject to any inconsistent provisions in this act contained by law

Section 707 State Treasurer The State Treasurer shall exercise such powers and perform such duties as are vested in and imposed upon him by the Constitution of the Commonwealth of Pennsylvania and subject to any inconsistent provisions in this act contained by law

Section 708 Superintendent of Public Instruction The Superintendent of Public Instruction shall

(a) Exercise all the powers and perform all the duties of the Superintendent of Common Schools in the manner prescribed by law

(b) Sign all orders on the State Treasurer for the payment of such moneys to the treasurer of the several school districts as they may be entitled to receive from the State and for all other moneys to be paid out of the appropriation for public school purposes

(c) Fill all vacancies occurring in the office of county superintendent until the next regular election but in filling such vacancies he shall give careful consideration to any recommendations concerning them made by the officers of the proper county school directors associations within ten days after the vacancies occur

(d) Have charge of the seal of the Department of Public Instruction by which copies of papers deposited or filed therein and all official acts and decisions may be authenticated and when so authenticated they shall be evidence equally and in like manner as the originals

(e) Perform such other duties as may now or hereafter be imposed upon him by law

Section 709 Executive Board The Executive Board shall have the power

(a) To standardize all titles salaries and wages of persons employed by the administrative Department Boards and Commissions except the Department of the Auditor General the Treasury Department and the Department of Internal Affairs In establishing such standards the Board may

(1) Take into consideration the location of the work and the conditions under which the service is rendered and

(2) Establish different standards for different kinds grades and classes of similar work or service

(b) To approve or disapprove the establishment of bureaus and divisions by the Administrative Departments other than the Department of the Auditor General the Treasury Department and the Department of Internal Affairs and by the independent administrative boards and commissions and to investigate duplication of work of the several administrative Departments Boards and Commissions and the efficiency of the organization and administration thereof and the better co-ordination of such Departments Boards and Commissions

(c) To approve or disapprove as provided by this act the payment of extra compensation to employes of administrative departments boards or commissions who are employed at fixed compensation

(d) To determine from time to time the hours when the administrative offices of the State Government shall open and close

(e) To approve or disapprove extensions of leaves of absence with pay for employes of administrative departments boards or commissions

(f) After each biennial appropriation to the Department of Property and Supplies for the purchase of stationery fuel printing paper supplies furniture furnishings repairs alterations and improvements after making proper deductions for the needs of the Legislative and Judicial Departments to allocate to the several administrative departments boards and commissions such portions of such appropriation as will fairly represent the needs of the departments boards and commissions for the biennium taking into consideration the right of any such department board or commission to pay its necessary expenses or purchase furniture materials or supplies out of fees or other moneys received by or moneys specifically appropriated to it

Every administrative department board or commission shall be limited in its right to make requisition upon the Department of Property and Supplies to the amount allocated to it unless the Executive Board shall subsequently permit the Department of Property and Supplies to honor requisitions in excess of such amount

Section 710 Pennsylvania State Police The Pennsylvania State Police shall have the power and its duty shall be

(a) Subject to any inconsistent provisions in this act contained to continue to exercise the powers and perform the duties by law vested in and imposed upon the Department of State Police

(b) To assist the Governor in the administration and enforcement of the laws of the Commonwealth in such manner at such times and in such places as the Governor may from time to time request

(c) With the approval of the Governor to assist any administrative Department Board or Commission of the State Government to enforce the laws applicable or appertaining to such Department Board or Commission or any organization thereof

(d) Whenever possible to cooperate with counties and municipalities in the detection of crime the apprehension of criminals and the preservation of law and order throughout the State

(e) To aid in the enforcement of all laws relating to game fish forests and waters

(f) To collect and classify and keep at all times available complete information useful for the detection of crime and the identification and apprehension of criminals Such information shall be available for all police officers within the Commonwealth under such regulations as the Superintendent of State Police may prescribe

Section 711 Superintendent of State Police The Superintendent of State Police shall be the head and executive officer of the Pennsylvania State Police He shall provide for the members of the police force suitable uniforms arms equipment and where it is deemed necessary horses or motor vehicles and make such rules and regulations subject to the approval of the Governor as are deemed necessary for the control and regulation of the police force It shall also be the duty of the Superintendent to establish local headquarters in various places so as best to distribute the force through the various sections of the Commonwealth where they will be most efficient in carrying out the purposes of this act to preserve the peace and prevent and detect crime

Section 712 The State Police Force The various members of the State Police are hereby authorized and empowered

(a) To make arrests without warrant for all violations of the law which they may witness and to serve and execute warrants issued by the proper local authorities They shall have all the powers and prerogatives conferred by law upon members of the police force of cities of the first class and upon constables of the Commonwealth

(b) To act as game-protectors and as forest- fish- or fire wardens and for the better performance of such duties

(1) Seize all guns boats decoys traps dogs game fish

shooting paraphernalia or hunting or fishing appliances or devices used taken or had in possession contrary to the laws of this State Any article so seized shall be held subject to such disposition as the Commissioner of Fisheries or the Secretary of the Board of Game Commissioners of Forests and Waters may respectively determine

(2) Seize and take possession of all birds animals or fish which have been taken caught or killed or had in possession or under control or which have been shipped or are about to be shipped contrary to any law of this State

(3) Search without warrant any boat conveyance vehicle or receptacle when there is good reason to believe that any law has been violated the enforcement or administration of which is imposed on or vested in the Board of Fish Commissioners or the Board of Game Commissioners or in the Department of Forest and Waters

(4) Serve subpoenas issued for any examination investigation or trial had pursuant to any law as aforesaid

(5) Purchase game or fish for the purpose of securing evidence

ARTICLE VIII

POWERS AND DUTIES OF THE DEPARTMENT OF STATE AND FINANCE

Section 801 Powers and Duties in General The Department of State and Finance shall subject to any inconsistent provisions in this Act contained continue to exercise the powers and perform the duties heretofore by law vested in and imposed upon the Department of the Secretary of the Commonwealth and the several bureaus thereof and shall exercise such additional powers and perform such additional duties as are vested in and imposed upon it by this Act

Section 802 General Administration The Department of State and Finance shall have the power and its duty shall be

(a) To publish from time to time for the information of the public bulletins of the work of the government

(b) To permit any committee of either branch of the General Assembly to inspect and examine the books papers records and accounts filed in the Department and to furnish such copies or abstracts therefrom as may from time to time be required

(c) To furnish to any person upon request and the payment of such charges as may be required and fixed by law certificates of matters of public record in the Department or certified copies of public papers or documents on file therein

Section 803 Accounts The Department of State and Finance shall have the power and its duty shall be

(a) To prescribe and require the installation of a uniform system or systems of bookkeeping accounting and reporting for the several administrative Departments Boards and Commissions except the Department of the Auditor General the Treasury Department and the Department of Internal Affairs

(b) To prescribe from for accounts and financial records and statements for the several Administrative Departments Boards and Commissions except the Department of the Auditor General the Treasury Department and the Department of Internal Affairs

Section 804 Budget The Department of State and Finance shall prepare and submit to the Governor biennially no later that the first day of January preceding the convening of the General Assembly such information as the Governor may require for the preparation by him of a State Budget

Section 805 Elections The Department of State and Finance shall have the power and its duty shall be to care for compile publish and certify returns of elections in all cases in which such duties shall heretofore have been imposed by law upon the Department of the Secretary of the Commonwealth or may hereafter be imposed upon the Department of State and Finance

Section 806 Legislation The Department of State and Finance shall have the power and its duty shall be

(a) To record all laws resolutions acts and proceedings of the General Assembly and perform all other duties with reference thereto required by law

(b) To punctuate the laws passed by the General Assembly and read the proof of and prepare an index for the same and carefully to examine all bills as soon as printed for either house directing the attention of members to errors of typography and construction in bills presented by them

(c) As soon as possible after the signing of any bill by the Governor whereby it becomes a law to cause the Department of Property and Supplies to print advance sheets of the same and transmit one copy thereof by mail to each Department Board and Commission of the State Government to each Prothonotary and to each Law Judge of the Courts and to every County and Public Law Library of this Commonwealth and to each member of the General Assembly Such copies shall be furnished without charge The Department shall also cause the Department of Property and Supplies to mail to any person who shall pay to the Department of State and Finance for the use of the Commonwealth the sum of five dollars one copy of each such law enacted during any legislative session

Section 807 Corporations The Department of State and Finance shall have the power and its duty shall be to examine and file all applications for charters of corporations for the amendment of such charters for the merger and consolidation of such corporations for the change of their corporate names for reorganization after judicial sale of their franchises and property for the increase of their capitalization or indebtedness or the decrease of their capitalization for the change of the par value of the shares of their stock for the change of the location of their principal office and for any other proceeding by or with reference to such corporations as may be permitted or required by law to transmit to the Governor such papers in connection therewith as may be required and to perform all such other duties acts and things in connection therewith as are now or may hereafter be prescribed by law Provided however That the Department shall not be required to file any papers or documents except such as are by law required to be filed nor any papers or documents which do not conform to law

Section 808 Registration The Department of State and Finance shall have the power and its duty shall be to register foreign corporations desiring to transact business in this Comomnwealth and act as the attorney-in-fact and authorized agent of such corporations for the service of process thereon and to register the assumed or fictitious names under which individuals carry on or conduct business upon application duly made trade-marks trade-names labels bottle descriptions union labels and applications for license to manufacture or distill and sell ethyl alcohol in accordance with the several Acts of Assembly providing for such registrations and to register all other matters or things for the registration of which in the office of the Secretary of the Commonwealth provision may now or hereafter be made by law

Section 809 Warrants The Department of State and Finance shall have the power and its duty shall be to keep a record of all death warrants respites pardons remittances of fines forfeitures and commutations of sentences and to pass upon and approve all proceedings for extradition of fugitives from justice before laying the same before the Governor and to make report quarterly to the Auditor General of all remissions of fines granted by the Governor

ARTICLE IX

POWERS AND DUTIES OF THE DEPARTMENT OF JUSTICE AND ITS DEPARTMENTAL BODIES BOARDS AND COMMISSIONS

Section 901 Powers and Duties in General The Department of Justice shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the Attorney General's Department and shall exercise such additional powers and perform such additional duties as are vested in and imposed upon it by this act

Section 902 Legal Advice The Department of Justice shall have the power and its duty shall be

(a) To furnish legal advice to the Governor and to all administrative departments boards commissions and officers of the State Government concerning any matter or thing arising in connection with the exercise of the official powers or the performance of the official duties of the Governor or such administrative departments boards commissions or officers

(b) To supervise direct and control all of the legal business of every administrative department board and commission of the State Government except as otherwise provided in the act approved the twelfth day of April one thousand nine hundred and twenty-three entitled "An act to amend an act approved June fifteenth one thousand nine hundred and eleven (Pamphlet Laws nine hundred and fifty-five) entitled 'An act making State taxes unpaid bonus interest penalties and all public accounts a first lien upon the franchise and property of corporations companies associations joint-stock associations and limited partnerships against which the same may be settled providing for enforcing the payment thereof and for the furnishing of certificates as to the existence of such liens upon application thereof and repealing section four of the act approved April sixteenth one thousand eight hundred and twenty-seven' by providing for the employment of counsel fixing such counsels' commissions and giving such commissions and costs the same priority and liens as such taxes bonus interest penalties and public accounts"

Section 903 Litigation The Department of Justice shall have the power and its duty shall be

(a) To collect by suit or otherwise all debts taxes and accounts due the Commonwealth which shall be placed with the Department for collection by any department board or commission The Department shall keep a proper docket or dockets duly indexed in which it shall make and preserve memoranda of all such claims showing whether they are in litigation and their nature and condition

(b) To represent the Commonwealth or any Department board commission or officer thereof in any litigation to which the Commonwealth or such department board commission or officer may be a party or in which the Commonwealth or such department board commission or officer is permitted or required by law to intervene or interplead

Section 904 Investigation and Law Enforcement The Department of Justice shall have the power and its duty shall be with the approval of the Governor

(a) To investigate any violations or alleged violations of the laws of the Commonwealth which may come to its notice

(b) To take such steps and adopt such means as may be reasonably necessary to enforce the laws of the Commonwealth

Section 905 Codification of the Laws The Department of Justice shall have the power and its duty shall be to prepare for submission to the General Assembly from time to time such revisions and codifications of the laws of this Commonwealth or any part thereof as may be deemed advisable

Section 906 Deputy Attorneys General In addition to such Deputy Attorneys General as may be appointed to assist in the conduct of the regular work of the Department the Attorney General with the approval of the Governor shall have power

(a) To appoint and fix the compensation of such Special Deputy Attorneys General as may be required to represent and advise the Workmen's Compensation Board and any other Departments Boards and Commissions which may require the services of counsel to such an extent as to render it reasonably necessary to assign Deputy Attorneys General exclusively to their work Provided that the office of counsel to The Public Service Commission of the Commonwealth of Pennsylvania shall be retained such counsel to be appointed by the Attorney General The Attorney General may also from time to time with the approval of the Governor appoint such assistant counsel to the Public Service Commission as may be required for the proper conduct of its work The compensation of the counsel and assistant counsel of the Public Service Commission shall be fixed by the Commission with the approval of the Governor

(b) From time to time to appoint and fix the compensation of Special Deputy Attorneys General to represent the Commonwealth or any Department Board or Commission thereof in special work or in particular cases

(c) To appoint and fix the compensation of Deputy Attorneys General to represent the Commonwealth and the several Departments Boards and Commissions thereof in all legal matters arising in any City or County other than the State Capitol except as otherwise provided in this act Provided That the same Deputy Attorney General may be assigned to two or more Cities or Counties in the discretion of the Attorney General

Section 907 Special Attorneys in Criminal Cases When the President Judge in the district having jurisdiction of any criminal proceedings before any Court of Oyer and Terminer General Jail Delivery or Quarter Sessions in this Commonwealth shall request the Attorney General to do so in writing setting forth that in his judgment the case is a proper one for the Commonwealth's intervention the Attorney General is hereby authorized and empowered to retain and employ a special attorney or attorneys as he may deem necessary properly to represent the Commonwealth in such proceedings and to investigate charges and prosecute the alleged offenders against the law Any Attorney so retained and employed shall supercede the District Attorney of the County in which the case or cases may arise and shall investigate prepare and bring to trial the case or cases to which he may be assigned He shall take the oath of office required by law to be taken by District Attorneys and shall be clothed with all the powers and subject to all the liabilities imposed upon them by law The compensation for services rendered and necessary expenses incurred by such attorney or attorneys shall be fixed by the Attorney General

Section 908 Access to Books and Papers The Attorney General shall have the right of access at all times to the books and papers of any administrative department Board or Commission of the State Government

Section 909 Board of Pardons The Board of Pardons shall have the power to hear applications for the remission of fines and forfeitures and the granting of reprieves commutations of sentence and pardons except in cases of impeachment and to make recommendations in writing to the Governor thereon in the manner provided in and under and subject to Article IV Section 9 of the Constitution of the Commonwealth of Pennsylvania

Section 910 Board of Commissioners on Uniform State Laws Subject to any inconsistent provisions in this act contained the Board of Commissioners on Uniform State Laws shall have the power and its duty shall be

(a) To examine such subjects as it may deem necessary and to ascertain the best means to effect an assimilation and uniformity of state legislation throughout the United States relating to the subjects so examined

(b) To meet with the National Conference of Commissioners on Uniform State Laws for the promotion of uniformity of legislation in the United State at its annual or other sessions and join with it in such measures as may be deemed most expedient to advance the objects if its appointment

ARTICLE X

POWERS AND DUTIES OF THE DEPARTMENT OF THE AUDITOR GENERAL

Section 1001 Powers and Duties Retained Subject to any inconsistent provisions in this act contained the Department of the Auditor General shall exercise its powers and perfrom its duties as now provided by law

ARTICLE XI

POWERS AND DUTIES OF THE TREASURY DEPARTMENT AND ITS DEPARTMENTAL ADMINISTRATIVE BOARD

Section 1101 Powers and Duties Retained Subject to any inconsistent provisions in this act contained the Treasury Department shall exercise its powers and perform its duties as now provided by law

Section 1102 Subject to any inconsistent provisions in this Act contained the Board of Finance and Revenue shall have the power and its duty shall be

(a) To continue to exercise the powers by law vested in and imposed upon the Board created by the act approved the eighth day of April one thousand eight hundred and sixty-nine entitled "An Act relating to the settlement of public accounts" its amendments and supplements the Board of Public Accounts the Board of Revenue Commissioners and the Sinking Fund Commission

Re-Settlements

(b) To revise any settlement made with any person or body politic by the Auditor General or any other agency of the State Government charged with the settlement of State taxes when it may appear from the accounts or from other information that the same has been erroneously or illegally made and to resettle the same according to law and to credit or charge as the case may be account of such person or body politic

State Depositories

(c) To select and designate as depositories for the State moneys banks banking institutions or trust companies

which are subject to national or state supervision and each of which

1 Has made written application to the State Treasurer for a deposit of State moneys designating the amount of deposit solicited and accompanying its application by a written statement showing the amount of its capital actually paid in the amount of its surplus the number of its stockholders and whether its stock is well distributed or largely held by a few individuals and the length of time that said institution has been engaged in business under its charter Each such statement shall be verified by the oath or affirmation of the president cashier or trust officer as the case may be and the State Treasurer shall present the same to the Board for its consideration within thirty days after the receipts thereof Provided That where the selection of any bank banking institution or trust company as a depository of State moneys has been made by the former Revenue Commissioners and the Banking Commissioner or a majority of them as heretofore provided by law such selection and the deposit made in accordance therewith in such bank banking institution or trust company shall in no way be affected by the failure of such bank banking institution or trust company to have made application in the manner herein provided but it shall be the duty of the depository so selected to furnish on request the information aforesaid verified in the manner stated

2 Shall upon the receipt of notice of its selection as a depository of State moneys furnish a bond to secure payment of deposits and interest to the Commonwealth of Pennsylvania with a proper warrant of attorney to confess judgment in favor of the Commonwealth secured by a surety company or individual sureties to be approved by the Board in double the amount of the deposit to be made If a corporate bond be given no one surety company shall be approved in an aggregate amount in excess of five times its capital surplus and reserve and whenever individual sureties are presented for approval they shall qualify in an aggregate over and above their individual liabilities to three times the amount of the deposit No one person may qualify for more than one-fourth of the total amount of the bond required Provided That in lieu of the surety bonds of surety companies or of individuals as aforesaid the deposit of State moneys may be secured by the deposit with the State Treasurer of United States municipal or county bonds to be approved by the Board in an amount measured by their actual market value equal to the amount of deposit so secured and twenty per centum in addition thereto Said bonds shall be accompanied by proper assignment or power of attorney to transfer the same and said trust deposit of securities shall be maintained on request at the amount aforesaid in case of any depreciation in the value thereof

3 Agree to pay interest upon all State deposits at the rate of not less than two per centum per annum upon active deposits and not less than three per centum per annum upon non-active deposits and that all collections shall be made for the Commonwealth without cost or compensation

(d) To select as depositories for State funds private banking institutions located and doing business in this Commonwealth if such private banking institutions shall file a statement in writing with the Board and the Department of Banking agreeing that they will subject themselves to the same supervision in all respects including an examination by the bank examiners of the Department of Banking at any time as banks banking institutions or trust companies which are depositories of State funds and if and after compliance with the conditions required of any other depository

(e) To designate three banks or trust companies in Dauphin county two banks or trust companies in Allegheny County and two banks or trust companies in Philadelphia County to be known as active depositories in which shall be deposited a sufficient amount of the daily receipts of the State Treasury to transact the current business of the Commonwealth The Board may designate two other banks or trust companies located in any of the counties above mentioned or in any other county of the Commonwealth to be known as active depositories and to be used for the purposes above mentioned

(f) To see that no bank banking institution or trust company shall receive a deposit of State moneys in excess of twenty-five per centum of its paid in capital and surplus or have at any one time an aggregate of deposits in excess of three hundred thousand dollars This section shall not apply to institutions to be designated by the Board as active depositories of State funds subject to daily check by the State Treasurer but at no time shall the combined deposits in the active depositories exceed the total sum of six million dollars

(g) In case it is of the opinion that the credit of any depository is impaired the safety of the State deposits imperiled or for any other cause whatsoever to require the State Treasurer to reduce change or wholly withdraw within thirty days any deposit or deposits held by any such depository of State moneys

(h) Whenever it is considering applications for State deposits to invite the Commissioner of Banking to sit with and advise the Board The Commissioner shall however not vote on any question coming before the Board

Sinking Fund

(i) To supervise and direct the State Treasurer in receiving the incomes and revenues payable in accordance with the existing laws into the sinking fund and in applying the same first to payment of the accruing interest on the public debt and second to the principal thereof and not otherwise except to repeal invasion suppress insurrection or defend the State in war in accordance with the provisions of the Constitution of the Commonwealth of Pennsylvania

(j) To see that the State Treasurer under its supervision and direction shall open books in his department keep separate and distinct accounts of all sinking fund moneys received and disbursed under this act specifying the source of revenue and when paid and from time to time as the funds paid in may justify apply the same to the payment of the accruing interest or the public debt and the principal at or before the semi-annual payments hereof may become due and at no time or in no manner shall any portion of the fund hereby created be otherwise applied

(k) On the first business day of each month to prepare a statement of the total amount of money in said fund which having been verified by oath or affirmation shall be published in two newspapers in Harrisburg for public information The Board shall also on the first day in the months of January April July and October in each and every year hereafter apply the moneys in the sinking fund in excess of the amount required to pay the interest on the public debt to the redemption or purchase at not above par of an equivalent amount of the public debt They may purchase any evidence of the said debt in the open market if such purchase can be made to advantage If they shall determine to redeem any part of said debt they shall forthwith give legal notice of the amount of said debt which they are prepared to redeem that the said amount will be redeemed on presentation to the designated disbursing agent of the State and that the interest upon the certificates thereof shall cease from and after an interest due—date to be designated by them which shall not be more than ninety days after the publication of the notice Provided That the loans of the Commonwealth shall be redeemed as far as practicable in the order of their maturity

(l) If in the opinion of the Board the purchase or redemption of loans of the Commonwealth cannot be made for the best interest of the Commonwealth to purchase bonds of the United States at the then market prices The State Treasurer under the direction of the Board shall enter on the "sinking fund ledger" the number amount and premium paid for each United States bond so purchased The Board shall have the right to dispose of bonds purchased hereunder whenever the money shall be required for the extinguishment of the public debt or whenever the loans of the Commonwealth can be bought at such prices as they may deem for the best interests of the Commonwealth

(m) To report and certify to the Governor biennially for the preceding two calendar years the amount received under and in accordance with existing law the amount of interest paid the dates of the purchase of the public debt the prices paid the place where said sale was effected the amount of the debt of the Commonwealth redeemed and held by them and the number and amount of the bonds of the United States purchased and held in the sinking fund and the amount and date of maturity of the respective loans of the Commonwealth together with a summary statement of the receipts from all sources and the expenditure of said fund and a complete statement of the total amount of bonds and money remaining in said fund whereupon the Governor shall direct the certificates representing the said indebtedness to be cancelled and on such cancellation issue his proclamation stating the fact of the extinguishment and final discharge of so much of the principal of said debt

(n) Within ten days after the organization of the General Assembly to report thereto the amount of the public debt so as aforesaid liquidate and proclaimed by the Governor to have been cancelled the amount then remaining due and the annual interest thereon and what increase or modification of the sinking fund may be made and what increase or reduction of taxes may be required or made in order that the Legislature may provide for such contingencies as may arise

ARTICLE XII

POWERS AND DUTIES OF THE DEPARTMENT OF INTERNAL AFFAIRS AND ITS DEPARTMENTAL ADMINISTRATIVE BOARD

Section 1201 Powers and Duties Retained Subject to any inconsistent provisions in this act contained the Department of Internal Affairs shall exercise its powers and perform its duties as now provided by law

Section 1202 Board of Property The Board of Property shall

Subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said Board of Property

It shall hear and determine in all cases of controversy on caveats in all matters of difficulty or irregularity touching escheats warrants on escheats warrants to agree rights of preemption promises imperfect titles or otherwise which heretofore have or hereafter may arise in transacting the business of the Land Office in the Department of Internal Affairs Provided however that no determination of the Board of Property shall be deemed taken and construed to prevent either of the parties from bringing their action at the common law either for the recovery of possession or determination for waste or trespass

ARTICLE XIII

POWERS AND DUTIES OF THE DEPARTMENT OF PUBLIC INSTRUCTION AND ITS DEPARTMENTAL ADMINISTRATIVE BOARDS AND COMMISSIONS

Section 1301 Powers and Duties in General Subject to any inconsistent provisions in this act contained the Department of Public Instruction shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Department the Bureau of Vocational Education thereof and the Bureau of Professional Education thereof The Department shall also exercise such additional powers and perform such additional duties as are vested in and imposed upon it by this Act

Section 1302 Public Schools The Department of Public Instruction shall have the power and its duty shall be

(a) To administer all of the laws of this Commonwealth with regard to the establishment maintenanse and conduct of the public schools and particularly the Act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent herewith" its amendments and supplements

(b) To prepare blank forms for the annual district reports with suitable instructions and forms for conducting the various proceedings and details of the system in a uniform and efficient manner and forward the same to the county and district superintendents for distribution to and among the proper district officers of their respective counties or school districts

(c) To prepare and furnish to the proper persons suitable blanks and all other papers required by law

(d) Whenever required to give advice explanations construction or information to the district officers and to citizens relative to the school laws the duties of school officers the management of the schools and all other questions and matters calculated to promote the cause of education

(e) To classify the high schools of the State upon the basis of the reports of the directors and the State inspectors of high schools in compliance with the provisions of the school laws

(f) To issue all commissions to superintendents and assistant superintendents of schools in this Commonwealth

(g) To prescribe minimum courses of study for the public schools

(h) To prepare and furnish to boards of school directors sample blank forms for keeping and reporting school accounts and sample bonds for their treasurers secretaries tax collectors and depositories and samples of other bonds or forms required by law

(i) When requested to give decisions and interpretations of the school law which shall be valid and binding with like effect as law until reversed by proper judicial authority

(j) Subject to such rules not inconsistent with law as it may prescribe to endorse and make valid for teaching in Pennsylvania any permanent or life teacher's certificate from any other State

(k) To condemn as unfit for use on account of unsanitary or other improper conditions any school building school site or outbuilding in this Commonwealth and upon failure on the part of the board of school directors to remedy such condition to withhold and declare forfeited all or any part of the annual appropriation apportioned to any such school district

Section 1303 Vocational Education The Department of Public Instruction shall have the power and its duty shall be

(a) To administer the laws of this Commonwealth relating to vocational education industrial education agricultural education and household arts education as defined in said laws

(b) To investigate the need for and aid in the establishment to supervise inspect and approve for the purpose of reimbursement on the part of the State schools departments and courses for manual training domestic science household arts agricultural industrial and commercial education as well as continuation schools when maintained as a part of the public school system of the Commonwealth

(c) Out of the funds appropriated to it by the General Assembly for the purpose to pay for the education of deaf and dumb children blind children and deaf and dumb and blind children residents of Pennsylvania in schools located within the Commonwealth which afford vocational training to such children to make appropriate rules and regulations for the admission of State pupils to such schools and to supervise the education of State pupils in any such schools

Section 1304 Professional Education and Licensure The Department of Public Instruction shall have the power and its duty shall be

(a) To determine value standardize and regulate the preliminary education both secondary and collegiate of those to be hereafter admitted to the practice of medicine dentistry and pharmacy in this Commonwealth

(b) To prepare and distribute circulars of information

(c) To prepare uniform blank forms

(d) To hold examinations at suitable times and places to be designated by the Superintendent of Public Instruction for the determination of the fitness of applicants unable to present satisfactory certificates and to issue certificates to those found proficient

(e) To establish reciprocity with other States as regard preliminary education and professional licenses

(f) To determine and publish a standard high school course and compile a list of high schools and other secondary schools in this State conforming to the standards of the Department and take such steps as may be appropriate to raise the standard of secondary education Provided That nothing in this section shall be construed to conflict with the provisions of the statutes of this Commonwealth regulating the practice of medicine dentistry or pharmacy respectively

(h) To keep the records of all of the professional examining boards established in the Department

(i) To issue all certificates and other official documents of the various professional examining boards in the Department Provided however that the officers and members or any of them of any such examining board may also sign such certificates and other documents if such board shall have taken action authorizing such signatures

(j) To assist any professional examining board within the department if as and when requested by such board

(k) To co-operate with the several professions whose examining bodies are within the Department in the determination and establishment of standards of professional eduation

Section 1305 Library and Museum The Department of Public Instruction shall have the power and its duty shall be to exercise the powers and perform the duties heretofore by law vested in and imposed upon the State Library and Museum and the several divisions thereof namely

(a) To control direct supervise and manage the State Library and Museum

(b) To edit the Pennsylvania Archives

(c) To maintain as a part of the State Library and Museum a Law Library

(d) To preserve all public records throughout the Commonwealth and to give special attention to the preservation of all records of the State Government not in current use and of historical value

(e) To collect classify preserve and make acceptable for reference all records which may come into the possession of the library with such exceptions as may be indicated by the Department and to examine into the condition of the records books pamphlets documents manuscripts archives maps and papers kept filed or recorded in the several offices of the Counties Cities and Boroughs of the State

(f) To recommend such action to be taken by the persons having the care and custody of public records as may be necessary to secure their safety and preservation and to cause all laws relating to public records to be enforced

(g) To furnish to persons applying therefor certificates relating to the public records or copies thereof upon the payment of such charges as shall be fixed by law

(h) To give advice and counsel to all free libraries in the State and to all communities which may propose to establish free libraries in the selection of books cataloging and other details of library management and as to the best means of establishing and administering such libraries

(i) Generally to supervise and inspect free libraries to require reports in such manner as may be deemed proper and to establish and maintain a system of traveling libraries as far as possible throughout the Commonwealth

(j) To preserve objects illustrating the flora and fauna of the State and its mineralogy geology archaelogy arts history and education and whenever deemed necessary to illustrate the same with lantern slides or films which may be circulated throughout the Commonwealth under such rules and regulations as the Department may adopt which rules and regulations may provide for a reasonable charge for the use of such slides and films

Section 1306 Pennsylvania State Board of Censors The Pennsylvania State Board of Censors shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said Board It shall enforce and administer such provisions of the Act approved the fifteenth day of May one thousand nine hundred and fifteen Pamphlet Laws five hundred and thirty-four entitled "An Act relating to motion picture films reels or steroptician views or slides Providing a system of examination approval and regulation thereof and of the banners posters and other like advertisement matter used in connection therewith creating a Board of Censors and providing penalties for the violation of the provisions of this act" as are not inconsistent with the provisions of this act

Section 1307 State Council of Education The State Council of Education shall have the power and its duty shall be

(a) Subject to any inconsistent provisions in this Act contained to continue to exercise the powers and perform the duties by law vested in and imposed upon the said Council

(b) To report and recommend to the Governor and the General Assembly legislation needed to make the public schools of this Commonwealth more efficient and useful

(c) To equalize through special appropriations for this purpose or otherwise the educational advantages of the different parts of this Commonwealth

(d) To inspect and require reports from the educational work in the schools and institutions wholly or partly supported by the State which are not supervised by the public school authorities Provided That a copy of the report of the inspection of any such institution which may be made to the State Council of Education shall be sent to the head of such institution

(e) To encourage and promote agricultural education manual training domestic science and such other vocational and practical education as the needs of this Commonwealth may from time to time require

(f) To prescribe rules and regulations for the sanitary equipment and inspection of school buildings and to take such other action as it may seem necessary and expedient to promote the physical and moral welfare of the children in the public schools of this Commonwealth

(g) To investigate and make recommendations pertaining to the work of any schools of design school of industrial arts or industrial schools or other educational institutions within the Commonwealth to which the General Assembly may make an appropriation

(h) To exercise all the powers and perform all the duties formerly vested in the State Board of Education

Section 1308 Public School Employes' Retirement Board Subject to any inconsistent provisions in this act contained the Public School Employes' Retirement Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Reitrement Board under the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand forty-three) entitled "An Act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes' exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" its amendments and supplements

Section 1309 Pennsylvania Historical Commission Subject to any inconsistent provisions in this act contained the Pennsylvania Historical Commission shall have the power

(a) To continue to exercise the powers by law vested in the said Historical Commission

(b) Upon its own initiative or upon petition of municipalities or historical societies to mark by proper monuments tablets or markers places or buildings within this Commonwealth where historical events have transpired and to arrange for the care or maintenance of such markers or monuments

(c) To underake within the means at its command the preservation or restoration of ancient or historical public buildings military works or monuments connected with the history of Pennsylvania and for this purpose to contract with cities boroughs and townships for and on behalf of the Commonwealth or with historical societies or other associations with proper bond or security for the maintenance of such buildings works or monuments as a consideration for assistance in their erection restoration preservation or marking by the Commission

(d) To publish or republish with the approval of the Department of Property and Supplies all matters of historical or archaeological interest and to arrange for the compiling heading printing and distribution of such publications

(e) Upon its own initiative or in cooperation with reputable societies or organizations to conduct investigations upon historical or archaeological matters relative to Pennsylvania and report the same for public information

(f) To assume the care and maintenance of historical buildings monuments or antiquities committed to its custody

(g) To receive for and on behalf of the Commonwealth gifts or bequests or relics or other articles of historical interest which shall be deposited by it in the State Museum

(h) To accept for the Commonwealth gifts and bequests of or securities for the endowment of its work in accordance with the instructions of the donors and in conjunction with the Governor Auditor General and State Treasurer who shall together with the members of the Commission constitute a body of trustees for the care of such funds invest the same in the bonds of this Commonwealth or of any political subdivision thereof and to employ the interest and income from such investments for the purposes of the commission or apply the same to such uses as may have been specified by the respective donors of such funds

Section 1310 Professional Examining Boards The professional examining boards within the Department of Public

Instruction shall respectively exercise the rights and powers and perform the duties by law vested in and imposed upon them subject however to the following provisions

(a) The Department of Public Instruction shall appoint and fix the compensation of all clerical stenographic and other assistance required for the proper conduct of the work of any such examining board

(b) All certificates and official documents shall be issued by the Department of Public Instruction but may be signed by the members of the appropriate examining board or any of them as determined by such board

(c) All warrants or requisitions drawn by any such board as authorized by law shall not be valid without the signature of the Superintendent of Public Instruction

Subject to the preceding provisions of this section and to any other inconsistent provisions in this act contained The State Board of Medical Examination and Licensure shall continue to exercise the powers and perform the duties by law vested in the Bureau of Medical Examination and Licensure in the Department of Public Instruction

The State Board of Pharmacy shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Board

The State Dental Council and Examining Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the State Dental Council and the Board of Dental Examiners for the Commonwealth of Pennsylvania

The State Board of Optometrical Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the Board of Optometrical Education Examination and Licensure

The State Board of Osteopathic Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the State Board of Osteopathic Examiners of Pennsylvania

The State Board of Examiners for Registration of Nurses shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Board

The State Board of Undertakers shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Board

The State Board of Veterinary Medical Examiners shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Board

The State Board of Examination of Public Accountants shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Board

The State Board for Registration of Professional Engineers and of Land Surveyors shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Board

The State Board of Examiners of Architects shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Board

The Authracite Mine Inspectors' Examining Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Board

The Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania shall continue to exercise the powers and perform the duties by law vested in and imposed upon the Mine Inspectors' Examining Board created by the Act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred and fifty-six) entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" and the amendments and supplements thereto

Section 1311 Boards of Trustees of State Institutions for the Deaf and of Soldiers' Orphan School The Board of Trustees of Pennsylvania State Oral School for the Deaf The Board of Trustees of Home for Training in Speech of Deaf Children before they are of School Age and the Board of Trustees of Pennsylvania Soldiers' Orphan School shall have general direction and control of the property and management of their respective Institutions Each of the said Boards of Trustees shall have the power and its duty shall be

(a) To elect a Superintendent of the Institution who shall subject to the authority of the Board administer the Institution

(b) On nomination by the Superintendent from time to time to appoint such officers and employes as may be necessary

(c) To fix the salaries of its employes in conformity with the standards established by the Executive Board

(d) Subject to the approval of the Superintendent of Public Instruction to make such by-laws rules and regulations for the management of the Institution as it may deem advisable

ARTICLE XIV

POWERS AND DUTIES OF THE DEPARTMENT OF MILITARY AFFAIRS AND ITS DEPARTMENTAL BOARDS AND COMMISSIONS

Section 1401 Powers and Duties in General The Department of Military Affairs shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the Adjutant General's Department the several Bureaus thereof and the Adjutant General

Section 1402 Pennsylvania National Guard The Department of Military Affairs shall have the power and its duty shall be

(a) To keep in its custody all books and accounts and military property of the Commonwealth issued by it pertaining to the Pennsylvania National Guard

(b) To distribute all orders from the Commander in Chief and perform such other duties as the Commander in Chief shall direct

(c) To make returns periodically as required of the Pennsylvania National Guard and report of their arms uniforms accoutrements and ammunition according to such forms as may be prescribed by the Secretary of War of the United States and to forward a copy thereof to the Secretary of War of the United States

(d) To pay the troops and make all other disbursements authorized by law by warrants drawn by the Department upon the State Treasurer and countersigned by the Auditor General

(e) To supply to all officers of the Pennsylvania National Guard such copies of drill regulations manuals of rifle practice service manuals and military publication forms and books prescribed for use of the United States Army as the Governor as Commander in Chief may designate

(f) To supply to all organizations of the Pennsylvania National Guard all necessary military stores arms and equipment

(g) With the approval of the Governor as Commander in Chief to sell or exchange from time to time such military stores belonging to the Commonwealth as are found to be unserviceable or in state of decay or which it may be deemed for the best interests of the Commonwealth to sell or exchange All moneys received for stores so sold shall be paid into the State Treasury

(h) To audit and adjust all claims incident to the organization training discipline maintenance and service of the Pennsylvania National Guard other than fixed allowances and to pay such claims when audited and adjusted

(i) Subject to the approval of the Governor as Commander in Chief to procure and issue from time to time to the Pennsylvania National Guard such flags standards and guidons as may be necessary which shall however as far as practical be similar in style to those of the United States Army

Section 1404 Pensions and Relief The Department of Military Affairs shall have the power and its duty shall be

(a) To establish rules governing the filing of claims for pensions made under and by virtue of the laws of this Commonwealth

(b) To investigate all circumstances connected with the death of a soldier whose death is the basis of a claim for a pension

(c) To determine the amount of relief payable to any officer or enlisted man of the Pennsylvania National Guard who is wounded or otherwise disabled while doing duty in active service of the State

(d) On satisfactory evidence submitted or obtained to grant such pensions as may now or hereafter be provided by law and certify the same to the Auditor General who shall draw such warrants upon the State Treasurer therefor to the order of the pensioner as may now or hereafter be provided by law

Section 1405 Naval Militia The Department of Military Affairs shall subject in all respects to the Governor as

Commander in Chief have general supervision over the Naval Militia of this Commonwealth

Section 1406 Soldier's Bonus The Department of Military Affairs shall have the power and its duty shall be

(a) To investigate all claims and applications filed with it of soldiers and sailors who served in the military or naval forces of the United States during the World War and if satisfied of the sufficiency of any such claim on application to approve the same and arrange for the payment thereof out of any funds available for the purpose

(b) To make such rules and regulations as shall seem necessary for the purpose of carrying into effect the provisions of the laws providing for the payment of soldiers' and sailors' compensation for service in the World War

Section 1407 Loans of Arms and Accoutrements The Department of Military Affairs shall have the power to issue arms and accoutrements which are the property of this Commonwealth to the cadets of any Military School organizations of Veterans of any wars in which the United States has been engaged under such terms and conditions as may now or hereafter be provided by law

Section 1408 State Military Cemetery The Department of Military Affairs shall have the power

(a) To select and make arrangements for ground to be set apart in some historic spot in the Commonwealth as an appropriate space for use as a cemetery for the burial of the bodies of soldiers sailors marines and war nurses who served in the Army or Navy of the United States during times of war who died while in active service or after an honorable discharge and who entered such service while residents of Pennsylvania as well as the bodies of members of the National Guard of Pennsylvania who died while members of the National Guard or after an honorable discharge therefrom

(b) On behalf of the Commonwealth to accept the dedication of any lands in a historic spot for use as such a cemetery

(c) When any such cemetery shall be located and established to maintain and regulate the same and for that purpose to adopt rules and regulations to regulate burials therein of the bodies of persons entitled to be buried therein as provided in this section

Section 1409 The Armory Board of the State of Pennsylvania The Armory Board of the State of Pennsylvania shall subject to any inconsistent provisions in this Act contained continue to exercise the powers and perform the duties by law vested in the said Board It shall purchase land for erect provide equip maintain manage and regulate armories within the limits of this Commonwealth for the use of the National Guard of Pennsylvania as may now or hereafter be provided by law

ARTICLE XV

POWERS AND DUTIES OF THE DEPARTMENT OF AGRICULTURE AND ITS DEPARTMENTAL ADMINISTRATIVE COMMISSION

Section 1501 Powers and Duties in General The Department of Agriculture shall subject to any inconsistent provisions in this act contained continue to exercise all the powers and perform all duties by law vested in and imposed upon the Department of Agriculture the several Bureaus thereof and the Secretary of Agriculture

Section 1502 Animal Industry The Department of Agriculture shall have the powers and its duty shall be

(a) To promote the livestock industry and to prevent suppress control and eradicate any transmissible diseases of animals and poultry

(b) To establish and maintain general or special quarantines as may now or hereafter be provided by law

(c) To prevent the spread of infectious and communicable diseases of animals and poultry and for this purpose the officers agents or employes thereof may at any time enter any premises where domestic animals or products thereof are kept confined or stored to take such measures as may seem advisable concerning methods of preventing controlling and eradicating desease of animals to cause the disinfection of any premises and when deemed necessary to prevent the spread of disease to cause the destruction of animals poultry and personal property and to regulate and prohibit the movement or transportation of animals or poultry into this Commonwealth or from one place to another within this Commonwealth

(d) To purchase such supplies and materials as may be deemed necessary

(e) To provide for the licensing of breeding animals kept for public service and to prevent fraud and deception in the licensing of stallions kept for public service

(f) To regulate the manufacture use and sale of biological products for use on domestic animals

(g) To make such examinations and tests as may be deemed necessary to determine the healthfulness of the domestic animals and poultry of the Commonwealth

(h) To organize and administer a service for the purpose of protecting the public against the use of unwholesome meat or meat food products

Section 1503 Plant Industry The Department of Agriculture shall have the power and its duty shall be

(a) To inspect any nursery orchard farm garden park cemetery or any private or public place which may become infested or infected with harmful insects or plant diseases to establish and enforce quarantines to issue and enforce orders and regulations and make investigations for the control of said pests wherever they may exist within the Commonwealth and to perform such other duties relating to "plants" and "plant products" as may seem advisable and not contrary to law

(b) To inspect apiaries for diseases inimical to bees and beekeeping and enforce the laws relating thereto

Section 1504 Markets The Department of Agriculture shall have the power and its duty shall be

(a) To investigate the subject of marketing farm products including the costs of marketing to publish the results of such investigations and to furnish advice and assistance to the public with reference to the marketing of farm products within this Commonwealth and all matters relevant thereto

(b) To gather and diffuse timely information concerning the supply demand prevailing prices and commercial movement of farm products including quantities in common and cold storage

(c) To secure in the performance of the duties herein prescribed the cooperation and assistance of all other agencies

(d) To assist and advise in the organization and conduct of public markets of cooperative and other associations for improving marketing conditions and activities among producers distributors and consumers

(e) To investigate delays embargoes conditions practices charges and rates in the transportation and storage of all farm products which appear to be detrimental to a free economical and efficient marketing of such products

(f) To take such lawful steps as may be deemed advisable to prevent waste of perishable products

(g) To establish standards for the grading and other classifications of farm products as provided in the act approved the ninth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred nine) entitled "An Act prescribing the powers and duties of the Bureau of Markets in the Department of Agriculture providing for cooperation with the Bureau of Standards of the Department of Internal Affairs to establish standard receptacles for farm products and to promulgate regulations for enforcement thereof and prescribing penalties for the violation of provisions of this act" and in all other respects to enforce the provisions of said act

Section 1505 Foods The Department of Agriculture shall have the power and its duty shall be

(a) To enforce all the laws of the Commonwealth relating to the production manufacture transportation and sale of foods used for man as well as every article entering into and intended for use as ingredient in the preparation of foods for man

(b) For the purpose of enforcing such laws from time to time to purchase from wholesale or retail dealers samples of any food or drink and have the same analyzed or examined and prosecute the sale of adulterated misbranded or deleterious food or drink

(c) To examine all cold storage warehouses within the meaning of the laws of this Commonwealth to ascertain whether they are kept in a sanitary condition the wholesomeness of the food therein and the time within which such foods shall have been so kept

(d) To make such rules and regulations as shall be necessary for the enforcement of the laws of this Commonwealth relating to oleomargarine food drink and cold storage warehouses

Section 1506 Chemistry The Department of Agriculture shall have the power and its duty shall be

(a) To purchase from wholesale or retail dealers for the purpose of making chemical analyses any fertilizers lime and lime products feeds feeding-stuffs insecticides fungicides paints oils turpentine putties or materials or ingredients used in the manufacture or compound of any such fertilizers lime and lime products feeds feeding-stuffs insecticides fungicides paints oils turpentine or putties and to make examinations and analyses thereof whenever the Secretary of Agriculture shall deem advisable

(b) To keep correct records of all analyses made of each of the commodities received

Section 1507 Statistics The Department of Agriculture shall have the power and its duty shall be to collect tabulate and publish monthly crop and livestock reports and such other information from time to time pertaining to the agricultural industries and interests of the State and such bulletins and reports as may be deemed advisable

Section 1508 Quarantines The Department of Agriculture shall have the power to establish general quarantines relating to diseases of animals or plants and their products and to make all needful rules and regulations for the enforcement of the laws relating to animals and plants or the products thereof

When a general quarantine relating to plants or their products has been declared or rules and regulations for the enforcement of the laws relating to animals or plants or their products have been adopted such quarantine or rules and regulations shall be enforced by the officers or agents of the Department and for the purpose of enforcing such quarantines rules and regulations such officers and agents shall have and possess all the powers of the Department including the powers formerly by law vested in the State Livestock Sanitary Board and the Economic Zoologist

Section 1509 State Fair Commission Subject to any inconsistent provisions in this act contained the State Fair Commission hall have the power

(a) To continue to exercise the powers by law vested in and imposed upon the said Commission

(b) To formulate plans for the establishment organization conduct and management of an annual State Fair to embrace exhibits of all agricultural industrial and artistic products of the Commonwealth including exhibits of all classes of farm products embracing live stock dairying horticulture all classes of manufactures industries mining mechancis and domestic arts and such other exhibits as will best advance the interests of agriculture and the other industries of the Commonwealth

(c) To examine sites and if possible to secure a donation of a proper and convenient site for the annual State Fair and to examine sites for purchase by the Commonwealth for the purpose of the State Fair and for this purpose to secure options

(d) To prepare plans for exhibits together with their equipment and formulate plans for advertising management and exhibits and generally to do and undertake all work necessary and appropriate for the establishment maintenance and operation of an annual State Fair

ARTICLE XVI

POWERS AND DUTIES OF THE DEPARTMENT OF FORESTS AND WATERS ITS OFFICERS AND DEPARTMENTAL ADMINISTRATIVE AND ADVISORY BOARDS AND COMMISSIONS

Section 1601 Powers and Duties In General The Department of Forests and Waters shall subject to any inconsistent provisions of this Act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the Department of Forestry the various bureaus and officers thereof including the Bureau of Forest Protection the Commissioner of Forestry and the State Forest Commission and such other powers and duties as are vested in and imposed upon the Department of Forests and Waters by this Act

Section 1602 Forests Powers and Duties The Department of Forests and Waters shall have the power and its duty shall be

(a) With the approval of the State Forest Commission to acquire in the name of the Commonwealth by purchases gift or condemnation and hold as State Forests subject to such reservations if any of mineral rights stumpage rights rights of way or other encumberances as the Department and the State Forest Commission deem to be consistent with such holding any lands which in the judgment of the Department the Commonwealth should hold manage control protect maintain utilize and regulate as State Forests Provided that the purchase price of any such lands shall not exceed ten dollars per acre and that the amount expended for the acquisition of lands for State Forest purposes in any biennial appropriation period shall not exceed the appropriation for that purpose for such period

(b) To purchase and hold as State Forests unseated vacant or unappropriated land lands advertised for sale for taxes and lands sold for taxes as may now or hereafter be provided by law

(c) To hold manage control protect maintain utilize develop and regulate the occupancy and use of all lands heretofore or hereafter acquired owned and maintained as State Forests together with the resources thereof

(d) To divide the State into such convenient forest districts as it deems economical and effective to administer prodevelop utilize and regulate the occupancy and use of the lands and resources of the State Forests to protect all forest land in the State from forest fires fungi insects and other enemies to promote and develop forestry and knowledge of forestry throughout the State to advise and assist land owners in the planting of forest and shade trees to obtain and publish information respecting forest lands and forestry in the State to assist in Arbor Day work and promote and advance any other activity in local forestry which the Department may deem helpful to the public interest and to execute the rules and regulations of the Department for the protection of forests from fire and depredation It may also assign district foresters to take active charge of such forest districts and also foresters forest rangers and other help for the administration of such forest districts as the Secretary of Forests and Waters may deem necesary for the accomplishment throughout the State of the purposes for which the Department is established

(e) To cooperate with the authorities of townships boroughs and cities of this Commonwealth in the acquisition and administration of municipal forests as may now or hereafter be provided by law

(f) With the advice of the State Forest Commission to establish such rules and regulations not inconsistent with law for the control management protection utilization development occupancy and use of the lands and resources of the State Forests as the Department deems proper to conserve the interests of the Commonwealth Such rules and regulations shall be compatible with the purposes for which the State Forests are created namely to provide a continuous supply of timber lumber wood and other forest products to protect the watersheds conserve the waters and regulate the flow of rivers and streams of the State and to furnish opportunities for healthful recreation to the public

The net receipts arising out of the occupancy and use of the State Forests hereunder shall be paid into the State Treasury and shall belong to and form part of the State School Fund

(g) Whenever it shall appear that the welfare of the Commonwealth with reference to reforesting and the betterment of the State Forests with respect to control management protection utilization development and regulation of their occupancy and use will be advanced by selling or disposing of any of the timber on the State Forests to dispose of such timber on terms most advantageous to the State Provided That the Department is authorized and directed to set aside within the State Forests unusual or historical groves of trees or natural features especially worthy of permanent preservation to make the same accessible and convenient for public use and to dedicate them in perpetuity to the people of the State for their recreation and enjoyment And the said Department is hereby empowered with the advice of the State Forest Commission to make and execute contracts or leases in the name of the Commonwealth for the mining or removal of any valuable minerals that may be found in said State Forests whenever it shall appear to the satisfaction of the Department that it would be for the best interests of the State to make such disposition of said minerals And provided further That any proposed contracts or leases of valuable minerals exceeding three hundred dollars in value shall have been advertised once a week for three weeks in at least two newspapers published nearest the locality indicated in advance of awarding such contract or lease Said contracts or leases may then be awarded to the highest and best bidder who shall give bond for the proper performance of the contract as the Department shall designate

(h) To appoint and with the approval of the Governor fix the compensation of a chief forest fire warden and such district forest fire wardens and to appoint and fix the compensation of such local forest fire wardens and other assistants as shall be required for the prevention control and extinction of forest fires

(i) To establish and administer auxiliary forest reserves in the manner and under such terms and conditions as may now or hereafter be provided by law

(j) To distribute young forest trees as provided by law to those desiring to plant them

(k) To furnish information and issue certificates and warrants necessary for the payment of such fixed charges in lieu of taxes on State Forests and auxiliary forest reserves to school districts road districts and counties as may now or hereafter be provided by law

(l) To sell or exchange State Forest land as provided by law whenever it shall be to the advantage of the State Forest interests Provided That such action has been authorized by resolution of the State Forest Commission unanimously adopted at a meeting at which a majority of its members are present and voting and has been approved by the Governor

Section 1603 Forests Powers The Department of Forests and Waters shall have the power

(a) To lease for a period not exceeding ten years on such terms and conditions as it may consider reasonable to any citizen church organization or school board of Pennsylvania such portion of any State Forest as the Department may deem suitable as a site for a temporary building to be used by such citizen church organization or school board for health and recreation or as a site for a church or school purposes

(b) The Department in its discretion may lease for not more than ten years small areas in State Forests deemed by it to be better suited for the growing of other crops than for the growing of forest trees If more than one person shall apply for the same tract the lease shall be advertised for sale in three local county papers if there be so many once a week for three weeks and may then be awarded to the highest responsible bidder but the Department may nevertheless reject any or all bids Upon the termination of any such leases the lessee may remove buildings and fences placed thereon at his own expense or the same may be purchased by the lessor as a part of the permanent improvement of the tract upon such terms as may be agreed upon by the Department and the lessee

(c) To grant rights of way through State Forests to individuals or corporations who may apply therefor when it shall appear to the Department that the grant of a right of way will not so adversely affect the land as to interfere with its usual and orderly administration and when it shall apear that the interests of the Commonwealth or of its citizens will be promoted by such grant Rights of way as used in this subsection is hereby construed to include rights of passage and haulage for any lawful purpose also rights of flowage or transmission for any lawful purpose except reservoirs water conduits and transmission lines for the purposes within the preceding subsection

(d) To give to street railway companies duly incorporated under the laws of this Commonwealth upon such terms and subject to such restrictions and regulations as the Department with the advice of the State Forest Commission may deem proper the privilege to construct maintain and operate their lines of railway over along and upon public highways now laid out and in actual use which lie within or border on any State Forests whenever the interests of the Commonwealth will be benefited thereby

(e) With the advice of the State Forest Commission to give to boroughs and other municipalities of this Commonwealth upon such terms and subject to such restrictions and regulations as the Department may deem proper the privilege of impounding water upon any State Forest and of constructing maintaining and operating lines of pipes upon and through State Forests for the purpose of conveying water therefrom whenever it shall be to the public interest so to do

(f) In all cases where there are public roads regularly established running into or through or bordering upon State Forests from time to time to expend such reasonable sums for the maintenance repair or extension of such roads as may be necessary for the proper administration and protection of State Forests All expenses that may thus be incurred shall be paid in the same manner as the other expenses of the Department

(g) To enter into cooperative agreements with county township municipal and private agencies for the prevention and supperssion of forest fires as provided by law

Section 1604 Waters The Department of Forests and Waters shall have the power and its duty shall be

(a) To study consider and determine upon a public policy with regard to the conservation marketing and equitable distribution of the water and power to be derived from the utilization of the water resources of the Commonwealth to the restoration development and improvement of transportation by water to the supply of water and power for municipal domestic aid industrial use and to the conservation of water resources by the aid of forestation

(b) To investigate or examine dams and other water obstructions determine whether they are unsafe need repair or should be removed notify owners to repair or remove the same remove the same in emergencies without notice and at the cost of the owners and apply for injunctions to enforce compliance with or restrain the violation of the law in regard to the safety of dams or other water obstructions or the violation of any lawful order or notice of the Department in regard thereto

(c) To collect such information relative to the existing conditions of the water resources of the State as in the opion of the Department shall be necessary for the utilization of waters and for the conservation purification development and equitable distribution of water and water power resources and in particular for the use of such citizens and communities as may be in need of extended facilities for these purposes

(d) To establish and maintain gauging stations on rivers and their tributaries

(e) To issue bulletins during freshet and flood conditions forecasting gauge heights and the times thereof

(f) To maintain a complete inventory of all the water resources of the Commonwealth collect all pertinent data facts and information in connection therewith classify tabulate record and preserve the same and upon the basis thereof determine with the approval of the Water and Power Resources Board the points at which storage reservoirs may be constructed for flood control for municipal and domestic supply hydraulic and hydroelectric power steam raising steam condensation navigation and other utilization and generally to devise all possible ways and means to conserve and develop the water supply and water resources of the Commonwealth for the use of the people thereof

(g) To construct maintain and operate works for water storage flood control channel improvement or other hydraulic purposes

Section 1605 Topographic and Geological Survey The Department of Forests and Waters shall have the power and its duty shall be

(a) To undertake conduct and maintain the organization of a thorough and extended survey of the State for the purpose of elucidating the geology and topography of the State Such survey shall disclose such chemical analysis and location of ores coal oils clays soils fertilizing and other useful minerals and of waters as shall be necessary to afford the agricultural mining metallurgical and other interests of the State and the public a clear insight into the character of its resources It shall also disclose the location and character of such rock formations as may be useful in the construction of highways or for any other purpose

(b) To collect such specimens as may be necessary to form a complete cabinet collection of specimens of the geological and mineral resources of the State and deposit the same in the State Museum

(c) To put the results of the survey with the results of previous surveys into form convenient for reference

(d) To collect copies of the surveys of this and other States and countries and digest the information therein contained to the end that the survey hereby contemplated may be made as thorough practical and convenient as possible

(e) To enter into and upon all lands and localities in this State which it may be necessary to examine for the purposes of survey but in such entry no damage to property shall be done

(f) To avail itself as fully as posible of the information maps and surveys possessed by citizens and corporations of this State relative to the geology and topography of the State

(g) To copyright all publications of the survey or any part thereof in the name of the Commonwealth

(h) To arrange for the cooperation of the United States Geological Survey or of such other national organization as may be authorized to engage in such work

Section 1606 Parks The Department of Forests and Waters shall have the power and its duty shall be

(a) To supervise maintain improve regulate police and preserve all parks belonging to the Commonwealth except the Pennsylvania State Park at Erie Washington Crossing Park and Valley Forge Park

(b) From time to time to acquire additional lands for State parks when money shall have been specifically appropriated by the General Assembly

Section 1607 Pennsylvania State Forest School The Department of Forests and Waters shall have the power and its duty shall be

(a) To maintain and operate the State Forest Academy at Mont Alto which shall hereafter be known as the "Pennsylvania State Forest School"

(b) For that purpose to employ such inspectors assign such foresters for school instruction and employ such services as may reasonably be necessary (1) to continue at the school professional education in forestry and maintain a close association of theory and practice (2) to train forest rangers and (3) to give such forest extension summer courses as the Secretary of Forests and Waters may approve

Section 1608 Water and Power Resources Board The Water and Power Resources Board shall have the power and its duty shall be

(a) Subject to any inconsistent provisions in this act contained to continue to exercise the powers and perform the duties by law invested in and imposed upon the Water Supply Commission of Pennsylvania with regard to

1 Applications for charters for corporations for the supply of water for the public or for the supply storage and transportation of water and water power for commercial and manufacturing purposes or for any other water or water power company

2 Agreements for the merger and consolidation of two or more such corporations heretofore or hereafter formed

3 The sale assignment disposition transfer and conveyance of the franchises and all the property real personal and mixed of any such corporation heretofore or hereafter formed to any other such corporation

4 Consents or permits for the construction of dams and other water obstructions or of any change therein or addition thereto and consents or permits for changing or diminishing the course current or cross section of any stream or body of water

5 Permits for the condemnation or appropriation of waters or for the construction of hydraulic works

6 Applications for new or additional sources of supply of water or waterpower

7 Applications by companies for approval of the construction operation and maintenance of tunnels under navigable rivers to connect their power to manufacturing plants with coal lands wherein such companies have coal mining rights

8 The extension of time fixed by law for the beginning or completion of the construction of the works of water or water power companies inquiry into the standing of water or water power charters hearings as to such beginning or completion and as to the due diligence and bona fide intent of water and water power companies to fulfill the requirements of law and the certification of facts to the Attorney General requesting him to institute quo warranto proceedings

(b) To hold hearings upon and decide any other matter or thing relating to waters which may be within the jurisdiction of the Department of Forests and Waters and which the Secretary of Forests and Waters may request the Board to hear and determine

Section 1609 Geographic Board The Geographic Board shall have the power and its duty shall be

(a) To pass upon and determine all unsettled questions concerning geographic names which arise in the administrative departments of the State Government

(b) To determine change and fix the names of mountains rivers creeks and other topographic features within the Commonwealth

In the exercise of its powers and the performance of its duties the Geographic Board shall cooperate with the United States Geographic Board

Section 1610 Lake Erie and Ohio River Canal Board Subject to any inconsistent provisions in this act contained the Lake Erie and Ohio River Canal Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board

Section 1611 Pennsylvania State Park and Harbor Commission of Erie Subject to any inconsistent provisions in this act contained the Pennsylvania State Park and Harbor Commission of Erie shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Commission

Section 1612 Washington Crossing Park Commission Subject to any inconsistent provisions in this act contained the Washington Crossing Park Commission shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Commission

Section 1613 Valley Forge Park Commission Subject to any inconsistent provisions in this act contained the Valley Forge Park Commission shall continue to exercise the powers and perform the duties by law vested in and imposed upon the Commissioners of Valley Forge Park

Section 1614 State Forest Commission The State Forest Commission shall have the power

(a) To consider study and advise in the work of the Department of Forests and Waters relating to forests and Parks For this purpose the Commission shall have access at any time to all books papers documents and records pertaining or belonging to the Department

(b) To advise the Department on request and to make recommendations upon its initiative for the improvement of the work of the Department

(c) To approve or disapprove the rules and regulations which the Department may from time to time propose to adopt

(d) To give or withhold its consent to any act of the Department the validity of which is by this act made subject to the consent of the Commission

Section 1615 Advisory Park Commission The several advisory park commissions by this act created in the Department of Forests and Waters shall have the right from time to time to meet for the purpose of considering and studying the work of the Department with regard to the particular parks over which they respectively have jurisdiction and to make recommendations and render advice to the Department with reference to the conduct improvement and maintenance of such parks

For such purposes the several park commissions shall have jurisdiction as follows

(a) Fort Washington Park Commission over Fort Washington Park Montgomery County

(b) Wyoming Valley Memorial Park Commission over Wyoming Valley Memorial Park in Luzerne County

Section 1616 Powers of Forest Officers The persons employed under the provisions of this act by the Department of Forests and Waters for the protection of the State Forests shall after taking the proper official oath before the clerk of the court of quarter sessions of any county of the Commonwealth be vested with the same powers as are by existing laws conferred upon constables and other peace officers to arrest on view without first procuring a warrant therefor persons detected by them in the act of trespassing upon any forest or timber land within this Commonwealth under such circumstances as to warrant the reasonable suspicion that such person or persons have committed are committing or are about to commit any offense or offenses against any of the laws now enacted or hereafter to be enacted for the protection of forests and timber lands Such officers shall likewise be vested with similar powers of arrest in the case of offenses against the laws or rules and regulations enacted or established or to be enacted or established for the protection of the State Forests or for the protection of the fish and game contained therein Provided That the above mentioned rules and regulations shall have been previously conspicuously posted upon the State Forests Said officers shall further be empowered and it shall be their duty immediately upon any such arrest to take and convey the offender or offenders before a justice of the peace or other magistrate having jurisdiction for hearing and trial or other due process of law Provided further That this act shall extend only to the case of offenses committed upon the State Forests and lands adjacent thereto and the powers herein conferred upon said officers shall not be exercised beyond the limits thereof except where necessary for the purposes of pursuing and arresting such offenders or of conveying them into the proper legal cutody for punishment as aforesaid

Section 1617 Powers of Chief Forest Fire Wardens The Chief Forest Fire Warden shall subject to the approval of the Secretary of Forests and Waters have the power and his duty shall be

(a) To take such measures for the prevention control and extinction of forest fires as will assure a reasonable protection from fire to woodlots forest and wild land within the Commonwealth

(b) To supervise and manage the forest fire wardens throughout the Commonwealth and when necessary to appoint persons who shall serve without compensation as special or as ex offico fire wardens Such special or ex officio fire wardens shall have the same powers as local forest fire wardens but their duties may be changed or extended by the chief forest fire warden Any special or ex officio forest fire warden appointed as herein provided shall be entitled to receive the necessary expenses incurred by him in the performance of his duties as fire warden

(c) To report to the Secretary of Forests and Waters at such times as the Secretary shall require covering all phases of the work done under his direction

(d) To collect with the assistance of the fire wardens under his supervision data as to location area and fire hazards of woodlots forest and wild lands within the State as to forest fires and losses resulting therefrom and such other data as he may desire to present to the Department or to the public

(e) To plan and to put into operation and maintain a system of fire towers and observation stations which shall cover the regions subject to forest fires and to purchase necessary materials and equipment and hire the labor therefor

(f) During dry seasons whenever necessary to appoint certain forest fire wardens as patrolmen for regions subject to great fire risk

(g) To enter into agreements with persons associations or corporations upon satisfactory terms for forest fire prevention or control

(h) To conduct educational work in relation to the protection of forests from fire

(i) To approve and transmit to the Secretary of Forests and Waters all correct bills for expenses incurred by him or under his supervision

(j) To declare a public nuisance any property which by reason of its condition or operation is a special forest fire hazard and as such endangers other property or human life He shall notify the owner or the property or the person responsible for the condition declared a public nuisance and advise him of the abatement of such public nuisance In case of a railroad such notice shall be served upon the Superintendent of the Division upon which the nuisance exists

(k) To collect and arrange information concerning violation of laws relating to the protection of forests from fire and present the same to the Secretary of Forests and Waters who shall file it with the Department of Justice for legal action

(l) To issue to persons appointed forest fire wardens certificates of appointment and when deemed advisable to issue badges to such persons

Section 1618 Powers of District Forest Fire Wardens Each District Fire Warden shall have the power and his duty shall be

(a) To establish headquarters at some advantageous place within his district

(b) To act as the field representative of the Chief Forest Fire Warden

(c) To collect and forward to the Chief Forest Fire Warden such data within his district as may be required by the Chief Forest Fire Warden

(d) To make recommendations to the Chief Forest Fire Warden for the appointment of local fire wardens the location of towers the employment of patrolmen the region to be patroled and such other matters as may come to his attention which would tend to improve the protective system

(e) To arrange for annual meetings of fire wardens within his district for instruction in forest fire matters

(f) To report to the Chief Forest Fire Warden conditions existing within his district which are or may become forest fire hazards and to serve notices for the correction or removal of such conditions after and when issued by the Chief Forest Fire Warden

(g) To receive audit and if correct approve the report and accounts of the local fire wardens before submitting them to the Chief Forest Fire Warden

(h) To act as an Inspector of the work of the local fire wardens and render assistance to them

(i) To conduct educational work and develop cooperation between local agencies and the Department of Forests and Waters for the prevention and suppression of forest fires

(j) To perform such other duties as may be assigned to him by the Secretary of Forests and Waters and the Chief Forest Fire Warden

Section 1619 Powers of Local Forest Fire Wardens It shall be the duty of each local forest fire warden

(a) Whenever fire is disocvered in or approaching woodlots forests or wild lands whether the same be owned by individuals corporations or by the Commonwealth immediately to take such measures as are necessary to extinguish the fire

(b) Whenever fires have been combated or extinguished to prepare a correct statement of expenses upon forms to be furnished by the Department which must be filed with the district forest fire warden and by him forwarded to the chief forest fire warden within sixty days of the date of the fire

(c) Promptly to investigate the cause of each fire which comes to his knowledge collect such evidence as may be discovered relating thereto and such other facts as he may be directed and report the same to the chief forest fire warden

(d) To attend an annual meeting of forest fire wardens in his district when notified or present a reasonable excuse

(e) When designated as a patrolman or watchman to perform such duties as may be assigned him by the chief forest fire warden or by the district forest fire warden

Section 1620 Powers of all Forest Fire Wardens Every forest fire warden appointed as provided in this act shall have the power

(a) To employ such other persons as in his judgment may be necessary to render assistance in extinguishing forest fires and to compel the attendance of persons and to require their assistance in the extinguishing of forest fires

(b) To administer an oath or affirmation in order to examine any person who he believes knows facts relating to any forest fire or who claims compensation for services rendered

(c) To enter upon any land at any time for the purpose of performing duties in accordance with this act

(d) To arrest on view without first procuring a warrant any person detected by him in the act of committing an offense against any of the laws for the protection of forests woodlots or wild lands or when he shall have a reasonable suspicion that any person is committing or about to commit some such offense Such forest warden shall have further power to take the offender before a justice of the peace magistrate or other officer having jurisdiction for hearing trial or other due process of law

(e) To exercise the foregoing powers not only in the jurisdiction for or within which he may have been appointed by also in adjacent or other boroughs townships or counties

ARTICLE XVII

POWERS AND DUTIES OF THE DEPARTMENT OF LABOR AND INDUSTRY AND ITS DEPARTMENTAL ADMINISTRATIVE AND ADVISORY BOARDS

Section 1701 Powers and Duties In General The Department of Labor and Industry shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said Department the several Bureaus and divisions thereof and the Industrial Board It shall also exercise such additional powers and perform such additional duties as are vested in and imposed upon it by this act

Section 1702 Inspection and Administration The Department of Labor and Industry shall have the power and its duty shall be

(a) To inspect during reasonable hours and as often as practicable every room building or place within this Commonwealth where and when any labor is being performed which is affected by the provisions of any law of this

Commonwealth and all buildings in which public assemblies are held and for this purpose to enter any such room building or place

(b) To receive and examine plans for all buildings more than two stories high and all places of assembly outside of cities of the first and second classes and to approve the same as may now or hereafter be provided by law

(c) To receive and check plans for elevator installations outside of cities of the first and second classes and to issue permits for the erection and repair of elevators as may now or hereafter be provided by law

(d) To file reports of inspection of elevators received from inspectors employed by the Department or from inspectors holding certificates of competency issued by the Department

(e) To inspect boilers and to receive and check reports of inspection of boilers made by inspectors holding certificates of competency issued by the Department

(f) To issue licenses after examination to motion picture projectionists and apprentices as may now or hereafter be provided by law

(g) To receive reports of industrial accidents to persons and to direct the investigation of such accidents and prescribe means for the prevention of similar accidents

(h) To issue orders for removing or safe guarding against hazards that may cause accidents to employes as may now or hereafter be provided by law

Section 1703 Investigation The Department of Labor and Industry shall have the power to make investigations and surveys upon any subject within the jurisdiction of the Department either upon its own initiative or upon the request of the Industrial Board

Section 1704 Statistics The Department of Labor and Industry shall have the power to collect compile and publish statistics relating to labor and industry to organizations of employes and to organizations of employers

Section 1705 Rules and Regulations Subject to approval by the Industrial Board the Department of Labor and Industry shall have the power to make rules and regulations for carrying into effect the laws regulating the labor of persons within this Commonwealth and the construction ventilation and equipment of the rooms buildings or places where such labor is performed or where public assemblies are held and to enforce all such rules and regulations

Section 1706 Mediation and Arbitration The Department of Labor and Industry shall have the power and its duty shall be whenever a difference arises between an employer and his employes with regard to wages hours or conditions of employment to send a representative of the Department promptly to the locality in which such difference exists and endeavor by mediation to effect an amicable settlement of the controversy If such settlement cannot be effected and the dispute is submitted for arbitration the Department in the event of the failure of representatives of employer and employes to name an impartial chairman of the board of arbitration shall select such chairman to act as such third member

Section 1707 Women and Children The Department of Labor and Industry shall have the power and its duty shall be

(a) To make studies and investigations of the special problems connected with the labor of women and children

(b) To create the necessary organization and to appoint an adequate number of inspectors to enforce the laws and rules and regulations of the Department relating to the work of women and children

Section 1708 Workmen's Compensation The Department of Labor and Industry shall have the power and its duty shall be

(a) To administer and enforce the laws of this Commonwealth as now existing or hereafter enacted relating to Workmen's Compensation Provided however That the Workmen's Compensation Board and the Workmen's Compensation Referees shall perform their respective duties independently of the Secretary of Labor and Industry or any other official of the Department except that all clerical stenographic and other assistance required by the Workmen's Compensation Board and the several Workmen's Compensation Referees shall be appointed by the Department as provided in this act

(b) To receive and classify reports of all accidents and to receive and approve or disapprove agreements and receipts in workmen's compensation cases as provided by law

(c) To follow up all cases in which workmen's compensation agreements shall have been filed and see that such agreements are fulfilled in accordance with the provisions thereof and the laws of this Commonwealth

(d) To advise injured workmen of their rights under the workmen's compensation laws

(e) To receive and refer to the Workmen's Compensation Board claims in contested cases and mail decisions of the Workmen's Compensation Board and of Workmen's Compensation Referees in all contested cases to claimants and defendants

(f) To render to the Workmen's Compensation Board any reasonable assistance requested by the Board in the conduct of its work

(g) To prepare and issue to the Auditor General certificates or requisitions for the payment of workmen's compensation to injured employes of the Commonwealth

Section 1709 Rehabilitation The Department of Labor and Industry shall have the power

(a) To render aid to persons injured in industrial pursuits to arrange for medical treatment for such persons and procure artificial limbs and appliances to enable them to engage in renumerative occupations

(b) To make surveys to ascertain the number and condition of physically handicapped persons within the Commonwealth

(c) To cooperate with the Department of Public Instruction in arranging for training courses in the public schools or other educational institutions for persons injured in industrial pursuits and to arrange for such courses in industrial or agricultural establishments and

(d) To such extent as the Department shall have funds available for the purpose to provide maintenance for such injured persons during such training in such amounts as may be provided by law

Section 1710 Employment and Unemployment The Department of labor and Industry shall have the power

(a) To endeavor to bring together employers seeking employes and applicants for employment

(b) To supervise all public and private employment agencies

(c) To report on the extent of unemployment The remedy therefor and the means for the prevention thereof

(d) To establish employment offices or labor exchanges at convenient places throughout the Commonwealth

(e) To promote the intelligent distribution of labor and when necessary to assist in securing transportation for employes desiring to go to places where work is available

Section 1711 State Workmen's Insurance Board Subject to any inconsistent provisions in this act contained the State Workmen's Insurance Board shall continue to exercise the powers and perform the duties imposed upon the said Board

Section 1712 Workmen's Compensation Board Subject to any inconsistent provisions in this act contained the Workmen's Compensation Board shall continue to exericse the powers and perform the duties by law vested in and imposed upon the said Board

Section 1713 Workmen's Compensation Referees Subject to any inconsistent provisions in this act contained each Workmen's Compensation Referee shall have the power and his duty shall be to hear such claims for compensation as shall be assigned to him by the Workmen's Compensation Board and to perform such other duties as shall be required of him by the Workmen's Compensation Board or imposed upon him by law

Section 1714 Industrial Board The Industrial Board created by this act shall have the power and its duty shall be

(a) To meet at least once each month for the purpose of considering such matters as are brought before it or the Secretary shall request

(b) To hold hearing with reference to the application by the Department of the laws affecting labor upon appeal either of employes or employers or of the public and after such hearings to make recommendations to the Department

(c) To approve or disapprove the rules and regulations established by the Department of Labor and Industry and to make suggestions to the Department for the formulation of such rules and regulations

(d) To consider study and investigate the conduct of the work of the Department of Labor and Industry For this purpose the Board shall have access at any time to all books papers documents and records pertaining to or belonging to the Department and may require oral or written information from any officer or employe thereof

ARTICLE XVIII

POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ITS DEPARTMENTAL ADMINISTRATIVE AND ADVISORY BOARDS

Section 1801 Powers and Duties in General The Department of Health shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said Department of Health the bureaus thereof and the Commissioner of Health It shall also exercise such additional powers and perform such additional duties as are vested in and imposed upon it by law

Section 1802 General Health Administration The Department of Health shall have the power and its duty shall be

(a) To protect the health of the people of this Commonwealth and to determine and employ the most efficient and practical means for the prevention and suppression of disease

(b) To purchase such medicines medical and surgical supplies and materials as may be necessary to carry on the work of the Department

(c) To cause examination to be made of nuisances or questions affecting the security of life and health in any locality and for that purpose without fee or hindrance to enter examine and survey all grounds vehicles apartments buildings and places within the Commonwealth and all persons authorized by the Department to enter examine and survey such grounds vehicles apartments buildings and places shall have the powers and authority conferred by law upon constables

(d) To order nuisances detrimental to the public health or the causes of disease and mortality to be abated and removed and to enforce quarantine regulations

(e) If the owner or occupant of any premises whereon any nuisance detrimental to the public health exists fails to comply with any order of the Department for the abatement or removal thereof to enter upon the premises to which such order relates and abate or remove such nuisances as may now or hereafter be provided by law

(f) For the purpose of collecting or recovering the expense of the abatement or removal of a nuisance to file a claim or maintain an action in such manner as may now or hereafter be provided by law against the owner or occupant of the premises upon or from which such nuisance shall have been abated or removed by the Department

(g) To revoke or modify any order regulation by-law or ordinance or a local board of health concerning a matter which in the judgment of the Department affects the public health beyond the territory over which such local board has jurisdiction

(h) To promulgate its rules and regulations by sending printed copies thereof to all local boards of health school boards or clerks of councils of cities and boroughs and by writing the same once in at least one daily newspaper of Philadelphia and Pittsburgh and to print in circular form such rules and regulations and give copies thereof to any preson requesting the same and

(i) Whenever in the opinion of the Department conditions exist in any borough or any township of the first class within the Commonwealth which constitute a menace to the lives and health of the people living outside the corporate limits of such borough or township or after it be known to the Department that any boroughs or any township of the first class is without an existing or efficient Board of Health to enter and take full charge of and administer the health laws regulations and ordinances of such borough or township and to continue in charge thereof until the Department shall decide that a competent and efficient Board of Health has been appointed and qualified for such borough or township and is ready able and willing to assume and carry into effect the duties imposed upon it by law and to collect all expenses incurred by the Department in performing its duties hereunder as may now or hereafter be provided by law

(j) To prescribe standard requirements for the conduct of the medical inspection of the pupils of the public schools throughout the Commonwealth and to appoint medical inspectors to make such school inspections as may be now or hereafter be provided by law

Section 1803 Housing The Department of Health shall have the power and its duty shall be to investigate the sanitary condition of tenements lodging and boarding houses and when the same are found to be a menace to those occupying the same or employed therein or to be overcrowded to condemn the same in such manner and subject to such limitations as may now or hereafter be provided by law and to notify the owners or agents thereof in writing setting forth the unsanitary or overcrowded condition thereof specifying the changes or alterations which shall be made thereto for the purpose of relieving such condition and further specifying the time within which such changes or alterations shall be completed or overcrowding relieved Provided That in making inspections as authorized by this section the Department of Health shall cooperate with the Department of Labor and Industry for the purpose of avoiding any duplication of inspection or overlapping of functions

For the purpose of making investigations authorized by this section the officers and agents of the Department shall at all times have the right of ingress into all tenement lodging and boarding houses

Section 1804 Vital Statistics The Department of Health shall have the power and its duty shall be

(a) To obtain collect compile and preserve all statistics of marriages deaths diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all professions whose occupation is deemed to be of importance in obtaining a complete registration of births deaths marriages and diseases or other vital statistics

(b) To prepare the necessary methods forms and blanks for obtaining and preserving records of registration of births deaths marriages and diseases and to insure the faithful registration of the same in the townships boroughs cities and counties of the State and in the Department

(c) To see that the laws requiring the registration of births deaths marriages and diseases are uniformly and thoroughly enforced throughout the State and prompt returns of such registrations made to the Department

(d) With the advice and concurrence of the Advisory Health Board to make appropriate regulations for the thorough organization and efficiency of the registration of the vital statistics throughout the Commonwealth and to enforce such regulations

(e) To issue marriage birth and death certificates and such burial or removal permits as may now or hereafter be provided by law

(f) To establish such districts for the registration of vital statistics and appoint such registrars deputies and sub-registrars as may be necessary properly to obtain collect compile and preserve the statistics which the Department is required to obtain collect compile and preserve All local registrars deputies and sub-registrars appointed under this section shall perform such duties as shall be required of them by the Department and shall receive such compensation as may now or hereafter be fixed by law

Section 1805 Health Districts and Officers The Department of Health shall have the power in order to enable it more efficiently to manage the sanitary affairs of the Commonwealth to apportion the Commonwealth into such number of health districts as the Department with the approval of the Governor shall decide and in each district to appoint a health officer who shall under the direction of the Department have supervision and control of the sanitary affairs of the district

Section 1806 Quarantines The Department of Health shall have the power and its duty shall be

(a) With the approval and concurrence of the Advisory Health Board to declare certain diseases to be communicable in addition to those by law declared so to be and to establish such regulations for the prevention of the spread of such diseases as the Department and the Advisory Health Board shall deem necesary and appropriate

(b) To establish and enforce quarantines in such manner for such period and with such powers as may now or hereafter be provided by law to prevent the spread of diseases declared by law or by the Department to be communicable diseases

(c) To administer and enforce the laws of this Commonwealth with regard to vaccination and other means of preventing the spread of communicable diseases

Section 1807 Tuberculosis Sanatoria The Department of Health shall have the power and its duty shall be

(a) To maintain sanatoria or colonies for the reception and treatment of indigent persons affected with tuberculosis and for that purpose to acquire property erect buildings equip the same and do all other things necessary to accomplish such work as may now or hereafter be provided by law

(b) To approve or disapprove plans and specifications for county hospitals or sanatoria erected for the treatment therein of indigent persons suffering from tuberculosis as may now or hereafter be provided by law

Section 1808 Narcotic Drugs The Department of Health shall have the power and its duty shall be to supervise the enforcement of and administer the act approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and fifty-eight) entitled "An Act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties"

Section 1809 Water Pollution The Department of Health shall have the power and its duty shall be

(a) To act as the enforcement agent for the Sanitary Water Board created by this act The Department shall make such inspections conduct such investigations and do such other acts as the Sanitary Water Board shall from time to time direct but the Department shall in the exercise of its powers and the performance of its duties hereunder be subject at all times to the rules and regulations orders and directions of the Sanitary Water Board Provided however That between sessions of the Board the Department shall have the power to issue such orders and take such action within the powers of the Board as the circumstances may require but any order so issued and any action so taken may be rescinded or revoked by the Board at its next session

(b) To issue waterworks permits and stipulate therein the conditions under which water may be supplied to the public and to administer sections one two and three of the act approved the twenty-second day of April one thousand nine hundred and five (Pamphlet Laws two hundred sixty) entitled "An Act to preserve the purity of the waters of the State for the protection of the public health"

Section 1810 Sanitary Water Board Subject to any inconsistent provisions in this act contained the Sanitary Water Board shall have the power and its duty shall be

(a) To exercise all the powers and perform all the duties vested in and imposed upon the Commissioner of Health the Governor and the Attorney General or any of them by sections four and five and sections seven to eleven inclusive of the act approved the twenty-second day of April one thousand nine hundred and five Pamphlet Laws two hundred and sixty entitled "An Act to preserve the purity of the waters of the State for the protection of the public health" which read as follows

"Section 4 No person corporation or municipality shall place or permit to be placed or discharge or permit to flow into any of the waters of the State any sewage except as hereinafter provided But this act shall not apply to waters pumped or flowing from coal mines or tanneries nor prevent the discharge of sewage from any public sewer system owned and maintained by a municipality provided such sewer system was in operation and was discharging sewage into any waters of the state at the time of the passage of this act But this exception shall not permit the discharge of sewage from the sewer system which shall be extended subsequent to the passage of this act For the purpose of this act sewage shall be defined as any substance that contains any of the waste products or excrementitious or other discharges from the bodies of human beings or animals"

"Section 5 Upon application duly made to the commissioner of health by the public authorities having by law the charge of the sewer system of any municipality the governor of the state the attorney general and the commissioner of health shall consider the case of such sewer system otherwise prohibited by this act from discharging sewage into any of the waters of the state and whenever it is their unanimous opinion that the general interests of the public health would be subserved thereby the commissioner of health may issue a permit for the discharge of sewage from any such sewer system into any of the waters of the state and may stipulate in the permit the conditions on which such discharge may be permitted Such permit before being operative shall be recorded in the office of the recorder of deeds for the county wherein the outlet of the said sewer system is located Every such permit for the discharge of sewage from a sewer system shall be revocable or subject to modification and change by the commissioner of health on due notice after an investigation and hearing and an opportunity for all interested therein to be heard thereon being served on the public authorities of the municipality owning maintaining or using the sewage system The length of time after receipt of the notice within which the discharge of sewage shall be discontinued may be stated in the permit but in no case shall it be less than one year or exceed two years and if the length of time is not specified in the permit it shall be one year On the expiration of the period of time prescribed after the service of a notice of revocation modification or change from the commissioner of health the right to discharge sewage into any of the waters of the state shall cease and terminate and the prohibition of this act against such discharge shall be in full force as though no permit had been granted but a new permit may thereafter again be granted as hereinbefore provided"

"Section 7 The penalty for the discharge of sewage from any public sewer system into any of the waters of the state without a duly issued permit in any case in which a permit is required by this act shall be five hundred dollars and a further penalty of fifty dollars per day for each day the offense is maintained recoverable by the Commonwealth at the suit of the commissioner of health as debts of like amount are recoverable by law The penalty for the discharge of sewage from any public sewer system into any of the waters of the state without filing a report in any case in which a report is required to be filed shall be fifty dollars recoverable by a like suit"

"Section 8 All individuals private corporations and companies that at the time of the passage of this act are discharging sewage into any of the waters of the state may continue to discharge such sewage unless in the opinion of the commissioner of health the discharge of such sewage may become injurious to the public health If at any time the commissioner of health considers that the discharge of such sewage into any of the waters of the state may become injurious to the public health he may order the discharge of such sewage discontinued"

"Section 9 Every individual private corporation or company shall discontinue the discharge of sewage into any of the waters of the state within ten days after having been so ordered by the commissioner of health"

"Section 10 Any individual private corporation or company that shall discharge sewage or permit the same to flow into the waters of the state contrary to the provisions of this act shall be deemed guilty of a misdemeanor and shall upon conviction be punished by a fine of twenty-five dollars for each offense and a further fine of five dollars per day for each day the offense is maintained or by imprisonment not exceeding one month or both at the discretion of the court"

"Section 11 Any order or decision under this act of the commissioner of health or that of the governor attorney general and commissioner of health shall be subject to an appeal to any court of common pleas of the county wherein the outlet of such sewer or sewer system otherwise prohibited by this act is situated and said court shall have power to hear said appeal and may affirm or set aside said order or decision or modify the same or otherwise fix the terms upon which permission shall be granted But the order or decision appealed from shall not be superseded by the appeal but shall stand until the order of the court as above"

Provided That it shall require the affirmative votes of three of the members of the Board to authorize the granting of a permit for discharging sewage into any of the waters of the State under section five of the said act

(b) To exercise all other powers not contrary to law heretofore exercised by the Department of Health or the Commissioner of Health with regard to granting permits for the erection of sewage disposal works or plants and the construction of sewers or sewer systems

(c) To exercise all the powers not contrary to law heretofore exercised by the Department of Fisheries the Commissioner of Fisheries and the Water Supply Commission of Pennsylvania with regard to the prevention of pollution of the waters of this Commonwealth

(d) To investigate hold hearings upon and determine any question of fact regarding the purity of water supplied to the public by any public service company over which The Public Service Commission of the Commonwealth of Pennsylvania has jurisdiction whenever said Commission shall certify such question to the Board

The findings of the Board upon any such question shall be incorporated in and made a part of the determination or decision by said Commission of the controversy or other proceeding in connection with which the question arose and shall be binding upon the parties to such controversy or other proceeding unless either party shall take an appeal from the Commission's determination or decision as may now or hereafter be provided by law

(e) To make rules and regulations for the effective administration and enforcement of the laws of this Commonwealth prohibiting the pollution of the waters thereof

(f) To study investigate and from time to time report ways and means of eliminating from the streams and waters of the Commonwealth so far as practicable all substances and materials which pollute or tend to pollute the same and to determine and recommend methods of preventing pollution detrimental to the public health or to the health of animals fish or aquatic life or detrimental to the use of waters for recreation purposes The Board shall have power to investigate the character of all wastes discharged into or deposited on the banks of the streams or waters of the Commonwealth and shall make similar investigations and recommendations with regard to the matter of preventing pollution of the waters of interstate streams which touch the boundaries of the Commonwealth

(g) To call upon the Department of Health to make such inspections conduct such investigations and do such other acts as may be necessary and proper in the exercise of the powers and the performance of the duties of the Board

Section 1811 Advisory Health Board The Advisory Health Board shall have the power and its duty shall be

(a) To advise the Secretary of Health on such matters as he may bring before it

(b) To make such reasonable rules and regulations not contrary to law as may be deemed by the Board necessary for the prevention of disease and for the protection of the lives and health of the people of the Commonwealth and for the proper performance of the work of the Department of Health and such rules and regulations when made by the Board shall become the rules and regulations of the Department

Section 1812 Anatomical Board The Anatomical Board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said Board

ARTICLE XIX

POWERS AND DUTIES OF THE DEPARTMENT OF HIGHWAYS

Section 1901 Powers and Duties In General The Department of Highways shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the State Highway Department and the State Highway Commissioner and shall exercise such additional powers and perform such additional duties as are vested in and imposed upon it by this act

Section 1902 State and State-aid Highways The Department of Highways shall have the power and its duty shall be

(a) To mark build rebuild re-locate fix the width or construct repair and maintain such highways as may now or hereafter be designated by law as State Highways

(b) To have exclusive authority and jurisdiction over all State Highways

(c) To superintend supervise and control the work of rebuilding maintaining and repairing State-aid highways

(d) To enter into contracts for constructing repairing or maintaining State Highways or any parts thereof as may now or hereafter be provided by law

Section 1903 Machinery Equipment and Insurance The Department of Highways shall have the power and its duty shall be

(a) To purchase and maintain all machinery implements tools and materials and all other equipment of every and any kind incident to or necessary in the construction building rebuilding and maintaining of State Highways and to employ all labor necessary therefor

(b) If necessary in order to expedite and more efficiently to carry out the work of the Department to purchase and maintain at the expense of the Department wagons and other vehicles and horses mules and harness and provided for their keep and maintenance

(c) To purchase and acquire and lease lands in the name of the Commonwealth and situated anywhere therein containing stone suitable for use in the construction or maintenance of highways and to quarry and prepare the stone therein for use in the construction and maintenance of the State Highways or State-aid highways and to manufacture any other material used in the construction or maintenance thereof and to use such stone and materials so quarried prepared and manufactured for such construction and maintenance or to sell furnish and supply the same to contractors engaged in building or maintaining the State Highways or State-aid Highways or to the townships for the construction and maintenance of roads and bridges upon such terms and conditions and for such price as the Department shall deem best for the interest of the Commonwealth

(d) To erect such buildings and purchase such machinery as may be necessary or essential for the proper prosecution of the work of quarrying and preparing stone and manufacturing materials for use in the construction and maintenance of State Highways and State-aid highways and to employ all labor required for the operation thereof

(e) If and when deemed necessary to procure and pay for liability insurance covering the vehicles operated by the Department or such part of them as may be deemed advisable Such insurance shall in all cases protect both the Commonwealth and the employe of the Department operating the vehicle against claims for damages for injury to person or property within such amount as the Department shall deem appropriate

Section 1904 Highway Districts The Department of Highways shall have the power and its duty shall be to divide the State into suitable highways districts or divisions or both and place in charge of each such district or division or both such employe of the Department as the Secretary of Highways shall deem advisable Each such employe shall perform such duties in connection with his district or division or both as the Department shall prescribe

Section 1905 General Road Improvement The Department of Highways shall have the power and its duty shall be

(a) To make a survey of all the roads of the State and a general highway plan of the State and to compile statistics and collect information relative to the mileage character and condition of the roads in the townships and counties of the State

(b) To investigate and determine upon the various methods of road construction best adapted to the various sections of the State and to establish standards for the construction and maintenance of Highways in various sections taking into consideration the topography of the country and the natural conditions and the character and ability of the townships and counties to build and maintain roads as provided by law

(c) In all reasonable ways to advise and give information to county city borough incorporated town or township officers having authority over highways and bridges relative to the construction repairing alteration and maintenance of such highways and bridges

(d) To aid in promoting road improvement through out the State and for that purpose to prepare and compile useful information relative to road building and maintenance which may be disseminated by means of printed bulletins

(e) To cause to be published maps showing complete road surveys of each county which shall be kept on sale in the Department at the cost of publication

(f) To call such State County or Township road meetings or conventions at such times and at such places as the Department shall deem wise and to assist in the formation of County Associations of Township Officers and be represented at their conventions

Section 1906 Township Roads The Department of Highways shall have the power and its duty shall be

(a) Tt have general supervision over all township highways and bridges constructed improved or maintained in whole or in part by the aid of State moneys and to approve all agreements made by township Supervisors for the expenditure of moneys appropriated by the State for road purposes

(b) To approve plans and specifications and estimates for the erection and repair of township bridges and culverts and for the construction and maintenance of township highways but such plans and specifications shall not be approved unless they conform to the standards of the Department and no contract for the repair or construction of any township bridge or culvert or for the reconstruction of a township road shall be valid unless such contract is in accordance with plans prescribed or unless plans specifications and estimates have been prepared or approved by the Department

(c) To furnish from time to time bulletins of instruction to the boards of township supervisors throughout the State for the building repairing maintenance and improvement of township roads and bridges and to furnish any additional information when called upon to do so The Department may also furnish from time to time free of charge standard plans and specifications for permanent improvements in the building of bridges and culverts establish all grades proper drainage and such other matters as may be deemed essential

(d) To prescribe the method of keeping township accounts and records of moneys received and expended for highways machinery bridges tools and implements and for miscellaneous purposes from time to time to cause examination of all such accounts and records to be made and to furnish and supply to the several township officers all necessary books blanks forms and supplies which shall be necessary for the proper conduct of the road work of the townships

Section 1907 State Reward Fund The Department of Highways shall administer the State Reward Fund as may now or hereafter be provided by law

Section 1908 Toll Roads and Bridges The Department of Highways shall have the power to acquire for and on behalf of the Commonwealth by purchase or otherwise turnpikes or toll roads or any parts thereof or toll bridges in such manner and under and subject to such terms and conditions as may now or hereafter be provided by law

Section 1909 Rebuilding County Bridges Destroyed by Flood Fire and Other Casualty The Department of Highways shall have power and its duty shall be to prepare plans for and rebuild county bridges over navigable rivers and other streams where such bridges have been destroyed by flood fire or other casualty as may now or hereafter be provided by law Provided however That such bridges shall be rebuilt only if and when the General Assembly shall have specifically appropriated funds for such purpose

Section 1910 Motor Vehicles The Department of Highways shall perform such duties as may now or hereafter be imposed upon it by the laws of this Commonwealth regulating the operation of motor vehicles and the registration and licensing of motor vehicles and the drivers thereof

ARTICLE XX

POWERS AND DUTIES OF THE DEPARTMENT OF WELFARE AND ITS DEPARTMENTAL ADMINISTRATIVE AND ADVISORY BOARDS AND COMMISSIONS

Section 2001 Powers and Duties in General The Department of Welfare shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the Department of Public Welfare and the Commissioner of Public Welfare It shall also exercise such additional powers and perform such additional duties as are imposed upon it by this act

Section 2002 Definitions As used in this article

(a) "State Institutions" shall mean and include all penal reformatory or correctional institutions hospitals for the insane or any other institutions for feeble-minded or epileptic persons for inebriates or for juvenile delinquents and dependents and all charitable institutions whatsoever within this Commonwealth maintained in whole or in part by the Commonwealth and whose Boards of Inspectors Managers Trustees or Directors are respectively appointed by the Governor

(b) "Semi-State Institutions" shall mean and include all penal reformatory or correctional institutions hospitals for the insane or any other institutions for feeble-minded or epileptic persons for inebriates or for juvenile delinquents and dependents and all charitable institutions whatsoever within this Commonwealth maintained in whole or in part by the Commonwealth and whose Boards of Inspectors Managers Trustees or Directors are respectively appointed in part by the Governor

(c) "Children's Institutions" shall mean any incorporated or unincorporated organization society corporation or agency public or private which may receive or care for children or place them in foster family homes either at board wages or free or any individual who for hire gain or reward receives for care a child unless he is related to such child by blood or marriage within the second degree or any individual not in the regular employ of the Court or of an organization society association or agency duly certified by the Department who in any manner becomes a party to the placing of children in foster homes unless he is related to such children by blood or marriage within the second degree or is the duly appointed guardian thereof

(d) "Maternity Home and Hospital" shall mean any house home or place in which within a period of six months any person receives for care or treatment during pregnancy or during or immediately after parturition more than one woman except women related to such person by blood or marriage within the second degree

(e) "Supervised Institution" shall mean any charitable institution within the Commonwealth which receives financial assistance from the Commonwealth either directly or indirectly and to which the Governor does not appoint any member of the Board of Inspectors Managers Trustees or Directors all houses or places within the Commonwealth in which any person of unsound mind is detained whenever the occupant or owner of the house or person having charge of such person of unsound mind receives any compensation for custody control attendance other than as an attendant or nurse and also all institutions houses or places in which more than one such person is retained with or without compensation paid for custody or attendance all children's institutions and maternity homes and hospitals within the Commonwealth all homes or hospitals for crippled children within the Commonwealth all prisons jails hospitals almshouses or poorhouses maintained by any county city borough township or poor district of this Commonwealth and all institutions associations and societies within this Commonwealth into whose care the custody of delinquent dependent or neglected children may be committed and all houses and places maintained by such institutions associations or societies in which such children may be kept or detained

Section 2003 Supervisory Powers The Department of Welfare shall have supervision over

(a) All State and semi-state institutions

(b) All supervised institutions as defined in this article

(c) All children's institutions within this Commonwealth

(d) All maternity homes and hospitals within this Commonwealth

(e) The administration of any system provided by the Commonwealth for assistance to mothers

(f) Any labor or system of labor carried on in the penal correctional or reformatory institutions of the State

(g) Any system of reparation provided by the Commonwealth for relief from conditions caused by mine-caves fire flood or other casualty and constituting a menace to public safety and welfare

Section 2004 Visitations and Inspections The Department of Welfare shall have the power and its duty shall be

(a) To make and enforce rules and regulations for the visitation examination and inspection of all supervised Institutions

(b) To visit and inspect at least once in each year all State semi-state and supervised institutions to inquire and examine into their methods of instruction discipline detention imprisonment care of treatment the care treatment government or management of their inmates or those committed thereto or being imprisoned detained treated or residing therein the official conduct of their inspectors trustees managers directors or other officer or officers charged with their management by law or otherwise or having the management care custody or control thereof the buildings grounds premises and equipment thereof or connected therewith and all and every matter and thing relating to their usefulness administration and management and to the welfare of the inmates thereof or those committed thereto or being imprisoned detained treated or residing therein

For these purposes the Secretary of Welfare or other officer inspector or agent of the Department shall have free and full access to the grounds premises and buildings of and to all the records books or papers of or relating to any such State Semi-State or Supervised institution and full opportunity to interrogate or interview any inmate thereof or any person or persons committed to or being imprisoned detained treated or residing therein and all persons connected with any such State Semi-State or Supervised institution as officers or charged with the management thereof by law or otherwise or in any way having the care custody control or management thereof or connected therewith as employes are hereby directed and required to give to the Secretary of Welfare or to such officer inspector or agent of the Department such means facilities and opportunity for such visitation examination inquiry and interrogation as is hereby provided and required or as the Department by its duly ordained rules or regulations may require

(c) Whenever upon the visitation examination and inspection of any State Semi-State of supervised institution any condition is found to exist therein which in the opinion of the Department is unlawful unhygienic or detrimental to the proper maintenance and discipline of such State Semi-State or supervised institution or to the proper maintenance custody and welfare of the inmates thereof or of the persons committed thereto or being treated detained or residing therein to direct the officer or officers charged by law with or in any way having or exercising the control government or management of such State Semi-State or supervised Institution to correct the said objectionable condition in the manner and within the time specified by the Department

(d) To cause to be visited and examined any person found by an inquisition to be insane and to authorize such visiting and examining by an officer or agent of the Department or any board of visitors or by a physician and to apply to the court having jurisdiction over the committee or guardian of such insane person or to a judge of a court of common pleas of the county in which the insane person is a resident or detained to make such orders for the maintenance custody or care of the insane person and for the care and disposition of the property of the insane person as the case may require

Section 2005 Appointment of Visitorial Bodies The Department of Welfare shall have the power to appoint a board of three or more members in any county of the Commonwealth to act without compensation as a board of visitors to visit any supervised institution in such county in aid of and as the representative of the Department such board to make a report of such visitation as the Department may require It shall be the duty of the officers or other persons having charge of such supervised institution to afford full facilities for such board to make an examination and inspection thereof

Section 2006 Promotion of County Welfare Organizations The Department of Welfare shall have the power to promote the organization of county councils of social agencies and county welfare boards the purpose of which shall be to coordinate the social welfare activities of the counties

Section 2007 Recommendations The Department of Welfare shall have the power and its duty shall be from time to time to recommend and bring to the attention of the officers or other persons having the management of the State Semi-State and supervised institutions such standards and methods as may be helpful in the government and administration of such institutions and for the betterment of the inmates therein

Section 2008 Rules and Regulations The Department of Welfare shall have the power to make and enforce rules and regulations as follows

(a) Providing for the licensing of all houses or places in which any person can be lawfully detained as an insane person or a person of unsound mind upon compensation paid to or received by the owner or occupant of such house or place directly or indirectly for the care of such insane person or person of unsound mind and also of all houses places or institutions in which more than one insane person or person of unsound mind is detained or resides other than a jail or prison with the right to exempt any State institution institution under municipal authority or any other institution

(b) To insure the proper care and treatment of persons of unsound mind detained in any house place or institution whether licensed or not to guard against the improper or unnecessary detention of such persons to regulate the manner of their detention and the restraints imposed and all matters relative to their welfare to regulate their means of communication with relatives friends and other persons outside the house place or institution of detention and to insure to them the admission of all proper visitors being members of their families or personal agents or attorneys

(c) Regulating the forms to be observed warranting the commitment transfer of custody and discharge of all insane persons other than those committed by order of a court of record and as to these with the consent of the presiding judge of the court under whose order the person is detained

(d) For the approval of psychopathic wards maintained by hospitals for the reception and care of persons suffering with mental disorders

Section 2009 Transfer Parole or Discharge of Patients The Department of Welfare shall have the power

(a) To apply to the proper court for the transfer or removal of insane persons from county or district poor-houses almshouses hospitals or in the custody of the directors or overseers of the poor to the State hospitals for the insane Such application shall be made and the proceedings thereunder had in accordance with the provisions of the act of Assembly approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three (Pamphlet Laws ninety-two) entitled “An Act to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth in State hospitals for the insane” or the act approved the seventh day of May Anno Domini one thousand eight hundred and seventy-four (Pamphlet Laws one hundred and nineteen) entitled “A supplement to the act to create a board of public charities approved the twenty-fourth day of April Anno Domini one thousand eight hundred and sixty-nine authorizing and empowering said board to appoint visitors and to transfer certain insane persons from county institutions to State hospitals” or any other law relative to such transfer

(b) To transfer the indigent insane from State hospitals for the insane to the almshouses poorhouses or prisons of the several counties charged with their maintenance

(c) To transfer patients or inmates from one State hospital for the insane to another such hospital

(d) To transfer a committed insane person from a licensed private hospital or institution to a State or licensed county hospital and vice versa

(e) To apply to the proper court for the removal to a hospital for the insane of any person imprisoned in a penitentiary or prison and believed to be insane under the provisions of the act approved the fourteenth day of May Anno Domini one thousand eight hundred and seventy-four (Pamphlet Laws one hundred and sixty) entitled “An act to provide for the custody of insane persons charged with and acquitted or convicted of crime” or under any other act relative to such a removal or transfer

(f) To authorize the transfer of a committed inmate from one type of institution under the supervision of the Department to another type of institution under its supervision

(g) To investigate and be heard before an order is made in any case to remove to any place of custody other than a hospital any criminal confined in a hospital by order of any court or any lunatic committed to a hospital after an acquittal of crime

The cost of the transfer or removal and of the maintenance of any insane transferred by or under the direction or upon the application of the Secretary of Welfare or other officer of the Department pursuant hereto shall be borne and paid in the manner provided by law in the case of any such transfer or removal

All traveling expenses of indigent insane persons discharged by order of the Department from any State hospital for the insane from the hospital to their respective homes shall be paid by the hospital the amount thereof to be refunded to such hospital from the appropriation for the care and relief of such indigent insane then current

(h) To order and compel the parole or discharge of any person detained in any place as insane or of unsound mind other than a person committed after trial and conviction for crime or by order of court but the Department shall not make any such order unless notice be given to the person having charge of the building in which and to the person or persons at whose instance the patient is detained and reasonable opportunity given them to justify a further detention and the Department has caused the case of the patient to be personally attended and examined by its officer or agent

Section 2010 Child Welfare The Department of Welfare shall have the power and its duty shall be

(a) To investigate the residence of a child placed in Pennsylvania from unlicensed sources in another State to return such child to the State of its legal residence and to enter into appropriate contracts with such State relative thereto

(b) To exercise any other powers and perform any other duties with regard to the bringing into this Commonwealth dependent delinquent or defective children which may now or hereafter be authorized or imposed by law upon the Department

(c) To make and enforce such rules and regulations for the effective enforcement of this section as shall be deemed advisable and appropriate

Section 2011 Restoration The Department of Welfare shall have the power and its duty shall be

(a) To require and supervise the transfer of inmates of one penitentiary to another under any law providing therefor

(b) To require from any or all magistrates chiefs of police sheriffs district attorneys courts judges probation officers and all others concerned in the control apprehension trial and punishment of criminals and delinquents in this Commonwealth periodical reports as to the number and kind of crimes reported the numbers age sex color nativity and offenses of criminals and delinquents arrested tried and otherwise disposed of the sentences imposed and whether executed or suspended the number placed on probation and the reasons therefor the number of probation officers and the nature of the oversight exercised over those placed on probation and for the purpose of verifying the reports so made the department shall have the power to make such further inquiry or investigation as may seem to it necessary and it shall be the duty of all such magistrates and other officers to make such reports at such time or times and to furnish such facilities for investigation and such cooperation as the department may require

Section 2012 Prison Labor The Department of Welfare shall have the power and its duty shall be

(a) To establish maintain and carry on industries in the Eastern Penitentiary the Western Penitentiary the Pennsylvania Industrial Reformatory at Huntingdon and such other correctional institutions of this Commonwealth as it may deem proper in which industries all persons sentenced to the Eastern or Western Penitentiary or to the Pennsylvania Industrial Reformatory at Huntingdon or to such other correctional institution of the Commonwealth who are physically capable of such labor may be employed at labor for not to exceed eight hours each day other than Sundays and public holidays Such labor shall be for the purpose of the manufacture and production of supplies for said institution or for the Commonwealth or for any county city borough or township thereof or any State institution or any educational or charitable institution receiving aid from the Commonwealth or for the preparation and manufacture of building material for the construction or repair of any State institution or in the work of such construction or repair or for the planting of seed trees or the performance of other work in State Forests or for the purpose of industrial training or instruction or partly for one and partly for the other of such purposes or in the manufacture and production of crushed stone brick tile and culvert pipe or other material suitable for draining roads of the State or in preparation of road building and ballasting material

(b) To determine the amount kind and character of the machinery to be erected in each of the said penitentiaries reformatory or other correctional institution of the Commonwealth and the industries to be carried on therein having due regard to the location and convenience thereof with respect to other institutions to be supplied to the machinery therein and the number and character of inmates

(c) To arrange for and make sale of the products produced in the said industries carried on in the said penitentiaries reformatory or other correctional institutions to the Commonwealth or to any county city borough or township thereof or to any State institution or to any educational or charitable institution receiving aid from the Commonwealth

(d) To maintain a fund known as the manufacturing fund out of which the machinery equipment and material required or used in the carrying on of the industries in the said penitentiaries reformatory or other institutions under the provisions hereof shall be purchased and into which all the receipts from the sale as aforesaid of the products of such industries shall be paid and from which fund shall be paid all salaries of superintendents managers salesmen clerks and others employed in the management of such industries and the wages as hereinafter provided for the labor of the inmates of said penitentiaries reformatory or other institution in such industries The department shall have the custody of the said fund and make or direct all disbursements therefrom

(e) To require that an account shall be kept by the proper officers of the said Eastern Penitentiary the Western Penitentiary the Pennsylvania Industrial Reformatory at Huntingdon or other correctional institutions of the labor performed by the inmates of such penitentiary reformatory or other institution in the industries carried on therein under the provisions hereof In such account each inmate shall be credited with wages for the time he is actually engaged in work the rate of such wage and the amount credited to each to be regulated at the discretion of the Department or such persons as it may designate In no case shall the amount be less than ten cents for each day of labor actually performed The rate of compensation shall be based both upon the pecuniary value of the work performed and also on the willingness industry and good conduct of the inmate

(f) To allow three-fourths of the amount so credited as aforesaid to an inmate of such penitentiary reformatory or other institution or the entire amount if the inmate so wishes to constitute a fund for the relief of any person or persons dependent upon such inmate and to be paid upon the order of the Board of Trustees of the penitentiary reformatory or other institution in which the inmate is a prisoner to the person or persons establishing such dependency to the satisfaction of such Board at such time and times as said Board may order

All sums credited to any inmate and not paid to a dependent or dependents shall be paid to the inmate on his discharge from the penitentiary reformatory or other institution in which he was a prisoner Provided however That subject to the rules and regulations of the Board of Trustees of the penitentiary reformatory or other institution in which such inmate is a prisoner the whole or any part of said sum may be paid to him during his imprisonment for his present needs such rules and regulations to be subject to the approval of the Department

(g) To have and exercise supervision over the labor employed in the aforesaid industries and to make rules and regulations for carrying on such industries

(h) To make a full quarterly report to the Auditor General of the products sales receipts and disbursements of the industries established under the provisions hereof

Section 2013 Mental Health The Department of Welfare shall have the power and its duty shall be

To administer and enforce the laws of this Commonwealth relative to the prevention of mental diseases mental defect epilepsy and inebriety the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epilepsy and the transfer discharge escape interstate rendition and deportation of mental patients

Section 2014 Approval of Plans and Mortgages The Department of Welfare shall have the power and its duty shall be

(a) To approve or disapprove all plans for the erection or substantial alteration of any State semi-State or supervised institution receiving aid from the Commonwealth

(b) To investigate and report to the Auditor General upon every application to the Auditor General made by any institution corporation or unincorporated association desiring to give a mortgage under the provisions of the act approved the twenty-ninth day of April Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws two hundred and one) entitled "An Act making mortgages given by benevolent charitable philanthropic educational and eleemosynary institutions corporations or unincorporated associations for permanent improvement and refunding purposes prior liens to the liens of the Commonwealth for the appropriation of moneys providing a method for the giving of such mortgages and fixing the duties of the Auditor General and Board of Public Charities in connection therewith"

Section 2015 State Institutions With regard to State Institutions under the supervision of the Department of Welfare the Department shall have the power and its duty shall be

(a) To determine the capacity of such institution

(b) To determine and designate the type of persons to be received by such institutions the proportion of each type to be received therein and the districts from which persons shall be received by such institutions

(c) To issue requisitions upon the Auditor General for warrants to be drawn by the Auditor General upon the State Treasurer in favor of such Institutions for the payment out of moneys specifically appropriated to the Department for the purpose of the expenses of administering operating maintaining and developing such State Institutions

(d) To make and enforce rules and regulations not inconsistent with this act for the making of contracts the purchase of supplies and the employment of persons by State Institutions under the supervision of the Department including contracts for repairs alterations equipment and construction of buildings belonging to or used by such state institutions

(e) To require the submission to the Department of any contract for repairs alterations equipment and construction of buildings which any State Institution under its supervision desires to make and to approve or disapprove such proposed contract No such contract shall be valid without the approval of the Department as evidenced by the signature of the Secretary of Welfare

Section 2016 Requisitions for Semi-State Institutions The Department of Welfare shall have the power and its duty shall be from time to time to issue requisitions upon the Auditor General for warrants to be drawn by the Auditor General upon the State Treasurer in favor of Semi-State Institutions for the payment out of moneys specifically appropriated to the Department for the purpose of the per diem per week or per capita rate of payment to such institutions for the care treatment and removal of indigent insane or the education and maintenance of children or the care and maintenance of feeble minded children or for any other character of education or care and treatment in such institution

Section 2017 Care of the Indigent The Department of Welfare shall have power and its duty shall be

(a) Whenever the General Assembly shall have specifically appropriated money to the Department for the purpose to issue requisitions upon the Auditor General for warrants to be drawn by the Auditor General upon the State Treasurer in favor of such hospitals homes and institutions as shall conform to at least the minimum standards of plant equipment service administration and care and treatment established by law in amounts computed upon the per diem rates of payment established by law for free service to indigent persons as follows

1. The care and treatment of sick or injured persons in hospitals

2. The care of dependent delinquent and defective children in homes or institutions

3. The care of dependent adults in homes or institutions

4. The care and treatment of crippled children in homes or hospitals

5. The care treatment and removal of insane persons in county hospitals for the insane or private institutions licensed by the Department

6. The removal of non-resident dependent children

7. The placement of dependent children through child-caring agencies

(b) To approve requisitions issued by hospitals homes or institutions to which the General Assembly shall have appropriated money for the care and treatment of indigent persons if such hospitals homes or institutions shall conform to at least the minimum standards of plant equipment service administration and care and treatment established by law and if such requisitions are in the amounts to which such hospitals homes or institutions are entitled according to law

(c) To establish rules and regulations not inconsistent with law for determining the number of free days of care and treatment rendered to indigent persons by hospitals homes or institutions

Section 2018 State Welfare Commission The State Welfare Commission shall have the power and its duty shall be

(a) To advise the Secretary of Welfare on such matters as the Secretary may bring before it or as the Commission may require the Secretary to bring before it

(b) To have general supervision over the policies of the Department and

(c) From time to time to approve or disapprove the rules and regulations of the Department

Section 2019 Boards of Trustees of State Institutions The Board of Trustees of each State Institution within the Department of Welfare shall have general direction and control of the property and management of such institution It shall have the power and its duty shall be

(a) To elect a superintendent or warden of the institution who shall subject to the authority of the Board administer the institution in all its departments

(b) On nomination by the Superintendent or Warden from time to time to appoint such officers and employes as may be necessary

(c) To fix the salaries of its employes in conformity with the standards established by the Executive Board

(d) Subject to the approval of the Secretary of Welfare to make such by-laws rules and regulations for the management of the institution as it may deem wise

The Boards of Trustees of the several State Institutions created by this act shall exercise the foregoing powers in the management of such Institution as follows

Board of Trustees of Eastern State Penitentiary of "Eastern State Penitentiary" at Philadelphia

Board of Trustees of Western State Penitentiary of "Western State Penitentiary" at Rockview

Board of Trustees of Pennsylvania Industrial Reformatory of "Pennsylvania Industrial Reformatory" at Huntington

Board of Trustees of State Industrial Home for Women of "State Industrial Home for Women" at Muncy

Board of Trustees of Pennsylvania Training School of "Pennsylvania Training School" at Morganza

Board of Trustees of Pennsylvania Soldiers' and Sailors' Home of "Soldiers' and Sailors' Home" at Erie

Board of Trustees of Allentown State Hospital of "Homeopathic State Hospital for the Insane" at Allentown

Board of Trustees of Danville State Hospital of "State Hospital for the Insane" at Danville Pennsylvania

Board of Trustees of Farview State Hospital of "State Hospital for the Criminal Insane" at Farview

Board of Trustees of Harrisburg State Hospital of "Harrisburg State Hospital" at Harrisburg

Board of Trustees of Norristown State Hospital of "State Hospital for the Insane of the Southeastern District of Pennsylvania" at Norristown

Board of Trustees of Warren State Hospital of "State Hospital for the Insane" at Warren Pennsylvania

Board of Trustees of Wernersville State Hospital of "State Asylum for the Chronic Insane of Pennsylvania" at South Mountain

Board of Trustees of Torrance State Hospital of "Western State Hospital for the Insane" Torrance

Board of Trustees of Ashland State Hospital of "State Hospital for Injured Persons of the Anthracite Coal Regions of Pennsylvania" at Ashland

Board of Trustees of Blossburg State Hospital of "Cottage State Hospital for Injured Persons of the Bituminous and semi-Bituminous Coal Regions of Pennsylvania" at Blossburg.

Board of Trustees of Coaldale State Hospital of "State Hospital of Coaldale" Schuylkill County

Board of Trustees of Connellsville State Hospital of "Cottage State Hospital for Injured Persons of the Bituminous and sem-Bituminous Coal Regions of Pennsylvania at Connellsville"

Board of Trustees of Hazelton State Hospital of "State Hospital of the Middle Coal Field of Pennsylvania" at Hazelton

Board of Trustees of Mercer State Hospital of "Cottage State Hospital for Injured Persons of the Bituminous and semi-Bituminous Coal Regions of Pennsylvania" at Mercer

Board of Trustees of Nanticoke State Hospital of "State Hospital of Luzerne County" at Nenticoke

Board of Trustees of Philipsburg State Hospital of "Cottage State Hospital for Injured Persons of the Bituminous and semi-Bituminous Coal Regions of Pennsylvania at Philipsburg

Board of Trustees of Scranton State Hospital of "State Hospital of the Northern Anthracite Coal Region of Pennsylvania" at Scranton

Board of Trustees of Shamokin State Hospital of "State Hospital of the Trevorton Shamokin and Mount Carmel Coal Fields of Pennsylvania" at Shamokin

Board of Trustees of Laurelton State Village of "Pennsylvania Village fôr Feeble-minded Women" at Laurelton

Board of Trustees of Pennhurst State School of "State

Institution for the Feeble-minded and Epileptic of Eastern Pennsylvania" at Pennhurst

Board of Trustees of Polk State School of "State Institution for the Feeble-minded of Western Pennsylvania" at Polk

Section 2020 Board of Trustees of New Cumberland Industrial Farm The Board of Trustees of New Cumberland Industrial Farm shall have the management and control of the property at New Cumberland Cumberland County Pennsylvania acquired by the Commission for the Selection of a Site and the Erection of a State Institution for Inebriates and shall establish thereon an industrial farm for the detention punishment and employment of persons convicted of crime in such manner as may be provided by law

Upon the completion of such farm the Board of Trustees shall manage and control the same as provided in the preceding section of this act

Section 2021 Eastern State Hospital for the Insane at Selinsgrove Until the General Assembly shall provide for the appointment of the Board of Trustees therefor the Department of Welfare shall manage and control the property at Selinsgrove acquired by the Building Commission of the Eastern State Hospital for the Insane

ARTICLE XXI

POWERS AND DUTIES OF THE DEPARTMENT OF PROPERTY AND SUPPLIES AND ITS DEPARTMENTAL ADMINISTRATIVE AND ADVISORY BOARDS AND COMMISSIONS

Section 2101 Powers and Duties Transferred Subject to any inconsistent provisions in this act contained the Department of Property and Supplies shall exercise the powers and perform the duties heretofore exercised and performed by the Board of Commissioners of Public Grounds and Buildings the Superintendent of Public Grounds and Buildings the Bureau of Information the Department of Public Printing and Binding the Division of Documents the Superintendent of Public Printing and Binding the Gettysburg Battlefield Memorial Commission the General George Gordon Meade Statue Commission the Robert Morris Monument Commission the General Galusha Pennypacker Monument Commission and the Camp Curtin Park Commission

Section 2102 Grounds Buildings and Monuments The Department of Property and Supplies shall have the power and its duty shall be

(a) Subject to the powers by this act vested in the Board of Commissioners of Public Grounds and Buildings to control and supervise the State Capitol building and the public grounds and buildings connected with the State Capitol including the State Arsenal and the Executive Mansion and all the repairs alterations and improvements made and all work done or expenses incurred in and about such grounds and buildings including the furnishing and refurnishing of the same and also to have general supervision over repairs alterations and improvements to all other buildings all work done or expenses incurred in and about the same and also to have general supervision over repairs alterations and improvements to all other buildings lands and property of the State except as in this act otherwise provided

(b) To employ such sergeants of police and police officers as may be necessary to preserve good order in the Capitol grounds and buildings and fix their compensation Provided however That the number and compensation of such sergeants and officers shall be subject to the approval of the Executive Board Such sergeants and officers shall be known as the Capitol Police

(c) To employ such help as may be reasonably necessary for the cleaning care and preservation of the Capitol grounds and buildings and the furnishings therein for operating the mechanical plants in the Capitol buildings and the Executive Mansion and for service at the Executive Mansion

(d) To contract in writing for and rent proper and adequate offices rooms or accomodations outside of the Capitol buildings for any department board or commission which cannot be properly and adequately accommodated with offices and rooms in the Capitol buildings and in all cases in which the head of a department or an independent administrative board or commission with the approval of the Executive Board has established or is about to establish a branch office in any city or place outside of the capitol city with the approvel of the Board of Commissioners of Public Grounds and Buildings to contract in writing for and rent such offices rooms and accomodation as shall be proper and adequate for such department board or commission It shall be unlawful for any other department board commission or agency of the State government to enter into any such contract

(e) To employ and with the approval of the Governor fix the compensation of such capable superintendent or superintendents of construction as may be necessary properly to supervise the expenditure of all funds appropriated by the General Assembly for building repairing altering adding to or improving State buildings Such superintendent or superintendents shall see that the plans and specifications of the architect prepared and adopted for such new buildings or for repairs alterations additions or improvements to existing buildings shall be faithfully carried out by the contractors for the work and shall subject to appeal to and final decision by the head of the department determine and decide all questions of the proper interpretation of the plans and specifications which may be raised by the contractors or architects during the progress of the work

(f) To purchase or condemn lands for the purpose of adding the same to any of the public lands parks arsenals hospitals or other institutions of the Commonwealth whenever in the judgment of the Secretary of Property and Supplies and of the Governor the purchase of such additional land is necessary or whenever such purchases shall have been authorized by law for new institutions and an appropriation has been made therefor The condemnation of lands hereunder shall be in the manner provided by the act approved the fifteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred seventy-six) entitled "An act to authorize the Board of Commissioners of Public Grounds and Buildings to acquire property for the Commonwealth by proceedings in eminent domain where the purchase of such property has either been authorized by law or determined by the Board of Commissioners of Public Grounds and Buildings under existing laws and an appropriation made therefor"

(g) To erect or supervise the erection of the General George Gordon Meade Statue at Washington D. C. the Robert Morris Monument on the steps of the Custom House at Philadelphia Pennsylvania and the monument of General Gulusha Pennypacker in Logan Square Philadelphia Pennsylvania and all other monuments which may now or hereafter be authorized by law and to maintain and care for the monument of Governor Andrew G. Curtin in Camp Curtin Park Harrisburg the Pennsylvania Memorial Monument on the Battlefield of Gettysburg and all other monuments belonging to the Commonwealth which may now or hereinafter be erected Provided That with regard to any monument which comes within the jurisdiction of an advisory board in the Department of Property and Supplies the exercise of the powers hereby vested in the Department shall be subject to approval or disapproval by such advisory board

(h) Whenever loss or damage by fire or other casualty shall occur to any structure building equipment or other property owned by the Commonwealth except armory buildings under the supervision of the Armory Board of the State of Pennsylvania and be reported to the Department to make an examination thereof and in its discretion subject only to the approval of the Governor authorize the rebuilding restoration or replacement of the property damaged or destroyed and for that purpose to have plans and specifications prepared and contracts executed and to supervise the erection construction or replacement thereof such rebuilding restoration or replacement to be in substantial accord with the original character use and purpose of the property damaged or destroyed The cost of the materials furnished and work and labor performed under such contracts shall be certified by the Department to the Auditor General who shall issue his warrant against the Insurance Fund of this Commonwealth which warrant shall be paid by the State Treasurer in the manner provided by law Provided That whenever the Department shall have taken such action as will involve expenditures from said fund it shall forthwith certify the probable amount of expenditure to the State Treasurer and Board of Finance and Revenue who shall forthwith take such action as is necessary to provide funds sufficient to meet the obligations so entered into

Section 2103 Standards and Purchases The Department of Property and Supplies shall have the power and its duty shall be

(a) To formulate and establish standard specifications for all articles materials and supplies used by the Administrative Departments Boards and Commissions and by State Institutions Provided however That no specification shall be fixed as a standard until it shall be approved by the head of the Administrative Department Board or Commission or of the State Institution using the article material or supply described in the specification

(b) To enter into contracts for supplying all stationery paper and fuel used in the legislative and other departments of the Government and the repairing and furnishing the halls and rooms used for the meetings of the General Assembly and its Committees All such contracts shall be awarded to the lowest responsible bidder below such maximum price and under such regulations not inconsistent with this act as may now or hereafter be prescribed by law and shall be subject to the approval of the Governor Auditor General and State Treasurer

(c) To purchase in like manner all other furniture materials or supplies required by the legislative and other departments of the State government except as otherwise provided in this act

(d) To furnish stationery paper and fuel to the Legislative and other departments of the Government and the repairing and furnishing the halls and rooms used for the meetings of the General Assembly and its committees upon requisition of the Governor the head of the appropriate administrative department or independent administrative board or commission or the proper officer of the General Assembly or of the judicial department as the case may be Provided That all requisitions for furniture materials or supplies required by any departmental administrative body board commission or officer or any advisory board or commission shall be made by the administrative department containing such departmental administrative body board commission or officer or such advisory board or commission And provided further That the Department shall not without the consent of the Executive Board honor any requisition from any administrative Department Board or Commission after the amount of any biennial appropriation for furniture stationery materials and supplies allocated to such Department Board or Commission by the Executive Board shall have been expended for such Department Board or Commission

(e) To act as the purchasing agency for any department board or commission which by law is authorized to purchase materials or supplies and pay for the same out of fees or other moneys collected by it or out of moneys specifically appropriated to it by the General Assembly specifically appropriated to it by the General Assembly

(f) Upon request of any State Institution to act as the purchasing agency for such institution

(g) To collect and furnish on request market prices and such other information as will be servicable in purchasing to any Department Board or Commission or any Institution receiving State funds directly or indirectly

(h) To procure from a corporation or corporations authorized by law to act as sureties in the Commonwealth or Pennsylvania good and sufficient bonds which shall be approved by the Attorney General and paid for by the Commonwealth to meet the requirements of law in the case of all State Officers and employes required by statute to give bonds to the Commonwealth for the faithful performance of their official duties

(i) To receive from the several departments boards commissions and State Institutions personal property of this Commonwealth which is no longer of service to the Commonwealth to issue a receipt therefor make a complete record thereof and as soon as convenient sell the same either at public auction or private sale in the City of Harrisburg or elsewhere as may be deemed advisable Provided That except in the case of perishable property such sales shall be advertised in not exceeding five newspapers of the Commonwealth once a week for three weeks such advertisements to state the time place and conditions of any such sale

Section 2104 Publications The Department of Property and Supplies shall have the power and its duty shall be

(a) To edit for publication all reports bulletins and other publications of the various Departments Boards and Commissions of the State Government

(b) With the approval of the President pro tempore of the Senate and the Speaker of the House to determine the size and character of the various publications to be printed for the use of the General Assembly

Provided That the quantity of any new publication for the members and officers of the General Assembly shall be fixed by act or resolution and provided that the members and officers of the General Assembly shall receive not less than the same number of advance sheets of the Laws Bills Calendars Journals Pamphlet Laws Department Reports and other publications as is now authorized by law which shall be distributed to the members and officers of the General Assembly only on the requisition of the Librarian of the Senate and the Resident Clerk of the House of Representatives

With the approval of the Governor to determine the need size character quantity and method of distribution of the various publications to be printed for the use of the several departments boards commissions and other agencies engaged in the administrative work of the government Provided That in the case of reports made by the several departments boards or commissions the department board or commission making the report shall be consulted with regard to the need size character quantity and method of distribution of such reports

With the approval of the Governor and of the Chief Justice of the Supreme Court of Pennsylvania to determine the size character quantity and method of distribution of the various publications to be printed for the use of the judicial department

Unless specifically authorized by act or resolution no public printing and binding shall be ordered performed or furnished by the Department for the General Assembly or any Department Board Commission or other agency of the State Government until a requisition for said work or materials has been presented to the Department duly signed by the Chief Clerk or Librarian for the Senate the Chief Clerk or Resident Clerk for the House of Representatives or the head or the person or persons who may be given such authority by the head of the Department Board Commission or other agency of the State Government making such requisition

(c) In the event of the purchase by the Commonwealth of the copyright to Smull's Legislative Hand Book to compile and edit a Pennsylvania State Manual which shall be published annually or biannually as the Department and the Governor shall determine In such event the members and officers of the Senate and House of Representatives shall be given for distribution of said publication not less than the number that they are now given of Smull's Legislative Hand Book The number to be published for the several State Departments Boards and Commissions shall be fixed by the Department with the approval of the Governor If in the judgment of the Department it is deemed advisable to publish copies of said manual in addition to those herein authorized which can be sold at the cost of printing and binding the Department is authorized to publish such additional copies and pay the amount realized from the sale of same to the State Treasurer

(d) To enter into contracts for furnishing all printing used in the legislative and other Departments of government and the printing binding and distributing of the laws journals department reports and all other printing and binding lithographing cuts plates dies and supples and materials incident thereto which contracts shall be given to the lowest responsible bidder below such maximum price and under such regulations not inconsistent with this act as may now or hereafter be fixed by law and shall be subject to the approval of the Governor Auditor General and State Treasurer

(e) To distribute all documents upon requisition of the persons entitled to make requisition therefor by causing the same to be packed in packages or boxes addressed as required in the requisition and delivered personally at the office of the Department or free at the post office express or freight office indicated in the requisition Provided That the Department shall not without the consent of the Executive Board honor any requisition from any Administrative Department Board or Commission after the amount of any biennial appropriation for documents allocated to such Department Board or Commission shall have been expended for such Department Board or Commission

(f) To furnish blank requisition forms to all persons entitled to make requisitions upon the Department for documents stationery furniture or supplies of any character

(g) From time to time to solicit by advertising proposals for the purchase of all the waste paper documents and other materials that have been accumulated and are no longer needed and the Department is hereby authorized to make sale thereof by contract or contracts to the highest bidder upon such terms and conditions as it shall determine Provided That the Department shall have the right to reject any and all proposals for the sale

Section 2105 Method of Awarding Contracts for Stationery Paper Fuel Repairs Furnishings and Supplies The Department of Property and Supplies shall on or before the first day of February in each year notify the several administrative departments boards and commissions of the Commonwealth and the chief clerks of the Senate and House of Representatives respectively to furnish lists of all furniture and furnishings stationery supplies repairs alterations improvements fuel and all other matters or things that may be needed by their respective departments boards or commissions or the Senate or House of Representatives for the fiscal year beginning on the first day of June next following

Upon receipt of such lists the Department shall consolidate and classify the articles named therein taking care that there shall be full descriptions given with make and number of goods when possible and proper maximum price fixed and shall prepare a schedule thereof Whenever deemed necessary it shall have designs and specifications prepared of any furniture or furnishings repairs alterations and improvements paying for the preparation of the same out of the general funds of the Department

The Department shall state in the schedule that the work or articles for which the designs and specifications are prepared are to be done or furnished in accordance therewith and that the designs or specifications will be found in its office for inspection and copies of the same shall be furnished to the successful bidders The schedule shall state that bids will be received on one or more of the items of any classification of the schedule In such schedule the form of proposal shall be given and all other information which the Department shall consider necessary for the bidder In preparing the list or schedule the Department shall in all cases give preference to goods of American production or manufacture The quantities given in the schedule shall be the estimated maximum quantities that are likely to be required during the year but the schedule shall in all cases provide that the goods shall be furnished in greater or less quantity and at such time as the needs of the departments boards commissions and the Senate and House shall require

The schedule shall also provide whenever practicable a per diem penalty or forfeiture after a stated time for the failure of a contractor to finish or furnish the work or material contracted for which penalty or forfeiture shall be deducted by the Auditor General from the amount of the contractor's bill before settlement is made when so directed to do by the Department

The Department after conferring with the heads of the various departments boards commissions and the chief clerks of the Senate and House shall have the power to make such changes in the schedule as may be deemed proper and may standardize any or all articles therein

When the schedule has been finally prepared it shall be printed in pamphlet form as the schedule of stationery paper supplies fuel furniture furnishings repairs alterations improvements and other matters and things needed for the public grounds and buildings the Senate and House of Representatives the several departments boards and commissions of the State Government and the Executive Mansion

The Department shall on the third Tuesday of April of each year by advertisement inserted daily until the day of opening bids in twelve newspapers not more than three of which shall be printed in any one county published at such places as the Department may deem proper invite sealed proposals for contracts to furnish all stationery supplies paper and fuel used by the Senate and House of Representatives the several departments boards and commissions of the State Government and the Executive Mansion and for repairing altering improving furnishing or refurnishing and all other matters or things required for the public grounds and buildings legislative halls and rooms connected therewith the rooms of the several departments boards and commissions and the buildings connected with the State Capitol and the Executive Mansion The advertisement shall contain a reference to the schedule so printed and as briefly as practicable invite bids for the furnishing of articles named in the schedule and give notice of the time and place where such bids will be received and when they will be opened

All proposals shall be delivered to the Department on or before twelve o'clock meridian on the second Tuesday of May following the date of the advertisement and each bid shall be in duplicate one of which shall be marked "duplicate bid" Each bid together with the proper bond or certified check as provided for in this act shall be enclosed in an envelope securely sealed and shall be mailed or delivered to the Department which shall retain all envelopes unopened until the time fixed by law for the opening thereof

The Department shall on the second Tuesday of May at twelve o'clock meridian open and publish said proposals and as soon thereafter as practicable award the contracts to the lowest responsible bidder on each of the items of the several classifications of the schedule The Department shall have the right to reject any or all bids The bids when opened shall be tabulated and shall be subject to examination by all bidders A record of all bids shall be made by the Department in a book kept for that purpose

When no proposal has been received or those received are from irresponsible persons or if for any reason the Department shall reject all proposals the Department shall advertise again for proposals giving at least fifteen days' notice of the time receiving the same which proposals shall be opened awarded and approved in like manner as heretofore provided

No proposal for any contract shall be considered unless such proposal is accompanied by a certified check to the order of the State Treasurer in one-fourth the amount of the estimated contract or by a bond in such form and amount as may be prescribed by the Department Any such bond shall be conditioned for the faithful performance of the terms of the contract if awarded and shall have as surety one surety company authorized to act as surety in this Commonwealth or two individual sureties approved by a judge of the court of common pleas of the county in which the person or persons making such proposals may reside or of the county wherein shall be located the principal place of business of the person copartnership association or corporation making such proposal

A bidder who shall have accompanied his proposal with a certified check as aforesaid and to whom a contract shall have been awarded may within ten days after such award substitute for said check a bond as herein prescribed otherwise said check shall be retained in lieu of a bond

In the event that any contractor shall fail to fulfill or comply with the terms of any contract such contract shall be awarded to the next lowest responsible bidder and the Department shall direct the Attorney General to bring suit against the failing contractor or his or their bondsmen to recover the loss sustained by the Commonwealth by the reletting

All contracts awarded shall be severally void unless first approved by the Governor the Auditor General and the State Treasurer and when so approved together with all bonds given for their faithful performance be filed with the Department which shall keep a record of the same and shall within twenty days after the award certify copies of all said contracts to the Auditor General The bonds and certified checks of all unsuccessful bidders shall be returned to such bidders as soon as practicable after contracts have been awarded and approved but not later than sixty days after the date of opening the proposals

The enforcement of all contracts provided for by this act and of all similar contracts heretofore entered into and now in force shall be under the control and supervision of the Department

The Department shall receive from the contractor or contractors the articles mentioned in the schedule Articles contracted for must be furnished promptly It shall be the duty of the Department to reject all articles not up to the standard required and if a contractor shall fail to exchange them for articles that meet the requirements prescribed or shall fail to deliver any article within a reasonable time the Department may go into the open market and purchase articles to take the place of those adjudged to be of inferior quality or which have not been delivered and deduct the expense including any excess in price over that called for in the contract from the amount due the contractor from the Commonwealth If amount due said contractor is not sufficient to meet such expenses and excess price paid for the articles purchased the Department may proceed against the contractor or his sureties under the bond aforesaid by proper action through the Department of Justice

In all cases where a lump sum contract containing a provision for partial payments on accounts of materials delivered and work done is entered into by the Department a percentage to be fixed by the Department of the amount due as set forth in the contract shall be withheld from the contractor by the Auditor General until the Department shall certify that the contract has been fully complied with

The Department shall examine all bills on account of contracts entered under the provisions of this act and if they are correct the Department shall certify that the materials have been furnished or that the work or labor has been performed in accordance with the contract and approve the bills When so approved the bills shall be audited settled and paid by the Auditor General and State Treasurer in the manner provided by law

It shall be the duty of the Department when the articles named in the schedule are received from the contractors to care for them properly in storage rooms and the Department shall be held responsible for their safekeeping

The Board of Public Grounds and Buildings shall provide suitable storage rooms for the furniture stationery supplies and fuel that may be procured

Whenever the heads of departments the executive officers of independent administrative boards and commissions and the chief clerks of the Senate and House of Representatives shall require any portion of the stationery supplies fuel furniture furnishings repairs alterations improvements and other matters or things appearing in the annual schedule for which contracts have been awarded by the board a requisition giving number and description of the item needed shall be made on the Department which shall cause the article to be delivered taking a proper receipt therefor

In the event that requisitions are made upon the Department for any article of furniture furnishings stationery supplies fuel or any other matter or thing the want of which was not anticipated at the time of the making of the annual schedule the Department may in its descretion invite proposals from at least two responsible bidders which proposals together with such requisition or requisitions shall be submitted to the Board of Public Grounds and Buildings for approval or disapproval at its next meeting

Section 2106 Method of Awarding Contracts for Public Printing and Binding All contracts for public printing and binding shall be for terms of not less than one or more than four years

The Department shall have the right to divide such printing and binding into as many classes and enter into as many contracts therefor as it shall deem proper and advisable in carrying out the provisions of this act and to make classifications and prepare specifications schedules and contracts

Not less than two months prior to the termination of an contract now existing or the termination or expiration of any contract hereafter entered into the Department shall advertise for proposals for public printing and binding which advertisements shall be published for at least three days the first and last publications to be at least ten days apart in one or more newspapers of general circulation published in Philadelphia Pittsburgh Harrisburg and five other places within the Commonwealth

All proposals shall be submitted upon blanks furnished by the Department on or before the time fixed for opening proposals and each proposal shall be in duplicate one of which shall be marked "Duplicate Proposal" Each proposal shall be accompanied by a certified check to the order of the State Treasurer in such an amount as shall be determined by the Department and designated in the advertisement

The Secretary of Property and Supplies shall open all proposals received in the presence of those bidding and shall proceed publicly to award the contract or contracts for which bids were asked to the lowest responsible bidder or bidders below the maximum price or prices fixed in the schedule or schedules prepared by the Department and if any bidder refuses or neglects to accept a contract awarded to him within ten days then such contract may be awarded to the next lowest bidder and so on until such contract shall be awarded and accepted Provided however That the Department shall have the right to reject any or all bids and when all bids shall be so refused the Department shall advertise again for proposals giving at east ten (10) days' notice thereof by advertisement and said proposals shall be opened awarded and approved in like manner as hereinbefore provided

The certified checks of all unsuccessful bidders to whom no contracts were awarded shall be returned to the makers thereof but any bidder to whom a contract has been awarded and who has neglected or failed to enter into the contract or contracts awarded to him in the manner and upon the terms herein provided shall be liable to the Commonwealth for the difference between the amount of his bid and the bid of the person or persons to whom said contract shall afterwards be awarded and in addition thereto all costs and expenses necessarily incurred by reason of his neglect or failure and as liquidated damages therefor there shall be retained by the Commonwealth out of the amount of said certified check the amount required to reimburse the Commonwealth for such loss

No contract shall be entered into with any contractor until after such contractor has furnished a sufficient bond to the Commonwealth in such form and amount as may be prescribed by the Department conditioned for the faithful performance of the terms of the contract and shall have as surety a surety company authorized to act as surety in this Commonwealth said bond and the terms thereof to be approved by the Attorney General

No public printing and binding shall be performed for any department board commission or other agency of the State government or any officer thereof unless authorized in writing by the Department and no printing or binding whatsoever shall be done by the contractor at the expense of the Commonwealth except upon such written order or authorization and the contractor shall not proceed with any work until he shall have received from the Department a written order and full instructions therefor

The rates of compensation for the public printing and binding for all objects of charge against the Commonwealth by the contractor shall be according to the schedules set out in the specifications furnished by the Department and inorporated in the ocntract and no printing and binding or other work or material whatsoever shall be done or furnished by the contractor that is not set forth in the schedules or specifications incorporated in the contract unless authorized in writing by the Department and the price therefor designated by it and if the contractor shall proceed with any such printing and binding without such authorization in writing the Department shall have the right to condemn such unauthorized work whereupon the contractor shall not be entitled to receive any compensation whatsoever therefor or the Department if it shall accept such unauthorized printing and binding shall fix a reasonable price therefor which said price shall in no case exceed the lowest rate or rates at which the same can be obtained elsewhere by said Department and said contractor shall be bound by the rate or rates so fixed by said Department and shall in no case recover any additional sum or amount

There shall be provided by the Department and incorporated in every contract made hereunder provision for delivery of all printing binding and other work done by the contractor the time when delivery must be made and reasonable penalties for delay in such delivery

Section 2107 Board of Commissioners of Public Grounds and Buildings The Board of Commissioners of Public Grounds and Buildings shall have the power and its duty shall be

(a) To assign rooms in the State Capitol to the Governor the General Assembly and the officers and Committees thereof the Supreme and Superior Courts and the judges and officers thereof and as far as possible to the several administrative departments Board and Commissions of the State government

(b) Whenever the Department of Property and Supplies shall have leased offices rooms or accommodations outside of the Capitol Buildings for the use of the administrative departments boards or commissions to assign such rooms to such administrative departments boards or commissions as cannot be adequately accommodated in the Capitol buildings

(c) To approve or disapprove proposed leases for branch offices rooms and accommodations outside the Capitol city and to assign such offices rooms and accomodations if and when leased

Section 2108 State Art Commission Subject to any inconsistent provisions in this act contained the State Art Commission created by this act shall have the power and its duty shall be

(a) To continue to exercise its powers and perform its duties as heretofore provided by law

(b) To examine and approve or disapprove the design and proposed location of all public monuments memorials buildings or other structures except in cities of the first or second class in accordance with the act approved the first day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred three) entitled "An act creating a State Art Commission in the Board of Commissioners of Public Grounds and Buildings requiring the approval of the commission of the design and location of all public monuments memorials buildings or other structures and certain private structures proposed to be erected anywhere in this Commonwealth other than in cities of the first and second classes"

Section 2109 Monument Commissions The several Monument Commissions by this act created in the Department of Property and Supplies shall have the right from time to time to meet for the purpose of considering and studying the work of the Department with regard to the particular monuments over which they respectively have jurisdiction and to make recommendation and render advice to and approve or disapprove the plans of the Department with regard to the erection maintenance and care of such monuments

For such purposes the several Monument Commissions shall have jurisdiction as follows

(a) Gettysburg Battlefield Memorial Commission over the Pennsylvania Memorial Monument on the Battlefield of Gettysburg

(b) General George Gordon Meade Statute Commission over the General George Gordon Meade statute now in course of construction in Washington District of Columbia

(c) Robert Morris Monument Commission over the Robert Morris Monument now being constructed on the steps of the Custom House at Philadelphia

(d) General Galusha Pennypacker Monument Commission over the monument of General Galusha Pennypacker to be constructed in Logan Square Philadelphia

(e) Camp Curtin Monument Commission over the Monument of Governor Andrew G Curtin in Camp Curtin Park Harrisburg

Section 2110 Capitol Police The Capitol Police shall have the power and their duty shall be

(a) To enforce good order both in the Capitol buildings and on the grounds

(b) To protect the property of the Commonwealth in the Capitol grounds and buildings

(c) To exclude all disorderly persons from the premises of the State Capitol

(d) In the performance of their duties to adopt whatever means may be necessary

(e) To exercise the same powers as are now or may hereafter be exercised under authority of law or ordinance by the police of the City of Harrisburg

(f) To shoot any dogs or cats wandering at large in the buildings or upon the grounds connected with the State Capitol unless the same are in leash or under the complete control of the owner

(g) To order off said grounds and out of said buildings all vagrants loafers trespassers and persons under the influence of liquor and if necessary remove them by force and in case of resistance carry such offenders before an alderman and

(h) To arrest any person who shall damage mutilate or destroy the trees plants shrubbery turf grass-plots benches buildings or structures or commit any other offence within the Capitol grounds and buildings and the Executive Mansion and carry the offender before the proper alderman and prefer charges against him under the laws of the Commonwealth

ARTICLE XXII

POWERS AND DUTIES OF THE DEPARTMENT OF BANKING

Section 2201 Powers and Duties in General The Department of Banking shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the Banking Department and the Commissioner of Banking and such additional powers and duties as are vested in and imposed upon it by this act

Section 2202 Banking Supervisory Powers The Department of Banking shall have supervision over

(a) All corporations now or hereafter incorporated under the laws of this or any other State and authorized to transact business in this State which have power to receive and are receiving money on deposit or for safe keeping otherwise than as bailees including all banks banking companies cooperative banking associations trust safe deposit real estate mortgage title insurance guaranty surety and indemnity companies savings institutions saving banks and provident institutions

(b) Mutual savings funds building and loan associations and corporations doing a safe deposit business only

(c) All national banking associations located within this State now or hereafter incorporated under the laws of the United States which shall in pursuance of Federal Law or regulation be granted a permit to act or shall act as trustee executor administrator registrar of stocks and bonds guardian of estates assignee receiver committee of estates of insane persons or in any other fiduciary capacity

(d) All unincorporated banks except such as are or shall be exempt by law from and all such individuals partnerships and unincorporated associations as now are or shall be by law made subject to the supervision of the Department and any individuals or associations of individuals doing the business of cooperative banks or of building and loan associations or a business in the nature of either whether under the guise of a deed of trust or otherwise

Section 2203 Banking Laws The Department of Banking shall enforce and administer the laws of this Commonwealth in relation to all corporations and persons under its jurisdiction and shall see that the greatest possible safety is afforded to depositors therein or therewith and to other interested persons

Section 2204 Board to License Private Bankers Subject to any inconsistent provisions in this act contained the Board to License Private Bankers shall continue to exercise the powers and perform the duties vested in and imposed upon the said Board by the act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand and sixty) entitled "An act to provide for licensing and regulating Private Banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof"

ARTICLE XXIII

POWERS AND DUTIES OF THE DEPARTMENT OF INSURANCE

Section 2301 Powers and Duties in General The Department of Insurance shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the Insurance Department and the Insurance Commissioner and such additional powers and duties as are vested in and imposed upon it by this act

Section 2302 Insurance The Department of Insurance is charged with the execution of the laws of this Commonwealth in relation to insurance

ARTICLE XXIV

POWERS AND DUTIES OF THE DEPARTMENT OF MINES AND ITS DEPARTMENTAL ADMINISTRATIVE BOARD

Section 2401 Powers and Duties in General the Department of Mines shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said Department and the Chief of the Department of Mines and such additional powers and duties as are vested in and imposed upon it by this act

Section 2402 Mines The Department of Mines shall have the power and its duty shall be

(a) To see that the mining laws of the Commonwealth are faithfully executed and for that purpose cause lawfully qualified mine inspectors to enter inspect and examine any mine or colliery within the Commonwealth and the works and machinery connected therewith

(b) To give such aid and instruction to the mine inspectors from time to time as may be calculated to protect the health and promote the safety of all persons employed in and about the mines

(c) To make such examinations and investigations as may be necessary to enable it to make recommendations upon any matters pertaining to the general welfare of coal miners and others connected with mining and the interests of mine owners and operators in the Commonwealth

Section 2403 Mine Inspectors Subject to any inconsistent provisions in this act contained Anthracite Mine Inspectors and Bituminous Mine Inspectors shall respectively under the direction of the Secretary of Mines continue to exercise the powers and perform the duties by law vested in and imposed upon them

Section 2404 State Anthracite Mine Cave Commission Subject to any inconsistent provisions in this act contained the State Anthracite Mine Cave Commision shall continue to exercise the powers and perform the duties by law vested in and imposed upon said Commission

ARTICLE XXV

POWERS AND DUTIES OF THE BOARD OF GAME COMMISSIONERS AND ITS ENFORCEMENT OFFICERS

Section 2501 Powers and Duties in General The Board of Game Commissioners shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said Board and shall exercise such additional powers and perform such additional duties as are vested in and imposed upon it by this act

Section 2502 Enforcement of Game Laws The Board of Game Commissioners shall have the power and its duty shall be

(a) To protect propagate and preserve the game furbearing animals and protect birds of the Commonwealth and to enforce by proper action and proceeding the law relating to the same

(b) To appoint such number of Game Protectors as the Governor shall approve at such compensation as the Governor shall approve to assist the Board in the proper discharge of its duties and such number of Deputy Game Protectors as the Governor shall approve Deputy Game Protectors shall not receive any compensation for services rendered or expenses incurred in the performance of their duties unless specifically employed for special duties by written order of the Secretary of the Board

The Secretary of the Board shall be the Chief Game Protector and shall have the direction supervision and control of the other Game Protectors

Section 2503 Hunters' Licenses The Board of Game Commissioners shall have the power to issue hunters' licenses non-resident hunters' licenses propagating certificates and such other licenses or certificates upon such terms and conditions and upon payment of such fees as may now or hereafter be provided by law

Section 2504 State Game Refuges The Board of Game Commissioners shall have the power to establish and maintain state game refuges for the protection and propagation of game as may now or hereafter be authorized by law

Section 2505 Powers of Game Protectors Each member of the Board of Game Commissioners the Executive Secretary of the Board each Game Protector and each Deputy Game Protector shall have the power

(a) To enforce all the laws relating to game or other wild birds or wild animals and to go upon any property outside of buildings posted or otherwise in the performance of his duty

(b) To execute all warrants and search warrants for the violation of the laws relating to game or other wild birds or animals

(c) To serve subpoenas issued for the examination investigation and trial of all offenses against the laws relating to game or other wild birds or wild animals

(d) To carry fire arms or other weapons concealed or otherwise in the performance of their duties and to stop or hold by pointing or discharging fire arms any person violating or believed to be violating any of the laws of the Commonwealth the enforcement of which is charged to such officer and any such officer shall at all times be privileged to protect himself in the performance of his duties

(e) To arrest without warrant any person found in the act of violating any provisions of the laws relating to game or other wild birds or wild animals or in pursuit immediately following such violation or any person whom they have reason to suspect as being an unnaturalized foreign born resident when such person has in possession a firearm or a dog of any kind

(f) To call upon any citizen of this Commonwealth for assistance in making arrests

(g) To search without warrant and examine any person or any boat conveyance vehicle game bag game coat or other receptacle for game or any camp tent or cabin in the presence of any person stopping at or belonging to such camp tent or cabin or any roster when he has reason to believe that any of the laws relating to game or other wild birds or animals has been violated

(h) To secure and execute search warrants and in pursuance thereof to enter any building enclosure or car and to break open any apartment chest locker box trunk crate basket bag package or container and to examine the contents thereof

(i) At any time in any manner or for any purpose to seize and take possession of all birds or animals which have been caught taken or killed or had in possession or under control or which have been shipped or are about to be shipped contrary to the laws of this Commonwealth

(j) To purchase or sell game which is otherwise forbidden for the purpose of securing evidence to be used in the prosecution of violators of the laws relating to game or other wild birds or wild animals and to dispose of the same in the manner provided by law for seized game after it is no longer required as evidence

(k) To seize all guns shooting or hunting paraphernalia traps dogs boats decoys or other appliances used in violation of any of the laws relating to game or other wild birds or wild animals when making an arrest or found in the execution of a search warrant

(l) To administer any oath required by the provisions or relative to any violation of any law relating to game found in a camp or in possession or under control or other wild birds or wild animals and where game is found in a camp or in possession or under control of any individual or hunting party to question such person or persons under oath relative to the taking ownership or possession of the same

ARTICLE XXVI

POWERS AND DUTIES OF THE BOARD OF FISH COMMISSIONERS AND ITS ENFORCEMENT OFFICERS

Section 2601 Powers and Duties in General The Board of Fish Commissioners shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the Department of Fisheries the Commissioner of Fisheries and the Fisheries Commission and shall exercise such additional powers and perform such additional duties as are vested in and imposed upon it by this act

Section 2602 Enforcement of Fish Laws The Board of Fish Commissioners shall have the power and its duty shall be

(a) To administer and enforce the laws of this Commonwealth relating to the encouragement promotion and development of the fishery interests and the protection propagation and distribution of fish

(b) To make rules and regulations not inconsistent with law for the enforcement of the laws relating to the protection propagation and distribution of fish and for the angling catching or removal of fish in or from any waters artificial or otherwise wholly within this Commonwealth or in waters lying between this Commonwealth and any other State or in the waters of such part of any lake of more than five thousand acres lying between this Commonwealth and any other State or foreign country as is within the jurisdiction of this Commonwealth

(c) To appoint as many citizens of this Commonwealth as fish wardens as the Governor may approve and to designate one of such wardens as Chief Warden who shall act in that capacity at the pleasure of the Board and shall perform such duties as the Board may prescribe The Chief

Warden shall have the direction and control of the other wardens under the supervision of the Board All fish wardens shall hold office during the pleasure of the Board and shall receive such compensation for their services and be allowed such expenses as the Board with the approval of the Governor shall determine

(d) Upon the written application of a properly organized Fish Protective Associattion or upon the written application of any Association or individual owning or leasing waters to appoint one or more special fish wardens for the county in which the application is made The Board may also appoint special fish wardens to act anywhere within the Commonwealth All special fish wardens appointed under the authority of this section may exercise the powers of their appointment until the thirty-first day of May next succeeding the date of their appointment and no longer They shall not be entitled to any salary compensation or expenses for their services from the Commonwealth unless detailed by writing for duty by the Commissioner of Fisheries in which case they shall receive such compensation and reasonable expenses as the Board with the approval of the Governor may determine

(e To obtain and publish information respecting the laws relating to the protection of fish and the extent and condition of the fisheries of the Commonwealth

Section 2603 Hatching Stations and Distribution of Fish The Board of Fish Commissioners shall have the power and its duty shall be

(a) To control and manage all hatching stations and fish cultural establishments belonging to the Commonwealth or which may be hereafter established

(b) To make free distribution or planting of the fish produced at the State fish hatcheries or otherwise acquired in the following order or preference First To the public waters of the Commonwealth within the State Forests Second To the public school authorities and to persons connected with institutions of learning who may apply for the same for educational purposes or for scientific research and to persons applying for fishing culture for aquarium purposes and show ponds Third To the waters within this Commonwealth the bed and banks of which are the subject of private ownership upon a written application of one or more of the owners or lawful occupants thereof Fourth To the waters within this Commonwealth the bed and banks of which are the subject of private ownership but whose owners are nonresident and unknown or whose owners by habit and custom permit the public to fish therein The Commissioner of Fisheries may distribute and plant fish without an application therefor

(c) To set aside such small streams and lakes as the Department may judge best as nursery streams or lakes in which fishing shall be prohibited at all times in the year but before setting aside such streams or lakes the Department shall give public notice of closing such streams or stations by publishing the prohibition and the duration thereof in two newspapers of general circulation published in the county or counties where such stream or lake is located once a week for three consecutive weeks Notice of such closing shall also be posted at the outlet of the stream or lake so closed and at intervals of three hundred yards along the bank thereof

Section 2604 Fishways The Board of Fish Commissioners shall have the power and its duty shall be

(a) To require any person association or corporation now or hereafter erecting or maintaining a dam in the waters of this Commonwealth to erect therein such chutes slopes fishways gates or other devices as the Board may deem necessary to enable the fish to ascend or decend the waters to any such chutes slopes fishways gates or other devices at all seasons of the year and to make necessary repairs to and to prosecute any person association or corporation refusing or neglecting to erect devices or make repairs as requested by the written order of the Board If after the lapse of three calendar months from the date of such notice the person owning or maintaining said dam neglects fails or refuses to erect or place or maintain unchanged open and in good order and repair any appliance as directed by the Board the Board is authorized to enter upon such dam and erect such chute slope fishway or gate or make such repairs as may have been directed as aforesaid The cost thereof shall be charged against the person owning or maintaining such dam by the Board and may be recovered by civil suit in the name of the Commonwealth

(b) To require by notice in writing any person association or corporation owning or maintaining a raceway flume or inlet pipe leading to a water wheel turbine pump or canal to place and maintain a bar rack of not less than one-half inch or more than one and one-half inch space between the bars in or near such raceway flume or inlet pipe sufficient to prevent fish from entering therein and to prosecute any person refusing or neglecting to comply with such order for a period of one month If one month after such notice shall have been given the person association or corporation owning or operating such raceway flume or inlet pipe shall not have placed such bar rack as may have been directed the Board is authorized to enter upon such raceway flume or inlet pipe and place such bar rack as shall have been required the cost of which shall be charged against such owner or operator and may be recovered by the Board by civil suit in the name of the Commonwealth

Section 2605 Licenses The Board of Fish Commissioners shall have the power to issue seine licenses resident fisherman's licenses artificial propagation licenses special device permits and any other licenses or permits under such conditions and upon payment of such fees as may now or hereafter be authorized by law

Section 2606 Powers of Fish Wardens Every member of the Board of Fish Commissioners every fish warden and every special fish warden shall have power

(a) To enforce all the laws of the Commonwealth relating to fish

(b) To execute all warrants and search warrants for the violation of the fish laws

(c) To serve subpoenas issued for the examinations investigation and trial of all offenses against the laws relating to fish

(d) To carry firearms or other weapons in the performance of his duties and to stop or halt by pointing or discharging firearms any person violating or believed to be violating any of the laws of the Commonwealth the enforcement of which is charged to such officers and any such officer shall at all times be privileged to protect himself in the performance of his duty

(e) To search without warrant any boat conveyance vehicle fish-box bag coat basket or other receptacle for fish when he has reason to believe that any provision of any law of this Commonwealth relating to fish has been violated

(f) To seize and take possession of any and all fish which may have been caught taken or killed at any time in any manner or for any purpose or had in possession or under control or which have been shipped or are about to be shipped contrary to the laws of this Commonwealth Fish so seized shall be disposed of in any manner as the Commissioner of Fisheries may direct

(g) To enter upon any land or water in the performance of his duty

(h) To demand and secure proper assistance in case of emergency

(i) To purchase fish for the purpose of securing evidence

ARTICLE XXVII

POWERS AND DUTIES OF THE PUBLIC SERVICE COMMISSION OF THE COMMONWEALTH OF PENNSYLVANIA

Section 2701 Powers and Duties in General The Public Service Commission of the Commonwealth of Pennsylvania shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said Commission and shall exercise such additional powers and perform such additional duties as are vested in and imposed upon it by this act

Section 2702 Public Service Company Law The Public Service Commission of the Commonwealth of Pennsylvania shall have the power and its duty shall be

(a) To administer and enforce the act approved the twenty-sixth day of July one thousand nine hundred and thirteen entitled "An act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said commission providing for the ascertainment by the Commission of the expenses and damage resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determination by the courts of common pleas and giving the court of common pleas of Dauphin county exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court Prescribing penalties fines and imprisonment for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloading within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved the twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" as amended and supplemented

(b) To certify to the Sanitary Water Board any question of fact regarding the purity of water supplied to the public by any public service company over which it has jurisdiction when any such question arises in any controversy or other proceeding before it and upon the determination of such question by the Sanitary Water Board to incorporate the findings of the Board thereon in its decision upon the controversy or other proceeding out of which the question arose

Section 2703 Elevated and Underground Railways The Public Service Commission of the Commonwealth of Pennsylvania shall have the power and its duty shall be to exercise the powers and perform the duties heretofore by law vested in and imposed upon the board consisting of the Governor the Secretary of the Commonwealth and the Attorney General by the act approved the twentieth day of June one thousand nine hundred and one (Pamphlet Laws five hundred and seventy-seven) entitled "An act providing that no company hereafter formed for the purpose of construction and operation of a passenger railway either elevated or underground or partly elevated or partly underground with incidental surface rights shall be incorporated except where the same shall be located upon streets in thickly populated regions and until the necessity for such railways have been passed upon by a board consisting of the Governor the Secretary of the Commonwealth and the Attorney General after notice" which reads as follows

"Section 1 Be it enacted et cetera That hereafter no letters patent shall be issued to any compeny nor shall any corporation be otherwise created for the construction of an elevated or underground or partly elevated and partly underground passenger railway except the same shall be located upon over under across through or along a street road or highway in a thickly populated locality where the surface travel is congested nor unless and until the necessity for the construction and operation of said railway shall have been passed on and approved by a board consisting of the Governor the Secretary of the Commonwealth and the Attorney General after thirty days' public notice published as shall be prescribed by said board"

ARTICLE XXVIII

INTERPRETATION AND EFFECTIVE DATE

Section 2801 Constitutionality It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein It is the intention of the General Assembly that if any court of competent jurisdiction shall hold unconstitutional any provisions of this act transferring to a Department Board Commission or Officer the powers and duties heretofore exercised and performed by a Department Board or Commission abolished by this act the provisions abolishing such Department Board or Commission shall thereby become inoperative and that in such event such Department Board or Commission shall not be abolished but shall continue as prior to the passage of this act and shall exercise its powers and perform its duties as heretofore The remaining provisions of this act shall in any such case be given full force and effect

Section 2802 Continuation of Existing Laws The provisions of this act so far as they are the same as those of existing laws shall be construed as a continuation of such laws and not as new enactments

Section 2803 Enumeration of Powers of Departments Boards and Commissions Whenever in this act the powers and duties of a Department Board Commission or Officer are enumerated and defined such enumeration and defination shall not be construed to be in derogation or limitation of the powers and duties heretofore exrcised and performed by such Department Board Commission or Officer unless

(a) Any power or duty as enumerated and defined is clearly inconsistent with the exercise of a power or the performance of a duty heretofore exercised or performed or

(b) There is a specific statement that a power or a duty heretofore exercised or performed shall not be exercised or performed by such Department Board Commission or Officer or that such power or duty shall be exercised in a different manner

Section 2804 Statutory Salaries It is the intention of the General Assembly that this act shall be construed to be inconsistent with and therefore to repeal any and all laws of this Commonwealth heretofore enacted fixing the salaries of officers of and persons connected with or employed in or by every administrative Department Board Commission Bureau Division or other agency of the State government except the Department of the Auditor General the Treasury Department the Department of Internal Affairs and such bureaus and divisions thereof as are not abolished by this act

Section 2805 Repealed Laws not Revived The repeal by this act of any provision of law shall not revive any law heretofore repealed or superseded

Section 2806 Effective Date This Act shall take effect at twelve o'clock noon on the first day of June one thousand nine hundred and twenty-three Provided however That any provision of this act increasing or diminishing the salary or emoluments of any public officer now holding office shall not become effective until the term of such officer shall expire or he shall die resign or be removed from office

Section 2807 Existing Officers to Continue All appointive administrative officers holding office when this act becomes effective whose offices are not abolished by this act the members of all independent administrative boards and Commissions and unless expressly otherwise provided in this act the appointive members of departmental administrative boards and commissions and advisory boards and commissions which are not abolished by this Act shall continue in office until the terms for which they were respectively appointed shall expire or until they shall die resign or be removed from office

ARTICLE XXIX

REPEALER

Section 2901 Acts and Parts of Acts Specifically Repealed The following acts and parts of acts are hereby repealed

Except the first two paragraphs of section one thereof the act approved the twenty-sixth day of February one thousand nine hundred nineteen (Pamphlet Laws six) entitled "An Act reorganizing the Department of the Secretary of the Commonwealth designating the officers and employes thereof and fixing their salaries and making an appropriation therefor to the end of the fiscal year"

The act approved the fourth day of May one thousand nine hundred and five (Pamphlet Laws three hundred and eighty-four) entitled "An Act to provide for the appointment of a Statute Clerk in the office of the Secretary of the Commonwealth defining his duties and fixing his salary"

Section twenty-five of the act approved the thirtieth day of March one thousand eight hundred and eleven five Smith's Laws two hundred and twenty-eight entitled "An Act to amend and consolidate the several acts relating to the settlement of the public accounts and the payment of the public monies and for other purposes"

The act approved the fourteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred and thirty-seven) entitled "An Act making an appropriation of twenty-one thousand dollars for the erection of a monument to Robert Morris in the city of Philadelphia and empowering the appointment of a commission to select a site and to build such monument and providing for the expenses of the said commission and dedication of monument"

Sections two three four six seven of the act approved the first day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred and three) entitled "An Act creating a State Art Commission in the Board of Commissioners of Public Grounds and Buildings requiring the approval of the commission of the design and location of all pubilic monuments memorials buildings or other structures and certain private structures proposed to be erected anywhere in this Commonwealth other than in cities of the first and second classes"

The act approved the sixth day of May one thousand nine hundred and fifteen (Pamphlet Laws two hundred and seventy-nine) entitled "An Act reorganizing the Attorney General's Department designating the officers and employes thereof and fixing their salaries and making an appropriation therefor to the end of the fiscal year"

The act approved the seventh day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and seventy-six) entitled "An Act regulating the legal business of the State government and the employment of attorneys therefor and defining the duties of the various departments bureaus boards agents and commissions in relation thereto"

The act approved the twelfth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and twenty-seven) entitled "An Act to amend section one of an act approved the sixth day of May one thousand nine hundred and fifteen (Pamphlet Laws two hundred and seventy-nine) entitled "An Act re-organizing the Attorney General's Department designating the officers and employes thereof and fixing their salaries and making an appropriation therefor to the end of the fiscal year"

Section one of the act approved the thirtieth day of May one thousand eight hundred and ninety-three (Pamphlet Laws one hundred and eighty-one) entitled "A Supplement to an act entitled 'An Act to fix the salaries of the several state officers of the Commonwealth the number of clerks to be employed in the several departments and their compensation and providing for the incidental expenses of said department' approved May fourteenth one thousand eight hundred and seventy-four providing for an increase in the salary of the Superintendent of Public Instruction Deputy Attorney General Auditor General and Secretary of Internal Affairs"

Section five of the act approved the twenty-seventh day of February one thousand eight hundred and forty-seven (Pamphlet Laws one hundred and seventy-two) entitled "An Act requiring the inspectors of prisons sheriffs prothonotaries and clerk of criminal courts and others to make annual returns to the Secretary of the Commonwealth and for other purposes"

The act approved the fourteenth day of May one thousand eight hundred and seventy-four (Pamphlet Laws one hundred and thirty-nine) entitled "An Act to authorize the Secretary of the Commonwealth and Deputy Secretary of the Commonwealth to administer oaths or affirmations"

The act approved the twenty-first day of February one thousand eight hundred and sixty-eight (Pamphlet Laws forty-one) entitled "An Act to authorize the Secretary of the Commonwealth to record official bonds"

The act approved the second day of May one thousand eight hundred and nine five Smith's Laws page thirteen entitled "An Act to perpetuate the great seal of this Commonwealth"

The act approved the eighteenth day of April one thousand nine hundred and nineteen (Pamphlet Laws seventy-seven) entitled "An Act to amend the first section of an act approved te ninth day of April Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws one hundred and eleven) entitled 'An Act to provide for the immediate printing and distribution of advance sheets of the laws of this Commonwealth as they are enacted from time to time to persons making application therefor and to certain officials so as to include members of the General Assembly' "

The act approved the thirteenth day of June one thousand nine hundred and seven (Pamphlet Laws six hundred and thirty-five) entitled "An act making an appropriation for the erection of a monument or memorial structure on the Battlefield of Gettysburg in memory of the volunteer soldiers sailors and marines from Pennsylvania who participated in the late Civil War one thousand eight hundred and sixty-one to one one thousand eight hundred and sixty-five"

The act approved the fourteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred and thirty-five) entitled "An act providing for the erection by the Commonwealth of Pennsylvania of a statue in memory of General George Gordon Meade in the city of Washington and making an appropriation therefor"

The act approved the sixteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred and eighty-two) entitled "An Act creating a Board of Commissioners of Public Grounds and Buildings providing for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers and employes and fixing their salaries defining the powers and duties of the board and the superintendent with regard to contracts for and the furnishing of furniture furnishings stationery supplies paper and fuel for the executive and legislative branches of the State Government and the Executive Mansion the supervision of the Capitol grounds and buildings the State Arsenal and Executive Mansion and repairs alterations and improvements thereto and to other buildings land and property of the State the disposal of unserviceable personal property of the Commonwealth the renting of office rooms outside of the Capitol the bonding of officers and employes of the Commonwealth and the supervision of the erection of and repairs and additions to State institutions and the expenditures of funds therefor and repealing supplied and inconsistent laws"

The act approved the seventh day of February one thousand nine hundred and five (Pamphlet Laws three) entitled "An Act to create the Department of Public Printing and Binding to carry out the provisions of section twelve article three of the Constitution in relation to the public printing and binding and the supply of paper and other materials therefor"

Section two of the act approved the second day of May one thousand nine hundred and five (Pamphlet Laws three hundred and sixty-one) entitled "An act creating the Department of State Police providing for the appointment of a Sueprintendent thereof together with the officers and men who shall constitute the force defining their powers and duties and making an appropriation for the expenses connected therewith"

Section two three four five nine ten eleven twelve thirteen fourteen sixteen seventeen and eighteen of the act approved the third day of June one thousand nine hundred and nineteen (Pamphlet Laws three hundred and sixty-six) entitled "An act reorganizing the Department of State Police creating a Bureau of Fire Protection providing for the State Police Force and defining the powers and duties of the same including the enforcement of laws relating to game fish forestry and water supply and certain other laws and including the collection of information useful for the detection of crime and the apprehension of criminals providing for the equipment maintenance and transportation of such police providing for barracks and substations therefor and prescribing penalties"

The act approved the first day of May one thousand nine hundred and eleven (Pamphlet Laws one hundred and seven) entitled "An Act providing for the sale of any personal property belonging to the Commonwealth which is or shall hereafter become unserviceable repealing section ten of the act of March twenty-sixth one thousand eight hundred and ninety-five entitled 'An act relative to Public Grounds and Buildings defining the powers of the Commissioners authorizing the Board of Commissioners to carry into effect the provisions of section twelve article three of the Constitution relative to contracts for stationery supplies fuel furniture furnishings distribution of documents repairs alterations or improvements and other matters needed by the Legislature the several departments boards and commissions of the State Government and Executive Mansion authorizing the appointment of a superintendent and defining his powers authority and duties and providing for the appointment of subordinate officers required by this act and fixing the compensation of the same' relating to the sale of furnishings of the several departments the Senate Chambers the House of Representatives boards and commissions of the State Government"

Sections two to six inclusive of the act approved the twentieth day of April one thousand nine hundred and seventeen (Pamphlet Laws ninety) entitled "An act constituting a Board of Commissioners on Uniform State Laws authorizing the appointment of the Commissioners defining their duties and providing for their expenses"

The act approved the sixth day of February one thousand eight hundred and four (four Smith's Laws one hundred and twelve) entitled "An Act to continue in force for a limited time the act entitled 'An Act for instituting a Board of Property and for other purposes therein mentioned' "

The Act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-five) entitled "An Act reorganizing the Adjutant General's Department designating the officers and employes thereof and fixing the salaries of each"

Section thirty-five of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth"

The act approved the ninth day of June one thuosand nine hundred and eleven (Pamphlet Laws eight hundred and sixty-four) entitled "An act to amend section three of an act entitled 'An act for the appointment and maintenance of a board to be known as the Armory Board of the State of Pennsylvania and for the payment of its expenses and providing managing and caring for armories for the use of the National Guard of Pennsylvania and making an appropriation for the same authorizing the State Board to receive from counties cities municipalities and other sources donations or contributions for the purpose of this act' approved the eleventh day of May Anno Domini one thousand nine hundred and five fixing the salaries and providing for the payment of expenses of the members of the Armory Board"

Sections one three six and ten of the act approved the eleventh day of May one thousand nine hundred and five (Pamphlet Laws four forty-two) entitled "An act for the appointment and maintenance of a board to be known as the Armory Board of the State of Pennsylvania and for the payment of its expenses and for providing managing and caring for armories for the use of the National Guard of Pennsylvania throughout the Commonwealth of Pennsylvania and making an appropriation for the same authorizing the State Armory Board to receive from counties cities municipalities and other sources donations or contributions for the purpose of this act"

Sections five six and seven of the act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and seventy-eight) entitled "An act providing for a bonus for the residents of this Commonwealth who served in the mlitary or naval forces of the United States during the World War creating a Soldiers' Bonus Commission and prescribing its powers and duties and making an appropriation"

The act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and twenty-two) entitled "An Act creating a commission to select an historic spot as a cemetery for the burial of bodies of soldiers sailors marines war nurses and members of the National Guard defining the powers and duties of the commission and making an appropriation"

The act approved the twenty-fifth day of April one thousand nine hundred and three (Pamphlet Laws three hundred and fifteen) entitled "An Act authorizing the Superintendent of Punblic Instruction to employ or aid in the employment of lecturers and instructors to attend the summer assemblies or associations incorporated for the promotion of education and popular culture and of the Pennsylvania Educational Association and providing for the payment of such lecturers or instructors"

The act approved the sixteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws two hundred and sixty-eight) entitled "An Act creating the Bureau of Vocational Education of the Department of Public Instruction creating the divisions of the same providing for the appointment of its officers and other employes by the Superintendent of Public Instruction defining the duties of the same and fixing the compensation of its employes"

The act approved the twenty-seventh day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and ninety-six) entitled "An Act to amend section one of an act approved the fifteenth day of April one thousand nine hundred and seven (Pamphlet Laws eighty-six) entitled 'An Act fixing the salary of the superintendent of Public Instruction and of the Deputy Superintendent of Public Instruction' fixing the salary of the Superintendent of Public Instruction for all services required to be performed by law"

Insofar as inconsistent with the provisions of this act the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand and fourteen) entitled "An Act to amend article nine of an act approved the eighteenth day of May one thousand nine hundred and eleven (Nineteen hundred and eleven Pamphlet Laws three hundred and nine) entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' as amended creating a State Council of Education defining its powers and duties and transferring thereto the powers and duties now vested in the State Board of Education"

Insofar as supplied by or inconsistent with the provisions of this act Articles IX and X of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violations thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Insofar as inconsistent with the provisions of this act the act approved the nineteenth day of June one thousand nine hundred and eleven (Pamphlet Laws one thousand and forty-five) entitled "An Act to create a Bureau of Professional Educational as a sub-department of the Department of Public Instruction to define the powers and duties of the said Bureau and to make an appropriation therefor"

Sections two three and six of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand two hundred and sixty-five entitled "An act providing for the establishment of the Pennsylvania Historical Commission defining its powers and duties and making an appropriation for its work"

Sections three four five nine ten eleven twelve thirteen fourteen fifteen sixteen and nineteen of the act approved the fifteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred and thirty-four) entitled "An Act relating to motion-picture films reels or stereopticon views or slides providing a system of examination approval and regulation thereof and of the banners posters and other like advertiseing matter used in connection therewith creating the Board of Censors and providing penalties for the violation of this act"

The act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and twenty) entitled "An Act to amend section eleven and section thirteen of an act approved the fifteenth day of May one thousand nine hundred fifteen (Pamphlet Laws five hundred thirty-four) entitled 'An Act relating to motion picture films reels or stereopticon views or slides providing a system of examination approval and regulation thereof and of the banners posters and other like advertising matters used in connection therewith creating the Board of Censors and providing penalties for the violation of this act'"

Section twelve and insofar as supplied by the provisions of this act section two of the act approved the seventeenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred eight) entitled "An Act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity"

Insofar as inconsistent with the provisions of this act Sections one three and four of the act approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred ninety-nine) entitled "An act regulating and defining the powers and duties of the Dental Council and the State Board of Dental Examiners providing for appointment of examiners defining qualifications of applicants for examination conditions of granting and revoking licenses regulating and limiting and defining the practice of dentistry limiting and defining operator in dental surgery prohibiting practice by or employment of unlicensed and unregistered persons and providing punishment therefor requiring the recording of licenses and registration of practitioners and disposition of fees and fines providing for an annual registration fee for licensed practitioners and the disposition of such fees defining evidence of violations and providing punishment fixing the appropriations to the Dental Council".

Insofar as inconsistent with the provisions of this act sections three and four of the act approved the thirtieth day of March one thousand nine hundred and seventeen (Pamphlet Laws twenty-one) entitled "An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealng all acts or parts of acts inconsistent therewith"

Section two and insofar as inconsistent with the provisions of this act section one and three of the act approved the nineteenth day of March one thousand nine hundred and nine (Pamphlet Laws forty-six) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act"

Insofar as inconsistent with the provisions of this act sections one two three four five and six of the act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred forty-five) entitled "An act to amend sections one two three nine ten and eleven and to amend also sections four five and seven as amended of an act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred and twenty-one) entitled 'An act to provide for State registration of nurses to establish a State Board of Examiners in connection therewith and to provide for the violation of certain provisions regarding such registration' by providing for a change in membership of said board for an increase in salary of the secretary and educational director and for the registration of persons properly qualified as licensed attendants for the care of the sick"

Insofar as inconsistent with the provisions of this act sections one two three and four of the act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred and twenty-one) entitled "An Act to provide for State registration of nurses to establish a State Board of Examiners in connection therewith and to provide penalties for the violation of certain provisions regarding such registration"

Insofar as inconsistent with the provisions of this act the act approved the fourth day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and nine) entitled "An Act to amend an act entitled 'An Act to provide for State registration of nurses to establish a State Board of Examiners in connection therewith and to provide penalties for the violation of certain provisions regarding such registration' approved the first day of May one thousand nine hundred and nine providing further regulation as to applications for examination for registration of nurses and the fee chargeable therefor and providing for the making of reports of training schools for nurses whose competency for instruction is approved by the said board"

Insofar as inconsistent with the provisions of this act sections two and three of the act approved the seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred sixty-seven) entitled "An Act to provide for the better protection of life and health by diminishing the danger from infections and contagious diseases through the creation of a State Board of Undertakers in the cities of the first second and third classes with systematic examinations registration and licenses for all entering the business of burying the dead and penalties for violations of the provisions thereof"

Sections three four five six and insofar as inconsistent with the provisions of this act sections one and seven of the act approved the fifth day of May one thousand nine hundred and fifteen (Pamphlet Laws two hundred and forty-eight) entitled "An Act regulating the practice of veterinary medicine including veterinary surgery and veterinary dentistry or any branch thereof and establishing as incidental thereto a State Board of Veterinary Medical Examiners and defining its powers and duties"

Insofar as inconsistent with the provisions of this act the act approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand and seventy-three) entitled "An Act to amend section two of an act approved the twenty-ninth day of March eighteen hundred and ninety-nine (Pamphlet Laws twenty-one) entitled 'An Act to establish a board for the examination of accountants to provide for the granting of certificates to accountants and to provide a punishment for the violation of this act' as amended"

Sections four five six seven nine and ten and insofar as inconsistent with the provisions of this act sections three and eleven of the act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and thirty-one) entitled "An Act to regulate the practice of the profession of engineering and of land surveying creating a State Board for the Registration of Professional Engineers and Land Surveyors defining its powers and duties imposing certain duties upon the Commonwealth and political sub-divisions thereof in connection with public work and providing penalties"

Insofar as inconsistent with the provisions of this act section one four and five of the act approved the twelfth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and thirty-three) entitled "An Act to regulate the practice of architecture in the Commonwealth of Pennsylvania by providing for the examination and registration of architects by a State Board of Examiners defining the power and duties of said board of examiners providing penalties for the violation of this act"

Article nineteen section one of the act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred fifty-six) entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith"

Insofar as inconsistent with the provisions of this act

Section one of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and thirty-one) entitled "An Act providing for the appointment of a Board of Examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners providing for the appointment and removal of inspectors of anthracite mines prescribing their qualifications and regulating their salaries and term of office and abolishing the terms of office of the present mine inspectors of the anthracite mines"

Sections two three four five six eight ten eleven twelve thirteen fourteen fifteen seventeen and insofar as it is inconsistent with the provisions of this act section nine of the act approved the eighth day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred and forty-one) entitled "An Act reorganizing the Department of Agriculture creating bureaus therein and providing for the proper administration thereof"

The act approved the twenty-second day of April one thousand nine hundred and three (Pamphlet Laws two hundred and fifty-two) entitled "An Act to amend sections two and six of an act entitled 'An Act to establish a Department of Agriculture and to define its duties and to provide for its further administration' approved the thirteenth day of March Anno Domini one thousand eight hundred and ninety-five increasing the number of bulletins which it shall be lawful to publish and to provide for the reapportionment of the annual reports published by the Department of Agriculture"

The act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws six hundred and forty-one) entitled "An Act to further amend an act entitled 'An Act to establish a Department of Agriculture and to define its duties and provide for its proper administration' approved March thirteen one thousand eight hundred and ninety-five as amended by the acts of April fourteen one thousand nine hundred and three and June seven one thousand nine hundred and seven and to amend an act approved the fourth day of May one thousand nine hundred and five entitled 'An Act entitled a supplement to an act entitled "An Act to establish a Department of Agriculture and to define its duties and to provide for its proper administration" approved the thirteenth day of May Anno Domini one thousand eight hundred and ninety-five providing for the appointment of an Assistant Economic Zoologist and a stenographer and messenger for the Economic Zoologist' by adjusting the salaries of the officers and other persons appointed to service in said department"

Insofar as supplied by or inconsistent with the provisions of this act the act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and ninety-one) entitled "An Act creating a State Fair Commission for the Commonwealth of Pennsylvania defining its duties and making an appropriation therefor"

The act approved the twenty-third day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and forty-two) entitled "An Act to amend revise and consolidate the law relating to the State Library and Museum including the law relating to the Free Library Commission and the Division of Public Records abolishing the Board of Trustees of the State Library the Advisory Commission of Public Records and the Free Library Commission and repealing existing laws in relation thereto"

The act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and fifty-four) entitled "An Act to amend an act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws page seven hundred and ninety-seven) entitled 'An Act to establsh a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act' by providing for a chief of the Bureau of Forest Protection empowering district foresters to act as district fire-wardens providing for the compensation of the chief and other fire wardens and persons assisting in extinguishing forest fires"

The act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and forty-eight) entitled "An Act to amend an act approved the twenty-fifth day of February one thousand nine hundred and one (Pamphlet Laws page eleven) entitled 'An Act to establish a Department of Forestry to provide for its proper administration to regulate the acquisition of land for the Commonwealth and to provide for the control protection and maintenance of forestry reservations by the Department of Forestry' as amended by establishing additional bureaus and offices in said department establishing forest districts providing for forest officers assistants and labor providing for the salaries of the officers and employes of the department fixing the amount of expenditures for the acquisition of land and repealing certain acts"

Insofar as supplied by or inconsistent with this act the act approved the twenty-fifth day of February one thousand nine hundred and one (Pamphlet Laws eleven) entitled "An act to estbalish a Department of Forestry to provide for its proper administration to regulate the acquisition of land for the Commonwealth and to provide for the control protection and maintenance of Forestry Reservations by the Department of Forestry"

The act approved the fifteenth day of April one thousand nine hundred and three (Pamphlet Laws two hundred) entitled "An act to empower the Commissioner of Forestry and the Forestry Reservation Commission to give street railway companies the privilege to construct maintain and operate their lines of railway over along and upon public highways within or bordering on forest reservations owned by the Commonwealth"

The act approved the thirteenth day of May one thousand nine hundred and three (Pamphlet Laws three hundred and seventy-three) entitled "An act directing the Commissioner of Forestry to erect buildings on the Mont Alto Reservation or to purchase land and buildings adjacent to the said reservation wherein to provide instruction in forestry to prepare forest wardens for the proper care of the State Forestry Reservation lands and making an appropriation therefor"

The act approved the fourteenth day of April one thousand nine hundred and five (Pamphlet Laws one hundred and fifty-six) entitled "An act to empower the Commissioner of Forestry and the Forestry Reservation Commission to give to boroughs and other municipalities the privilege of impounding water on Forest Reservations owned by the Commonwealth and of constructing maintaining and operating lines of pipes over and through the same for the purpose of conveying water therefrom"

The act approved the twenty-seventh day of March one thousand nine hundred and thirteen (Pamphlet Laws twelve) entitled "An act authorizing the Department of Forestry to lease portions of the State forest for church school health and recreation purposes"

The act approved the fourth day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and sixteen) entitled "An act empowering the Department of Forestry to grant rights of way through the State forests"

The act approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and eighty-one) entitled "An act permitting the Department of Forestry to lease for agricultural purposes small areas of land which from time to time it may acquire in the purchase of lands for State forests and which areas shall be determined to be more useful for the growing of agricultural crops than for forest trees"

Articles II III and IV and Article I except clauses (h) and (j) of section one hundred and two thereof of the act approved the third day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act"

Sections one two three four six seven and eight of the act approved the fourth day of May one thousand nine hundred and five (Pamphlet Laws three hundred and eighty-five) entitled "An act creating the Water Supply Commission of Pennsylvania defining its duties fixing the scope of its authority and powers and making an appropriation for the payment of the salaries and expenses connected therewith"

Sections two three four of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand two hundred and thirty-three) entitled "An act defining the water resources of the Commonwealth providing for the taking of an inventory thereof by the Water Supply Commission of Pennsylvania vesting in said Commission certain powers and duties providing penalties for violation of this act and making an appropriation to carry the same into effect

The act approved the twenty-third day of May one thousand nine hundred and thirteen (Pamphlet Laws three hundred and forty-seven) entitled "An act authorizing the Water Supply Commission of Pennsylvania to establish and maintain gauging stations on certain streams within the Commonwealth of Pennsylvania authorizing said commission to issue flood warnings and making an appropriation therefor"

Sections one two and three of the act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred and seventy) entitled "An act creating a Division of Township Highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter sessions and providing penalties"

Insofar as the same is supplied by or inconsistent with this act the act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and forty-four) entitled "An act creating a Department of Public Welfare defining its powers and duties abolishing the Board of Public Charities the Committee on Lunacy and the Prison Labor Commission and all offices thereunder and vesting all the powers of said board committee and commission in the Department of Public Welfare requiring all reports notices statements or matters heretofore required to be made given or submitted to the Board of Public Charities or the Committee on Lunacy to be made given or submitted to the Department of Public Welfare and providing penalties"

Section seven of the act approved the twenty-third day of April one thousand eight hundred and twenty-nine entitled "A further supplement to an act entitled 'An act to reform the penal laws of this Commonwealth' "

Section three of the act approved the twenty-third day of May one thousand nine hundred and thirteen (Pamphlet Laws three hundred and twenty-eight) entitled "An act to amend an act approved the twenty-third day of April one thousand eight hundred and twenty-nine entitled 'A further supplement to an act entitled "An act to reform the penal laws of this Commonwealth' as amended"

Section seven of the act approved the twelfth day of June one thousand eight hundred and seventy-eight (Pamphlet Laws one hundred and seventy-nine) entitled "To create a middle penitentiary district in this state and to provide for the erection of a state penitentiary for the same,

Section one of the act approved the twenty-eighth day of April one thousand eight hundred and eighty-seven (Pamphlet Laws sixty-three) entitled "An act in relation to the imprisonment government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon"

Sections one to six inclusive of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and eleven) entitled "An act providing for the establishment of a State Industrial Home for Women authorizing the purchase of a site and the erection thereon and equipment of necessary buildings providing for the commitment to said State Industrial Home for Women of females between the ages of sixteen and thirty years convicted of or pleading guilty to the commission of any criminal offense and providing for the government and management of said institution and making an appropriation to carry out the purposes of this act"

Section twelve of the act approved the twenty-second day of April one thousand eight hundred and fifty (Pamphlet Laws five hundred thirty-eight) entitled "An act to secure the cities of Pittsburgh and Allegheny and the neighborhood thereof from damage by gun-powder to incorporate an association for the establishment of a house of refuge for western Pennsylvania and relative to the Pennsylvania State Lunatic Hospital"

Section two of the act approved the eighth day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred sixty-three) entitled "An act providing for and examination of the Pennsylvania Oral School for the Deaf at Scranton Lackawanna County Pennsylvania providing for the transfer under certain conditions of the said Oral School for the Deaf to the Commonwealth regulating said school in the event of such transfer and making an appropriation to carry out the purposes of this act"

Insofar as inconsistent with the provisions of this act section five of the act approved the twentieth day of June one thousand eight hundred ninety-one (Pamphlet Laws three hundred seventy-one) entitled "An act making an appropriation for the erection of a home for the training in speech of deaf children before they are of school age

The act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws nine hundred and nine) entitled "An act to amend section three of an act approved the twenty-seventh day of May one thousand eight hundred and ninety-three (Pamphlet Laws one hundred seventy-one) entitled 'An act providing for the erection of the Pennsylvania Soldiers Orphans' Industrial School the purchase of land and the erection and equipment of the building and buildings necessary therefor making appropriations for such purposes erection and equipment and the maintenance of children admitted therein placing the care of the same in the commission now known as the Commission of Soldiers' Orphan Schools of the State of Pennsylvania and regulating the admission to the said Pennsylvania Soldiers Orphans' Industrial School and the said Soldiers' Orphan Schools"

Section three of the act approved the twenty-seventh day of May one thousand eight hundred ninety-three (Pamphlet Laws one hundred seventy-one) "An act providing for the erection of the Pennsylvania Soldiers Orphans' Industrial School the purchase of land and the erection and equipment of the building and buildings necessary therefor making appropriations for such purposes erection and equipment and the maintenance of children admitted therein placing the care of the same in the Commission now known as the Commission of Soldiers' Orphan Schools of the State of Pennsylvania and regulating the admissions to the said Pennsylvania Soldiers Orphans' Industrial School and the said Soldiers' Orphans Schools"

Section one of the act approved the third day of July one thousand eight hundred eighty-five (Pamphlet Laws sixty-two) entitled "An act to provide for the establishment and maintenance of a home for disabled and indigent soldiers and sailors of Pennsylvania"

The act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred and five) entitled "An act to amend section one as amended and section seven of an act approved the third day of June Anno Domini one thousand eight hundred and eighty-five (Pamphlet Laws sixty-two) entitled "An act to provide for the establishment and maintenance of a home for disabled and indigent soldiers and sailors of Pennsylvania"

Insofar as inconsistent with the provisions of this act section seven of the act approved the eighteenth day of July one thousand nine hundred and one (Pamphlet Laws seven hundred thirty-seven) entitled "An act to provide for the selection of a site and the erection of a State Hospital for the treatment of the insane under homeopathic management to be called the Homeopathic State Hospital for the Insane and making an appropriation therefor"

Insofar as inconsistent with the provisions of this act section eight of the act approved the eleventh day of May one thousand nine hundred and five entitled "An act to provide for the selection of a site and the erection of a State Hospital for the treatment and care of the criminal insane to be called the State Hospital for the criminal insane and making an appropriation therefor"

Section two of the act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws eight hundred fifty-seven) entitled "A supplement to an act entitled 'An act to provide for the selection of a site and the erection of a State hospital for the treatment and care of the criminal insane to be called the State Hospital for the Criminal Insane and making an appropriation therefor' approved the eleventh day of May Anno Domini one thousand nine hundred and five directing the commissioners for the erection of said State Hospital for the Criminal Insane to surrender their trust to a board of trustees to be appointed by the Governor authorizing the said board of trustees to continue the erection and completion of the buildings of said State Hospital for the Criminal Insane and authorizing said board of trustees to receive at any time such numbers of criminal insane patients as can be accommodated in the buildings before the completion of the entire institution and further defining the powers and duties of said board of trustees"

Insofar as inconsistent with the provisions of this act section five approved the fourteenth day of April one thousand eight hundred and forty-five (Pamphlet Laws four hundred and forty) entitled "An act to establish an asylum for the insane poor of this Commonwealth to be called 'The Pennsylvania State Lunatic Hospital and Union Asylum for the insane'"

Insofar as inconsistent with the provisions of this act section eight approved the fifth day of May one thousand eight hundred and seventy-six (Pamphlet Laws one hundred twenty-one) entitled "An act to provide for selection of a site and the erection of a state hospital for the insane for the city and county of Philadelphia and the counties of Bucks Montgomery Delaware Chester Northampton and Lehigh to be called the State Hospital for the Insane for the South-eastern District of Pennsylvania and for the management of the same"

Insofar as inconsistent with the provisions of this act sections one and two of the act approved the eighth day of June one thousand eight hundred and eighty-one (Pamphlet Laws eighty-three) entitled "An act to organize the state hospital for the insane at Warren Pennsylvania"

Insofar as inconsistent with the provisions of this act section nine of the act approved the twenty-second day of June one thousand eight hundred ninety-one (Pamphlet Laws three hundred seventy-nine) entitled "An act to provide for the selection of a site and the erection of a State ayslum for the chronic insane to be called the State asylum for the chronic insane of Pennsylvania and making an appropriation therefor"

Section eight and insofar as inconsistent with the provisions of this act section nine of the act approved the eighteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws one thousand and fifty-five) entitled 'An act to provide for the selection of a site and the erection of building for a State Hospital for the Insane to be erected west of the Allegheny Mountains and to be known as the Western State Hospital for the Insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of building for the said hospital"

Insofar as inconsistent with the provisions of this act the act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred and seventy-four) entitled "An act to amend section eight of an act entitled 'An act to provide for the selection of a site and the erection of buildings for a State Hospital for the Insane to be erected west of the Allegheny Mountains and to be known as the Western State Hospital for the Insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital' approved the eighteenth day of June Anno Domini one thousand nine hundred fifteen (Pamphlet Laws one thousand and fifty-five)"

Insofar as inconsistent with the provisions of this act section eight of the act approved the eleventh day of June one thousand eight hundred and seventy-nine (Pamphlet Laws one hundred and fifty-seven) entitled "An act to provide for the selection of a site and erection of a state hospital for injured persons to be located in counties of the Schuylkill Carbon Dauphin Northumberland and Columbia to be called the state hospital for injured persons of the anthracite coal region and for the management of the same and making an appropriation therefor"

Insofar as inconsistent with the provisions of this act section eight of the act approved the fourteenth day of June one thousand eight hundred and eighty-seven (Pamphlet Laws four hundred and one) entitled "An act to provide for the selection of sites and the erection of State Hospitals thereon for injured persons to be located within the bituminous and semi-bituminous coal regions of this Commonwealth to be called the State Hospitals for Injured Persons within the Bituminous and semi-Bituminous Coal Regions of Pennsylvania and for the management of the same and making appropriations therefor"

Insofar as inconsistent with the provisions of this act the act approved the fourteenth day of June one thousand eight hundred and eighty-seven (Pamphlet Laws three hundred and ninety-nine) entitled "An act to provide for the selection of a site and erection of a State Hospital for injured persons to be located at or near Hazleton in the county of Luzerne to be called the State Hospital for Injured Persons of the Middle Coal Field and for the management of the same and making an appropriation therefor"

Section one of the act approved the fourteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred and twenty-one) entitled "A Act providing for the examination of the Panther Creek Valley Hospital providing for the transfer under certain conditions of the said hospital to the Commonwealth regulating said hospital in the event of such transfer and making an appropriation to carry out the purposes of this act"

Section two of the act approved the fourteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred and thirty-three) entitled "An Act providing for an examination of the Nanticoke Hospital of Nanticoke Luzerne County Pennsylvania providing for the transfer under certain conditions of the said hospital to the Commonwealth regulating said hospital in the event of such transfer and making an appropriation to carry out the purpose of this act"

Section one of the act approved the eighteenth day of July one thousand nine hundred and one (Pamphlet Laws seven hundred and seventy-five) entitled "An Act to provide for the acceptance by the Commonwealth of Pennsylvania of a conveyance of the real estate buildings and personal property of the Lackawanna Hospital of Scranton Pennsylvania to be used as a State Hospital for the Northern Anthracite Coal Region of Pennsylvania providing for the incorporation of 'The trustees of the State Hospital of the Northern Anthracite Coal Region of Pennsylvania' and for the management of the same and making an appropriation for the repair and improvement thereof"

Section two of the act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and nineteen) entitled "An act to establish a State village for feeble-minded women providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve and to erect and furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purposes aforesaid also for the expenses of maintenance until June one one thousand nine hundred and fifteen"

Insofar as inconsistent with the provisions of this act section nine of the act approved the fifteenth day of May one thousand nine hundred and three (Pamphlet Laws four hundred and forty-six) entitled "An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called The Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor"

Insofar as inconsistent with this act section nine of the act approved the third day of June one thousand eight hundred and ninety-three (Pamphlet Laws two hundred and eighty-nine) entitled "An Act to provide for the selection of a site and the erection of a State institution for the feeble minded to be called the Western Pennsylvania State Institution for the Feeble Minded and making an appropriation therefor"

Insofar as inconsistent with this act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and six) entitled "An Act to provide for the selection of a site and the erection of buildings for a State Hospital for the Insane to be erected east of the Allegheny Mountains and to be known as the Eastern State Hospital for the Insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital"

Insofar as inconsistent with the provisions of this act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and six) entitled "An Act to provide for the selection of a site and the erection of a State institution for the detention care and treatment of inebriates or persons habitually addicted to the use of alcoholic drink or intoxicating drugs to be called the State Institution for Inebriates and making an appropriation therefor"

Insofar as inconsistent with the provisions of this act the act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and twelve) entitled "A Supplement to an act approved the twenty-fifth day of July one thousand nine hundred and thirteen entitled 'An Act to provide for the selection of a site and the erection of a State institution for the detention care and treatment of inebriates or persons habitually addicted to the use of alcoholic drink or intoxicating drugs to be called the State Institution for Inebriates and making an appropriation therefor' making an appropriation and providing for the admission of patients to said institution and providing for the payment of the costs and fees of hearings and of maintenance of patients by the respective counties"

Article IV Sections nine ten sixteen seventeen nineteen and twenty and insofar as inconsistent with this act section six of the act approved the twenty-sixth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and seventy-four) entitled "An Act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations egaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such Commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the Commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the Commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determinations by the courts of common pleas and giving the court of common pleas of Dauphin county exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An Act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An Act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloaded within the free time for unloading cars' and fixing the free time that shall be allowed for unloading cars approved twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act"

The Act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand two hundred) entitled "An Act to authorize the acquisition by purchase or condemnation of lands with or without buildings thereon and the erection of buildings for a State Truancy School and for the appointment of a commision to acquire the same and making an appropriation for the purpose of this act and providing for its operation by the State Board of Education"

The act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and ninety-three) entitled "An act to provide for the extension of the public works of the Commonwealth during periods of extraordinary unemployment caused by temporary industrial depression and regulating employment therein providing a fund for the purpose aforesaid to be known as the Emergency Public Works Fund constituting the Governor the Auditor General the State Treasurer and the Commissioner of Labor and Industry as the Emergency Public Works Commission as trustees and custodians of the said fund and defining the power and duties of the said commission appropriating the sum of fifty thousand ($50,000) dollars to the said commission to constitute a part of the said fund imposing upon the Industrial Board of the Department of Labor and Industry the duties of ascertaining the existence of periods of extraordinary unemployment within this Commonwealth and of notifying the same to the commission aforesaid providing for the distribution and administration of the said fund by the said commission to promote the extension of public works and the relief of such unemployment and repealing all acts inconsistent with the provisions hereof"

The act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand) entitled "An act to commemorate the memory of Thaddeus Stevens by designating one of the educational buildings to be erected in Capitol Park as 'The Thaddeus Stevens Educational Memorial' and constituting a commission to prepare a pamphlet dealing with the life and speeches of Thaddeus Stevens to be distributed to the public schools"

The act approved the fourteenth day of May one thousand nine hundred and nine (Pamphlet Laws eight hundred and thirty-seven) entitled "An act authorizing the Board of Pardons to appoint a secretary and fixing his compensation"

The act approved the fourteenth day of May one thousand eight hundred and seventy-four (Pamphlet Laws one hundred and fifty) entitled "An act to fix the salaries of the several officers of the Commonwealth the number of clerks to be employed in the several departments and their compensation and providing for the incidental expenses of said department approved May fourteenth one thousand eight hundred and seventy-four providing for an increase in the salary of the Superintendent of Public Instruction Deputy Attorney General Auditor General and Secretary of Internal Affairs"

Insofar as inconsistent with the provisions of this act sections one and two of the act approved the twenty-seventh day of March one thousand eight hundred and seventy-three (Pamphlet Laws fifty-four) entitled "An act to organize the State Hospital for the Insane at Danville and provide for the government and management of the same" as amended by the act approved the seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws four hundred and sixty) entitled "An act to organize the State Hospital for the Insane at Danville and provide for the government and management of the same" approved the twenty-seventh day of March Anno Domini one thousand eight hundred and seventy-three so as to change the term of the superintendent of said hospital and extend the powers of the trustees of said institution"

The act approved the ninth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and eleven) entitled "An act to provide for the immediate printing and distribtuion of advance sheets of the laws of this Commonwealth as they are enacted from time to time to persons making application therefor and to certain officials"

Insofar as inconsistent with the provisions of this act the act approved the twelfth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred and thirty-two) entitled "An act to amend section three of an act entitled 'An act to provide for the appointment of Game Commissioners for the Commonwealth of Pennsylvania defining their duties the empowering them to appoint game protectors' approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five as amended by the act of the fifteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred sixty) as further amended by the act of the twenty-second day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred sixty-eight) authorizing the Board of Game Commissioners to increase its force of game protectors to eighty if so many be needed"

Section two and insofar as inconsistent with the provisions of this act section one of the act approved the second day of April one thousand nine hundred and three (Pamphlet Laws one hundred and twenty-eight) entitled "An act to establish a Department of Fisheries to provide for its proper administration and to provide for the protection and propagation of fish by the Department of Fisheries"

Sections twenty twenty-one and twenty-two of the act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and ninety-two) entitled "An act affecting anthracite coal mines and operations establishing the Pennsylvania State Anthracite Cave Commission defining its jurisdiction and powers imposing duties upon owners and operators of anthracite coal mines and imposing penalties"

Insofar as inconsistent with the provisions of this act the act approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred and seventy-three) entitled "An Act to provide for the appointment of game commissioners for the Commonwealth of Pennsylvania defining their duties and empowering them to appoint game protectors"

Insofar as inconsistent with the provisions of this act the act approved the fifteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred and sixty) entitled "An Act to amend section three of an act entitled 'An act to provide for the appointment of Game Commissioners for the Commonwealth of Pennsylvania defining their duties and empowering them to appoint game protectors' approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five providing for an increase in the number of game protectors as authorized by said section and authorizing the publication of reports and bulletins at public expense"

Sections one two three five ten eleven and twelve of the act approved the seventh day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred and twenty) entitled "An act creating a Bureau of Topographic and Geological Survey in the Department of Internal Affairs providing for a topographic and geological survey of the State and abolishing the Topographic and Geological Survey Commission of Pennsylvania and all offices or places held under said commission"

The act approved the eighteenth day of June one thousand nine hundred and fifteen (Pamphlet Laws one thousand and fifty-three) entitled "An Act to provide for a survey of Militia Hill and Fort Hill as a site for a public park with an approach thereto from Philadelphia and to make an appropriation therefor"

Section two three of the act approved the twelfth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and twenty-three) entitled "An act providing for the establishment and the regulation of a State park to be known as the Snyder-Middleswarth State Park"

The act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty) entitled "An act providing for the taking over of the Wyoming Valley Memorial Park as a State Park and providing for the regulation thereof"

Sections two three four six seven eight nine and ten of the act approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws six hundred and fifty-two) entitled "An act providing for the location construction operation and maintenance by the Commonwealth of Pennsylvania of a canal or waterway from the junction of the Ohio and Beaver rivers in Pennsylvania to Lake Erie at or near the mouth of Indian Creek in the State of Ohio with all appurtenances necessary or convenient for the purpose and for the utilization of the water power developed or created in the construction and operation thereof providing for the payment of the cost of construction of said canal or waterway and appurtenances out of funds to be contributed by certain counties in the States of Pennsylvania Ohio and West Virginia or any of them and by the Commonwealth of Pennsylvania and other public authorities providing for the creation of a canal board to have charge of said work prescribing and defining the powers and duties of the said board and the conditions under which the said work shall be carried on providing for the payment of damages sustained by reason of the appropriation of property and rights in the exercise of the right of eminent domain herein conferred providing for the reimbursement in the manner provided in this act of said counties contributing to the payment of the cost of constructing said canal or waterway and appurtenances imposing certain duties upon the Auditor General and State Treasurer authorizing the said canal board to make certain rules and regulations for the use of said canal and making violations thereof misdemeanors and providing penalties therefor and making appropriation for carrying out certain provisions of this act"

Section two of the act approved the seventeenth day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred and ninety) "An Act amending sections one two twelve thirteen fourteen fifteen sixteen twenty twenty-one twenty-two twenty-four twenty-six and twenty-seven an act entitled 'An Act providing for the location construction operation and maintenance by the Commonwealth of Pennsylvania of a canal or waterway from the junction of the Ohio and Beaver rivers in Pennsylvania to Lake Erie at or near the mouth of Indian Creek in the State of Ohio with all appurtenances necessary or convenient for the purpose and or the untiliization of the water-power developed or created in the construction and operation thereof providing for the payment of the cost of construction of said canal or waterway and appurtenance out of funds to be contributed by certain counties in the States of Pennsylvania Ohio and West Virginia or any of them and by the Commonwealth of Pennsylvania and other public authorities providing for the creation of a canal board to have charge of said work prescribing and defining the powers and duties of said board and the conditions under which the said work shall be carried on providing for the payment of damages sustained by reason of the appropriation of property and rights in the exercise of the right of eminent domain herein conferred providing for the reimbursement in the manner provided in this act of said counties contributing to the payment of the cost of constructing said canal or waterway and appurtenances imposing certain duties upon the Auditor General and State Treasurer authorizing the said canal board to make certain rules and regulations for the use of said canal and making violations thereof misdemeanors and providing penalties therefor and making an appropriation for carrying out certain provisions of this act' approved the twenty-seventh day of June Anno Domini one thousand nine hundred and thirteen by making provisions among other things for the following providing for a change of depth of the canal or waterway an alternative route and branch canals regulating the utilization of surplus water authorizing the canal board to make deviations in certain cases from the route of said canal or waterway as located by it regulating the number of members of which the canal board may consist and defining their duties and powers in certain respect regulating and limiting the tolls and changes to be collected for the use of the canal or waterway and defining the rights of the public in the use of said canal or waterway providing for the utilization of surplus water directing that certain of the public authorities contributing to the cost of construction said canal or waterway and appurtenances be reimbursed out of the surplus revenues of said canal or waterway in the manner herein set forth providing a method for receiving the appropriations in money or bonds made by the contributing authorities and regulating the sale of bonds so contributed and imposing certain duties upon the Treasurer of the Commonwealth in connection therewith and in other respects enlarging the powers of eminent domain in certain cases and regulating the method of its exercise providing for the manner of paying the expense incident to changing the location of or altering or otherwise modifying certain works and the crossing of highways and railroads by the canal its branches of channels and reguating the manner of letting certain contracts

Sections two three four seven and eight and insofar as inconsistent with the provisions of this act section one of the act approved the twenty-seventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and eighty) entitled "An Act dedicating certain lands of the Commonwealth of Pennsylvania situated in the city and county of Erie to public use as an historical memorial and public State park aiding in the development of the harbor of Erie and creating a commission to manage and control said lands and said harbor improvements empowering said commission to purchase or receive by gift other lands for the purpose of this act providing for the appointment of members of said commission and that the Secretary of Internal Affairs and the Commissioner of Fisheries shall be ex-officio members thereof defining the duties and powers of said commission excepting rights and privileges in said lands heretofore granted and making an appropriation"

Insofar as inconsistent with the provisions of this act section two of the act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred and nine) entitled "An Act to authorize the acquisition by purchase or condemnation of lands for a park and the erection of a monument commerative of Washington crossing the river Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purpose of this act"

Insofar as inconsistent with the provisions of this act section two of an act approved the thirtieth day of May one thousand eight hundred and ninety-three (Pamphlet Laws one hundred and eighty-three) entitled "An Act providing for the acquisition by the State of certain ground at Valley Forge for a public park and making an appropriation therefor"

The act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and twenty-three) entitled "An Act to amend section two of an act approved the thirtieth day of May one thousand eight hundred and ninety-three Pamphlet Laws one hundred and eighty-three) entitled 'An Act providing for the acquisition by the State of certain ground at Valley Forge for a public park and making an appropriation therefor' "

The act approved the twenty-fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and six) entitled "An Act to amend section fourteen of an act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand seventy-seven) entitled 'An Act to provide for the administration of the Workmen's Compensation act of one thousand nine hundred fifteen by creating the Bureau of Workmen's Compensation of the Department of Labor and Industry providing for the establishment of the Workmen's Compensation Board to have charge of such bureau authorizing the division of the Commonwealth into workmen's compensation districts and the appointment of workmen's compensation referees defining the powers and duties of the Commissioner of Labor and Industry the Bureau of Workmen's Compensation the Workmen's Compensation Board the workmen's compensation referees and the factory inspectors of the Department of Labor and Industry in enforcing the said act and fixing the salaries of the members of the Workmen's Compensation Board the workmen's compensation referees and certain of their employes and assistants and repealing certain acts' "

Sections two three four five six seven eight nine ten eleven twelve seventeen nineteen twenty twenty-one twenty-two of the act approved the second day of June one thousand nine hundred and thirteen (Pamphlet Laws three hundred and ninety-six) entitled "An Act creating a Department of Labor and Industry defining its powers and duties establishing an industrial board providing for the appointment of a Commissioner of Labor inspectors statisticians clerks and others to enforce the provisions of this act and providing salaries for the same prescribing a standard of reasonable and adequate protection to be observed in the rooms buildings and places where labor is employed empowering the said industrial board to make alter amend and repeal rules and regulations relating thereto transferring the powers and duties of the Department of Factory Inspection to the Department of Labor and Industry and abolishing the Department of Factory Inspection and providing a penalty for the violation of the provisions of this act or the rules and regulations of the said board"

The act approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand and sixty-four) entitled "An Act fixing the salary of the Commissioner of Labor and Industry"

The Act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand and sixty-one) entitled "An Act to fix the salaries of the supervising inspectors of the second grade and of the chief of the Bureau of Meditation and Arbitration in the Department of Labor and Industry"

The act approved the twenty-sixth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and sixty-seven) entitled "An Act authorizing the Commissioner of Labor and Industry to appoint additional officers and employes in the Department of Labor and Industry fixing their duties and salaries and increasing the salaries of the chief medical inspector chief of the bureau of statistics and information and the chief clerk"

Sections two three four five six seven eight nine and ten of the act approved the fourth day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and thirty-three) entitled "An act establishing under the Department of Labor and Industry a system of regulation of employers seeking employes and of persons seeking employment and prescribing as incidental thereto certain duties of employers and of county municipal township and school authorities and of agencies procuring employes for others and prescribing penalties"

The act approved the eighteenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and fifty-nine) entitled "An act to provide for the classification of inspectors of the Department of Labor and Industry according to qualifications determined by a committee of the Department of Labor and Industry and fixing the salaries of inspectors within the several classifications"

Sections two three four five six and thirteen of the act approved the twenty-seventh day of April one thousand nine hundred and five (Pamphlet Laws three hundred and twelve) entitled "An act creating a Department of Health and defining its powers and duties"

The act approved the fourth day of June one thousand nine hundred and nineteen (Pamphlet Laws three hundred and eighty-seven) entitled "An act authorizing the appointment of a Deputy Commissioner of Health in the Department of Health of the Commonwealth of Pennsylvania defining the qualifications powers and duties of said officer and providing compensation therefor"

Sections one and seven of the act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand and fifteen) entitled "An act to establish a Bureau of housing for the sanitary inspection and control of tenement boarding and lodging houses defining its powers and duties and providing certain penalties"

The act approved the sixteenth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and fifty) entitled "A supplement to an act entitled 'An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of birth and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capitol of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of "An act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth" approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties' approved May first nineteen hundred and five (Pamphlet Laws three hundred and thirty) authorizing the statistics required to be obtained and preserved by the tenth section of an act entitled 'An act creating a Department of Health and defining its powers and duties' approved April twenty-seventh one thousand nine hundred and five (Pamphlet Laws three hundred and twelve) or by any subsequent law or laws to be obtained collected compiled and preserved by and in said Central Bureau of Vital Statistics and fixing the salary of the State Registrar of Vital Statistics"

Insofar as inconsistent with the provisions of this act section sixteen of the act approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and fifty-eight) entitled "An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties" as amended by Section four of the act approved the twentieth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and fifty-two) entitled "An act to amend an act approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and fifty-eight) entitled 'An act for the protection of the public health by regulating the possession control dealing in giving away delivery dispensing administering prescribing and use of certain drugs and keeping records thereof by regulating the use of drugs in the treatment of the drug habit by providing for the revocation and suspension of licenses of physicians dentists veterinarians pharmacists druggists and registered nurses for certain causes and by providing for the enforcement of this act and penalties' regulating the age of users of drugs providing for an annual report by public institutions and giving certain powers to inspectors in the Bureau of Drug Control"

Insofar as supplied by or inconsistent with the provisions of this act section one of the act approved the thirteenth day of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred and nineteen) entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies" as amended by section one of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred and six) entitled "An act amending and supplementing sections one and two of an act entitled 'An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies' approved June thirteenth one thousand eight hundred and eighty-three by providing that the name of said board of distribution shall be Anatomical Board of the State of Pennsylvania by extending its provisions to all persons having charge or control over bodies required to be buried at the public expense by requiring immediate notice of the death of any person required to be buried at the public expense by requiring notice in all cases but providing that there shall not be delivered to the board created under the act the bodies of deceased indigent persons where claimed by relatives within twenty-four hours after death for interment at the expense of the claimant or the bodies of honorably discharged soldiers sailors or marines who have served the United States in any war or who were in active service in the militia of the State of Pennsylvania under and in pursuance of any of the proclamations issued by the Governor during the Civil War and not duly mustered into the service of the United States by repealing the provisions as to deceased indigent travelers by providing for the burial at the expense of the county of indigent persons unfit for anatomical purposes upon the certificate of the board or its duly authorized officer or agent that such bodies are unfit for anatomical purposes or are the bodies of soldiers sailors or marines required to be buried at the public expense and that the provisions of this act have been complied with that no warrants for payment of expenses of burial shall be drawn or paid except upon such certificate by providing for the burial of bodies rendered unfit anatomical purposes by the failure to comply with the provisions of this act at the expenses of the person failing to comply with its provisions"

Sections two and four and insofar as inconsistent with the provisions of this act sections one and three of the act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county- seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highway solely at the expense of the Commonwealth and relieving several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turn-pike or toll roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commission decides the work to be done by the State providing aid by the State to counties and townships desiring the same highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

The act approved the eleventh day of March one thousand nine hundred and nineteen (Pamphlet Laws twelve) entitled "An act to amend section one and section two as amended of an act approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled 'An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioners and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvment of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

Insofar as inconsistent with the provisions of this act section five of the act of the twenty-first day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and nine) entitled "An act relating to the organization maintenance and operation of the Banking Department and the scope of its supervision and control over corporations partnerships unincorporated associations and individuals and the assets and liabilities thereof providing penalties for the enforcement of its provisions and repealing certain acts"

Sections two hundred and three and two hundred and four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws seven hundred and eighty-nine) entitled "An act realting to insurance establishing an insurance department and amending and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders and the examinations and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers providing penalties and repealing existing laws"

The act of the twenty-fifth day of March one thousand nine hundred and three (Pamphlet Laws sixty) entitled "An act authorizing the Governor to appoint a Deputy Commissioner of Forestry and an additional clerk in the office of the Commissioner of Forestry"

The act of the eleventh day of March one thousand nine hundred and three (Pamphlet Laws twenty-four) entitled "An act conferring upon persons employed under existing laws by the Commissioner of Forestry for the protection of State Forestry Reservations after taking the proper oath of office the same powers as are by laws conferred upon constables and other peace officers to arrest without first procuring a warrant persons reasonably suspected by them of offending against the laws protecting timber lands also conferring upon them similar powers for the enforcement of the laws and rules and regulations for the protection of the State Forestry Reservations and for the protection of the game and fish contained therein and further conferred upon them power to convey said offenders into the proper legal custody for punishment this act to apply only to offenses committed upon said reservations and lands adjacent thereto"

The act of the fourteenth day of March one thousand nine hundred and fifteen (Pamphlet Laws four hundred and eighty-one) entitled "An act to enlarge the limit of purchase price to be paid by the Department of Forestry for lands to be purchased and used for State forest purposes"

Sections four five six seven nine ten eleven twelve thirteen fourteen fifteen seventeen and twenty-five of the act of the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand and seventy-seven) entitled "An act to provide for the administration of the Workmen's Compensation Act of one thousand nine hundred fifteen by creating the Bureau of Workmen's Compensation of the Department of Labor and Industry providing for the establishment of the Workmen's Compensation Board to have charge of such bureau authorizing the division of the Commonwealth into workmen's compensation districts and the appointment of workmen's compensation referees defining the powers and duties of the Commissioner of Labor and Industry the Bureau of Workmen"s Compensation the Workmen's Compensation Board the workmen's compensation referees and the factory inspectors of the Department of Labor and Industry in enforcing the said act and fixing the salaries of the members of the Workmen's Compensation Board the workmen's compensation referees and certain of their employes and assistants and repealing certain acts"

Sections twenty-six and twenty-seven of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred and sixty-two) entitled "An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof"

Section three of the act approved the twentieth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and thirty-nine) entitled "An act to amend an act approved the second day of June one thousand nine hundred and fifteen entitled 'An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for violation thereof' by making money paid in premiums by subscribers available for the payment of expenses for administering the State Fund and by increasing the salary of the assistant manager"

Section 2902 Other Acts Repealed All other acts or parts of acts inconsistent herewith are hereby repealed including all acts or parts of acts inconsistent herewith enacted at this session of the General Assembly and approved by the Governor or passed notwithstanding the Governor's veto prior to the passage of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. CRAIG. Mr. President and gentlemen of the Senate, the bill under consideration is the Administrative Code. I know full well that this bill is going to pass and that in opposing its passage I am leading a forlorn hope, but it is not the first time that the undeniable justice of the course that I have taken permits me to continue the fight, although defeat stares me in the face.

I consider the bill under discussion the wickedest piece of legislation that has ever been presented to a legislative body in this state. Mr. President, I wish to say that I have no quarrel with my fellow Senators who are not going to vote as I do. I concede to them the same right I claim for myself, the right to vote as I think proper. I do not claim to be always correct and I am always willing to concede to my fellow Senators the right to differ with me. What I shall have to say about this legislation is not intended to be taken in any personal sense by any member of this body. The reason that impels me to vote against this measure and to lift my voice, weak as it is tonight, in opposition to it, the same reasons that lead me to oppose it now, which seem good to me, may not appeal to you, but the reasons that lead you to vote for it and speak for it, if you will, are no doubt sufficient in your minds to justify your course, and with you I have no quarrel.

Mr. President, I believe that every member of this body acts from an honest and honorable conviction and I have no intention of casting the slightest reflection upon any of your motives in supporting or failing to support this legislation. Mr. President, I also wish it to be understood at the beginning of my remarks that I am not an administrative beggar and that I am not opposed to this administrative code because of opposition to the present administration. I say to you now what I said to Governor Pinchot when he stood me up as he stood the rest of you a year ago, that I shall support him when I think he is right and oppose him when I believe him to be wrong. I supported his administration enforcement code because I thought I should. I shall be glad to vote for his $250,000.00 for prohibition enforcement because I thing it is necessary to run his enforcement machine and so we have given it to him. I supported other of his measures because I thought they were just but I am opposed to this code because I am convinced that it is absolutely wrong. I am opposed to the lump sum appropriation idea in his budget and when the opportunity comes expect to cast my vote against it. Mr. President, I claim for myself the same right I am willing to concede to the Governor and members of this body, and I find no fault with any official of this government, either in the Executive or the legislative branches of it, to act from the same motives.

Mr. President, I make no claim to having all the wisdom of the world, and neither am I willing to concede, gentlemen of the Senate, that those who prepared this Administrative Code enjoy all the wisdom of the world. Mr. President, also I wish to say that I am not one of those who think that this good old Commonwealth of ours is going to hell so fast that you cannot see it for the smoke. I have no patience with citizens of this Commonwealth who go about calamity howling, who say that this grand old Commonwealth of ours that has grown to be such an empire, is fast crumbling to decay, is rotten and corrupt to the core and not a fit place to live in. It is the greatest and the grandest and the best old State in the Union. It stands at the top in its material resources, in its industries, in its agriculture, in its natural resources and in the excellency of its government, and those who go about crying that it is everything else and anything else, and everything that is rotten and mean and miserable and damnable, are—I almost said traitors to their Commonwealth. I think it is a pretty good old place to live in. It has treated me pretty kindly and I see evidence upon every hand of the wisdom,.of the esteem in which it is held, not only by its own citizens but by the citizens of its sister states, and when you say to me that it has grown into such disrepute that we have to burn down ever house to kill a few of the vermin, I cannot subscribe to that doctrine. I am willing to admit, my fellow Senators, that some reorganization would not do any harm to Pennsylvania's government. In all honesty and candor, I must say to you that I know, and so do you know who have done service in this body, that in many instances there is duplication of effort, that in many places there are more employes than there are duties to perform, that there are some parts of our governmental institutions that are out of date and need reform, but I say to you that every one of those matters can be corrected without overturning the very principle upon which our government has been founded, and under which we have grown so great.

What does this bill do? Well, you might say that I have a lot of objections to it and that is correct, but the bill might be amended to remove some of those objections if it were not for this, and this is the big thing in it, the thing that is wrong, that cannot be amended out of it, and that makes it wicked. It provides a complete and absolute centralization of power in the hands of the Executive. Gentlemen of the Senate, I want you to remember that in the consideration of what this bill means and what its effect will be, you must think also at the same time of these provisions of the budget with its lump sum appropriation, and I want to remind you also that in applying the test to this bill you must not say that because we have done a thing heretofore it is right, or because we have omitted to do anything heretofore it is wrong. The test that you must supply is whether the thing proposed to be done now is right or is wrong, without consideratioon as to whether we have done it before or not.

This biill, and I do not think anybody will deny it, absolutely abolishes every statutory office in the Executive department of the government. It also abolishes every statutory salary. I do not ask you to take my word, although the word of a Senator ought to be good among his fellow Senators. The bill authorizes the Governor, through his department heads, to appoint as many officers, agents, deputies, assistants, employes or whatever you may wish to call them, as he may see fit, and pay them whatever salary he may wish to pay them, and have them perform whatever duties he pleases, and if there is anybody here to deny that statement I pause to give him an opportunity to do so now. Is that complete centralization of power? Is that an oligarchy, built upon the foundation of a democracy?

Mr. President, I am willing to concede to every dead snake the right to wiggle its tail an hour after the sun has gone down, but the sunset on government by edict in this Commonwealth ended in 1776, and it is a crime against our people to revive it under the guise of this administrative code. I would be willing to support any reorganization bill that would correct the abuses that we all know exist, but I am not willing to barter the great principals of democracy upon which we built this imperial Commonwealth of ours, to do what they propose doing in this bill. That is the thing that is wrong with this code. That is the thing that cannot be corrected and that is why I am opposed to it. I will go farther and say that everybody that I have spoken to, and this includes a lot of people who are going to vote for this code, Mr. President, have said to me that it is wrong, and not one man has said that it is right. You remember two years ago when we took our first step in this direction, when we created the Department of Welfare, with its board and extensive powers, every newspaper in this state called us all the names they could lay their pens to, criticized us from one end of the Commonwealth to the other, and they were right. Why they look with complacence upon a much greater crime now, I do not know. We made the wrong start and now we are following it up with a ten fold greater crime. I will anticipate a question: Yes, I voted for the creation of the Welfare Department, gentlemen, and I have repented ever since, and I have taken a great deal of consolation in the fact that that old book that we read sometimes out west of the Allegheníes, says that if I repent even at the eleventh hour and promise to sin no more, there will be help for me. Well they are making the Welfare Department a great deal worse under this Code than it was before, but I have stopped going in that direction, I am sorry I took the first step and I have turned my back on it, while there was yet time. Well, somebody will say the only thing we want under this Code is fiscal control. You know that is a nice sounding word, fiscal control. The only thing that is the matter with it is that it is not what it means. Fiscal control means control of your pocketbooks, domination and nothing else. The fellow that controls your income and your outgo, your bread and butter, the substance upon which you live, controls you more absolutely and certainly than you could be controlled in any other way in the world, and that is what they seek here, and when they say to you "all we want is fiscal control," I say that is a great deal more than you ought to have.

I can take up your time and I can wear out my already overtaxed throat by pointing out inconsistancy after inconsistancy in this bill but what would it avail me? I can talk about the glaring inconsistancies, for example, of placing the Board of Pardons in the office of the District Attorney, because that is what the Attorney General's Department becomes under this bill, just the office of a prosecuting attorney. Why did we constitute the office of Attorney General under the constitution of 1873? We look upon the Attorney General as the legal advisor of the Department heads of this State, man occupying a high and exalted position among the legal luminaries of the State, from whom much might be expected. Now he becomes a common prosecutor under this bill, the head of the Department of Justice, whose principal duties under the code are to run around little counties of the State prosecuting petty crimes and misdemeanors. He becomes a prosecuting attoreny and you are going to put the Board of Pardons into the hands of the prosecuting attorney. Think of it! Asking the man who tries your case to dispense acts of grace and mercy. A fat chance you would have to get a square deal in a case like that. But they say they are also going to have him codify the laws. I say to you that that is an iniquity. He does not have any business codifying laws. Lawmaking is for the Legislature, gentlemen of the Senate, not for the Attorney General, or the other branch of the Executive Department of the Government. When the legislators of Pennsylvania want laws codified they will codify them or create commissions under their authority to do the work, not delegate the general power of codification of laws to the Attorney General's Department, and they ought to be ashamed to ask such a grant at our hands. I could go further and point out to you the section and the page number where I know they are asking you to pass under this administrative code things that you have already turned down this session in this Senate Chamber. Maybe you have not read it as carefully as I have, and maybe you do not know that section after section that you struck out of the game code in that little committee room upstairs after days and weeks of hard work, are in here again, and that you are going to enact them into law, sneak them in through the back door after they have been taken out of the code;—and section after section in the same code struck out by the House are in here now being reenacted, wrapped up in the 2800 and some odd sections that there are in this bill, where you can only find them after days and nights and weeks of the hardest kind of work.

I could go ahead and point out to you the ripper features of it, the Board of Registration of Nurses and many others ripped out in order that someone's desire to have a free hand and do as they please might be gratified, and without any earthly reason for it. I might point out to you that this session you passed an act in this Senate Chamber repealing the act creating the Department of the Board of Engineers and Land Surveyors and I am pointing out to you that it is back in here again, and that you are going to pass it again in this administrative code and dozens and dozens of similar instances that you do not know are there or you would not vote for the code.

But there are more serious objections than that, much more serious. While we are talking about these things and about the idea of fiscal control, let us stop and think for a moment. By the adoption of the constitution of 1873. the Governor appointed the chief fiscal officers of this Commonwealth, the Auditor-General, and the State Treasurer, and the people who adopted that Constitution thought it was unwise that the control of the financial affairs of the State should be in the hands of any one man and they took away the right to appoint those fiscal or financial officers, if you please, and make them elective, and now you are asked to substitute for the will of the people, their matured consideration in the adoptioon of such a solid and binding and strong and enduring a thing as the Constitution, in the appointment of the Secretary of the Commonwealth as the chief fiscal officer of the State and the taking away from the elective financial officers of this State, their powers and duties, and placing them in the hands of the appointive officers, right back to the Executive from whom the same powers were taken by the people, because they feared too great authority in the Executive Department, but you are putting that back now and along with it you are reducing the compensation of the Auditor-General and the State Treasurer. Fellow Senators, I am not sure of the exact amount, and I will not say positively because I do not know for a certain, but my best judgment is that you are reducing their salaries by $1,200.00 a year under the provisions of this code.

Why should the Secretary of the Commonwealth, under the provisions of the Constitution which, strange as it may seem to some gentlemen, still exist, I will admit that you will hardly believe it after what has happened recently, but it does, he was intended to be a filing and transcribing clerk and that is all the duties that were given to him under the Constitution, and that is all that he is intended to be, but his power has been growing little by little, little by little it has been added to until he has become of one of the most powerful figures on Capitol Hill. But still he has not enough and hungry for more and more power and dominion, they are playing him up like the frog that you read about in the fables of old, you are making him bigger and bigger and bigger every day and now you are gonig to permit him to appoint the officer only to be the chief fiscal officer of the Commonwealth as well. I say you are going to, I am not going to help you, but you are going to do it anyhow, but I get a whole lot of consolation Mr. President, out of imposing my ideas upon you anyhow. In fact I got up out of a sick bed in order that I might tell you my ideas about these things.

That is the story, what is the use of going ahead? Those are some of the smaller objections to the Code that I have just lately been talking about but the chief objection that I mentioned first is the one that it is possible to cure. The Republican organization of the State has created the Welfare Department, the first step towards government by oligarchy. That is centralization of power. That is a getting away from the principle of home rule that every candidate, including the present Executive, praised so highly on the stump in the campaign recently, departing from that principal of home rule and after election went down to an inglorious defeat and I say to you, my republican friends that, if the Republican party of Pennsylvania writes upon the Statute books this Code, centralizing power as it does, taking away the last vestige of what yet remains in hands of the representatives of the people and concentrating it in the hands of one man, if you do that a democrat will sit at the other end of this Capitol at the next Gubernatorial election and you will have no one to thank but yourselves for that.

Mr. President and Gentlemen of the Senate, if you pass this bill you might just as well pass a resolution because you will invest in the Governor of this Commonwealth more power than is enjoyed by the ruler of any civilized nation in the world today, you might just as well declare our democracy at an end, elect a king and give him the keys of the Treasury and adjourn without pay. That is what it amounts to.

Mr. LESLIE. Mr. President, I hardly think that I could add any one particular thought to the speech made by the Senator from Beaver County or a better illustration of the contents of this bill, which is now approaching enactment into law in this Commonwealth, containing its forty two hundred and five sections, with its concentration of power in the executive of this great Commonwealth. If we sit steady for one moment to recognize that eight million people with four elective officers outside of the Judiciary in this Commonwealth, and three out of the four are stripped of every function that is guaranteed to them under the laws of this

Commonwealth, and that you convey into the hands of one man, the Governor, power and authority which it was never intended he should be allowed, and I am in thought and judgment a great deal like our present Auditor General, that it will not stand the scrutiny of the courts of the Commonwealth. It is a ripper bill, rips out the power and function guaranteed by Statute into the hands of the Auditor General and State Treasurer as fiscal officers.

I would also call your attention to the proposition of the bids for all the supplies and necessities of this Commonwealth outside of the Highway Department, and also it strikes down traditional commissions, some of them running back to the civil war, men who have been granted an honorable place without cost to this Commonwealth outside of the expense of the Commission, in all the different commissions, regimental and army service, honors that have been looked upon as the greatest that could be handed to man, but in functioning they are stricken down and handed to others and to be created to new appointees under this code.

The Senator from Beaver has shown to you a number of items in this code that you have defeated on this floor, which I acknowledge I have not read, but still they are incorporated into this code. Last Monday evening in the Finance Committee Senator Schantz, to the surprise of the majority of the Finance Committee, showed us there were one hundred positions created in a patrol, given all the powers from the State Constabulary down to a common constable, to do anything that they saw fit to do. The Committee has seen fit to strike that out. We were notified in committee that it would be reinserted in this bill tonight. I have heard no person make any motion yet and I trust they do make it, because I want the Senate to go on record and include in the 4200 sections the one hundred additions to the State Constabulary, but which are called a patrol.

Concentration of power has caused more trouble and will cause more trouble in this state and in this nation than any other one thing that could happen. Striking down the rights of the people to elect their own representatives and then after you have elected them and provided for them constitutionally, such as we have in this state, then come in here and take those powers away from them and hand them over to the Chief Executive and transfer them to his own personal appointees, who do not represent the people, only represent him as their appointees. If that is good government, if that is a democratic government, if such democracy is going to survive, then my knowledge of government ceases, because it is not a government of the people, it is a government of one man. I say again the one thing that we were notified of early and during the campaign both prior to and after the election was cleaning out capitol hill. Now I challenge any member of this Senate to show,—it is now going in the fifth month of the session,—to mention a single thing where it has been shown to us that capitol hill had to be cleaned out. There has not been a piece of legislation outside of this Code and he does not claim this Code is going to clean up the hill; this is a fiscal measure, this is for the fiscal officers to take charge of this government, concentration of one hundred and twenty-five different powers and departments, and we have named in the three weeks that we have had this bill in the neighborhood of two hundred amendments in this very same Code, and I feel safe in saying now that should it pass this Senate, which I believe it will, and go over to the House, and be re-amended again, how many times I do not know, I make this bold assertion that out of fifty members, including myself, there have not been over ten of us who have read fifty pages in it, and still we are going to pass it and hand it over to them. I feel that it is a mistake to the future of this government. I feel further that the average man does not have the physical capacity to be governor of this commonwealth and fulfill the functions of this Code attending to the duties that devolve upon him and his appointees. It will take a superman, an extraordinary superman to give up the time and the attention the Governor is called upon to do, with other troubles and tribulations, and called upon from all over the state and for him to function under the monthly reports to be made, and to sit and preside over the cabinet of eighteen members, I say to you there is not a living man who can do it, or if he does live he will have to be an extraordinary man and we are not called upon to elect extraordinary men, we are called upon to elect competent men, honest men, men of integrity, and we are not called upon to take the power away from the people, and particularly elective officers. The Auditor General of this Commonwealth, the State Treasurer of this Commonwealth and the Secretary of Internal Affairs of this Commonwealth have the same certificate from the people of this Commonwealth who represent them in this government and all the powers and considering the protection that they have taken away from them by this Code they might as well be appointees from the Governor. That is all the power they have.

I trust the members of this Senate will recognize one thing that Senator Craig said, and that is that this is a great Republican state and if we are going to turn this state over to an Individual—do not understand that I am referring to persons, because every Governor has got to be elected, I am speaking of whoever is Governor, there is no personal reflection with reference to the matter, but the people are going to lose their respect for the Republican Party of this Commonwealth and they would after that change their will put in the hands of some other power and that natural course would be to the Democrats. That is my position.

Mr. EYRE. Mr. President and gentlemen of the Senate, I am going to take up very little time in the discussioon of this Code, because I do not think my voice would change a single vote on the floor of this Senate. I have great respect for my distinguished colleague from Beaver County, who came here tonight at the expense of his health, to deliver a speech in opposition to this Code. I am not a lawyer and I am not going to attempt to discuss the legal phases of this Code. The Code, however, is in line with that which I have believed since I have sat as a members of the subcommittee on the Committee on Appropriations of the Senate of Pennsylvania during the session of 1917. I believed then and I believe now that the state government requires reorganization. I subscribe to those things in which I believed as early as last October that the Governor of Pennsylvania was right. I have endeavored consistently and conscientiously to carry out the subscription that I made to his program at that time, one of which was for a reorganization of the state government. I have something to do with the government during the course and progress of this measure as have many other members of this Senate. I have found him to be not only fair but generous and willing to conform his views to the views of what he believed to be the majority of the Senate in yielding many of the important features of this Code. At the outset it was agreed that the Public Service Commission should function as a bureau. He agreed to wipe out the Code and subscribe to a continuance of the Public Service Commission in the same form in which it has always functioned. It was originally decreed that the State Police should become a Bureau of the Department of Justice, but it was pointed out to him by many of the members of this Senate that in their judgment that would curtail the usefulness of the State Police Force and he very generously subscribed to the continuance of the State Police as a distinctive department, as it has heretofore existed. It was agreed and it was decreed originally that the Department of Mines should become a bureau in the Department of Labor and Industry. Both the mine operators and the mine workers objected to that feature of the Code and he very generously subscribed to letting that department continue to function as a separate and distinct department. It was originally contemplated that the Department of Insurance and the Department of Banking should be formed into a Department of Commerce. When the bankers of the State of Pennsylvania protested through their members of the Senate against that feature of the Code and the insurance men of the state objected, he very generously subscribed to allowing those departments to continue to function. And so I say I would be unfair to the Governor of the State of Pennsylvania, I would be unfair to the members of this Senate, did I not point out the facts that he tried to meet honestly and squarely the views of the members of this Senate in the formation of that Code, and it was not his purpose, or the purpose of the framers of the Code, to take from the elective officers of the Commonwealth any of the functions that they now possess. It was decided and decreed that the Department of the Auditor General, the Department of the State Treasurer and the Department of the Secretary of Internal Affairs should continue to function as it was intended by the Constitution that they should function, so that I say, Mr. President and gentlemen of the Senate that in my judgment the Code is a step in the right direction. I would not undertake to say that it was a perfect Code, because we do not get bills of that character, perfect bills but I say it is a step and an effort, a decided step in the right direction towards securing for the State of Pennsylvania a Code that will benefit the organization of the state government and will enable the state government to function on a more economical and better basis than it has ever heretofore functioned. When it is attempted to point out that it is something new in government I say that is a mistake. The State of Illinois, the State of Iowa, the State of Massachusetts and many other states of the Union have cut down their departments to as low, or a lower basis than the State of Pennsylvania has cut down in numbers, by this Code and the universal information from those states is that it has been advantageous to their state government in an economical and businesslike administration of their state affairs.

Mr. President and gentlemen of the Senate, from my viewpoint it does not centralize the power of the Executive to any greater degree than that power is now centralized and when we talk about something entirely new we forget that the same powers were given to the Highway Department of the State of Pennsylvania, to the Health Department of the State of Pennsylvania in years gone by, where those departments were appropriated to in lump sums and where they fix the salaries of the attaches of their respective departments. From my viewpoint that is a proper method of procedure. Our national Government has seen the necessity of coming to a budget system and if it is necessary in the affairs of our nation I think it is equally as necessary in the affairs of our state. The Executive is responsible to the people of Pennsylvania on a platform of reorganization of the state government. He was elected by a majority of 250,000 and in that Code he is only endeavoring to carry out his promise and he is only keeping faith with the people of Pennsylvania in the declaration that he made to them during the campaign.

For these reasons I hope that this Code will pass by a large majority in the Senate of Pennsylvania tonight and will make good the pledges that the Governor made to the people of Pennsylvania in the campaign he made last year.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Culbertson,
Daix,
Davis,
Derrick,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Jones,
Krause,
Long.
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—8.

Craig.
DeWitt,
Huffman,
Kutz,
Lanius,
Leslie,
Sisson,
Sones,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 627, entitled:

An act making an appropriation to the Lankenau Hospital of Philadelphia Pennsylvania.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder
Sones,
Sprowls,
Steele
Stineman,
Stites
Vare,
Weaver
Woodward,

NAYS—0.

Two-thirds af all the Senators voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. MANSFIELD. Mr. President, I ask that Senate Bill No. 725, (House Bill No. 852) on third reading, entitled:

An Act to amend Article XII of an act approved the third day of June one thousand nine hundred and fifteen

(Pamphlet Laws seven hundred ninety-seven) entitled "An act to establish a Bureau of Forest Protection within the Department of Forestry designating the officers who shall constitute the Bureau their duties and salaries prescribing penalties for the violation thereof and repealing all laws general special or local or any parts thereof that may be inconsistent with or supplied by this act" by adding thereto a section to be section twelve hundred and two defining certain terms

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 752, as follows:

An Act to amend section seventeen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maitenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kinds of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of this act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended authorizing the Department to collect fees for permits and making an appropriation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventeen of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highway solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commisoner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for the purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" which was amended by an act approved the twenty-sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and twelve) is hereby further amended to read as follows

Section 17 All State highways under the provisions of this act shall be marked with suitable signs having the words "State Highway" and year-date thereon and signs or distance board giving directions to towns or villages shall be erected at cross or intersecting roads the same to be paid for as part of the cost of the highway The State Highway Commissioner may also cause trees to be planted and maintained along said highways the same to be paid for as a part of the cost of the road No railroad or street railway shall hereafter be constructed upon any State highway nor shall any railroad or street railway crossing nor any gas-pipe water-pipe electric conduits or other piping be laid upon or in nor shall any telephone telegraph or electric light or power poles or any coal tipples or any other obstructions be erected upon or in any portion of the State highway except under such conditions restrictions and regulations and subject to the payment of such fees for permits as may be prescribed and required by the State Highway Department not exceeding the reasonable cost of issuing the permit and expense of inspecting the work authorized by such permit upon completion thereof All fees so collected for permits shall be paid into the State Treasury and shall be credited to the special fund in the State Treasury into which motor vehicle registration and license fees are now paid and all such permit fees in said fund from time to time are hereby specifically appropriated to the State Highway Department for expenditure for the same purposes and in like manner as that for which the moneys now in said fund may be expended The State Highway Commissioner is empowered to make reasonable rules and regulations governing the use of all State highways and any person violating such rules or regulations or who shall by the use of rough-locks drag-chains upon wagon wheels or by any other method or device or in any manner willfully or maliciously destroy injure or damage any such highway in this Commonwealth shall be guilty of a misdemeanor and upon arrest and conviction therefor shall pay a fine of not less than ten dollars ($10) nor more than twenty dollars ($20) for each and every offense together with the cost of prosecution which shall be recovered as in similar cases upon complaint of any person before a magistrate or justice of the peace and the fine or fines so recovered shall be paid into the State Treasury

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 767, entitled:

An Act making an appropriation to the Andrew Kaul Memorial Hospital St. Marys Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 753 as follows:

An Act to amend section seven hundred and twenty-seven of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty) Entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" as amended authorizing the State Highway Department to charge permit fees for construction in over or under township highways and making an appropriation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven hundred and tewnty-seven of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled "An Act concerning townships and revising amending and consolidating the law relating thereto" which was amended by an act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and sixty-four) entitled "An Act to amend the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled 'An Act concerning townships and revising amending and consolidating the law relating thereto' " is hereby further amended to read as follows

Section 727 No railroad or street railway shall hereafter be constructed upon any township highway nor shall any railroad or street railway crossing nor any gas-pipe water-pipe electric conduits or other piping be laid upon or in nor shall any telephone telegraph or electric light or power poles or any coal tipples or any other obstructions be erected upon or in any portion of a township highway except under such conditions restrictions and regulations and subject to the payment of such fees for permits as may be prescribed and required by the State Highway Department not exceeding the reasonable cost of issuing the permit and expense of inspecting the work authorized by such permit upon completion thereof All fees so collected for permits shall be paid into the State Treasury, and shall be credited to the special fund in the State Treasury into which motor vehicle registration and license fees are now paid and all such permit fees in said fund from time to time are hereby specifically appropriated to the State Highway Department for expenditure for the same purpose and in like manner as that for which the moneys now in said fund may be expended

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 816, (House Bill No. 508), entitled:

An Act to validate certain municipal assessments municipal claims and municipal liens in the several boroughs of the Commonwealth providing for the filing of claims therefor and the proceedings for the collection of such assessments and claims

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—1.

Sisson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 878, entitled:

An Act to amend section eleven of the act approved June 20, 1919, (P. L. 521), entitled "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties: and citing certain acts for repeal."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver
Woodward

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 907, (House Bill No. 851), entitled:

An Act to amend an act approved the thirteenth day of June Anno Domini one thousand nine hundred and seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective title liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies"

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 916, (House Bill No. 358), entitled:

An Act to amend sections one and eighteen of the act approved the sixteenth day of May, one thousand nine hundred and twenty-one, (Pamphlet Laws five hundred and fifty-nine), entitled "An Act for the better protection of fish; requiring citizens of the United States residing within this Commonwealth to procure a license from the county treasurer to fish or angle in the waters of this Commonwealth, or in the waters bounding or adjacent thereto, and regulating the issuance of such license; providing penalties for the violation of this act, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the penalties recovered and license fees received;"

changing the age limit of persons required to procure licenses; and providing for the purchase with surplus moneys of lands and waters, and the impounding of waters.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. BUCKMAN. Mr. President, I desire to call the attention of the Senate to the fact that this bill, known as the Fisherman's License Bill, which was defeated in this Chamber a couple weeks ago, amends the present law by reducing the age at which a person must take out a fisherman's license before fishing in the streams of the Commonwealth from 21 years of age to 18 years of age. When the bill came up two weeks ago it received but 17 votes in this Chamber. It was reconsidered recommitted to the Committee, reported out and recommitted and is now before the Senate for final passage. When this bill was passed two years ago there was an agreement between the opponents of the bill and Fish Department and other people who were in favor of the bill that the bill should limit the age to 21 years, that people under 21 years of age were not required to take out a license. It was upon that representation and that promise or agreement that the bill was enacted two years ago. Now after it has been in force but two years they come back here and try to break that agreement, and I use those words advisedly, for I know, I was present when the agreement was made, they come back here and try to break that agreement and to force the bill through at a lower age than they agreed to two years ago. I feel that this is a very dangerous piece of legislation. I feel it is a mistake to place this additional burden upon the young men and young women of this Commonwealth by requiring them to take out a fisherman's license and pay money for it when perhaps they may only fish one day in a whole season. As I say, this bill was defeated two weeks ago, it was defeated once when it was in the House, it was defeated once here and I hope it will be defeated here again.

Mr. VARE. Mr. President, in the great centers of population they do not have many opportunities for outdoor recreation and particularly for the boys. This bill seems to be specifically directed against that class of young people who occasionally, as the Senator from Bucks County has suggested, quite infrequently, care to participate in this outdoor pleasure and recreation. I hope this bill will be defeated and give the boys of Pennsylvania a fair chance at this recreation.

Mr. BALDWIN. Mr. President, I think that some of the members of this Senate are certainly looking at this measure in a wrong light. I believe if we would consult the boys and girls over the State of Pennsylvania who fish, and would stop for a moment to think of the condition that we are in as far as propagating the fish in our state is concerned, that we would realize that the only thing that those boys and girls from 18 to 21 years would want would be more fish in our streams. I want to say that this class of fishermen are the ones that spend the most time on the streams, they are the ones that have the best outfit and they are the ones that would most willingly give their dollar or a dollar and a quarter for a license in order to have better fishing. It may not be known that in many of the streams of Pennsylvania, owing to the dry season of last year and the animals that have gone into the streams when the water was low, that the fish are extremely scarce and in order to get the fishing back to the state that it ought to be in, we are in most urgent need of more funds in order to propogate more fish and we have reason to believe that every dollar of this extra money will be used for the propagation of fish. The gentlemen of this Senate know that with the funds that are now in sight, instead of giving the Department of Fisheries more funds in all liklihood they will have less funds to work upon than they had any time in the past, and as I have said, when this matter was up before; we have a Sportsman's Association and I do not know of any one who is interested in fishing who are not exceedingly anxious for the Senate and the House to pass this measure reducing the age from 21 to 18.

Mr. DAVIS. Mr. President, I have the honor to represent the district from which the State President of the Sportmen's Association of Pennsylvania comes and I also have the honor to represent the district where they have the largest membership of any city in the State of Pennsylvania and our people are for this bill, because there are more people fishing to-day than ever before and it is absolutely necessary that we get more money for propagation and that the Senate tonight should vote for this bill and pass it.

Mr. CRAIG. Mr. President, having developed into such a successful debater on the floor I am going to try it again. I want to explain why I am going to vote "no" on this bill. I was a party last year to the agreement made that my friend Senator Buckman, has spoken of this evening, and I feel bound by that agreement, and, therefore am going to vote against the bill. I should like to vote otherwise, but I feel bound by my agreement and must vote with Senator Buckman.

Mr. LONG. Mr. President, I notice two of the Senators mentioned something about an agreement. How could it be possible that any agreement could be made with reference to legislation? Why should two or three men have gotten together a few years ago and decided that they were going to do something and then call that an agreement? It seems to me that there is nothing in that argument about agreement at all.

Now we require everybody to take out a license in order to hunt, that is, each person who wants to hunt must take out a license no matter what their age is. It will prohibit any person from getting a license but certainly that is not a great hardship. In the case of fishing when we permit those under the age of eighteen to fish without a license and place a license on those who are eighteen and over that, as I understand this matter, to protect fish and in order to have fish hatcheries and the means to propagate fish, which is very expensive, and unless more money is provided the number of fish in our streams will become less and less as more people fish each year. This is not going to deprive the boys and girls of fishing, it is going to enlarge the fishing facilities for them, it is going to increase the quantity of fish in streams and give them a better opportunity and while it may be that there are fish in our streams today, the quantity that is continually being taken out each year and that has been taken out in recent years it will only be a few years until there will be practically no fish unless the fish are properly propogated and in order that that may be done they must have funds. It seems to me that this bill should pass.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Baldwin,
Barr,
Derrick,
DeWitt,
Kutz,
Long,
Sisson,
Smith,

Betts,
Brown,
Christley,
Clark,
Daix,
Davis,
Einstein,
Eyre,
Harris,
Heaton,
Jones,
Krause,
Mansfield,
McClintock,
Miller,
Norton,
Phipps,
Quigley,
Sprowls,
Steele,
Stineman,
Stites,
Weaver,

NAYS—14.

Buckman,
Craig,
Homsher,
Huffman,
Lanius,
Leslie,
MacDade,
McNichol,
Patton,
Salus,
Schantz,
Snyder,
Vare,
Woodward,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 941, (House Bill No. 939), entitled:

An Act providing for the payment of certain claims for damages done to livestock poultry or bees by bear providing a method for the ascertainment of such damage and making an appropriation

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. SMITH. Mr. President, I ask that Senate Bill No. 990, on third reading, entitled:

An Act to preserve the purity of the sources of public water supplies authorizing the Advisory Board of the Department of Health to make orders and regulations therefor and the Commission of Health to enforce the same providing penalties for violation thereof and for abatement of nuisances by injunction

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 993, as follows:

An Act to amend section seventeen of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventeen of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to the National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation" is hereby amended to read as follows

Section 17 Candidates of the various political parties for nomination as herein provided for except for the office of the President of the United States who receive a plurality of votes of their party electors in the State or in the political district or division as the case may be at a primary together with the candidates for the office of Presidential elector nominated as hereinafter provided shall be the candidate or their respective parties and no candidate who had before the primary in accordance with law filed a petition as a candidate of said party for said office shall be permitted to withdraw his name from any ticket after the nominations have been made and it shall be the duty of the proper officers to print (their) the names of the nominees upon the official ballots for use at the succeeding election as is now or may hereafter be required by law

The name of the person in each political party who receives at a primary a plurality of the votes of such party in the State at large for United States Senator shall be printed upon the official ballots for use at the succeeding election as the candidate of his party for said office under the heading "United States Senator"

Candidates of the various political parties for the office of delegate and alternate delegate at large to a National party convention who receives a plurality of the votes of their party electors in the State at large shall be the duly elected delegates and alternate delegates at large to the National convention of their respective parties Candidates of the various political parties for the office of delegate and alternate delegate other than delegate and alternate delegate at large who receive a plurality of the votes of their party electors in the political district or division in which they are candidates shall be the duly elected delegates and alternate delegates to the National convention of their respective parties

Candidates of the various political parties for the office of member of the State committee or for the office of member of the National committee in cases where the rules of the party provide that such office shall be filled by vote of the party electors who receive a plurality of the votes of the party electors at a primary shall be the duly elected members of the State or National committee as the case may be of their respective parties

Candidates for other party offices who receive a plurality of the votes of the party electors at a primary shall be the party officers of their respective parties

In case of a tie the candidates receiving the tie vote shall cast lots before the county commissioners or the Secretary of the Commonwealth as the case may be on the third Friday after the primary and the one to whom the lot shall fall shall be entitled to the nomination or election Provided however That in any case where the fact of a tie vote is not authoritatively determined until after the third Wednesday after the primary the day for casting lots shall be the second day after the fact of such tie vote is authoritatively determined If any candidate or candidates receiving a tie vote fail to appear before twelve o'clock noon on said day the county commissioners or the Secretary of the Commonwealth as the case may be shall cast lots for him or them For the purpose of casting lots any candidate may appear in person or by proxy appointed in writing

Where a nomination petition has been duly filed under the provisions of this act and thereafter and before the day of the primary the candidate named in said petition dies the original signers of said petition or the majority of them may sign another petition proposing a new candidate for said office at any time prior to the printing of the ballot Said petition filed shall have the same force and effect as the original petition

Vacancies happening (or existing after the date of the primary may be filled in accordance with the party rules as is now or may hereafter be provided for by law)

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—2.

Long,
Snyder,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER.

Mr. BALDWIN. Mr. President, I ask that Senate Bill No. 1020, on third reading, entitled:

An act to amend an act approved one thousand nine hundred and twenty-three entitled "An act imposing a State tax on Liquid Fuels including all liquids ordinarily practically and commercially useable in internal combustion engines for the generation of power and all distillates of and condensates from petroleum natural gas coal coal tar and vegetable ferments to be paid by distributors as herein defined providing for the collection of such tax and for the distribution and use of the revenues derived therefrom providing for the filing of certificates and reports of the sale of such liquid fuels and the collection of such tax and fixing penalties"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BROWN. Mr. President, I ask that Senate Bill No. 1047, (House Bill No. 1307) on third reading, entitled:

An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the districts in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1049, (House Bill No. 1315), entitled:

An Act to amend chapter six article seventeen of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs

And said bill having been read at length the third time, and agreed to,

And the amendments made theerto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1091, entitled:

An Act to amend sections four hundred and twenty-eight and four hundred and twenty-nine and to repeal section four hundred and twenty-six of the act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred forty) entitled "An act concerning townships and revising amending and consolidating the law relating thereto”

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted “aye” the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1105, entitled:

An Act authorizing county commissioners to appropriate money for the compilation and publication of a County War History

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted “aye” the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. LONG. Mr. President, I ask that Senate Bill No. 1111, (House Bill No. 352), on third reading, entitled:

An Act to amend section three of an act approved May eleventh one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-one) entitled “An Act relating to dogs and the protection of live stock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock and poultry by dogs and for illegal killing of licensed dogs the payment of such damages by the Commonwealth imposing powers and duties in certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties” making the County Treasurer the agent of the Commonwealth in the issuing of licenses and the collection of fees and providing his compensation for such services

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1123, (House Bill No. 831), entitled:

An Act providing punishment for the selling and furnishing for beverage purpose of intoxicating liquors or liquids represented as intoxicating liquors contrary to law thereby causing the death of the persons drinking the same

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted “aye” the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with the information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1149, entitled:

An Act making an appropriation to the Snyder-Middleswarth Park Commission

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
DeWitt,
Einstein,
Eyre,
Harris,
Long,
MacDade,
Mansfield,
McClintock,
Sisson,
Smith,
Snyder,
Sones,

Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
McNichal,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1163, entitled

An Act to further amend section thirteen of an act approved May thirty-one Anno Domini one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a Sate Highway Commissioner two Deputy State Highway Commissioners Chief Engineer Chief Draughtsman Superintendent of highway and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-rods forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kinds of materials to be used in the improvement providing for payment of cost of improvement and repairs providing for penalty for injuring or destroying State highway making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended by providing for the deposit of bankable securities by the contractor in lieu of the surety required on said contractor's bond

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

BILL POSTPONED.

Mr. JONES. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. SCHANTZ. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1169, entitled:

An act providing for the establishment and maintenance of uniform building lines in boroughs and townships of the first class

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. STITES. Mr. President, I move that Senate Bill No. 1170, on third reading, enttiled:

An act authorizing cities to make emergency repairs to dangerous sidewalks and providing for the cost of collection thereof from abutting property owners

go over in its order.

The PRESIDENT, Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1174, entitled:

An act reappropriating the unexpended balance of the item of twenty thousand dollars appropriated by act dated May twenty-seven one thousand nine hundred twenty-one to the State Industrial Home for Women at Muncy for the purchase of industrial machinery for making rugs carpets et cetera to said State Industrial Home for Women at Muncy and providing for doing washing and laundry work and appropriating the earnings from such work to the general maintenance fund of said State Industrial Home

And said bill having been read at length the third time, and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1198, (House Bill No. 90), entitled:

A further supplement to an act approved the first day of April one thousand eight hundred and sixty-three (Pamphlet Laws two hundred and thirteen) entitled "An act to accept the grant of public lands by the United States to the several states for the endowment of agriculture colleges" and making an appropriaion for carrying the same into effect

And said bill having been read at length the third time, and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1199, (House Bill No. 91), entitled:

An act making an appropriation to the trustees of the University of Pittsburgh for the general maintenance of and purchase of equipment for the university and for the maintenance of teaching facilities in hospitals for students in the school of medicine

And said bill having been read at length the third time, and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz.
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1200, (House Bill No. 106), as follows:

An Act making an appropriation to the trustees of the University of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one million five hundred forty-one thousand three hundred twelve dollars ($1,541,312) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the trustees of the University of Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the general maintenance of the university and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the University of Pennsylvania and for the maintenance of the graduate school of medicine of the University of Pennsylvania Provided however That the sum of one hundred and sixty-four thousand dollars ($164,000) thereof shall be used for the maintenance and equipment of the Graduate School of Medicine Provided further That the sum of ninety-one thousand dollars ($91,000) thereof shall be used for the maintenance of the school of education of the University of Pennsylvania and provided further that the sum of ninety-six thousand dollars ($96,000) thereof shall be used for the maintenance of the extension schools of the University of Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1201, (House Bill No. 189), entitled:

An Act making an appropriation to the trustees of Temple University at Philadelphia Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1203, (House Bill No. 673), entitled:

An Act to amend section one of the act approved the twenty-fifth day of July, one thousand nine hundred and seventeen, (P. L. 1180), entitled "An Act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New York of certain toll-bridges over the Delaware River, and making an appropriation therefor" providing for the acquisition of municipally owned bridges over the Delaware River between the State of Pennsylvania and the State of New York.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1205, (House Bill No. 897), entitled:

An Act to amend sections nine and ten of an act approved June twenty-second one thousand eight hundred and ninety-one (Pamphlet Laws three hundred seventy-nine) entitled "An act to provide for the selection of a site and the erection of a State asylum for the chronic insane to be called the State Asylum for the chronic insane of Pennsylvania and making an appropriation therefor" changing the name and purpose of said hospital

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1210, entitled:

A supplement to the Act, approved the 16th day of June, 1919, (P. L. 482), entitled "An act creating a Board of Commissioners of Public Grounds and Buildings; providing for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers and employes, and fixing their salaries; defining the powers and duties of the board and the superintendents with regard to contracts for and the furnishing of furniture, furnishings, stationery, supplies, paper, and fuel for the executive and legislative branches of the State Government and the Executive Mansion, the supervision of the Capitol grounds and buildings, the State Arsenal, and Executive Mansion, and repairs, alteration and improvements thereto, and to other buildings, land and property of the State, the disposal of unserviceable personal property of the Commonwealth, the renting of office rooms outside of the Capitol, the bonding of officers and employes of the Commonwealth, and the supervision of the erection of, and repair and additions to, State institutions, and the expenditure of funds therefor; and repealing supplied and inconsistent laws"; authorizing the said Board to agree with municipalities upon the terms and conditions and the amount of compensation for which lands and property of the Commonwealth may be taken or used for municipal purposes; to receive such compensation and to release the municipality.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,

DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,

Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,

Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1213, entitled:

An act to amend an act approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred and sixty-one) entitled "An act relating to the maintenance of insane feeble-minded and other persons confined in the various institutions of the Commonwealth fixing liability for their support providing for the collection of the moneys due the Commonwealth thereof and for proceedings relating thereto"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,

DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,

Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,

Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1214, entitled:

An Act to amend sections five and six of an act approved the tenth day of May, one thousand nine hundred and twenty-one (P. L. 473), entitled "An act providing for the burial of certain persons who are, have been, or shall be soldiers, sailors or marines, designated as 'deceased service men'; defining the term 'deceased service men'; and authorizing county commissioners to provide headstones, markers, and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death," as amended; authorizing the purchase of headstones of deceased service men buried in the county; and regulating the purchase of markers.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,

DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,

Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,

Sisson
Smith
Snyder,
Sones
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1216, entitled:

An act making incurable insanity a cause for divorce and providing procedure in such cases.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,

Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,

Huffman,
Jones,
Krause,
Kutz,
Leslie,
MacDade,
Mansfield,
McClintock,

Norton,
Patton,
Phipps,
Schantz,
Sisson,
Smith,
Snyder,
Stites,

NAYS—7.

Lanius,
Long,

Miller,
Quigley,

Steele,
Stineman,

Vare,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1219, entitled:

An Act regulating the selection of jurors for service in the several courts, civil and criminal, of the counties of the second class; creating a Board of Judges from the court of common pleas of said counties for this purpose; and prescribing the powers and duties of such Board; imposing the entire cost and expense of maintaining and operating such Board upon said counties; requiring the county commissioners of said county to provide suitable office quarters, equipment and supplies for said Board, authorizing the employment of the necessary clerks, assistants, deputies and other employees; abolishing the existing office of jury commissioners in said counties; and providing that the present jury commissioners shall become clerks of said Board until the expiration of their term of office; requiring other county officers and boards to furnish information to said board; and prescribing punishments for violation of the provisions hereof.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. MANSFIELD. Mr. President, I ask unanimous consent to amend title, page 1, by striking out all after the words " An act" and inserting in lieu thereof the following: "regulating the selection of jurors for service in the several courts, civil and criminal of the county of Allegheny; creating a board of judges from the court of common pleas of said county for this purpose, and prescribing the powers and duties of such board; imposing the entire cost and expense of maintaining and operating such board upon said county; requiring the county commissioners of said county to provide suitable office quarters, equipment and supplies for said board; authorizing the employment of the necessary clerks, assistants, deputies and other employees; abolishing the existing office of jury commissioners in said county, and providing that the present jury commissioners shall become clerks of said board until the expiration of their term of office; requiring other county officers and boards to furnish information to said board, and prescribing punishments for violation of the provisions thereof."; also section 1, page 2, line 7, by striking out line 7, and inserting in lieu thereof the following: "inal of the county of Allegheny there is hereby;" also line 10, by striking out the word "counties" and inserting in lieu thereof the word "county"; also section 2, page 2, line 21, by striking out line 21, and inserting in lieu thereof the following: "The county commissioners of said county shall provide suitable office quarters for said board at the county seat"; also line 27, by striking out the word "counties" and inserting in lieu thereof the word "county"; also section 4, page 3, line 21, by striking out the word "thereof" and inserting in lieu thereof the word "therefor"; also section 5, page 3, line 28, by striking out the word "counties" and inserting in lieu thereof the word "county"; also page 4, line 3, by striking out the word "counties" and inserting in lieu thereof the word "county"; also line 9, by striking out the word "counties" and inserting in lieu thereof the word "county"; also line 19, by striking out the word "counties" and inserting in lieu thereof the word "county"; also section 6, page 4, line 24, by striking out the word "counties" and inserting in lieu thereof the word "county"; also page 5, line 1, by striking out the word "county"; also line 4, by inserting the word "place" after the word "law"; also line 8, by striking out the words "present judge"; also line 15, by striking out the words "on the jury"; also section 7, page 6, line 6, by striking out the word "counties" and inserting in lieu thereof the word "counties"; also section 8, page 6, line 12, by striking out the word "twenty-nine" and inserting in lieu thereof the word "twenty-one"; also section 11, page 8, line 9, by striking out the word "counties" and inserting in lieu thereof the word "county"; also line 22, by striking out the word "in" and inserting in lieu thereof the word "on"; also section 17, page 13, line 11, by striking out the word "counties" and inserting in lieu thereof the word "county"; also section 18, page 13, line 26, by inserting after the word "court" the word "and"; also section 19, page 14, line 26, by striking out the word "name" and inserting in lieu thereof the word "names'; also section 20, page 15, line 2, by striking out the word "counties" and inserting in lieu thereof the word "county"; also section 23, page 16, line 28, by striking out the words "counties of the second class" and inserting in lieu thereof the words "county of Allegheny."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1220, entitled:

An Act validating certain proceedings and elections of counties, cities, boroughs, townships, school districts and other incorporated districts or municipalities had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four, (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto; and validating bonds issued or authorized to be issued in pursuance to such proceedings and elections.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1226, entitled:

An Act authorizing courts of common pleas of the several counties of the eighth class to order moneys received from fines penalties and forfeited recognizance and dedicated by law to law library purposes in excess of the amount required to be paid into the county treasury for the use of the county

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. LONG. Mr. President, I ask unanimous consent to amend title, line two, by inserting after the word "the" the words "fifth, sixth, seventh and"; also section one, page one, line four, by inserting after the word "the" the words "sixth, seventh and".

The PRESIDENT. Is there obejction? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1230, entitled:

An Act making an apropriation to the Department of Public Welfare for the Development of prison industries

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culberston,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare.
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. SCHANTZ. Mr. President, I ask that Senate Bill No. 1234, on third reading, entitled:

An Act to fix the compensation of the coroner in fifth class counties

go over in its order.

The PRESIDENT. Is there obection? The Chair hears none.

RECONSIDERATION OF SENATE BILL No. 358.

Mr. LONG. Mr. President, I move to reconsider the vote by which Senate Bill No. 358, (House Bill No. 390), entitled:

A Joint Resolution constituting a commission to examine the tax laws of the Commonwealth and of other states and countries and to prepare and submit bills to carry into effect its recommendations prescribing the powers and duties of said commission and making an appropriation

was defeated.

The PRESIDENT. How did the Senator vote?

Mr. LONG. Mr. President, I voted "no".

Mr. MacDADE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. MacDADE. Mr. President, I voted "no".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. LONG. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. LONG. Mr. President, I voted "no".

Mr. MacDADE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. MacDADE. Mr. President, I voted "no".

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. LONG. Mr. President, I ask unanimous consent to amend section 4, page 3, line 4, by striking out the word "committee" and insert in lieu thereof the words "tax commission"; also line 5, by inserting before the word "tax" the words "the said".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL RECOMMITTED.

Mr. BETTS. Mr. President, I move that Senate Bill No. 452, on second reading, entitled:

An Act for the protection of the public health in the manufacture and sale of soft drinks, still and carbonated providing for the registration thereof; prohibiting the sale offering or exposing for sale, exchange or giving away thereof in certain cases unless registered; regulating the manufacture, bottling, preparation, mixing and compounding of soft drinks, still and carboned, and the sale and dispensing thereof; creating a special fund in the State Treasury, and making an appropriation thereof; and prescribing penalties.

be recommited to the Committee on Public Health and Sanitation.

Mr. SNYDER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 585, as follows:

An Act authorizing and empowering local boards of health of the Commonwealth to organize district health associations for the purpose of holding annual meetings providing for the representation of each board of health in said district associations and providing for the payment of the expenses thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several local boards of health of boroughs and first class townships of the Commonwealth now or hereafter incorporated are hereby authorized and empowered to organize district health associations for the purpose of holding annual meetings at such times and places within the Commonwealth as such districts may designate for the purpose of advancing the various health interests of said boroughs and first class townships promoting remedial legislation and discuss any and all topics relating to the health and conduct of the same and providing for the enforcement and economical method of administering health legislation

Section 2 Any borough or first class township board of health desiring representation in said district associations shall upon resolution of local boards of health designate the delegates to attend the annual meeting of said district association which delegation may consist of two representatives The actual expenses of such delegates attending such meeting of aid district associations including traveling expenses and hotel bills actually paid by them expenses of committees together with the necessary expenses of the convention including printing and employment of stenographers shall be paid by the various boards of health of boroughs and first class townships by orders drawn upon the borough treasury The time spent in attending said meeting shall not be more than two days The expenses of the convention shall not be more than five dollars to any borough or first class township per annum

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 739, as follows:

An Act to amend section four of an act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred and seven) entitled "An act to provide for the recovery by bureaus of health boards of health and boards of school directors of cities boroughs and townships of this Commonwealth of money expended to care for and maintain persons sick of contagious or infectious diseases when the person so sick has a settlement in some other city borough or township of the Commonwealth and providing for the payment of all expense by the party falling sick except poor persons and defining a settlement for the purposes of this act" defining the settlement of a married woman

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of an act approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred and seven) entitled "An act to provide for the recovery by bureaus of health boards of health and boards of school directors of cities boroughs and townships of this Commonwealth of money expended to care for and maintain persons sick of contagious or infectious diseases when the person so sick has a settlement in some other city borough or township of this Commonwealth and providing for the payment of all expense by the party falling sick except poor persons and defining a settlement for the purposes of this act" is hereby amended to read as follows

Section 4 Every married woman shall be deemed during coverture whether living with her husband or apart from him or (and) after her husband's death to be settled in the place where (he was last settled but if he shall have no known settlement then she shall be deemed whether he be living or dead to be settled in the place where she was last settled before marriage) she has gained a settlement in the manner provided by law for any other person

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 811, (House Bill No. 333), as follows:

An Act authorizing the State Highway Department the Public Service Commission counties cities boroughs and townships to purchase or condemn by the right of eminent domain free and unobstructed view over and across lands at certain highway railroad and railway intersections and curves so as to prevent and permit removal of interference with and obstruction of the vision of users of said highways and providing for the use of such lands in such manner as not to interfere with a free and unobstructed view

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Highway Department the Public Service Commission and any county city borough incorporated town or township may acquire by purchase or by the right of eminent domain a free and unobstructed view down and across such lands located at or near the intersection of any two highways or a highway and a railroad or railway or at any curve in any highway as may be necessary to assure a free and obstructed view in all directions at such crossings and to prevent the use of such lands for any purpose or in any manner which may interfere with or obstruct the vision of any person or persons traveling upon any such highway

Section 2 Upon any such condemnation the State Highway Commissioner the Public Service Commission and the proper authorities of any city borough town or township having had such view condemned may from time to time abate or remove or cause to be abated or removed any obstruction to such view over and across such lands

Section 3 The proceedings for the condemnation of such view over and across such lands under the provisions of this act and for the assessment of damages for property taken injured or destroyed shall be taken in the same manner as is now provided for the condemnation of land by the State Highway Department for road purposes by the Public Service Commission for the purposes allowed by law and by counties boroughs and townships for road purposes

Section 4 Upon the condemnation of a view over and across any lands for the purposes of this act the owner of such lands may make every such use thereof as will not interfere with a free and unobstructed view at such dangerous crosing or curve and unless specially provided for in such condemnation proceedings such condemnation shall not be construed to prevent the owner thereof from using such land for pasture or the growing of grass oats wheat or other crops which will not obstruct the vision more than wheat

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. STINEMAN. Mr. President, I move that Senate Bill No. 811, (House Bill No. 333), the bill just read, be recommitted to the Committee on Public Roads and Highways.

Mr. EYRE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 818, (House Bill No. 579), entitled:

An Act providing for the location construction operation maintenance and vacation of public roads or highways bridges tunnels subways and under ground roads within second class counties of this Commonwealth either wholly or partly within the territorial limits of cities boroughs and townships thereof and the taking over by the county of such improvements from townships making such improvements county improvements establishing procedure for undertaking or vacating of improvements by the county commissioners and the mode of taking exceptions thereto providing for the entry upon and appropriation of property for the purpose of planning and making improvements the compensation to be paid therefor and the payment of damages and the assessment of benefits resulting from such improvements and the manner in which such damages and benefits may be determined providing for the filing reviving and collecting of liens arising from any assessment of benefits thereunder providing for the payment of the costs and expenses of such construction and improvement and the maintenance and operation thereafter providing for the letting of contracts for such improvements or maintenance and for the making of such improvements or the maintenance thereof by the county commissioners themselves defining the duties of the county commissioners with reference to such county improvements authorizing them to employ the necessary persons and maintain the necessary equipment to perform their duties providing for the contracting by counties of the second class with railway or transportation companies for the concurrent use of county improvements authorizing the levy of a tax and the issuance of bonds by counties of the second class to provide funds for said purposes providing for the entry upon and appropriation by said counties of highways streets and properties of cities and boroughs necessary for such improvement and for the maintenance and control of said highways streets and properties by said counties after said entry and appropriation requiring the county commissioners of said counties to prepare a county road plan and prohibiting the award of damages for the taking of improvements made by persons within the lines located on said plan after its adoption and requiring the removal by the owner of improvements made within the lines of relocated highways on said plan authorizing the county commisioners of said counties to appoint persons to inspect repair and control county roads with power to enforce laws and authorizing the county commissioners of said counties to establish regulations for the use of county roads including penalties for violations

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That counties of the second class of this Commonwealth shall have power and they are hereby authorized whenever the county commissioners or a majority of them shall resolve so to do and after advertisement and the preparation and filing of plans and a description of the proposed improvement and the estimated cost thereof in the manner hereinafter provided for the purpose of providing public roads bridges tunnels subways and underground roads specially constructed improved and maintained to make construct and maintain public roads or highways bridges tunnels subways and underground roads as county roads bridges tunnels subways and underground roads within their respective limits either wholly or partly within the territorial limits of cities boroughs and townships and to that end to originally lay out and open any public road or highway bridge tunnel subway or underground road and to take possession of and exercise control over any existing township road or highway bridge tunnel subway or underground road or part thereof and either at the time of and in connection with the original improvement or at any time thereafter to straighten widen extend and alter any such road bridge tunnel subway or underground road or part thereof and to vacate so much of any such road bridge tunnel subway or underground road or part thereof as may become unnecessary and unless and any road or highway or part thereof bridge tunnel subway or underground road so taken over or improved under the provisions of this act shall thereupon become a county road bridge tunnel subway or underground road and it shall be the duty of such county to keep and maintain such road bridge tunnel subway or underground road in repair the expense thereof to be paid by such county in the manner hereinafter provided

On the question,

Will the Senate agree to the section?

BILL POSTPONED.

Mr. LESLIE. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 831, (House Bill No. 793), entitled:

An Act to amend section seven of the act approved the twenty-second day of May one thousand eight hundred and eighty-nine (Pamphlet Laws two hundred sixty-one) entitled "An act for the protection of shad and game fish in the river Delaware"

And said bill having been read at lentgh the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED.

Mr. LONG, Mr. President, I move that Senate Bill No. 853, (House Bill No. 1052), on second reading, entitled:

An act relating to salaries compensation bonds offices and supplies of certain officers deputies and clerks in counties of the sixth class

be recommitted to the Committee on Judiciary General.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 906, (House Bill No. 849), on second reading, entitled:

An Act to amend section one of an act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation"

be recommitted to the Committee on Finance.

Mr. LESLIE. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. PHIPPS. Mr. President, I ask that Senate Bill No. 918, (House Bill No. 377), on second reading entitled:

An Act to amend sections one and three and section six as amended and sections nine and ten of an act approved the seventh day of June one thousand eight hundred and ninety-five (Pamphlet Laws one hundred sixty-seven) entitled "An Act to provide for the better protection of life and health by diminishing the danger from infectious and contagious diseases through the creation of a State Board of Undertakers in the cities of the first second and third classes with systematic examinations registration and licenses for all entering the business of burying the dead and penalties for violation of the provisions thereof" by prescribing the qualifications and compensation of members of the State Board of Undertakers providing for employes of the board requiring applicants for undertakers' license to have a common school education providing for the auditing of its books and the disposition of funds remaining in its treasury

go over in its order,

The PRESIDENT. Is there objection? The Chair hears non.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 949, (House Bill No. 1075), entitled:

An Act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals

for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties

The 101st, 102nd, 103rd, 201st and 301st sections of the bill were read as follows and agreed to.

ARTICLE I

Short Title Interpretation and Definition

Section 101 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be called and cited as the mental Health Act of one thousand nine hundred and twenty-three

Section 102 Whenever in this act the singular is used the plural shall be included where the masculine gender is used the feminine and neuter shall be included

Section 103 As used in this act

"Department" shall mean the Department of Public Welfare or any other Department to which the powers and duties of the same Department may at any time be transferred by law

"Mental illness" "mental disease" "mental disorder" shall mean an illness which so lessens the capacity of the person to use his customary self-control judgment and discretion in the conduct of his affairs and social relations as to make it necessary or advisable for him to be under treatment care supervision guidance or control The terms shall be construed to include "lunacy" "unsoundness of mind" and "insanity"

"Mental defective" shall mean a person who is not mentally ill but whose mental development is so retarded that he has not acquired enough self-control judgment and discretion to manage himself and his affairs and for whose own welfare or that of others supervision guidance care or control are necessary or advisable The term shall be construed to include "feebleminded" "idiot" "imbecile"

"Inebriate" shall mean a person habitually so addicted to the use of alcoholic or other intoxicating or narcotic substances as to be unable without help or unwilling to stop the excessive use of such substances The term shall be held to include "dipsomaniac" "habitual drunkard" "person addicted to the use of alcoholic drink or intoxicating drugs" "person so habitually addicted to the use of alcoholic drink absinthe opium morphine chloral or other intoxicating liquor or drug as to be a proper subject for restraint care and treatment in a hospital or asylum" "person habitually so addicted to the use of alcohol or narcotic drugs as to be a proper subject for restraint care and treatment" But for the purposes of this act the term shall mean only those inebriates who except for their inebriaty are of good character and reputation

"Mental patient" shall mean any person who is or is thought to be mentally ill mentally defective epileptic or inebriate or who is or has been an inmate of any hospital school or place for such persons or for whom admission thereto is being sought

"Mental hospital" shall mean any State semi-state or licensed hospital institution school or place public or private for the care of mental patients

"Hospital for mental diseases" shall mean any State semi-state or licensed hospital house or place for the treatment and care of persons mentally ill

"School" shall mean any hospital institution training school school or place public or private for the care education and training of mental defectives or epileptics

"Village" shall be considered and equivalent term with "School"

"Institution" shall mean any incorporated institution public or private established for the care of mental patients

"Place" shall mean any non-incorporated private house or place in which more than one mental patient receives care for compensation

"Trustees" shall mean the person or group of persons organized to manage and be responsible for an institution or place for the care of mental patients and shall include board of trustees managers board of managers directors or board of directors of such institution or place

"Care" shall include reception detention custody care treatment maintenance support segregation education culture training discipline improvement occupation employment "medical and surgical treatment and nursing" food and clothing

"Qualified physician" shall mean a physician who has been resident in this State for at least three years has been licensed to practice medicine in this State and has been in the actual practice of medicine for at least three years or has had at least one year's experience as physician in a hospital for mental patients

"Prison" shall mean any prison jail goal lock-up penitentiary reformatory or other institution for correction punishment or detention

"Insane criminal" shall mean any person mentally ill who has been convicted on a criminal charge and the period of whose sentence has not expired or who has a criminal tendency

"Criminal tendency" shall mean a tendency to repeat offenses against the law or to perpetrate new offenses as shown by repeated convictions for such offenses a tendency to habitual delinquency

"Transfer" of a mental patient shall mean his removal from one mental hospital to another mental hospital for the same kind of patients without other procedure for admission than those prescribed by the Department

ARTICLE II.

Institutions and Places for Mental Patients

Section 201 Mental patients in the Commonwealth shall be cared for

(a) In the following existing State Hospitals Allentown State Homeopathic Hospital State Hospital Farview State Hospital Harrisburg State Hospital Norristown Hospital Warren State Hospital Torrance State Hospital and Wernersville State Hospital

The Laurelton State Village Pennhurst State School and Polk State School

(b) In the Semi-State institution known as Dixmont Hospital

(c) In Such Semi-State county municipal incorporated District or private institution or places it shall have procured from the Department licenses as provided for in this act provided that the authorities of general hospitals may set apart or establish beds wards or departments for the temporary care of mental patients under such conditions as may be approved by the Department but no mental patient shall be admitted for care to any almshouse poorhouse prison or other place except a general hospital unless such almshouse poorhouse prison or other place shall have a license for such purpose from the Department

(2) It shall be unlawful for the persons in charge of any institution or place within the jurisdiction of the Department whether incorporated or non-incorporated except State institutions to care for any mental patients without having obtained from the Department on or before the first day of January one thousand nine hundred and twenty-four and annually thereafter a license authorizing such institutions or place to care for mental patients provided however that any incorporated institution in existence when this act takes effect shall have the right by petition to appeal to the court of Common Pleas of the County in which the institution is situated from the order of the Department refusing to grant licenses to such corporation and thereupon said courts shall determine whether the order of the Department is reasonable and shall either dismiss the petition or make such order governing the act of the Department in the premises as it shall deem wise

ARTICLE III.

Admission and Commitment of Mental Patients

Section 301 Any person thought to be mentally ill may make application in writing to the superintendent of any hospital for mental diseases for admission as a patient to such hospital such application shall be signed by the applicant in the presence of at least one witness

If the said superintendent shall be satisfied after examining the applicant that he is in need of hospital treatment and will be benefited and that the mental condition of the applicant is such as to render him competent to make such application said superintendent may receive and care for the applicant in the hospital

Such patient shall not be detained for more than ten days after he shall have given notice in writing to the superintendent of his desire to leave said hospital but if in the opinion of the superintendent it is inadvisable to discharge such patient the said superintendent shall notify the friends or relatives of the patient or other persons liable for his support

The 302nd section of the bill was read as follows:

Section 302 Whenever it shall appear that any person is mentally ill or in such condition as to be benefited by or need such care as is required by persons mentally ill the superintendent of any hospital for mental diseases may receive and detain such person on the written application of any relative or friend or the legal guardian of such person or any other responsible citizen and on the certificate of two qualified physicians that said person is mentally ill and is in need of treatment and care in a hospital for mental diseases

The application aforesaid shall be in form prescribed by the Department and shall state the name sex and residence of the patient the opinion that said patient is mentally ill and that care in such a hospital is necessary for his benefit and the facts on which the said opinions are based and such other facts or information as may be required by the Department If the facts called for or any of them are unknown to the applicant or applicants is shall be so stated in the application

In the certificate aforesaid the physicans shall each state his residence that he has resided in this State for at least three years that he has been licensed to practice medicine in this State that he has been in the actual practice of medicine for at least three years or has had at least one year's experience as physician in a hospital for mental patients that he is not related by blood or marriage to the patient or to the applicant or any of the applicants that he is not connected in any way as medical attendant or otherwise with the hospital to which application has been made for the admission of the patient that he has examined the patient with care and diligence within one week and that in his opinion the patient is mentally ill and in need of hospital care He shall further state in said certificate the information relative to the patient given him by others and the facts as to the physical and mental condition and the behavior of the patient which he has himself observed on which he bases his opinion

The aforesaid application and certificate shall be sworn to or affirmed before a judge or magistrate and said judge or magistrate shall certify to the genuineness of the signatures and to the standing and good repute of the signers of the certificate The certificate shall not authorize the admission of the patient unless the patient shall be admitted within two weeks of the date thereof

On the question,

Will the Senate agree to the section?

Mr. SMITH. Mr. President, I move to amend section 302, page 9, line 3 by striking out all of said line, and inserting in lieu thereof the following: "of record of the county in which the said person re-"

Mr. DAIX. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The 303-317 inclusive, 401-414 inclusive, 501-508 inclusive, 601, 602, 701, 702 and 703 sections of the bill were read as follows and agreed to.

Section 303 Any person who is mentally ill may be placed and detained in a hospital for mental diseases by order of the court of common pleas or other court of record of the county in which the said person resides or is or of any law judge of said courts upon a sworn or affidavit application by any responsible person addressed to said courts or judge which application shall be accompanied by a sworn or affirmed certificate of two qualified physicans Said application and certificate shall conform in all respects to the forms prescribed by the Department and be executed not more than two weeks before the same are presented to the court or judge Such procedure may be held at any place in the discretion of the court or judge who may or may not in his discretion require the presence before him of the said mental patient

A certified copy of the order of the court or judge and copies of the application and of the certificate shall accompany the patient and be given to the superintendent in charge of the hospital in which the patient is ordered to be placed The said application certificate and order shall be kept on file in a special docket in the court

Such order shall not authorize the admission of the patient unless he shall be admitted to the hospital within two weeks from the date thereof The superintendent of said hospital shall receive the said patient and may detain him therein until said patient shall have recovered or shall be removed according to law

Section 304 Whenever an application shall be made to a court of common pleas or judge thereof for an order for the admission of any person thought to be mentally ill to a hospital for mental diseases the court or judge thereof may in its or his discretion immediately appoint a commission to inquire into and report upon the facts in the case Such commission shall be composed of three persons two of whom shall be qualified physicians and the other a lawyer They shall in their inquisition hear such evidence as may be offered or as they may require relating to the mental condition of the person whose admission to a hospital for mental diseases is sought as well as the statements of such person or his counsel and shall make a report in writing to the court or judge thereof setting forth whether or not they find that the person in question is in fact mentally ill and a proper subject for admission to a hospital for mental diseases and setting forth the facts on which their conclusion is based

If such commission finds that the person in question is mentally ill and is a proper subject for admission to a hospital for mental diseases and the court or judge thereof shall approve the report of the said commission said court or judge shall thereupon order the person to be admitted to and detained in the hospital named in the application The court or judge may or may not in its or his discretion require the presence in court of the person thought to be mentally ill and the procedure may be held in any place in the discretion of the court or judge

If the person thought to be mentally ill shall refuse to submit himself to an examination by the aforesaid commission the court or judge thereof may issue a warrant for the bringing of said person before said commission for examination

Section 305 The superintendent of any hospital for mental diseases may receive in the hospital of which he has charge and detain for temporary care as a patient for a period not to exceed ten days any person who is or is thought to be suffering from mental illness on the written application to said superintendent by the legal guardian or relative or friend of such person which application shall be accompanied by a certificate of at least one licensed physician that immediate temporary care in a hospital for mental diseases is necessary for such person by reason of mental illness

Said application and certificate shall be given to the superintendent or other officer of the hospital at the time of the admission of the patient

If after the admission of such patient the superintendent shall be of the opinion that the patient does not require such temporary care the superintendent shall discharge said patient or shall notify the said guardian relative or friend on whose application the patient was admitted to forthwith remove the patient from the hospital whereupon it shall be the duty of said guardian relative or friend to remove him and said guardian relative or friend shall be liable to the hospital for the expenses incurred including those for care maintenance and removal

If the said superintendent shall be of the opinion that the patient requires further care the said guardian relative or friend shall before the expiration of said period of ten days cause the patient to be duly committed according to law unless said patient shall have signed a request to remain as a voluntary patient or shall have been removed from said hospital

When such patient is so further committed the cost of such commitment shall be considered to include the expenses incident to his admission for temporary care

Section 306 The Superintendent of any hospital for mental diseases may receive and detain as a patient for a period not exceeding ten days any person whose case is certified to be one of violent or dangerous mental illness or of other emergency by two qualified physicians in a certificate similar to the certificate required in section three hundred and two of this act except as to being sworn or affirmed to Upon the request of one of the aforesaid physicians or any relative or friend or of the guardian or committee of said patient a sheriff or constable or police officer shall cause the delivery of said patient to the superintendent of said hospital

The person requesting such admisison shall within ten days after the date of admission apply to the judge of the court of common pleas or other court of record of the county in which the patient is or resides or was apprehended for the commitment of said patient as mentally ill in accordance with the provisions of section three hundred and three of this act The certificate aforesaid may be used as the certificate of mental illness required in said section If within the said ten days no commitment be made or if the patient does not sign a request to remain in the hospiatl as a voluntary patient or if the patient be not removed the applicant aforesaid shall be liable to the hospital for the expenses incurred which may be recovered by the hospital by suit in assumpsit

Section 307 The guardian committee or any relative or friend of a person thought to be mentally ill may make application to the court of common pleas, or other court of record of the coutny wherein such person resides or is or to any judge thereof for an order for the commitment of such person to a hospital for mental diseases for observation diagnosis and treatment Such application shall be accompanied by the sworn certificate of two qualified physicians setting forth upon a form prescribed by the Department that such person is in such a condition as to require observation in a hospital for mental diseases and giving the information called for by said form Thereupon or in his own discretion without such application the court or judge if satisfied that the condition of such person is such as to make his commitment desirable for his best interests shall commit him for such period and under such limitations as the court or judge may direct to the institution indicated in the application or to such other like institution as the court or judge may designate

The superintendent or other person in charge of the institution to which the said person is committed shall before the expiration of the period of commitment of the patient make written report of said patient's mental condition to the court or judge making the commitment Thereupon the court or judge if satisfied that the patient is not mentally ill shall order his discharge and that the cost of his transportation commitment care and treatment be paid by the person so committed by the applicant for his commitment or by the poor authorities of the county or poor district in which such person is resident as the court or judge shall deem just and proper otherwise the court or judge shall make such order for the further disposition of the patient as may to him seem proper

Section 308 When any person detained in any prison whether waiting trial or undergoing sentence or detained for any other reason (e g as a witness) shall in the opinion of the superintendent jail physician warden or other chief executive officer of the institution or other responsible person be insane or in such condition as to make it necessary that he be cared for in a hospital for mental diseases the said superintendent jail physician warden or other chief responsible officer of the institution or otner person shall immediately make application upon a form prescribed by the Department to a law judge of the court having jurisdiction of the charge against said person or under whose order he is detained for commitment of said person to a proper hospital for mental diseases The said judge shall forthwith order an inquiry by two qualified physicians or by a commission as provided in section three hundred and four of this act who shall immediately examine the said person and make written report of their findings to the said judge If in their opinion the person so detained is insane the physicians shall so state in a certificate conforming to the requirements of section three hundred and two or the commission in a report conforming to the requirements of section three hundred and four of this act They shall also report whether in their opinion such person is of criminal tendency The said judge may in his discretion summon other witnesses and secure further evidence If he is then satisfied that the person thought or alleged to be insane is in fact insane he shall order the removal of such person to a hospital for mental diseases If the prisoner is a convict serving sentence or if he is of criminal tendency he shall be removed to a State hospital for insane criminals In any other case the judge shall commit him to some other hospital for mental diseases

If the person found to be insane and removed to a hospital is awaiting indictment or trial or has been arraigned or is being tried proceedings against him shall be stayed until his recovery Upon his recovery he shall be returned to the prison from which he was removed for the disposition of the charges against him upon proper order of the court If he is a convict serving sentence the time during which he is in the hospital shall be computed as part of the term for which he was sentenced

The expense of examination including the fees of physicians or commissioners and all costs incident to such removal and of maintenance in the hospital previous to the expiration of sentence shall be paid by the county liable for the maintenance of the patient in the prison from which he was removed without recourse against any poor district

If the sentence of a person committed to a hospital for mental diseases under the provisions of this section shall expire before his recovery he may be transferred by the authority of the Department to any other hospital for care until his recovery when he shall be discharged as in the case of any non-criminal patient If the person found to be insane and removed to a hospital is a convict and recovers before the expiration of his sentence or is found after observation for a sufficient time not to be insane the superintendent or chief officer of the hospital to which said person has been committed shall properly certify such fact to the court which has committed him and he shall be returned upon order of the said court to the prison from which he was removed The expense of removal shall be paid by the county liable for his maintenance in the prison from which he was removed without recourse against any poor district

When on the production or appearance of any person charged with criminal offense or on the production or appearance before the court of such person under any other circumstances it shall appear to the court that such person is insane or in such condition as to make it necessary that he be observed or cared for in a hospital for mental diseases proceedings for the commitment of such person to such a hospital shall be had such as are provided for in section three hundred seven or section three hundred three of this act upon application of some person to be designated by the court

When any person charged with any crime or misdemeanor whatever shall be acquitted on the ground of insanity or having been insane at the time the offense was committed the jury shall set out this fact in their verdict and the court or judge before whom such person is tried may thereupon order such person to be committed to a hospital for mental diseases in the manner provided in section three hundred three three hundred four or three hundred seven of this act

Section 309 The superintendent of any State or licensed school for mental defectives may receive and detain any mentally defective person resident of this State under twenty years of age and incapable of being properly educated and trained in the public schools whose condition of mental defect and whose need of and fitness for care in a school for mental defectives shall have been certified to by a qualified physician and whose admission shall be applied for by a parent guardian or relative of such person or by any other responsible person having custody of such mentally defective person or being liable for his support

The said application shall be made on form prescribed by the Department and shall state the name sex age and residence of said mentally defective person and such other facts as may be required by the Department If the facts or any of them are unknown to the applicant it shall be so stated in the application

If the said application is for the admission of a person to a school owned and controlled by the Commonwealth it shall be endorsed by the poor authorities of the county in which the said person resides if there be such authorities in said county otherwise by the directors or overseers of the poor district in which said person resides

But before any person shall be admitted to any school for mental defectives under the provisions of this section the consent of the managers or superintendent thereof to such admission shall have been obtained

The poor authorities of any county or the overseers of the poor district therein in endorsing an application for the admission of a person to said school shall state whether or not such person has an estate of sufficient value or a parent or parents of sufficient financial ability to defray expenses in whole or in part of supporting such person in said school and if there be such means of support in part only then the amount per month which the parents or parent or legal guardian of such person may be able to pay and the person or persons who make the application for such admission shall therein make statement under oath to such means of support Said managers or superintendents in accepting an application for the admission of any person shall fix the amount if any which shall be paid for such support according to the ability of such parents or parent of the person or according to the value of such person's estate if any and shall require payment for such support so far as there may be ability to pay as a condition to the admission or retention of said person Said amount may at any time be changed by said managers or superintendent upon receiving further information concerning such means of support When neither the said person nor his parent or parents are of sufficient financial ability to defray the expenses in whole or in part of his support in said school the ascertainment of the facts shall be as hereinbefore stated and the poor authorities or directors or overseers of the poor endorsing the application shall agree to pay the school for clothing as may be required for the comfort and advantage of said person at an annual rate to be established by the trustees or managers of the school after submission of the same to and approval by the Department All other support at the school shall be provided for by annual appropriations at such per capita rates as shall be appropriated by the General Assembly on the application of the trustees or managers after submission of the same to and approval by the Department Provided however that in any judicial district in which there is a municipal court vested with the exclusive jurisdiction over proceedings concerning children suffering from epilepsy nervous and mental defects then admission of mentally defective or epileptic children to any State or municipal institution from said judicial district shall be exclusively vested in said court

Section 310 The superintendent of any State or licensed school for mental defectives may receive and detain any mentally defective person twenty years of age or who is of such inoffensive habits as to make him a proper subject for classification and discipline in a school for mental defectives the procedure for admitting any such person shall be the same as for the admission of mentally defective persons under the age of twenty years

Section 311 Any person mentally defective may be placed and detained in a proper State or licensed school for mental defectives by order of the court of common pleas or other court of record or the juvenile court of the county in which such person is or resides upon the sworn or affirmed petition of any parent guardian or other responsible person addressed to the said court praying that the said person may be placed therein the said petition must be accompanied by a sworn or affirmed certificate of a qualified physician that it is his opinion that the said person is mentally defective and a proper subject for commitment to a school for mental defectives in the said certificate the physician shall further state the facts of his own observation and any other information upon which his said opinion is based it shall be in other respects in form similar to that prescribed by the Department for the admission of persons mentally ill to a hospital for mental diseases

The said petition shall be in form prescribed by the Department and shall state the name sex age and residence of the person alleged to be mentally defective the opinion of the petitioner that said person is mentally defective and such other facts as may be required by the Department if the facts or any of them are unknown to the petitioner it shall be so stated in the petition

Thereupon the said court or a judge thereof may in his discretion appoint a day for a hearing of the said petition and if he shall appoint a day for a hearing he shall cause notice thereof to be given to the proper parties in interest and in his discretion he may or may not require the presence of the alleged mentally defective person at said hearing if it shall be made to appear to the said court or judge that the said person is mentally defective and a proper subject for commitment to a school for mental defectives and that the best interests of the said person or the safety and welfare of the public require such commentally defective person to the school named in the petition and direct his removal thereto by a proper officer or person but before any person shall be admitted under the provisions of this section to any school for mental defectives the consent of the managers trustees or superintendent thereof to such admission shall have been obtained

At the said hearing the said court or judge shall inquire as to the estate of such mentally defective person and if the same be sufficient for the purpose shall make an order directing the payment therefrom of the cost of clothing and other support of such mentally defective person in said school otherwise that such payment be made by the husband or parent of such mentally defective person if it appear that the circumstances of such husband or parent are such as to make such an order proper and advisable Where the estate of said mentally defectives person is insufficient and the circumstances of said husband or parent are not such as to warrant such an order for the payment of clothing and other support or either of them the expenses of clothing of said mentally defective person shall be paid for by the said county in which such mentally defective person resides and all other support shall be provided for by the Commonwealth at such per capita rates as shall be appropriated by the Legislature on the application of the trustees or managers of the said school after submission of the same to and approval by the Department

When any mentally defective person shall have been committed to any school under the provisions of this section by a juvenile court the managers or superintendent of said school have authority to detain such person after he shall have reached the age of twenty-one years and thereafter in the discretion of said managers or superintendent such person may be discharged or allowed a leave of absence upon order of the court of common pleas or other court of record or a judge thereof of the county in which the said commitment was made

Section 312 Any person under twenty-one years of age suffering from epilepsy may be admitted to and detained in any institution or place for the care of epileptics upon the written application to the superintendent of such institution or place by the parent guardian or other person liable for the support of such epileptic person and any epileptic person twenty-one years of age or over may be admitted upon his own written application signed in the presence of at least one witness if his mental condition is such as to render him in the opinion of the superintendent or attending physician of such institution or place competent to make such application

No epileptic person admitted upon such written application of parent guardian or other person shall be detained more than ten days after said parent guardian or other person shall have given notice to the said superintendent of his desire or intention to remove such epileptic person and no epileptic person admitted upon his own written request shall be detained more than ten days after he shall have given written notice to the said superintendent of his desire or intention to leave

Section 313 Persons suffering from epilepsy may be admitted to and detained in any institution or place for epileptics or which receives epilepties for care by any of the procedure provided for the admission of mental defectives to schools for mental defectives except that in such cases the application of petition and certificate therein required shall state that the person desired to be admitted is an epileptic and is a fit subject for care in a hospital or institution for epileptics

Section 314 Any person who by reason of epilepsy is dangerous to himself or others may be committed to a hospital for mental diseases or to a State institution for epileptics by the order of the court of common pleas of the county in which such person is or resides or by any or other court of record of the county in which such person is or resides or by any law judge thereof in accordance with the procedure provided for the commitment by court or judge of a person mentally ill to a hospital for mental deseases as provided in section three hundred and three of this act except that the application and certificate of physician therein required shall state that the person for whose commitment application is made is an epileptic and by reason of epilepsy is dangerous to himself or others

Section 315 Any inebriate who except for his inebriety is of good character and reputation may be admitted to and detained in any State or licensed hospital for mental diseases or to the psychopatic department or ward of any general hospital maintaining such department or ward by the same procedure as in the case of the voluntary admission of a person thought to be mentally ill as provided in section three hundred and one of this act

He shall not be detained therein for more than ten days after he shall have given written notice to the superintendent thereof of his desire or intention to leave

Section 316 Any inebriate who except for his inebriety is of good character and reputation and who is a proper subject for care in a State or licensed hospital or institution for inebriates or for mental diseases may be placed and detained in such institution by order of the court of common pleas or other court of record of the county in which such person is or resides upon petition under oath or affirmation of at least two citizens who shall be either the wife husband parent child committee of the estate of an inebriate or next friends of such person praying for the commitment of such person to a proper hospital or institution for detention care and treatment

Said petition shall state the opinion of the petitioners that the said person is an inebriate within the scope of this act and is a fit subject for detention care and treatment in such hospital or institution and shall set forth the facts on which said opinion is based Said petition shall be accompanied by the sworn or affirmed certificate of two qualified physicians based on careful examination by them of the alleged inebriate setting forth the condition of such person their opinion that said person is an inebriate and a fit subject for the detention care and treatment and stating the facts of their own observation and the information given them by others on which said opinion is based

Upon such petition and certificate the said court shall issue its warrant requiring the said inebriate on a day fixed to be brought in court for a hearing If after such hearing the court is satisfied that the alleged inebriate is a proper subject for detention care and treatment the court shall commit said inebriate to the hospital or institution in the petition or other appropriate hospital or institution But before such commitment shall be made the consent of the superintendent thereof to such admission shall have been obtained When so committed the said inebriate shall remain in such hospital or institution until the board of managers or trustees or the superintendent thereof shall certify to the said court that detention care and treatment are no longer benefical or necessary to the inebriate or that he is cured whereupon the court shall order the inebriate to be discharged under such supervision and restriction as the court may impose But no person shall be detained under the provisions of this act for a period of more than one year

Section 317 All commitments under this act shall be revisable under writ of habeas corpus which may be sued out at any time by any person restrained hereby or by any one acting for or on behalf of such person Provided That superintendents and other officers of institutions are not to be held personally liable for the detention of patients when such patients received placed and detained in such institution in compliance with the provisions of this act

ARTICLE IV

Transfer Discharge Leave of Absence Escape Interstate Rendition and Deportation of Mental Patients

Section 401 The Department is hereby authorized and empowered in its discretion and for any reason which to it may seem sufficient to transfer or cause to be transferred any patient from any mental hospital to which such patient has been admitted under any of the provisions of this act to any other like hospital within this Commonwealth but no such transfer shall be made to or from a private hospital except upon the joint application of the superintendent or manager thereof and of the legal or natural guardian or other person liable for the support of the patient and no patient under sentence by any court or committed by any court after having been charged with any crime and acquitted on the ground of insanity may be transferred without an order of such court authorizing such transfer Provided That any voluntary patient may be transferred only if such patient or the person who made the application for such patient's admission has consented in writing to such transfer

Whenever any patient not a convict who has been committed by order of a court is transferred the order of commitment shall be held to apply to the hospital to which such patient is transferred as though said hospital had been the one to which the said order of commitment had originally been made

Section 402 Whenever any patient shall be transferred under the provisions of this article certified copies of the application of the certificate of physicians or report of commission and of the order of court or such of them as there may be and the order of the Department authorizing the transfer shall accompany the patient to the hospital to which he is transferred together with a copy of all clinical records or a full abstract thereof containing all essential particulars including results of mental and physical examinations and laboratory tests relating to such patient

Section 403 Whenever the superintendent of any mental hospital shall find that any patient therein needs care in a mental hospital for patients of a different kind such superintendent shall report the facts relative to such patient to the Department Thereupon the said Department may order that application be made for the admission of such patient to any proper mental hospital by any of the procedures prescribed by law for admission of patients to such hospital

Section 404 The Board of Trustees of any mental hospital and the superintendent thereof when given general or special authority therefor by such Board of Trustees or the person in charge if there be no Board of trustees shall have the power and authority to discharge any patient from such hospital if in their or his opinion no harm will arise from such action but no insane criminal under sentence and no person charged with any crime and acquitted on the ground of insanity shall be discharged from such hospital without an order of the court in which he was sentenced or acquitted authorizing such discharge No patient who is known to be homicidal or otherwise dangerous to be at large shall be discharged without examination by and the written consent of the Department nor without a sufficient guarantee by the person for said patient's support and care that the safety of the public or any individual shall be safe-guarded No patient whose parent guardian or friend liable for his support shall oppose his discharge shall be discharged without notification to such parent guardian or friend and apportunity given him to state his reasons for wishing the said patient's further detention and no mentally defective person or inebriate who has been committed by an order of court except in the case of a person discharged by lapse of time from leave of absence or escaped and except in case such inebriate has been under hospital care for one year shall be discharged without the recommendation of the chief medical officer in charge and an order from the court

Section 405 The Department shall have power and authority in its discretion to order and compel the discharge from any mental hospital of any mental patient except an insane criminal under sentence or a person charged with any crime or misdemeanor and acquitted on the ground of insanity but before issuing such order the Department shall give due notice to the trustees or superintendent of the hospital wherein such patient is under care and to the person at whose instance the said patient is detained and shall give reasonable opportunity to such trustees or superintendent and person to justify a further detention of the said patient

Section 406 Any proper court shall have the power and authority to order and compel the discharge of any mental patient committed by such court to any mental hospital if upon hearing it shall be made to appear that such discharge is for the best interests of the patient and not incompatible with the public welfare and safety In making any such order if it is not in accordance with the expressed opinion of the physician in charge of the hospital the court shall set forth the reasons for its decision which reasons shall be part of said order and the said order and reasons and the opinion of the physician in charge of the said hospital shall be entered in the clinical record of the patient

Section 407 The superintendent of any mental hospital may in his discretion allow a leave of absence for such period not exceeding twelve months and upon such conditions as he may prescribe but not inconsistent with the provisions for discharge of patients as provided in section four hundred four to any patient whose condition is such as to warrant such action

Such leave of absence may be terminated by such superintendent who may if necessary authorize the apprehension and return of the patient to the hospital by any sheriff constable or police officer who shall thereupon cause such apprehension and return In such case the expenses necessarily incurred by such sheriff or other officer in such return of a patient shall be paid by the person in whose charge the patient was allowed to leave if he is financially able to pay Otherwise such expenses shall be paid by the person or poor authorities liable for the maintenance of such patient in such hospital

Section 408 Any mental patient who excapes from any mental hospital may be apprehended and returned thereto by any sheriff or constable or police officer or by any officer or employe of such hospital at the expense of such hospital

Section 409 The Governor may upon demand deliver to the executive of any other state or territory any person who has escaped from any mental hospital to which he has been admitted under the laws of such state or territory and who may be dangerous to the safety of the public or may upon application appoint an agent to demand of the executive authority of any other state or territory any such person who has escaped from such a hospital in this Commonwealth Such demand or application shall be accompanied by an attested copy of the commitment and sworn evidence of the superintendent of the hospital stating that the person demanded has escaped from such hospital within six months next preceding the date of the application or demand and by such further evidence as the Governor may require

Section 410 If the Governor is satisfied that the demand conforms to law and ought to be complied with he shall issue his warrant under the seal of the Commonwealth to an officer authorized to serve warrants in criminal cases directing him at the expense of the agent who makes the demand at the time designated in the warrant to take and transport such person to the boundary line of this Commonwealth and there deliver him to such agent and for this purpose such officer may require aid as in criminal cases Provided That any person who is arrested upon such warrant shall not be delivered to such agent of a state or territory until he has been notified of the demand for his surrender and has had an opportunity to apply for a writ of habeas corpus if he claims such right of the officer who makes the arrest If such writ is applied for notice thereof and the time and place of hearing shall be given to the Attorney General or District Attorney for the district in which the arrest is made

Any officer who delivers such person in his custody upon such warrant to such agent for extradition without having complied with the provisions of this section shall forfeit not more than one thousand dollars Pending the determination of the court upon the application for such writ the person shall be detained in custody in a suitable mental hospital

Section 411 If the application for the arrest of a patient escaped from any mental hospital in this Commonwealth to another state or territory is granted and an agent is appointed for the purpose of returning such patient to such mental hospital the account of such agent shall be paid by the hospital from which the patient escaped but the Governor may direct the whole or any part of such account to be paid by the Commonwealth

Section 412 Any mental patient except such as has been charged with any crime and acquitted on the ground of insanity or arrainged or convicted who has been absent with or without leave for a period of twelve months continuously from the hospital in which he was under care shall be deemed to be discharged from the said hospital and cannot be readmitted except as provided by law in Article III of this act

Section 413 If upon investigation the Department or any of its agents shall find that any patient supported wholly or in part at the expense of the Commonwealth it not a legal resident of this Commonwealth but has a legal residence in some other state or country it may by a proper order addressed to the trustees or the superintendent of the hospital to which such patient has been admitted cause him to be returned to that state or country in which he has a legal residence or where he belongs

Any patient returned to another state or country under the provisions of this section shall be suitably clothed and unless he is fully competent to travel alone he shall be attended by a person of his own sex who shall exercise due care over him until he has reached the destination agreed upon by the proper authorities of this State and the state or country to which he is returned If competent to travel alone unable to pay the costs of travel he shall be furnished with funds sufficient for sustenance and travel to the destination agreed upon

The actual necessary expense of returning such patient shall be paid from the State Treasury by warrant drawn by the Auditor General on the State Treasurer on an account settled by the Auditor General

Section 414 The Department is hereby authorized and empowered to enter into the agreements with the authorities of other states which shall adopt legislation consistent with this act for the arbitration of disputed questions between such states and this Commonwealth respecting the residence of mental patients and for the return of such persons to their proper residence

ARTICLE V

Cost of Admission Care and Discharge of Mental Patients

Section 501 Whenever any patient who is mentally ill mentally defective epileptic or inebriate is admitted to any mental hospital whether by order of a court or judge or in any other manner authorized by the provisions of this act the cost of such admission or commitment shall be deemed to include the expenses of removing such patient to the hospital the fees of physicians or commissioners and all other expenses however incurred Such costs shall be chargeable to the estate of such patient or to the person liable for his support Provided That if such estate or person is unable to pay the same the county or poor district liable for the support of such patient shall be liable for such costs

If the patient is committed by order of court the court or judge shall determine at the time of commitment the liability for such costs and shall assess the same as shall seem to him just and proper

Section 502 The expenses of commitment and removal to or from a hospital for mental diseases of any person charged with a criminal offense but who is not in custody or who is arraigned or brought before the court under any other circumstances or of any prisoner who before or during trial is found or thought to be insane or in such condition as to make it necessary that he be cared for in a hospital for mental diseases shall be paid by the county in which such person or prisoner is committed

The County may recover such expenses from the estate of the person or prisoner or from the person liable for his support but not from any poor district

Whenever any person convicted of any crime or charged with any crime and acquitted on the ground of insanity is committed to any hospital for mental diseases the expenses of commitment and of removal to or from the hospital shall be paid by the county in which the crime was committed The county may recover such expenses from the estate of such person or from the person liable for his support but not from any poor district

Section 503 Whenever any mental patient is admitted whether by order of a court or judge or in any other manner authorized by the provisions of this act to any mental hospital maintained wholly or in part by the Commonwealth the cost of care and maintenance including clothing of such patient in such hospital shall be defrayed from the real or personal property of such patient and this liability may be enforced by writ of fieri facias venditioni exponas or attachment execution if he have any such property If he has no such property or is not possessed of sufficient property to defray such expenses then so much of said expenses as shall be in excess of any amount collected from his said property and paid on account of said expenses shall be paid by such person as is liable under existing laws for his support and if there be no such person or if he is financially unable to pay such expenses or any proportion thereof then such expenses or the proportion thereof which cannot be collected from the patient or the person liable for his support shall be paid by the county or poor district or municipality which is liable for his support and by the Commonwealth in the proportion which is now or shall hereafter be fixed by law

Section 504 Whenever any person is maintained as a patient in any mental hospital wholly or in part at the expense of the Commonwealth the Attorney General through any agents authorized by him may investigate the financial ability of such patient or of the person liable for the support of such patient to defray the expenses in whole or in part of his care and maintenance in such hospital

Section 505 The court of common pleas or other court of record of the county in which any mental patient resided prior to his admission to any mental hospital maintained in whole or in part by the Commonwealth shall have power upon the application of the Attorney General to make an order conformable to the provisions of this article for the payment of maintenance to the Commonwealth upon the trustee committee guardian or other person who has charge of the estate of such patient or against the husband father wife mother or child of any patient so maintained in such amounts respectively as the court in its discretion may deem proper taking into consideration the ability of the patient or the person liable for his support to pay for such maintenance and the court may also upon like application direct any trustees committee guardian or other person having charge of any such estate to file with the Attorney General the statement required by the second section of the act approved the first day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws six hundred and sixty-one) entitled "An Act relating to the maintenance of insane feeble-minded and other persons confined in the various institutions of the Commonwealth fixing liability for their support providing for the collection of the moneys due the Commonwealth therefor and for proceedings relating thereto"

Section 506 Whenever any patient shall be transferred under the provisions of section five hundred and one of this act the cost of such transfer or removal shall be paid by the patient or by the person liable for his support if able financially to pay and if the transfer was made at the request of such person otherwise said costs shall be paid out of the appropriations for the care treatment and removal of indigent insane made to the Department After such transfer the municipality poor district or person liable for his support and maintenance to the institution to which said patient has been admitted shall be liable to the institution to which such transfer has been made for support and maintenance

Section 507 The expenses of the care and maintenance including clothing of insane prisoners shall be paid in the same manner as the costs of commitment of such prisoner as provided in section five hundred and two of this act Provided That if the term of sentence of any prisoner shall expire while he is still a patient in any hospital such expenses shall thereupon become chargeable as provided in section five hundred and three of this act

Section 508 The expenses incident to the discharge or removal of any memtal patient from any mental hospital including necessary clothing and travel expenses or his funeral expenses in case of his death shall be chargeable in the same manner as the cost of maintenance of such patient as provided in section five hundred and three of this act

If such patient is in a State hospital and there is no estate of such patient or person liable for his support who is able to pay therefor and the patient is ordered by the Department to be discharged the authorities of such hospital shall pay the traveling expenses of such patient to his home the amount of which payment shall be refunded and paid to such hospital from the appropiations for the indigent insane or mentally ill then current

If such patient is a convict or other prisoner such expenses shall be paid by the county in which the crime was committed or from which the prisoner was committed as the case may be in the same manner as the costs of maintenance as provided in section five hundred and seven of this act

If such patient has no residence in this Commonwealth and is returned to some other state or country the actual necessary expenses of returning such patient shall be paid from the State Treasury by warrant drawn by the Auditor General on the State Treasurer on an account settled by the Auditor General

ARTICLE VI.

Rights of Patients

Section 601 Every mental patient in any institution or place for mental patients within the jurisdiction of the Department shall have the right

(a) To communicate with his counsel and with the Commissioner and to be alone at any interview with his counsel or Commissioner or representative of the Department

(b) To religious freedom and to be visited by any minister of any religious denomination Provided That the religious services rendered by such minister shall be personal to the mental patient desiring the same and shall not interfere with the established order of religious services in such institution or place

(c) To be employed at a useful occupation insofar as the condition of such patient may permit and the institution or place is able to furnish useful employment to the patient

(d) To sell articles the product of his individual skill and labor and the produce of any small individual plot of ground which may be assigned to and cultivated by him and to keep or expend the proceeds thereof or send the same to his family

(e) To be furnished with writing materials and reasonable opportunity in the discretion of the physician in charge for communicating under seal with any person or persons outside of such institution or place and such communications shall be stamped and mailed

(f) To a writ of habeas corpus to determine whether or not he is properly detained as a mental patient and the respondent in any such writ shall be required to pay the costs and charges of the proceedings unless the judge shall certify that in his opinion there was sufficient grounds for detaining the patient and putting him to his writ

(g) To be discharged as soon as in the opinion of the medical attendant of such institution or place he shall be restored to reason and competent to manage his own affairs

(h) To be visited and examined at all reasonable hours by any medical practitioner designated by him or by any member of his family or "near friend" with the sanction of a judge of a court of record of the county in which such mental patient resided prior to his commitment to such institution or place and with the consent of the patient and of the physician in charge of such institution or place such medical practitioner may attend such patient for all maladies other than mental illness in the same manner as if the patient were in his own home

Section 602 Whenever any female mental patient is to be removed to or from her home or any institution or place or any almshouse jail or penitentiary and whenever any such patient is transferred she shall be accompanied by a female attendant unless such patient is accompanied by a member of her family

It shall be the duty of the court committing such patient or if such patient has not been committed by the court of the person persons or authorities liable by law for her support to provide a female attendant for such patient The expenses of such attendance shall be paid in accordance with the provision of Article V of this act

ARTICLE VII

Penalties Exemption and Repealer

Section 701 Any person who shall violate any provision of Article II of this act shall be guilty of a misdemeanor and upon conviction in the proper court be subject to a fine of not more than one hundred dollars

Section 702 If any person shall aid or assist any patient lawfully admitted to any mental hospital to make or attempt to make his escape therefrom or shall connive in any way at such escape or attempt at escape although no escape has actually been made or if any person shall deliver or cause to be delivered or in any way connive at the delivery of any alcoholic or other intoxicating or narcotic substance to any patient in any mental hospital or psychopathic department or ward of a general hospital without the knowledge and consent of the physician in charge thereof such person shall be deemed guilty of a misdemeanor and upon conviction in the proper court be subject to a fine of not more than fifty dollars or imprisonment for not more than three months or both at the discretion of the court

Section 703 No verdict or judgment shall be entered in any action nor shall judgment be entered on any indictment for detention without compliance with the provisions of this act of any person as mentally ill in any institution or place for mental patients as against anv person or persons subject to the provisions of this act who shall have complied with its requirments unless the judge after trial and verdict shall certify that there was proof to his satisfaction that the party charged acted with gross negligence or corruptly or that he acted without reasonable or probable cause or was actuated by motives other than the good of the person restrained

Section 704 The following acts and parts of acts and all other acts and parts of acts inconsistent herewith are hereby repealed

Section forty-two of the act approved the fourth day of May Anno Domini one thousand eight hundred fifty-two (Pamphlet Laws five hundred forty-two) entitled "An Act to provide for the ordinary expenses of government the repair of the public canals and railroads and other general and special appropriations"

The act approved the seventeenth day of February Anno Domini one thousand eight hundred and fifty-four (Pamphlet Laws eighty-five) entitled "A further supplement to the act relative to the Pennsylvania State Lunatic Hospital passed the fourteenth day of April one thousand eight hundred and forty-five"

The act approved the twenty-fourth day of March Anno Domini one thousand eight hundred and fifty-eight (Pamphlet Laws one hundred fifty-one) entitled "A further supplement to the act relative to the Western State Penitentiary"

Sections one two three four and six of the act approved the eighth day of April Anno Domini one thousand eight hundred and sixty-one (Pamphlet Laws two hundred forty-eight) entitled "A supplement to the several acts of Assembly relative to the Pennsylvania State Lunatic Hospital"

Sections one to twelve inclusive and section fifteen of the act approved the twenty-second day of April Anno Domini one thousand eight hundred and sixty-three (Pamphlet Laws five hundred thirty-nine) entitled "An act supplementary to an act incorporating the Western Pennsylvania Hospital"

Section two of the act approved the eighteenth day of April Anno Domini one thousand eight hundred and sixty-four (Pamphlet Laws four hundred fifty-one) entitled "An act supplementary to the act of twenty-second April eighteen hundred and sixty-three relative to the Western Pennsylvania Hospital"

Section one of the act approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-eight (Pamphlet Laws ninety) entitled "An act to establish an additional State hospital for the insane"

Sections one two four six eight and nine of the act approved the twentieth day of April Anno Domini one thousand eight hundred and sixty-nine (Pamphlet Laws seventy-eight) entitled "An Act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge therefrom"

Section two of the act approved the ninth day of April Anno Domini one thousand eight hundred and seventy (Pamphlet Laws one thousand one hundred and twenty-one) entitled "A supplement to an act entitled 'An act for the regulation and government of the Lehigh County prison' approved the sixth day of April one thousand eight hundred and sixty-nine"

Section five of the act approved the twenty-seventh day of March Anno Domini one thousand eight hundred and seventy-three (Pamphlet Laws fifty-four) entitled "An act to organize the State Hospital for the Insane at Danville and provide for the government and management of the same"

Section two of the act approved the seventh day of May Anno Domini one thousand eight hundred and seventy-four (Pamphlet Laws one hundred nineteen) entitled "A supplement to the act to create a board of public charities approved the twenty-fourth day of April Anno Domini one thousand eight hundred and sixty-nine authorizing and empowering said board to appoint visitors and to transfer certain insane persons from county institutions to State hospitals"

The act approved the fourteenth day of May Anno Domini one thousand eight hundred and seventy-four (Pamphlet Laws one hundred sixty) entitled "An act to provide for the custody of insane persons charged with and acquitted or convicted of crime"

Sections one and ten of the act approved the fifth day of May Anno Domini one thousand eight hundred and seventy-six (Pamphlet Laws one hundred twenty-one) entitled "An act to proved for the selection of a site and the erection of a State hospital for the insane for the city and county of Philadelphia and the counties of Bucks Montgomery Delaware Chester Northampton and Lehigh to be called the State Hospital for the Insane for the Southeastern District of Pennsylvania and for the management of the same"

The act approved the fourth day of June Anno Domini one thousand eight hundred and seventy-nine (Pamphlet Laws ninety-eight) entitled "An act for the better regulation and treatment of the female insane in the asylums and hospitals of the Commonwealth of Pennsylvania"

Section eight of the act approved the eighth day of June Anno Domini one thousand eight hundred and eighty-one (Pamphlet Laws eighty-three) entitled "An act to organize the State hospitals for the insane at Warren Pennsylvania"

The act approved the eighth day of May Anno Domini one thousand eight hundred and eighty-three (Pamphlet Laws twenty-one) entitled "An act relative to the supervision and control of hospitals or houses in which the insane are placed for treatment or detention"

The act approved the thirteenth day of June Anno Domini one thousand eight hundred and eighty-three (Pamphlet Laws ninety-two) entitled "An act to provide for the care and treatment of the indigent insane of the several counties of the Commonwealth and State hospitals for the insane"

The act approved the seventh day of May Anno Domini one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred sixteen) entitled "A supplement to an act relative to the supervision and control of hospitals and houses in which the insane are placed for treatment or detention approved the eighth day of May Anno Domini one thousand eight hundred and eighty-three' (Pamphlet Laws one hundred twenty-seven)

The act approved the eighth day of May Anno Domini one thousand eight hundred and eighty-nine entitled "A supplement to the act of April twentieth one thousand eight hundred and sixty-nine entitled 'An act to provide for the admission of certain classes of the insane into hospital for the insane in this Commonwealth and their discharge therefrom fixing the amount of compensation to be paid to the commisioners appointed under section six of said act and declaring who shall be liable therefor and the costs of proceedings under said section"

The act approved the twenty-third day of May Anno Domini one thousand eight hundred and ninety-one (Pamphlet Laws one hundred thirteen) entitled "An act to amend an act entitled 'An act supplementary to an act incorporating the Western Pennsylvania Hospital' so as to include the county of Potter"

Sections eleven and twelve of the act approved the twenty-second day of June Anno Domini one thousand eight hundred and ninety-one (Pamphlet Laws three hundred seventy-nine) entitled "An act to provide for the selection of a site and the erection of a State asylum for the chronic insane to be called the State tsylum for the chronic insane of Pennsylvania and making an appropriation therefor"

The act approved the fourteenth day of April Anno Domini one thousand eight hundred and ninety-three (Pamphlet Laws twenty) entitled "An act to provide for the better protection of female insane patients in transit"

The act approved the tenth day of May Anno Domini one thousand eight hundred and ninety-three (Pamphlet Laws thirty-nine) entitled "A supplement to an act relative to the supervision and control of hospitals and houses in which the insane are placed for treatment or detention approved the eighth day of May Anno Domini one thousand eight hundred and eighty-three"

Sections eleven to sixteen inclusive of the act approved the third day of June Anno Domini one thousand eight hundred and ninety-three (Pamphlet Laws two hundred eighty-nine) entitled "An Act to provide for the selection of a site and the erection of a State institution for the feeble-minded to be called the Western Pennsylvania State Institution for the Feeble-minded and making an appropriation therefor"

The act approved the twenty-seventh day of May Anno Domini one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred ten) entitled "An Act to amend an act approved the fourteenth day of April Anno Domini one thousand eight hundred and ninety-three entitled 'An act to provide for the better protecion of female insane patients in transit' fixing a penalty for the violation of the said act and providing the manner such penalty shall be recovered"

The act approved the twenty-second day of June Anno Domini one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for the return of paupers and indigent insane persons not having a legal settlement within this Commonwealth to any other state or countfy to which they may belong"

Section 11 of the act approved the eighteenth day of July Anno Domini one thousand nine hundred and one (Pamphlet Laws seven hundred thirty-seven) entitled "An Act to provide for the selection of a site and the erection of a State hospital for the treatment of the insane under homeopathic management to be called the Homeopathic Hospital for the Insane and making an appropriation therefor"

The act approved the nineteenth day of March Anno Domini one thousand nine hundred and three (Pamphlet Laws twenty-nine) entitled "An act to amend the fifth section of an act entitled 'An Act to provide for the admission of certain classes of the insane into hospitals for the insane in this Commonwealth and their discharge threrfrom' approved the twentieth day of April Anno Domini one thousand eight hundred and sixty-nine providing how the prisoners shall be discharged in case of homicide or attempted homicide"

The act approved the first day of May Anno Domini one thousand nine hundred and seven (Pamphlet Laws one hundred forty) entitled "An Act authorizing and empowering the Committee on Lunacy to transfer lunatics from one State hospital for the insane to another State hospital for the insane"

The act approved the twenty-eighth day of May Anno Domini one thousand nine hundred and seven (Pamphlet Laws two hundred eighty-eight) entitled "An Act to amend an act entitled 'An Act to authorize and provide for the commitment of persons habitually addicted to the use of alcoholic drink or intoxicating drugs to a proper hospital or asylum for the restraint care and treatment' approved April sixteenth Anno Domini one thousand nine hundred and three providing for the commitment of persons habitually addicted to the use of alcoholic drink or intoxicating drugs to a proper hospital or asylum for restraint care and treatment by the court of Quarter Sessions"

Section one of the act approved the tenth day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws two hundred five) entitled "An Act to amend sections one four five and seven of an act entitled 'An Act to provide for the selection of a site and the erection of a State hospital for the treatment of the insane under homeopathic management to be called the Homeopathic State Hospital for the Insane and making an appropriation therefor' approved the eighteenth day of July Anno Domini one thousand nine hundred and one by vesting the appointment of the entire commission in the Governor and by requiring the approval of the superintendent of public grounds and buildings to plans and specifications and to expenditures incurred by the commission and by authorizing the commission to turn over to a board of trustees buildings when completed"

Sections one and two of the act approved the ninth day of June Anno Domini one thousand nine hundred and eleven (Pamphlet Laws eight hundred fifty-five) entitled "An Act authorizing the establishment and maintenance of psychopathic wards in certain hospitals providing for the regulation thereof the commitment of persons suffering with mental disorders to such wards and for the payment of the expenses of maintaining and treating persons committed thereto"

The act approved the twelfth day of June Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws four hundred ninety-three) entitled "An Act to amend an act entitled 'An act to provide for the better protection of female insane patients in transit' approved the fourteenth day of April Anno Domini one thousand eight hundred and ninety-three as amended so far as to extend the provisions thereof to feeble-minded and epileptic persons"

Section three of the act approved the twelfth day of June Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws four hundred ninety-four) entitled "An Act supplementing an amending an act entitled 'An Act to provide for the selection of a site and the erection of a State Institution for the feeble-minded and epileptics to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor' approved the fifteenth day of May Anno Domini one thousand nine hundred and three prescribing the purposes of said institution amending the ninth and thirteenth sections of said act so as to extend the powers of the trustees of said institutions and provide for the method of admission to said institution and the discharge therefrom providing that the court may make orders for the payment for the care and maintenance of certain inmates providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth and the payment of the costs of all committals thereto by the several counties authorizing transfers of idiotic feeble-minded and epileptic persons to and from said institution and repealing the eleventh twelfth fourteenth and fifteenth sections of said act and repealing section two of an act entitled 'An Act supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled "An Act to provide for the selection of a site and the erection of a State institution for the feeble-minded and epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" by abolishing the commission therein established providing for the completion of said institution regulating the powers of the board of trustees and repealing the tenth and seventeenth sections thereof" approved the twentieth day of June Anno Domini one thousand nine hundred and eleven"

Sections nine and ten of the act approved the twenty-fifth day of July Anno Domini one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred nineteen) entitled "An Act to establish a State village for feeble-minded women providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve and to erect and furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purposes aforesaid also for the expenses of maintenance until June one one thousand nine hundred and fifteen"

Sections one to six inclusive of the act approved the fourteenth day of April Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws one hundred twenty) entitled "An Act relating to persons habitually addicted to the use of alcohol or drugs and providing for the care and treatment of such persons at the expense of the county and State if indigent"

The act approved the sixth day of May Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws two hundred fifty-nine) entitled "An Act to authorize the payment from the general appropriation for the care of the indigent insane of the cost of transferring or removing patients from one insane hospital or asylum or institution to another or elsewhere upon the order of the Board of Public Charities or the Committee on Lunacy"

The act approved the eighth day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws nine hundred fourteen) entitled "An Act providing for the removal to and return from hospitals for the insane of persons committed to county jails or prisons and awaiting trial charged with criminal offenses not amounting to felony which persons are found to be insane and further providing for the payment of the expense of such removal and return and for the cost of the maintenance and care of such persons in such hospitals"

Section thirteen of the act approved the eighteenth day of June Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws one thousand fifty-five) entitled "An Act to provide for the selection of a site and the erection of buildings for a State hospital for the insane to be erected west of the Allegheny Mountains and to be known as the Western State Hospital for the Insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital"

The act approved the twenty-sixth day of April Anno Domini one thousand nine hundred and seventeen entitled "An Act amending section nineteen of an act entitled 'An Act relative to the supervision and control of hospitals or houses in which the insane are placed for treatment or detention' approved the eighth day of May one thousand eight hundred and eighty-three so as to permit certificates of physicians as to the insanity of patients to be sworn to or affirmed before a judge or magistrate of any county in the Commonwealth"

The act approved the eighteenth day of May Anno Domini one thousand nine hundred seventeen (Pamphlet Laws two hundred thirty-nine) entitled "An Act providing for the payment by State hospitals for the Insane of the traveling expenses from said hospitals to their homes respectively of indigent inmates of said hospitals discharged by order of the Committee on Lunacy of the Board of Public Charities and for the reimbursement to such hospitals of the amounts so paid"

The act approved the eighteenth day of May Anno Domini one thousand nine hundred seventeen (Pamphlet Laws two hundred forty) entitled "An Act authorizing the Committee one Lunacy of the Board of Public Charities to transfer patients or inmates of hospitals for the insane to such hospitals and providing for maintenance of patients after transfer"

The act approved the fifth day of July Anno Domini one thousand nine hundred seventeen (Pamphlet Laws six hundred seventy-eight) entitled "An Act imposing the cost of commitment and maintenance of criminal insane in institutions on the county where the crime was committed and authorizing the recovery of such costs from the estate of the criminal insane"

The act approved the sixth day of July Anno Domini one thousand nine hundred and seventeen (Pamphlet Laws seven hundred thirty-three) entitled "An Act to amend section one of an act approved the eighth day of June one thousand nine hundred fifteen entitled 'An Act providing for the removal to and return from hospitals for the insane of persons committed to county jails or prisons and awaiting trial charged with criminal offenses not amounting to felony which persons are found to be insane and further providing for the payment of the expense of such removal and return and for the cost of the maintenance and care of such persons in such hospitals' by imposing all costs and expenses on the county"

Section two of the act approved the sixth day of July Anno Domini one thousand nine hundred seventeen (Pamphlet Laws seven hundred forty-nine) entitled "An Act to amend an act entitled 'An Act to provide for the selection of a site and the erection of buildings for a State Hospital for the Insane to be erected west of the Allegheny Mountains and to be known as the Western State Hospital for the insane providing for the management of the same and making an appropriation for the purchase of said site and the preparation of plans for the construction of buildings for the said hospital approved the eighteenth day of June one thousand nine hundred fifteen (Pamphlet Laws page ten hundred fifty-five) so as to provide for the admission of patients to the Western State Hospital for the Insane"

Section four of the act approved the sixteenth day of July Anno Domini one thousand nine hundred nineteen (Pamphlet Laws nine hundred eighty-two) entitled "An Act to amend sections one three six and ten of an act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and nineteen) entitled 'An Act to establish a state village for feeble-minded women providing for the appointment of a board of managers to select a tract of land for that purpose in the State forest reserve and to erect and furnish buildings on the same and to manage said institution and providing for the commitment thereto of feeble-minded females between the ages of sixteen and forty-five years defining the powers and duties of the board of managers and making an appropriation for the purpose aforesaid also for the expenses of maintenance until June one one thousand nine hundred and fifteen' as amended by an act approved the fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws six hundred and ninety-eight) by relieving the Governor of the obligation to approve building plans providing for personal inspection of work by a majority of the building committee jurisdiction in the court of quarter sessions payments of costs of proceedings by the county and maintenance by the State"

The title of the bill was read as follows and agreed to.

An Act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge inter-state rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 956, (House Bill No. 1203), entitled:

An Act providing a method through which the Commonwealth may co-operate with individuals in building fences to protect farm crops and fruit orchards against damage from wild deer and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SALUS. Mr. President, I move that Senate Bill No. 964, (House Bill No. 1269), on second reading, entitled:

An act to amend section three of an act approved the tenth day of April, one thousand eight hundred and sixty-seven, (P. L. 62), entitled "An act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth," by requiring the drawing of jury panels from the wheel to take place publicly in the court room and in the presence of one of the Judges of the court of common pleas.

be recommitted to the Committee on Judiciary Special.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Mr. DAVIS. Mr. President, I move that the Senate do now proceed to the third reading and consideration of Senate Bill No. 1047, (House Bill No. 1307), entitled:

An Act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foreman assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the districts in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates.

Mr. PHIPPS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1047, (House Bill No. 1307), entitled:

An Act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the districts in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses. providing a penalty for forging or making false statements regarding certificates

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1017, (House Bill No. 1256), as follows:

An Act imposing a State tax on Liquid Fuels "including all liquids ordinarily practically and commercially useable in internal combustion engines for the generation of power and all distillates of and condensates from petroleum natural gas coal coal tar and vegetable ferments so useable to be paid by dealers as herein defined providing for the collection of such tax and for the distribution and use of the revenues derived therefrom providing for the filing of certificates and reports of the sale of such liquid fuels and the collection of such tax and fixing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words terms and phrases used in this act are for the purpose hereof defined as follows

(a) The term "liquid fuels" shall mean all liquids ordinarily practically and commercially useable in internal combustion engines for the generation of power and shall include all distillates of and condensates from petroleum natural gas coal tar and vegetable ferments said distillates and condensates being ordinarly designated as gasoline naphthabenzol benzine and alcohols so usable but not restricted to such designations

The term "dealer" shall include any and all person and persons firm co-partnership association or corporation selling liquid fuels as herein defined to purchasers who purchase for purposes other than re-sale

Section 2 All dealers in liquid fuels in the State of Pennsylvania engaged in such business at the time this act shall go into effect shall within thirty days thereafter and all dealers in liquid fuels engaging in the transaction of such business hereafter shall prior to the commencement of such business file a duly acknowledged certificate with the Auditor General on a form prescribed prepared and furnished by him which shall set forth the name under which such dealer transacts or intends to transact such business within the State of Pennsylvania and the place of business of such dealer and if such dealer has more than one place of business within the State the address of the principal place of business within the State if such dealer is a firm co-partnership or association the names and addresses of such persons constituting such firm co-partnership or association and if a corporation the names and addresses of the principal officers thereof No dealer as herein defined shall after the date this act becomes effective sell any liquid fuels until such certificate is filed as required by this act nor shall any dealer engaging in such business subsequent to the passage of this act commence such business without first filing such certificate with the Auditor General and any dealer failing to comply with the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars ($1,000.)

Section 3 In addition to the taxes now provided for by law each and every dealer as defined in this act who is now engaged or may hereafter engage in his own name or in the name of others in the sale of liquid fuels as herein defined in this State shall collect a tax of one cent per gallon on all liquid fuels sold within the State by such dealer for any purpose whatsoever except for re-sale and such dealer shall pay the same into the General Fund of the State Treasury in the manner and within the time hereinafter specified and for the purpose of ascertaining the amount of the tax it shall be the duty of every such dealer to transmit to the Auditor General upon a form prescribed prepared and furnished by him a statement or return under oath or affirmation of the liquid fuels sold by such dealer during the preceding three months ending the last days of March June September and December of each year which statement or return shall be filed with the Auditor General on or before the last days of January April July and October of each year and shall show the number of gallons of such liquid fuels sold within the State during the said periods from the respective places of business of such dealer and such futher information as the Auditor General shall prescribe If any such distributor shall neglect or refuse to make said statement or return as herein required and provided an addition of ten per centum of the amount of tax shall be added and collected on an account settled as hereinafter provided

Section 4 Every dealer at the time of making the reports required by Section three of this Act shall pay to the State Treasurer the amount of tax due for the period covered by such reports

Section 5 The Auditor General or any agent appointed in writing by him is hereby authorized to examine the books and papers of any dealer pertaining to the business made taxable by this act to verify the accuracy of any statement or return made under the provisions of this act but any information gained by the Auditor General or any other person as a result of the reports investigations or verifications herein required to be made shall be confidential and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars ($1,000) or to undergo imprisonment of not more than one year or both

Section 6 If the Auditor General is not satisfied with the statement or return made by any dealer under the provisions of this act he is hereby authorized and empowered to settle an account against such dealer based upon facts contained in the statement or return or upon any information within his possession or that shall come into his possession with the right to the dealer dissatisfied with the settlement so made against him to appeal therefrom in the manner now provided by law If any such dealer shall neglect or refuse to make the statement or return as required by this act the Auditor General may estimate an assessment against such dealer and settle an account for taxes penalty and interest thereon from which settlement there shall be no right of appeal

Section 7 Any dealer or dealers who shall fail neglect or refuse to make the settlements or returns and pay the tax as herein prescribed or who shall refuse to permit the Auditor General or any agent appointed by him in writing to examine the books or papers of any such dealer pertaining to the business made taxable by this act or who makes any incomplete false or fraudulent statement or return hereunder or who does or who attempts to do anything whatsoever to avoid a full disclosure of the amount of such business done or to avoid the payment of the whole or any part of the tax due shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) or in the case of an individual or the officer or employe charged with the duty of making such report for a corporation to undergo imprisonment not exceeding six month or both Such penalty shall be in addition to the penalty imposed by any other section of the act

Section 8 The tax imposed by this act shall be paid by the person firm co-partnership association or corporation purchasing gasoline for his or its own use and not for the purpose of resale and every person firm co-partnership association or corporation required by section three of this act to collect the tax herein specified shall state the amount of such tax separately from the price of the said gasoline and any one failing so to state separately the tax and price of the said gasoline shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding two hundred and fifty dollars ($250) for each offense

Section 9 Fifty per centum of all taxes collected under the provisions of this act shall be credited to the county where the tax was collected and shall be used only for the purpose of the construction reconstruction maintenance and repair of roads and highways and for the payment of the interest on county bonds issued for road purposes and shall be paid over to such county semi-annually on the first day of August and February of each year

Section 10 Every person firm co-partnership association or corporation who sells liquid fuels as herein defined within the State of Pennsylvania and who is not a dealer as herein defined shall transmit a report to the Auditor General upon a form prescribed prepared and furnished by him a statement under oath or affirmation of the number of gallons of liquid fuels sold within the State during the preceding three months ending the last days of March June September and December of each year which statement shall be filed with the Auditor General on or before the last days of January April July and October of each year and shall show the name and address of each person firm co-partnership association or corporation to whom such liquid fuels were sold and the amount sold to each such person firm co-partnership association or corporation

Section 11 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of the act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 12 That an act approved the twentieth day of May Anno Domini one thousand nine hundred twenty-one (Pamphlet Laws one thousand twenty-one) entitled "An act imposing a State tax on gasoline and on all other liquids containing any derivative of petroleum or natural gas produced prepared or compounded or useable for the purpose of generating power by means of internal combustion and sold in this Commonwealth except for the purpose of resale providing for the collection of such tax and for the distribution and use of revenues derived therefrom making an appropriation and fixing penalties" is hereby repealed Provided That nothing herein contained shall be taken or construed to relieve any person or persons co-partnership association company or corporation whatsoever from the payment of any tax interest or penalty due or owing to the Commonwealth under any law in force at the time this act becomes effective

Section 13 This act shall become effective on the first day of July Anno Domini one thousand nine hundred twenty-three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. LONG. Mr. President, I move that Senate Bill No. 1044, (House Bill No. 1253), on second reading, entitled:

An Act permitting service in divorce actions to be made by registered letter upon respondents residing outside of the Commonwealth

be recommitted to the Committee on Judiciary General.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideratioon of Senate Bill No. 1098, (House Bill No. 998), entitled:

An Act to amend section one of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand one hundred and sixteen) entitled "An Act appropriating to the Department of Health any moneys to be received from the United States Government in the promotion of sanitation public health and health education the protection and care of maternity infancy and old age and the prevention treatment and cure of disease"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1106, entitled:

An Act to amend section 2 of an act approved June 12, 1913, (P. L. 471), entitled "An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class, and defining their powers and duties; providing for the appointment of members of such boards of health by the president of the borough councils, or by the chairman of the board of commissioners of such townships; providing for the election of a Secretary and a health officer; providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class, when conditions therein, in his opinion, constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class, or when it may be known to him that such borough or township of the first clas is without an existing or efficient board of health; and providing the manner in which the expenses of boards of health or the Commissioner of Health, incurred in administering health laws in any borough or township of the first class shall be paid."

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act entitled "An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the president of the borough councils or by the chairman of the board of commissioners of such townships providing for the election of a secretary and a health officer providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid" approved the twelfth day of June Anno Domini nineteen hundred and thirteen (Pamphlet Laws four hundred and seventy-one) which reads as follows

"Section 2 The board of health shall be composed of five members at least one of whom shall be a reputable physician of not less than two years' experience in the practice of his profession The members of the board of health shall be appointed by the president of the borough councils or by the chairman of the board of commissioners of such township At the first appointment one member shall be appointed to serve for one year one for two years one for three years and one for four years and one for five years and thereafter one member shall in like manner be appointed each year to serve for five years The members of the board of health shall be residents of the municipality for which they are appointed and shall serve without compensation Provided however If any member of the board shall be elected to the office of secretary he shall be entitled to receive a salary fixed by the board for that office" is hereby amended to read as follows

Section 2 The Board of health shall be composed of five members at least one of whom shall be a reputable physician of not less than two years' experience in the practice of his profession The members of the board of health shall be appointed by the president of the borough coucils or by the chairman of the board of ocmmissioners of such township At the first appointment one member shall be appointed to serve for one year one for two years one for three years one for four years and one for five years and thereafter one member shall in like manner be appointed each year to serve for five years The members of the board of health shall be residents of the municipality for which they are appointed except the physician who may or may not be a resident of such municipality provided no physician resides within the municipality and said board shall serve without compensation Provided however If one member of the board shall be elected to the office of secretary he shall be entitled to receive a salary fixed by the board for that office

On the question,

Will the Senate agree to the section?

Mr. SMITH. Mr. President, I move to amend section 1, page 3, by striking out beginning with the words "which reads' and ending in line 20 with the word "office"; also page 4, line 9 by inserting after the word "If" the word "(any)"; also by underscoring the word "one".

Mr. .... Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An act to amend section two of an act approved the twelfth day of June nineteen hundred and thirteen Pamphlet Laws four hundred seventy-one entitled "An act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the president of the borough councils or by the chairman of the board of commissioners of such townships providing for the election of a secretary and a health officer providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living out side the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing or efficient board and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1131, (House Bill No. 1411), entitled:

An Act to amend section one of an act approved the twenty-seventh day of April, one thousand nine hundred and eleven, (P. L. 86), entitled "An Act regulating the compensation of court criers and tipstaves in counties containing more than ninety thousand and less than one hundred and fifty thousand inhabitants; providing for the payment of the same by the particular county limiting the number of tipstaves to be appointed; and repealing an act of Assembly entitled 'An Act to regulate the fees of court criers and tipstaves of the courts in judicial districts containing more than ninety thousand and less than one hundred and fifty thousand inhabitants' approved the twenty-nineth day of April, Anno Domini one thousand nine hundred and nine" as amended.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1141, as follows:

An Act relating to the condemnation and appropriation of lands waters and other property by public service corporations holding limiting power permits and limited water supply permits

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where used in this act singular words shall be construed as including the plural masculine words shall be construed as including the feminine and neuter and the following terms shall have the following meanings respectively designated for each

The term "dam" means a dam wall wing wall wharf embankment abutment projection or similar analogous structure or any other obstruction whatever in along across or projection into any stream or body of water wholly or partly within or forming part of the boundary of this Commonwealth execpt the tidal waters of the Delaware River and of its navigable tributaries

"The term 'dam to develop water power' means a dam for the purpose of developing water power only or a dam for said purpose and any other purpose

"The term 'dam to suppply water for steam power' means a dam for the main purpose of storing cooling diverting and using or any of them water for steam raising or steam condensation or both in the generation of electric energy for use in public service which is not a dam to develop water power as hereinbefore defined

"The term 'water supply dam' means a dam to supply water which is not a dam to develop water pawer nor a dam to supply water for steam power as hereinbefore defined

"The term 'power dam' includes dams to develop water power and dams to supply water for steam power

"The term 'change in stream to develop water power' means any change in or diminution of the course current or cross-section of any stream or body of water for the sole purpose of developing water power or for said purpose any any other purpose

"The term 'change in stream to supply water for steam power' means any such change or diminution for the main purpose of storing cooling diverting and using or any of them water for steam raising or steam condensation or both in the generation of electric energy for use in public service which is not a change in stream to develop water power as herein before defined

"The term 'change in stream to supply water otherwise than for steam power' means any such change or diminution which is not a change in stream to develop water power nor a change in stream to supply water for steam power as hereinbefore defined

"The term 'change in stream to develop power' includes changes in stream for the purpose of the development of power and changes in stream to supply water for steam power"

The term "power project" means a complete unit of improvement or development for the supply of water power to the public or the supply of light heat and power or any of them by electricity to the public consisting of a power house and appurtenant works all water conduits all dams and works appurtenant thereto which are a part of said unit and all storage diverting or forebay reservoirs directly connected therewith the primary line or lines or lines transmitting power from the power house to the point of junction with the distribution system or with an interconnected primary transmission system all miscellaneous structures used and useful in connection with such unit or any part thereof and all water rights rights-of-way ditches dams reservoirs lands or in lands the use and occupancy of which are necessary or appropriate in the maintenance and operation of such unit

The term "water supply project" means a complete unit of improvement or development for the supply of water which is not a power project as hereinbefore defined" consisting of a reservoir the dam and other works appurtenant thereto and all primary water conduits leading immediately therefrom to the point of junction with the distribution system or with an interconnected primary water conduit

The term "permittee" means the holder of a limited power permit or of a limited water supply permit and his heirs successors and assigns

The term "limited power permit" means (1) A permit hereafter granted by the Water Supply Commission for the construction of a power dam not within the jurisdiction of the United States under the act of Congress approved June tenth one thousand nine hundred and twenty known as the "Federal Water Power Act" or for a change in stream to develop power not within the jurisdiction of the United States as aforesaid such permit being limited to such periods not exceeding fifty years as the said Commission shall determine and set forth in such permit saving the right of extension and renewal in certain cases" or (2) a permit hereafter granted by said Commission for such construction or change within the jurisdiction of the United States as aforesaid such permit being on the following conditions expressed therein namely (a) That the permit shall become null and void unless within a time specified therein the permittee shall secure from the Federal Power Commission a license for such construction or change under the provisions of the Federal Water Power Act and (b) that if and to the extent that any of he righs or powers set forth as rights or powers of the United States in such license or in the Federal Water Power Act or in the rules and regulation of the Federal Power Commission in force at the time of the issue of such license shall thereafter be waived by the United States or be unenforcable by the United States then and to that extent such rights and powers (including if so waived or unenforceable the rights of recapture extension and renewal set forth in sections fourteen and fifteen of the Federal Water Power Act subject to the conditions and obligations set forth in said sections) shall be exercised and enforced by the Commonwealth of Pennsylvania subject to such alterations in plans specifications or structures and such extensions of time for commencing or completing construction as may be made or granted as provided in such license or in the Federal Water Power Act in force at the time of the issue of such license

The term "limited water supply permit" means a permit hereafter granted by the Water Supply Commission for the construction of a water supply dam or a permit so granted for a change in stream to supply water otherwise than for steam power"

Section 2 Any public service corporations holding a limited power permit or a limited water supply permit granted on behalf of a power project or a water supply project shall have the right and power to appropriate and condemn overflow submerge occupy and use any street road lane alley turnpike highway bridge electric railroad or steam railroad whether publicly or privately owned which the Water Supply Commission shall find to be necessary for the construction maintenance and operation of the works covered by such permit" Provided That such permittee shall cause the same to be reconstructed at his own proper expense on such location and in such manner and to such extent as the Water Supply Commission may require and such permittee may condemn and appropriate property "which the Water Supply Commission shall find to be" necessary for such reconstruction

Section 3 Any public service corporation holding a limited power permit or a limited water supply permit granted on behalf of a power project or a water supply project shall have the right and power to condemn and appropriate any lands waters and other property and rights as to which the said Commission after due notice and public hearing shall have found that the present and future interests of the Commonwealth and its people as a whole and of the territories and people in the vicinity of the in behalf of which project such permit was granted require the appropriation of the same under the authority of the Commonwealth for the construction maintenace or operation of such project

Section 4 All damages arising from the exercise of the right and power of condemnation conferred by sections two and three of this act shall be as ascertained recovered and paid as provided by the forty-first section of the act approved April twenty-ninth one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) and the amendments and supplements thereto

Section 5 Nothing in this act shall be construed as enlarging or diminishing the right of any public service corporation to supply or distribute electric energy in any particular territory nor as affecting the jurisdiction and powers of The Public Service Commission with respect to any such right nor as affecting any right of eminent domain otherwise conferred by law"

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1142, as follows:

An Act relating to permits from the Water Supply Commission for the construction of dams and for changes in streams to develop water power and to supply water for steam power in the generation of electric energy for use in public service herein respectively called power dams and changes in streams to develop power also permits for dams and changes in streams to supply water otherwise than for steam power limiting such permits for power dams and for changes in streams to develop power to a maximum of fifty years with certain extensions and renewals if the same are not within Federal jurisdiction but if the same are within Federal jurisdiction requiring the permittees to secure Federal licenses and making the rights set forth as rights of the United States enforceable by the Commonwealth of Pennsylvania in certain cases also authorizing such power permittees with the consent of said Commission to overflow and use certain islands owned by the Commonwealth unlawfully the use by any corporation or natural person for the development of water power or for the main purpose or of supplying water for steam power or for the supply of water otherwise than for steam power of any dam constructed or stream changed in course current or cross section under any permit hereafter granted otherwise than under this Act empowering the Water Supply Commission to specify in permits under this Act reasonable annual charges and to embody therein certain terms conditions and stipulations saving the rights of holders of permits or authorities heretofore granted but authorizing them to take the benefits of this Act empowering the Water Supply Commission to make rules and regulations and issue orders for administering this Act providing for the enforcement of this Act by certain proceedings to be instituted by the Attorney General and providing remedies in such proceedings and reserving the rights of amendment and repeal without prejudice to permits theretofore granted"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where used in this act singular words shall be construed as including the plural masculine words shall be construed as including the feminine and neuter and the following words shall have the following meanings respectively designated for each

The term dam wall wing wall wharf embankment abutment projection or similar analogous structure or any other obstruction whatever in along across or projecting into any stream or body of water wholly or partly within or forming part of the boundary of this Commonwealth except the tidal waters of the Delaware River and of its navigable tributaries

The term "dam to develop water power" means a dam for the purpose of developing water only or a dam for said purpose and for any other purpose

The term "dam to supply water for steam power" means a dam for the main purpose of storing cooling diverting and using or any of them water for steam raising or steam condensation or both in the generation of electric energy for use in public service which is not a dam to develop water power as hereinbefore defined

The term water supply dam means a dam for the purpose of supplying water which is not a dam to develop water power nor a dam to supply water for steam power as hereinbefore defined

"The term 'power dam' includes dams to develop water power and dams to supply water for steam power

"The term 'change in stream to develop water power' means any change in or diminution of the course current or cross-section of any stream or body of water for the sole purpose of developing water power or for said purpose and any other purpose

"The term 'change in stream to supply water for steam power' means any such change or diminution for the main purpose of storing cooling diverting and using or any of them water for steam raising or steam condensation or both in the generation of electric energy for use in public service which is not a change in stream to develop water power as hereinbefore defined

"The term 'change in stream to supply water otherwise than for steam power' means any such change or diminution to suply water which is not a change in stream to develop water power nor a change in stream to supply water for steam power as hereinbefore defined

"The term 'change in stream to develop power' includes changes in stream for the purpose of the development of power and changes in stream to supply water for steam power

The term "power project" means a complete unit of improvement or development for the supply of water power to the public or for the supply of light heat and power or any of them by electricity to the public consisting of a power house and appurtenant all water conduits all dams and works appurtenant thereto which are a part of said unit and all storage diverting or forebay reservoirs directly connected therewith the primary line or lines transmitting power from the power house to the point of junction with the distribution system or with an interconnected primary transmission system all miscellaneous structures used and useful in connection with such unit or any part thereof and all water rights rights-of-way ditches dams reservoirs lands or interest in lands the use and occupancy of which are necessary or appropriate in the construction maintenance and operation of such unit

The term "water supply project" means a complete unit of improvement or development for the supply of water which is not a power project as hereinbefore defined consisting of a reservoir the dam and other works appurtenant thereto and all primary water conduits leading immediately therefrom to the point of junction with the distribution system or with an interconnected primary conduit and all water rights rights of way ditches dams reservoirs and lands or interests in lands the use and occupancy of which is necessary or appropriate in the construction maintenance and operation of such unit

The term "permittee" means the holder of a permit under this act and his heirs successors and assigns

Section 2 Every permit hereafter granted by the Water Supply Commission for the construction of a power dam all not within the jurisdiction of the United States under the act of Congress approved June tenth one thousand nine hundred and twenty known as the "Federal Water Power Act" and every permit hereafter granted by the said Commission for a change in stream to develop power not within the jurisdiction of the United States as aforesaid" shall be limited to such periods not exceeding fifty years as the said Commission shall determine and set forth in such permits respectively Provided however That the permittee shall be entitled to extension and renewals of such permit upon the terms thereof until the permittee shall have received through recapture or purchase by the Commonwealth or by a duly authorized subsequent permittee repayment of the capital prudently invested in the power project upon the faith of the permit plus such reasonable damages if any to property of the permittee valuable serviceable and dependent for its usefulness upon the continuance of said permit but not recaptured or purchased as may be caused by the severance therefrom of property taken

Section 3 Every permit hereafter granted by the Water Supply Commission for the construction of a power dam within the jurisdiction of the United States under the Federal Water Power Act "and every permit hereafter granted by said Commission for a change in stream to develop power within the jurisdiction of the United States as aforesaid shall be on the following conditions which shall be expressed in such permit namely (a) That the permit shall become null and void unless within a specified time the permittee shall secure from the Federal Power Commission a license for such dam or change under the provisions of the Federal Power Water Act and (b) that if and to the extent that any of the rights or powers set forth as rights or powers of the United States in such license or in the Federal Water Power Act or in the rules and regulations of the Federal Power Commission in force at the time of the issue of such license shall thereafter be waived by the United States or be unenforceable by the United States then and to that extent such rights and powers (including if so waived or unenforceable the rights of recapture extension and renewal set forth in sections fourteen and fifteen of said act subject to the conditions and obligations set forth in said sections) may be exercised and enforced by the Commonwealth of Pennsylvania subject to such alterations in plans specifications or structures and such extensions of time for commencing or completing construction as may be made or granted as provided in such license or in the Federal Water Power Act in force at the time of such issue of such license

Section 4 It shall be unlawful for any corporation or natural person to use for the development of water power or for the main purpose of storing or cooling diverting and using or any of them water for steam raising or steam condensation or both in the generation of electric energy for use in public service any dam constructed under any permit hereafter issued otherwise than under sections two or three of this act or to divert or use for said purposes or for said main purpose any stream or body of water the course current or cross section of which shall have been changed or diminished at the point of diversion or use under any permit hereafter granted otherwise than under sections two or three of this act And it shall be unlawful for any corporation or natural person to use for water supply purposes other than the main purpose aforesaid any dam constructed under any permit hereafter granted otherwise than under section seven of this act and in like manner it shall be unlawful for any corporation or natural person to use for water supply purposes other than said main purpose any stream or body of water the course current or cross-section of which shall have been changed or diminished at the point of diversion or of use under any permit hereafter granted otherwise than under section seven of this act

Section 5 Any permittee holding a permit granted under sections two or three of this act may with the consent of the Water Supply Commission which consent may be set forth in such permit overflow submerge occupy and use as appurtenant to the power project in behalf of which such permit is granted and subject to the terms stipulations and conditions expressed therein any island owned by the Commonwealth in the river Susquehanna or any of its branches or in any other stream of water over which the Water Supply Commission has jurisdiction

Section 6 The Water Supply Commission in every permit granted under sections two or three of this act shall specify a reasonable annual charge in an amount fixed by said Commission to be paid by the permittee for the purpose of reimbursing the Commonwealth for the costs of administration of this act and shall embody in every such permit such other terms conditions and stipulations as the Commission shall deem necessary to protect the present and furture interests of the Commonwealth and its people as a whole and of the communities and people in the vicinity of the power project or water supply project and to secure to the Commonwealth and its people such control rights and advantages as the Federal Power Commission is required or authorized by the said Federal Power Act to secure for the United States and its people in the issuing of licenses under said act in so far as such control rights and advantages are within the scope of state jurisdiction and in the judgment of the Commission applicable to and in the public interest as affecting the permit

Section 7 The Water Supply Commission in every permit hereafter granted for the construction of a water supply dam or for a change in stream to supply water otherwise than for steam power shall specify a reasonable annual charge in an amount fixed by said Commission to be paid by the permittee with a view to reimbursing the Commonwealth for the costs of administration of this act and the said Commission shall embody therein such other terms conditions and stipulations as the Commission shall deem necessary to protect the present and future interests of the Commonwealth and its people as a whole and of the territories and people in the vicinity of the water supply project

Section 8 The provisions of this act shall not be construed as affecting any permit or authority heretofore granted or given pursuant to law for the construction of any dam or for the changing or diminution of the course current or cross section of any stream or body of water but the holder of any such permit or authority may apply for a permit under this act and if and when any such applicant is granted a permit under this act he shall have all the rights and be subject to all the duties conferred or imposed by or under this act

Section 9 That the Water Supply Commission is hereby authorized and empowered to make such rules and regulations and issue such orders as may be necessary and proper for carrying out the provisions of this act

Section 10 The Attorney General may on the request of the Water Supply Commission institute proceedings in any court now or hereafter by law clothed with jurisdiction in cases in which the Commonwealth is a party for the purpose of remedying or correcting by injunction mandamus or other process any action of commission or omission in violation of the provisions of this act or of the terms conditions or stipulations of any permit granted hereunder or of any lawful regulation or order promulgated hereunder or for the purpose of so remedying or correcting any act of commission or omission in violation of the Federal Water Power Act of the rules and regulations of the Federal Power Commission or of the conditions of a license under the Federal Water Power Act obtained in pursuance of any permit granted by the Water Supply Commission if and to the extent that rights set forth as rights of the United States are by this act made enforceable by the Commonwealth of Pennsylvania In the event of the failure of any permittee to comply with the requirements of any final decree in any such proceedings the Attorney General may institute proceedings for the purpose of revoking the permit The said courts shall have jurisdiction over all the above mentioned proceedings and shall have power to issue and execute all necessary process and to make and enforce all rights orders and decrees to compel compliance with the lawful orders and regulations of the Commission in respect of any so permitted dam or appurtenant works and in respect of any so permitted change or diminution of the course current or cross section of any stream or body of water and to compel the performance of any condition imposed under the provisions of this act In the event a decree revoking a permit is entered the court is empowered to sell the whole or any part of the dam together with any or all works lands and water rights appurtenant thereto or existing under the permit to wind up the business of such permittee conducted in connection with such dam change or diminution to distribute the proceeds to the parties entitled to the same and to make and enforce such further orders and decrees as equity and justice may require At such sale or sales the vendee shall take the rights and privileges belonging to the permittee and shall perform the duties of such permittee and assume all outstanding oblgations and liabilities of the permittee which the court may deem equitable in the premises

Section 11 That the right to amend and repeal this act is hereby expressly reversed but no such alteration amendment or repeal shall affect any permit theretofore issued under the provisions of this act or the rights of any permitee thereunder

Section 12 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1197, (House Bill No. 1190), entitled:

An Act providing for the granting of licenses to practice dentistry to certain persons who served in the army or navy of the United States or any branch or unit thereof

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1228, as follows:

An Act to amend section one of the act approved the twenty-eighth day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred and forty-five entitled "An Act making it unlawful for any individual or individuals to carry on or conduct any business under an assumed or fictitious name style or designation unless upon the filing of a certificate to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring county commissioners at the expense of the county to provide books for the entry of such certificates fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties" authorizing the Secretary of the Commonwealth to grant certificates to be received in evidence

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-eighth day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred forty-five) entitled "An Act making it unlawful for any individuals to carry on or conduct any business under an assumed or fictitious name style or designation unless upon the filing of a certificate to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring county commissioners at the expense of the county to provide books for the entry of such certificates fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties" which was amended by the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred sixty-five) entitled "An Act to amend section one of an act entitled 'An Act making it unlawful for any individual or individuals to carry on or conduct any business under an assumed or fictitious name style or designation unless upon the filing of a certificate to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring county commissioners at the expense of the county to provide books for the entry of such certificates fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties' approved the twenty-eighth day of June one thousand nine hundred and seventeen (Pamphlet Laws page six hundred forty-five) is hereby further amended to read as follows:

Section 1 That no individual or individuals shall hereafter carry on or conduct any business in this Commonwealth under any assumed or fictitious name style or designation unless the person or persons conducting or carrying on the same shall have first filed in the office of the Secretary of the Commonwealth and in the office of the prothonotary to be entered in a book to be provided for person or persons setting forth the real name or names and addresses of all the persons owning or interested in said business and also the name style or designation under which said business or will be carried on or conducted

Where any of the owners of said business live outside of the Commonwealth of Pennsylvania and carry on or conduct any such business through an agent such certificate shall show also the name and address of such agent Provided That the failure of any such person or persons to file the certificates aforesaid in the office of the Secretary of the Commonwealth or in the office of the prothonotary shall not impar or affect the validity of any contract with such person or persons and actions or proceedings at law or in equity may be instituted and maintained on any such contract but no such action shall be instituted or recovery had by any such person or persons or any contract either expressed or implied in any of the courts of this Commonwealth or before any justice of the peace or magistrate thereof until such person or persons comply with the provisions of this act And provided further Before any such person or persons can institute any action in any of the courts of this Commonwealth or before any justice of the peace or magistrate thereof on any cause of action arising prior to the filing of the certificate provided for in this section such person or persons shall pay to the Secretary of the Commonwealth for the use of the Commonwealth a license fee or fines of twenty-five ($25.00) dollars This act shall apply to all actions pending at the date of the passage of this act Provided That the plaintiff in any such suit shall pay all costs accrued prior to compliance with the provisions of this act Provided That this act shall not apply to any cases adjudicated at the date of the passage of this act

The certificate of the Secretary of the Commonwealth under the great seal of the Commonwealth showing the filing of the certificates and the payment of fees and fines or the failure to file such certificates or to pay the fees and fines as provided for and required by this act shall be competent and legal evidence and shall be admitted in evidence in any judicial proceeding in any court where the same may be material

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1252, as follows:

An Act relating to assessments for taxes in townships of the first class in this Commonwealth fixing the time for the issuing of precepts by county commissioners fixing the compensation of assessors and assistant assessors in such townships extending the time within which the said assessors are required to complete their assessment and make their return thereof and further providing for the final determination by the township commissioners of the time actually employed by the said assessors and assistant assessors in the performance of their duties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the assessors in each township of the first class in this Commonwealth shall receive as compensation for his services ten ($10.00) dollars per diem for each day actually employed by him in the performance of the duties of his office both in making the triennial assessment and in making the supplemental assessments in the intervening years between the years of the triennial assessment the said compensation to be paid by the county as heretofore The compensation of the assistant assessors in the said townships of the first class shall be five ($5.00) dollars per diem for each day actually employed by them respectively in the performance of the duties of their office to be paid by the county as heretofore In addition to the compensation hereinbefore provided the assessors and assistant assessors of first class townships shall be reimbursed by the county for any expenditures made for postage or stationery necessarily used in the performance of their duties and for any necessary office rent

Section 2 The precepts for the making re-assessments of property in first class townships between the periods of the triennial assessments shall be issued by the county commissioners to the assessors of said first class townships on or before the first day of August

Section 3 In case the assessors in any township of the first class in this Commonwealth are not able properly to complete the triennial or any supplemental assessment of property in their township and make return thereof to the county commissioners on or before the thirty-first day of December as provided by law it shall be lawful for the said assessors to continue the performance of their duties and to make return of their assessment to the county commissioners after the said thirty-first day of December Provided That unless prevented by sickness or by stress of weather the said assessor shall be continuously engaged in the actual performance of their duties from and after the date of the delivery of the precept to them until the assessment is completed and their return thereof made And provided further That in no case shall the return of the said assessment be made later than the fifteenth day of February of the year following the delivery of the precept to the said assessors

Section 4 The said assessors and assistant assessors shall make return on oath or affirmation to the township commissioners of the proper township of the number of days actually employed by them in the performance of their duties of their office and of amounts expended for postage stationery and office rent and the township commissioners are hereby empowered to summon the respective assessors and assistant assessors before them and examine them upon oath or affirmation as to the accuracy of the said return When the township commissioners shall have determined either from the returns of the assessors and assistant assessors or from their examination of them as aforesaid the number of days actually employed by them and the amount of moneys properly and necessarily expended for postage stationery and office rent respectively in the performance of duties of their office they shall certify the same to the county commissioners and the said certificates shall be final and conclusive as to the number of days actually employed by the said assessor and assistant assessors in the performance of the duties of their office upon which their compensation is to be calculated as aforesaid

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1254, as follows:

A Supplement to the act approved the seventeenth day of June nineteen hundred and fifteen (Pamphlet Laws one thousand and twelve) entitled "An act regulating the business of loaning money in sums of three hundred ($300) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rates of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act" as amended by the act of June fourth nineteen hundred and nineteen (Pamphlet Laws three hundred and seventy-five) entitled "An act to amend sections one two and three of the act approved the seventeenth day of June one thousand nine hundred and fifteen (Pamphlet Laws ten hundred and twelve) entitled 'An act regulating the business of loaning money in sums of three hundred ($300) dollars or less either with or without security to individuals pressed by lack of funds to meet immediate necessities fixing the rate of interest and charges therefor requiring the licensing of lenders and prescribing penalties for the violation of this act' "

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a licensee under the provisions of the act to which this is a supplement if it so elect may loan money to be repaid in equal periodical installments and may after fixing the total amount of interest to be paid for the use of such money which shall not in the aggregate exceed the rate of interest allowed by the said act to which this is a supplement apportion the same over the said term so that interest as such may be paid in like equal periodical installments along with the installments of principal and that in the event of this plan is adopted the licensee shall upon the receipt or card given to the borrower insert the total amount of interest to be paid together with a statement that this interest is charged at a rate which does not exceed a certain rate per month therein stated

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RESOLUTION FAVORING INCREASED APPROPRIATION FOR EDUCATIONAL PROGRAM.

The Chair laid before the Senate resolution from the Conyngham Township School District, as follows; which was referred to the Committee on Education:

CONYNGHAM TOWNSHIP SCHOOL DISTRICT

Mocanaqua, Pa., May 19, 1923.

Lieutenant Governor David J. Davis, Harrisburg, Pa.,

My dear Sir: Please exert your influence against having the State Appropriations for Schools decreased. We are in a Rural District and have already levied 35 mills for the coming year and could not stand an additional cut from the State.

We want our pupils taught by Normal Graduates but it will be impossible to realize this unless we receive an increase in our State Appropriation. So we are looking to our Representatives at Harrisburg to do all in their power to support some revenue measure which will provide adequate funds for the educational program.

Yours truly,

J. E. Hughes, Secretary Conyngham Township School Board

HOUSE MESSAGES.

HOUSE APPOINTS COMMITTEE OF CONFERENCE.

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists to its non-concurrence in the amendments made by the Senate to Senate Bill No. 262, entitled:

An Act to amend part of section one of the act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred fifty-five) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution

and has appoined Messrs. Kunkel, Kelly and Post, as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 234.

He also presented communication from the House of Representatives, informing the Senate that the House has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses in relation to House Bill No. 234.

The report was read as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 234.

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania:

Gentlemen: The Committee of Conference to which was referred the differences existing between the two houses on House bill No. 234, entitled "An Act concerning game and other wild birds and wild animals, and amending, revising, consolidating and changing the law relating thereto," respectfully beg leave to submit the following amended bill as our report.

J. O. CLARK,
R. S. QUIGLEY,
CLARENCE J. BUCKMAN,
Committee on the part of the Senate.
THOS. M. WHITEMAN,
PARIS E. EACHES,
GROVER C. MYERS,
Committee on the part of the House of Representatives.

An Act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto

CONTENTS

		Sections
Article I	Preliminary Provisions	101-104
Article II	Board of Game Commissioners, Executive Secretary	201-213
Article III	Hunting Licenses	301-316
Article IV	Special Licenses	401-412
Article V	Hunting Seasons, Bag Limits .	501-512
Article VI	Fur-bearing Animals	601-607
Article VII	General Hunting Regulations, Protected Birds	701-725
Article VIII	State Game Lands, Hunting Grounds and Game Refuges ..	801-842
Article IX	Unnaturalized Foreign-born Residents	901-905
Article X	Bounties	1001-1004
Article XI	Enforcement of Act, Procedure, Penalties	1101-1116
Article XII	Game Fund	1201-1202
Article XIII	Acts of Assembly Repealed, Saving Clause	1301-1302

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the laws relating to game and other wild birds and wild animals are amended revised consolidated and changed as hereinafter provided

ARTICLE 1

PRELIMINARY PROVISIONS

Section 101 DEFINITIONS Whenever used in this act unless a contrary intention is evident from the context word "person" shall include individuals copartnerships associations and corporations the singular shall include the plural and the masculine the feminine and neuter

The word "Board" shall mean the Board of Game Commissioners

The word "Secretary" shall mean the Executive Secretary of the Board of Game Commissioners

The term "game-birds" shall include (a) the anatidae commonly known as swan geese brant and river and sea ducks and (b) the pygopodes commonly known as loons and grebes (the members of these two orders being commonly known as wild water-fowl) (c) the rallidae commonly known as rails coots mudhens and gallinules (d) the limicolae commonly known as shore-birds plover surf-birds snipes woodcock sandpipers tattlers and curlew (e) the gallinae commonly known as wild-turkey grouse pheasants partridges and quail and (f) the birds commonly known as reed-birds and black birds

The term "game animals" shall include (a) the wapiti or elk (b) the deer (c) the bear (d) the wild rabbit and hare (e) the red gray black and fox squirrel and (f) the raccoon

The word "game" shall include "game-animals" and "game-birds"

The term "fur-bearing animals" shall include (a) the mink (b) the muskrat (c) the opossum (d) the otter (e) the raccoon (f) the skunk commonly called the polecat and (g) the beaver

The word "vermin" shall include all wild animals not classed as game animals or fur-bearing animals and all wild birds other than game birds and protected birds

The term "unprotected birds" shall include (a) the blue jay (b) the English sparrow (c) the European starling (d) the kingfisher (e) the buzzard (f) the goshawk (g) the sharpshinned hawk (h) the Cooper's hawk (i) the red-tailed hawk (j) the red-shouldered hawk (k) the broad-winged hawk (l) the marsh hawk (m) the rough-legged hawk (n) the duck-hawk (o) the pigeon hawk (p) the barred owl (q) the great gray owl (r) the great-horned owl (s) the snowy owl (t) the hawk owl and (u) the crow

The term "protected birds" shall include all wild birds not included within the terms "game birds" and "unprotected birds"

The term "wild birds" includes all birds other than domestic birds

The term "open season" shall mean the time during which game or fur-bearing animals may be legally taken or killed and shall include both the first and the last day of the season or period designated by this act

The term "close season" shall mean the time during which game or fur-bearing animals may not be legally taken or killed and includes all periods of time not included within the open season

Section 102 SHORT TITLE This act shall be known and may be cited as "The Game Law"

Section 103 EFFECT OF ACT ON EXISTING LAWS The provisions of this act so far as they are the same as those of existing laws shall be construed as a continuation of such laws and not as new enactments The repeal by this act of any provision of law shall not revive any law heretofore repealed or superseded nor shall such repeal affect any act done liability incurred or any right accrued or vested or affect abate or prevent any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws

Section 104 CONSTITUTIONALITY The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not effect the validity of the remaining provisions of this act It is hereby declared as a legislative intent that this act would have been adopted by the General Assembly had such unconstitutional provisions not been included therein

ARTICLE II

BOARD OF GAME COMMISSIONERS

Section 201 APPOINTMENT OF BOARD OF GAME COMMISSIONERS The Governor with the advice and consent of the Senate shall appoint six competent citizens of this State to be and act as a Board of Game Commissioners no two of whom shall be from the same Senatorial district The members of the Board shall hold office for the term of six years and shall receive no compensation for their services

Section 202 PRESENT BOARD CONTINUED The game commissioners in office at the date of the approval of this act shall until the expiration of their respective terms of office or until their successors are appointed hold their positions on the Board created by this act subject to removal by the Governor Of the first members of the Board of Game Commissioners appointed under the provisions of this Act two members shall be appointed for terms expiring the third Tuesday of January one thousand nine hundred and twenty-nine two members for terms expiring the third Tuesday of January one thousand nine hundred and twenty-seven and two members for terms expiring the third Tuesday of January one thousand nine hundred and twenty-five Thereafter such appointments of members shall be for terms of six years

SECTION 203 VACANCIES BY DEATH RESIGNATION OR REMOVAL Upon the death resignation or removal from office of any persons so appointed as aforesaid the Governor shall appoint a competent person to serve for the unexpired term

Section 204 MEETINGS OF BOARD ELECTION OF OFFICERS The Board shall have an office at the Capitol and shall hold meetings at such office on the first Thursday of January and July and at such other times and places within the State as the Board shall appoint for the transaction of business At the meeting held on the first Thursday of January of each year the Board shall elect one of its members as president and one of its members as vice-president Such officers shall hold office for a period of one year

Section 205 EXECUTIVE SECRETARY DUTIES AND POWERS The Board shall select a competent person to be known as the Executive Secretary who shall be their chief administrative officer and have charge of all activities under the jurisdiction of the Board He shall remain such during the pleasure of the Board and shall take the oath of office prescribed by the Constitution and file the same with the Secretary of the Commonwealth The Executive Secretary shall be the Chief Game Protector and shall have charge of direct supervise and control all other Game Protectors and employees of the Board The compensation of the Executive Secretary unless fixed by statute shall be fixed by the Board The Executive Secretary shall give bond to the Commonwealth in the sum of forty thousand dollars conditioned for the faithful performance of the duties of his office

The Executive Secretary shall occupy as his permanent headquarters the rooms assigned to the Board and shall be supplied from time to time by the Board of Public Grounds and Buildings such furniture equipment and office supplies as may be necessary for the use of the Board

The Executive Secretary shall have authority to have printed the biennial report of the Board and such bulletins literature posters and other printing as may be necessary to the work of the Board.

Section 206 GAME PROTECTORS AND EMPLOYEES The Board shall appoint such number of competent men as in their opinion may be needed not exceeding the number approved by the Governor which number however shall not be less than eighty to discharge properly the duties devolving upon said Board whose powers and duties are hereinafter defined and who shall be known as Game Protectors Such number shall include men appointed Game Protectors and detailed to such administrative or office duty as in the opinion of the Board may be advisable The Board shall also appoint such employees and stenographers as may be deemed necessary The compensation and duties of such Game Protectors employees and stenographers unless fixed by statute shall be fixed by the Board All Game Protectors shall give bond in the amount of five hundred dollars unless a larger amount is required by the Board

Section 207 DEPUTY GAME PROTECTORS The Board may appoint competent men throughout the Commonwealth to be known as Deputy Game Protectors in such number as may be agreed upon with the Governor who shall possess the rights and powers given by law to game protectors and be subject to all requirements and regulations either of the law or of rules of the Board controlling the action of such game protectors Such Deputy Game Protectors shall not be entitled to recompense from either the county or Commonwealth for services rendered or expenses incurred in the performance of their duties unless specifically employed for special duties by written order of the Board or the Executive Secretary All Deputy Game Protectors shall give bond in the amount of three hundred dollars

Section 208 PRESENT GAME PROTECTORS CONTINUED All Game Protectors holding office at the date of the approval of this act shall remain in office until removed by the Board and the commissions of said officers shall continue in force under the provisions of this act with the same effect as prior to the passage of this act

Section 209 PURPOSE OF BOARD It is the duty of said Board to protect propagate and preserve the game fur-bearing animals and protected birds of the State and to enforce by proper action and proceedings the laws of this Commonwealth relating to the same The Board shall collect classify and preserve all such statistics data and information as in their judgment will tend to promote the objects of this act to take charge of and keep all reports books papers and documents which shall in the discharge of their duties hereunder come into their possession or under their control

Section 210 BIENNIAL REPORT It is the duty of said Board on or before the first day of June of each even numbered year to prepare and present to the Governor of this State a biennial report showing what has been done by them during the two calendar years immediately preceding the amount of money received by them and from what sources and the amount expended by them and for what purposes with such recommendations for legislative action as the Board may deem wise The Governor shall lay said report before the Legislature convening next after its receipt

Section 211 SECRETARY TO MAKE MONTHLY RETURN TO STATE TREASURER The Secretary to the Board shall at least once a month make return of all moneys received and collected under the provisions of this act to the State Treasurer to be applied to the purposes otherwise provided for in this act

Section 212 REPORTS BY PROTECTORS Each Game Protector shall keep a record of his official acts receipts and expenditures and at the close of each month make summary of such record with such statements in detail as shall be necessary and report the same to the Secretary At such intervals as the Secretary may direct not to exceed a period of six months each Game Protector shall file an affidavit covering the correctness of all accounts and reports rendered during the intervening period The Secretary shall report to the Board any negligence or dereliction of duty or incompetency on the part of any Protector with the facts relating thereto and shall make such further reports as may be required by the Board

Section 213 POWERS OF MEMBERS OF BOARD SECRETARY AND GAME PROTECTORS Each member of the Board the Secretary and each Game Protector shall have the power

(a) To enforce all laws relating to game and other wild birds and wild animals and to go upon any property outside of buildings posted or otherwise in the performance of his duty

(b) To execute all warrants and search warrants for the violation of the laws relating to game and other wild birds and animals

(c) To serve subpoenas for the examination investigation and trial of all offenses against the laws relating to game and other wild birds and animals

(d) To carry fire arms or other weapons concealed or otherwise in the performance of their duties

(e) To arrest without warrant any person found in the act of violating any of the provisions of this act or in pursuit immediately following such violation or any unnaturalized foreign-born resident when such person has in possession a firearm or a dog of any kind

(f) To call upon any citizen of this Commonwealth for assistance in making arrests

(g) To search without warrant and examine any person or any boat conveyance vehicle game bag game coat or other receptacle for game or any camp tent or cabin in the presence of any person stopping at or belonging to such camp tent or cabin or any roster when he has reason to believe and has stated to the suspected person or person in charge his reason for believing that any of the laws relating to game or other wild birds and animals have been violated

(h) To secure and execute search warrants and in pursuance thereof to enter any building enclosure or car and to break open any apartment chest locker box trunk crate basket bag package or container and to examine the contents thereof

(i) To seize and take possession of all bird or animals which have been caught taken or killed or had in possession or under control or which have been shipped or about to be shipped at any time in any manner or for any purpose contrary to the laws of this Commonwealth

(j) To seize all guns shooting or hunting paraphernalia traps dogs boats decoys or other appliances used in violation of any of the laws relating to game or other wild birds or wild animals when making an arrest or found in the execution of a search warrant

(k) To administer any oath required by the provisions of this act or relative to any violation of any law relating to game or other wild birds or wild animals and where game is found in a camp or in possession or under control of any individual or hunting party to question such persons or persons under oath relative to the taking ownership or possession of the same

ARTICLE III

HUNTING LICENSES

Section 301 RESIDENTS OF STATE For the purposes of this article any person who has been a bona fide resident of this Commonwealth for a period of thirty days next preceding his application and was born in the United States of America or was fully naturalized under the laws of the United States shall be entitled to the license herein referred to as the Resident Hunter's License upon the further fulfillment of the requirements of this article

Section 302 RESIDENT LICENSE FEE Each such resident as provided in the preceding section upon application made verbally or in writing to any County Treasurer within the Commonwealth and the presentation of proof that he is a citizen of the United States and a bona fide resident of this Commonwealth under the requirements of this article and in the case of naturalized foreign-born applicants the production of such applicant's Naturalization papers and the payment to said County Treasurer of one dollar and twenty-five cents shall be entitled to the license herein designated as a "Resident Hunter's License" and a tag with the number of the license thereon

It is unlawful for any County Treasurer or any of his representatives to knowingly issue a Resident Hunter's License to any person physically or mentally unfitted to carry or use firearms

Section 303 NON-RESIDENT LICENSE FEE Every non-resident of this Commonwealth upon application made verbally or in writing to any County Treasurer or to the Secretary of the Game Commission at Harrisburg and the presentation of proof that he is a citizen of the United States and the payment of fifteen dollars to said County Treasurer or Secretary shall be entitled to the license herein designated as a Non-Resident Hunter's License" and a tag with the number of the license thereon

It is unlawful for any County Treasurer or any of his representatives to knowingly issue a Resident Hunter's License to any person physically or mentally unfitted to carry or use firearms

Section 304 THE LICENSE CERTIFICATE Said licenses shall be issued on a form prepared and supplied by the Board Such license shall bear a description of the person applying for the same setting forth the occupation the color of the hair and eyes any marks or scars peculiar to the applicant and such other description as the Board may require with the date of its issue In the case of foreign-born applicants such license shall contain the nationality of the person and all dates and numbers of the naturalization papers All licenses legally issued shall authorize the person named therein to hunt for and kill any wild animals or wild birds under the restrictions and requirements of existing laws during the period for which the license is issued the date of which is inscribed thereon Said Certificate before being valid must be countersigned by the licensee

The license certificate issued with either a Resident or Non-Resident Hunter's License shall be carried on the person of the licensee at all times while hunting or trapping and shall be shown immediately upon demand by any officer whose duty it is to protect wild animals and birds or upon demand by any owner or lessee or by any employee or representative of such owner or lessee upon whose lands such person may be found

Section 305 LICENSE PERIOD All licenses issued after January first one thousand nine hundred and twenty-three shall be in force until the thirtieth day of April one thousand nine hundred and twenty-four After the thirtieth day of April one thousand nine hundred and twenty-four all licenses shall be issued for the year beginning the first day of May and ending the thirtieth day of April of the year following In all cases however application for such license may be made and a license issued prior to the date upon which such license is in force

Section 306 LICENSE TAG The Board shall also furnish free of charge and there shall be issued with each license a tag bearing the license number in figures at least one inch in height which tag said licensee is required to display on the outer garment on the back between the shoulders in such manner that all figures are plainly visible at all times while hunting The license tag for the current year only shall be displayed

Section 307 PERSONS AUTHORIZED TO TAKE APPLICATIONS FOR LICENSES It is lawful for any justice of the peace magistrate or notary public to take applications for such licenses for which service the applicant shall pay fifteen cents in addition to the license fee prescribed said fifteen cents to be retained by said official as his fee for taking such application and remitting payment therefore to the county treasurer of the county in which said official is located Such application and remittance shall be forwarded to the County Treasurer within twenty-four hours No license shall be issued at any place other than the office of the County treasurer except in the case of a non-resident who may secure his license at the office of the Board

Section 308 COUNTY TREASURER TO KEEP RECORD AND MAKE REPORT Each County Treasurer of this Commonwealth shall keep in a book to be supplied by the Board a correct and complete record of all "Resident and Non-Resident Hunter's Licenses" issued by him Such book shall be in the form of an alphabetical index Each County Treasurer shall enter therein at the close of each week the name and place of residence of each individual to whom a license shall have been issued during that week and to forward weekly to the Board on blanks furnished to him a complete list of licenses granted with names and addresses of licenses and such other information and data as the Board may require Said index shall be open at any reasonable hour to the inspection of any officer of the Commonwealth whose duty it is by law to protect the game of the Commonwealth

Section 309 COUNTY TREASURER TO COLLECT AND REMIT LICENSE FEES REPORTS COMPENSATION The County Treasurers of the several counties shall be agents of the Commonwealth for the collection of said license fees and for services rendered in collecting and paying over the same the said agents shall be allowed to retain for their own use the sum of ten cents from the amount paid for each Resident Hunter's License and fifty cents from the amount paid for each Non-Resident Hunter's License which amount shall be full compensation for services rendered by him in each case under the provisions of this act Each County Treasurer shall remit all balances arising from this source at least once a month to the State Treasurer upon a form to be supplied by the Board at the cost of the Commonwealth and shall in every instance forward a duplicate of such report to the Secretary All such moneys shall be placed in the game fund by the State Treasurer

Any County Treasurer who shall fail to comply with any of the provisions of this act relating to hunting licenses shall not be entitled to retain the sum hereinbefore fixed for his services but such sums shall be paid to the State Treasurer and if not so paid may be recovered by the Board by suit in the same manner as like amounts are now by law recoverable

Section 310 REVOCATION OF LICENSE RIGHT TO HUNT DENIED The Board may revoke any hunter's license and deny any person the right to secure a license or to hunt anywhere in this Commonwealth with or without a license for a period of from one to two years if said licensee or person has either been convicted or signed an acknowledgment of violating any game law or if such licensee or person has been convicted in any court of record of having destroyed or carried away notices posted by the Commonwealth or personnel property or crops of any kind on lands on which such licensee or person may have been hunting or has been convicted of being careless in the use of firearms while hunting and thereby caused injury to human life or live stock or has been convicted of causing forest fires or of being intoxicated while using firearms for the purpose of hunting The license of any person convicted of a second or subsequent offense of violating any of the game laws shall be revoked by the Board as herein provided and such person is hereby denied the right to secure a license or to hunt anywhere in this Commonwealth with or without a hunter's license for a period of not less than two or more than three years from the date of such conviction to revoke a license then in force or to deny by action of the Board any person the right to secure a license or to hunt anywhere in this Commonwealth for any period the Board shall send a written notice to that effect to such person at his address either by registered mail or have it delivered in person by a representative of the Board The Board shall furnish in writing to the County Treasurer of each county the name address and the term for which such person has been denied the right to secure a license or to hunt in this Commonwealth together with any other data said Board may deem necessary

Section 311 CERTAIN ACTS DECLARED UNLAWFUL It is unlawful for any person

(a) Except in the defense of person or property to hunt or chase or to shoot at or kill or pursue with intent to take kill or wound any wild birds or wild animals with firearms or with a device of any kind propelling with force a leaden or metal pellet or bullet or through the use of traps or with any other device or instrument or by the use of dogs without first securing a license and license tag and wearing such tag and showing and displaying such license as required by the provisions of this article Nothing in this clause shall be construed to prevent any person under the age of sixteen years to tray for fur-bearing animals or vermin without securing a license

(b) Under the age of fourteen years to receive a hunting license under any circumstances whatsoever

(c) Under the age of sixteen years to receive a hunting license without presenting a written request therefor bearing the signature of his father or mother or legally constituted guardian

(d) Under the age of sixteen years to use firearms of any kind for the purpose of hunting any wild birds or wild animals unless accompanied by a person twenty-one years of age or over unless such hunting is done on the premises whereon such person resides

(e) To procure a license under an assumed name or in which an address other than his legal place of residence is given or to make any false statement whatsoever in securing a license

(f) To lend or transfer a license or tag to another

(g) To knowingly issue or aid in securing a license under the provisions of this act for himself or any other person not legally entitled to the same

(h) After being denied the right to hunt by action of the Board to hunt anywhere during the period such right has been denied with or without a hunter's license or

(i) After conviction of a second or subsequent offense of violating any of the game laws to hunt anywhere with or without a hunters license for a period of two years from the date of such conviction

Section 312 LEGAL HUNTING BY RESIDENTS WITHOUT LICENSE

Nothing in this article shall be construed to prevent any citizen of the United States residing within this Commonwealth from having a gun in his home or from using such gun in defense of either person or property or from shooting at targets or to prevent any bona fide owner or any bona fide lessee of lands within this Commonwealth or any member of the family or household or regularly hired help of such owner or lessee if such person is a citizen of the United States actually residing upon and cultivating such lands in this Commonwealth from hunting thereon or by and with the consent of the owner thereof from hunting upon the lands immediately adjacent and connected with his own lands without securing the license provided for by this article unless the Board has denied or this act does deny to such person the right to hunt anywhere

Section 313 PRIMA FACIE EVIDENCE OF HUNTING For the purpose of this act the fact that any person shall be found in possession of a gun trap or other device of any description usable for the purpose of killing or taking wild birds or wild animals or in the possession of the dead body of any wild bird or wild animal either in the field in the forests on the public highways or on the waters of this Commonwealth shall be considered "prima facie evidence" that such person is hunting and shall require him at all times to display his license tag for the current year as provided in this article and to show immediately upon demand his "Resident or Non-Resident Hunter's License" to any officer whose duty it is to protect the wild animals and birds or to show his license immediately upon demand by any owner or lessee or by any employe or representative of such owner or lessee upon whose lands such person may be found

Section 314 REBUTTAL OF PRIMA FACIE EVIDENCE DEPOSIT AND RETURN OF PENALTIES In all cases of arrest for violation of any of the provisions of the preceding section except where the dead body of any wild bird or wild animal is found in possession of the accused the affidavit of the person charged with such violation denying the charge made shall overbalance what is termed "prima facie evidence" in said section

Any person displaying his license tag properly but unable to produce immediately upon demand his hunter's license at once sign a proper acknowledgement and deposit with the officer accosting him the fine of twenty dollars stipulated in this article for which such officer shall give an official receipt such fine shall as soon as possible be forwarded by the officer in question to the Board with a report covering the case if the defendant desires a return of a fine so paid he shall file at the office of said Board at Harrisburg within twenty days an affidavit stating fully the reasons why he was unable to display said license immediately and give his description place of residence license number where same was secured and its date or attach the license itself whereupon said Board if satisfied that the purpose was not to violate the provisions of this article shall return such fine to the defendant otherwise the fine shall be deposited as hereinafter provided and the case considered closed

Section 315 REPORT OF GAME KILLED Not later than thirty days after the expiration of any Resident or Non-Resident Hunter's License issued under the provisions of this Article it shall be the duty of the licensee to forward to the Board at Harrisburg on a form attached to such license or on a form supplied by the Board upon request if the original form has been mislaid or lost a report of all wild birds and wild animals killed by such licensee during the period for which said license was issued

Section 316 PENALTIES Any non-resident of this Commonwealth who shall hunt chase trap take shoot at wound or kill or attempt to hunt chase trap take shoot at wound or kill any wild birds or animals without a non-resident hunting license having been lawfully issued to him shall be sentenced to pay a fine of forty dollars and costs of prosecution for each offense and each day shall be considered a separate offense

Any person who shall fail to sign his license certificate as hereinbefore provided shall be sentenced to pay a fine of five dollars and costs of prosecution

Any person who violates any of the provisions of this article except as above provided shall be sentenced to pay a fine of twenty dollars and costs of prosecution for each offense Provided That an additional fine of twenty dollars and costs of prosecution shall be imposed when any person is convicted of

(a) Hunting anywhere during any period of time that such right has been denied him by the Board or by this act or

(b) Securing a hunters' license either in his own or an assumed name during any period of time that he has been denied such privilege by the Board Each day shall be considered a separate offense

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall in the discretion of the court suffer imprisonment one day for each dollar of fine imposed

ARTICLE IV

SPECIAL LICENSES

Section 401 ACT NOT TO APPLY IN CERTAIN CASES This act shall not be construed to apply to or prohibit the taking of game and wild birds by any public zoological garden of the State or any public institution of the State wherein animals or birds are maintained alive for educational purposes or for the purpose of scientific study or experiment or to the Board or to its duly authorized agents acting for the State in any manner or to prevent the Board through its duly authorized agents from destroying birds or animals destructive to game in such manner as it may direct

Section 402 BOARD EMPOWERED TO GRANT LICENSES Under the conditions and limitations hereinafter prescribed the Board may grant licenses at their discretion good for the term of one year from their date Such licenses shall not be transferable Such licenses may be issued (a) to any person within this Commonwealth of known scientific attainment in ornithology or mammalogy (b) to any agent of any public museum in this Commonwealth (c) to a teacher or ornithology in any school within this Commonwealth (d) to any person within the Commonwealth desiring to breed or raise game in captivity and to sell the same (e) to any person desiring to possess breed or sell ferrets (f) to any person qualified to practice taxidermy and (g) to fur dealers or persons purchasing or receiving raw furs for commercial purposes

No person so long as he is legally acting under the authority of a license issued by the Board shall be liable to any of the penalties provided for in this act

Section 403 REPORTS BY HOLDERS OF LICENSES INSPECTIONS At the expiration of any license the holder thereof shall file a sworn statement on blanks supplied by the Board covering all his transactions thereunder before a renewal license may be granted The holder of each license shall keep a record of all transactions under his license and such record together with all plants and premises shall be open to inspection upon demand of any member or officer of the Board He shall also answer without evasion any question relative to the ownership of any bird or animal or part thereof found in his posession or under his control or that has passed through his hands that may be asked by any member or officer of the Board

Section 404 APPLICATIONS FOR LICENSES Any person firm association or corporation desiring a license as provided for in this article shall present a petition therefor on forms supplied by the Board and shall pay to the Secretary one dollar except in the case of breeders and dealers in ferrets in which case he shall pay to the Secretary twenty-five dollars All such license fees shall be paid into the State Treasury for the use of the game fund The petition shall be accompanied by the written statement of at least two well known citizens of the community in which the applicant resides certifying to his good character and to his fitness to be intrusted with the authority granted by such special license

In the case of applications for licenses by firms associations or corporations the petitions shall bear the name of the president or general manager and the license shall be issued in his name all petitions for propagating licenses shall be accompanied by the written description of the premises to be used for such purpose with the location thereof upon notification of the favorable consideration of any petition for a propagating license the applicant shall file with the Board a duly executed bond in the sum of five hundred dollars given to the Commonwealth conditioned for the faithful observation by the principal named in the license and his agents and employes of all the provisions of this act upon the conviction of the principal named in any such bond or any of his agents or employes of violating any of the provisions of this act such bond shall be forfeited to the Commonwealth

Section 405 COLLECTING LICENSES Licenses authorizing the holder to collect birds their nests with eggs found therein and animals protected by this Act for exhibition in public museums or scientific study or school instruction may be issued to (a) persons of known scientific attainment in either ornithology or mammalogy for scientific study or (b) agents of public museums for exhibition purposes or (c) teachers of ornithology in any school within the Commonwealth During the period covered by such licenses birds and animals may be taken in numbers not to exceed the following

	Number of Specimens of Each Species	Number of nests of Each Species and Eggs Found Therein
(a) Scientists in Ornithology or Mammalogy		
Protected birds,	Unlimited	Unlimited
Game birds,	Unlimited	Unlimited
Game and Fur-bearing animals,	Unlimited	Unlimited
(b) Agents of Public Museums		
Protected birds,	3	2
Game birds,	4	3
Game and Fur-bearing animals,	5	————
(c) Teachers of Ornithology		
Protected birds,	4	1

The license shall be on a form prepared by the Board and shall indicate the classification of said license and the number of specimens that may be taken thereunder It is unlawful for the holder of a Collecting License to sell or exchange or ship from or remove out of this Commonweatlh without the written consent of the President of the Board any birds or nests or eggs or animals collected It is unlawful for the holder of any Collecting License to take in one year more than the number of birds nests with eggs or animals of any species than herein stipulated

Section 406 LICENSES TO PROPAGATE GAME Licenses issued to persons residing within this Commonwealth and of the age of twenty-one years or upwards and to associations and corporations resident within this Commonwealth shall authorize the holder thereof and his or its assistants to breed or raise game of any kind and to sell the same dead or alive or the eggs of game birds at any time under the regulations hereinafter provided

It is unlawful to breed or raise game of any kind in captivity or to sell eggs of game birds without a propagating license except game bred or raised and released for stocking purposes in a wild state or sold to the Board or bred and raised for home consumption only

Section 407 PREMISES USED BY PROPAGATING LICENSES For raising small game the premises used by holders of propagating licenses may be in such form as to the operator thereof seems best suited to his purposes so long as wild game is prevented from coming onto such property

For raising elk or deer the premises shall be surrounded by a wire fence of approved pattern with a height of not less than eight feet so constructed and maintained as to absolutely prevent wild elk or deer from entering in any manner into said premises Before the fence surrounding any such premises shall be closed all wild elk and deer that may be upon said territory shall as far as possible be driven therefrom by the owner under the direction of an officer of the Board

Section 408 DISPOSING AND REMOVING GAME FROM PROPAGATING PREMISES Where game of any kind is raised or eggs of game birds are produced on premises under authority of any propagating license it may be sold or given away and shipped alive from said enclosure for propagating purposes or may be killed within said enclosure for sale or gift without regard to sex or numbers at any time of the year under the following regulations

Before any live game of any kind raised under authority of any propagating license is shipped out of the Commonwealth it must be offered to the Board for propagating purposes and the Secretary shall within ten days advise the licensee whether it desires to purchase the same If not purchased by the Board it may be shipped to any other state or nation if properly tagged as hereinafter provided Game so raised when dead may be shipped anywhere if tagged properly

Before any game raised or eggs produced under authority of any propagating license are shipped or removed from any premises the licensee shall apply to the Board for a tag which shall be supplied at cost said tag shall be composed of two parts and when detached one part thereof containing the name and address of the purchaser and the kind and number of game or eggs shipped or removed shall be attached to the container or the bird or animal the other part of the tag containing the information required shall be immediately be returned to the Board the tag attached to a container or a bird or animal shall so remain until the eggs are removed from the container or the living bird or animal is released from the container or the dead body of any bird is sold or the dead body of any animal is cut up for retail purposes or final consumption at which time the tag shall be removed by the person receiving the eggs or finally disposing of the bird or animal and shall at once be forwarded to the Board

It is unlawful for any licensee or his agent or employee to neglect to return to the Board any tag with the information thereon required or to kill sell give away remove or ship any game bred or raised or eggs of game birds produced under the authority of any propagating license except in compliance with the provisions of this section

It is unlawful for any person to neglect to remove and return to the Board any tag attached to any container or to any bird or animal except in compliance with this section

It is unlawful for any person to wilfully or wantonly remove or mutilate or destroy any tag attached to any container or bird or animal according to the provisions of this section except in the manner and at time and place provided for in this section

It is unlawful for any person to wilfully or wantonly remove or mutilate or destroy any tag attached to any container or bird or animal according to the provisions of this section except in the manner and at the time and place provided for in this section

It is unlawful for any person to wilfully use any tag of the kind provided for in this section for the carrying removal or shipment of game or the eggs of game birds taken or killed outside of premises used for propagating game under authority of a license or for the purpose of a second shipment of game or eggs from any such premises

Nothing contained in this section requiring the tagging of game or eggs shall apply to any game released within this Commonwealth or hatched from the eggs of game birds and released for stocking purposes or sold to any representative of the Board for propagating purposes

Section 409 POSSESSION BREEDING AND SELLING OF FERRETS It is unlawful for any person to breed or to sell ferrets or to offer to sell ferrets either for himself or as the agent of another or to have any ferret in his possession except by virtue of a license issued by the Board It is unlawful for any breeder or dealer in ferrets to sell or for any common carrier or the agent of any common carrier to deliver any ferret to any person within this Commonwealth unless the person to whom such ferret is to be sold or delivered shall possess a proper license to have such animal in possession Proof to the satisfaction of the person selling or delivering any ferret of the possession of any such license must be required by the production of the license or by inquiry made to the Board and a record shall be made of all sales by dealers showing the name address ferret license number and date of such license before the sale is consummated

Section 410 LICENSES TO TAXIDERMISTS Licenses issue to persons residing within this Commonwealth desiring to practice taxidermy for profit shall authorize the holder thereof to receive from any person any bird or animal that has been legally or accidentally killed and to keep such specimen or any part thereof in possession indefinitey and to tan or cure or mount the same either himself or through any legitimate employe It is unlawful for any person within this Commonwealth to practice taxidermy for profit without a license issued by the Board It is unlawful for the holder of any such license to sell or to ship from or remove or permit the removal out of the Commonwealth of any specimen of a bird or animal protected by this act without the written consent of the president of the Board The Secretary may issue a permit subject to the conditions or regulations therein stipulated to any licensed taxidermist authorizing the shipment of any specimen to fur-dressing tanning or taxidermy firms in other States for dressing tanning or mounting and return to said taxidermist

Section 411 LICENSES TO FUR DEALERS Licenses issued to persons to act as fur dealers shall authorize the holder thereof to receive or to purchase and to resell raw furs for commercial purposes It is unlawful for any person to purchase or receive or resell raw furs for commercial purposes without a license issued by the Board

Section 412 PENALTIES Any person violating any of the provisions of this article shall be sentenced to pay the following fines and costs of prosecution for each offense

(a) For the sale or exchange or shipment or removal out of this Commonwealth of birds or nests or eggs or the taking of birds or eggs or nests contrary to the provisions of this article by agents of museums of teachers of ornithology or persons of scientific attainment in ornithology or mammalogy acting under the authority of any license twenty-dollars

(b) For the practice of taxidermy for profit without a license as provided in this article twenty-five dollars and in addition thereto twenty-five dollars for each specimen of a bird or animal protected by this act mounted or in possession for mounting

(c) For the sale or shipment from or removal from or the permitting of the removal from the Commonwealth by the holder of any taxidermy license of each mounted specimen of a bird or animal protected by this act without the written consent or permit required by this act twenty-five dollars

(d) For the breeding or raising of game in captivity without a propagating license contrary to the provisions of this article twenty-five dollars for each bird or animal so bred or raised

(e) For neglecting to return to the Board the part of the tag not attached to the container or bird or animal with the information thereon required or for the killing or sellng or giving away or removing or shipping of game bred or raised or eggs produced by the holder of any propagating license or his agent or employe contrary to the provisions of this article fifty dollars

(f) For neglecting to remove and to return to the Board as provided in this article the tag attached to any container or to any bird or animal ten dollars

(g) For wilfully or wantonly removing or mutilating or destroying a tag attached to a container or bird or animal contrary to the provisions of this article fifty dollars

(h) For wilfully using any tag for the carrying or removing or shipping of game or the eggs of game birds taken or killed outside of premises for propagating game under authority of license or for the purpose of a second shipment of game from any such premises contrary to the provisions of this article fifty dollars

(i) For the breeding or selling or offering for sale or having in possession or delivering any ferret contrary to the provsions of this article twenty-five dollars for each ferret

(j) For purchasing or receiving or re-selling raw furs for commercial purposes without a license as provided in this article twenty-five dollars

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall in the discretion of the court suffer imprisonment one day for each dollar of fine imposed

ARTICLE V.

HUNTING SEASON. BAG LIMITS.

Section 501. OPEN SEASON. The open season for game-birds and game-animals, Sundays and other periods fixed by special regulations for particular counties excepted, is as follows:

KIND OF GAME	OPEN SEASON
Black birds and upland or grass plover, ...	From Aug. 1st to Nov. 30th.
Rail, coot or mud-hen, reedbird, sand-piper, tattler,	

curlew, Wilson or jacksnipe, or any other kind of shore-bird excepting Woodcock,
From Sept. 1st to Nov. 30th.
Woodcock, ...
From Oct. 1st to Nov. 30th.
All birds known as wild water-fowl, ...
From Oct. 1st to Jan. 15th.
Raccoon, ...
From Oct. 1st to Feb. 15th.
Wild turkey, ruffed grouse, commonly called pheasant, male ring-neck pheasant, Virginia partridge, commonly called quail, Gamble quail Valley quail, and Hungarian quail, and gray, black and fox squirrel, ...
From Nov. 1st to Nov. 30th.
Red Squirrel, ...
From Nov. 1st to Aug. 15th next following.
Wild Rabbit and Hare, ..
From Nov. 1st to Dec. 15th.
Bear, ...
From Nov. 1st to Dec. 15th.
Male deer, with two or more points to one antler: provided, a male deer with an antler six or more inches long without points, measuring from the top of the skull as the deer is in life, shall be considered legal, ...
From Dec. 1st to Dec. 15th.
Male elk, with four or more points to one antler,
From Dec. 1st to Dec. 15th.

Section 502 BAG LIMIT It is unlawful for any person to kill in any one day or in any one season more game-animals or game-birds than hereinafter enumerated

Kind of Game	In one Day	In one season
Wild Turkey	1	1
Ruffed Grouse	3	15
Male Ring-neck Pheasants	2	6
Quail also known as partridge of the combined kinds	8	25
Woodcock	6	20
Squirrels including the fox black and gray combined	6	20
Wild rabbits	5	40
Hares	3	15
Bear	1	1
Bear (By hunting party)	4	4
Deer	1	1
Deer (By hunting party)	6	6
Elk	1	1
Elk (By hunting party)	1	1

Except as hereinafter otherwise provided every deer taken shall be a male deer having two or more points to one antler Provided a male deer having an antler six or more inches long without points measuring from the top of the skull as the deer is in life shall be considered legal

Every elk taken shall be a male elk killed through the method known as "Still Hunting" only having not less than four points to one antler

Nothing contained in this section shall prohibit any owner who raises ring-neck pheasants strictly in captivity from killing any number of such birds during the open season on lands he may own or control

Secton 503 TRAPPING CERTAIN GAME BIRDS It is unlawful to trap quail of any kind and ring-neck pheasants from the first day of December to the first day of April next following the purpose of keeping them alive during the winter of for the purpose of separating a covey to increase the chances of propagation but for no other purpose whatever it is unlawful for any person to transport from one locality to another locality in this State any such quail or pheasant excepting by written permission of the president of the Board of Game Commissioners all birds thus taken shall be liberated in the spring as soon as the weather will permit

Section 504 POWER OF BOARD TO CLOSE COUNTIES TO HUNTING For the purpose of adding to the protection of game or fur bearing animals and assist in its or their increase the Board upon petition may close throughout the year or any part of the general open season for a term of years any county to the hunting of game birds game animals of any kind

Section 505 PETITIONS FOR CLOSE SEASONS Whenever at least two hundred citizens of any county representing a majority of the townships or boroughs at least fifty per centum of whom were regularly licensed during the preceeding season shall through petition certify to the Board that in their opinion an absolute close season or a reduction in the period of the general open season is necessary to insure the better protection and consequent increase of game or fur bearing animals of any kind in that county and asking that such county be closed to hunting for a period or a portion of the general open season the Board shall forward to said petitioners and others a form setting forth such question as they may consider best suited to determine the game conditions in said county and the necessity for closing said county to hunting or trapping which forms with replies to entitles such answer to consideration before said Board shall be returned to the Board on or before the return day as fixed upon said forms such petitioners shall also publish for at least three consecutive weeks at their own expense in at least two prominent newspapers in the county the statement that such petition has been filed with its purposes and the return day as fixed by the Board and shall file with said Board duly certified copies of such notices on or before the return day

Section 506 PROCEDURE BEFORE BOARD If the written answers as returned shall fail to satisfy the Board that such close season or reduction in the length of the general open season is necessary or those opposing such action shall demand a hearing before said Board then a hearing shall be had such date and at such place within the county affected as may be decided upon by the Board The expenses of such hearing shall be paid by those demanding the same If after the receipt of the written answers or the public hearing or both the Board is satisfied such close season is necessary it is empowered to declare a close season throughout the year or such part of the general open season as may be deemed advisable for a period not to exceed five years for such animals or birds or any of them

Section 507 ACTION OF BOARD TO BE ADVERTISED The Board to make such close season or reduction in the length of the general open season effective and binding shall be required to publish annually their decision and action regarding this matter in at least three newspapers if there be that many in each county affected thereby and to have notices of such action declaring such county closed to hunting or trapping or reducing the length of the general open season printed and annually distributed in reasonable numbers throughout the affected territory

Section 508 PENALTIES Any person taking wounding or killing any game or fur-bearing animal in any county closed to hunting or trapping by action of the Board pursuant to the provisions of this article shall be liable to the fines provided for a violation of this article

Section 509 EXTENDING SEASON FOR SQUIRRELS RABBITS AND WOODCOCK REMOVAL OF PROTECTION

Upon receipt of a petition from any county containing the signatures of not less than two hundred citizens at least fifty per centum of whom were regularly licensed during the preceding season setting forth their desire for an extension of the open season for squirrels rabbits or woodcock or that squirrels or rabbits have become a nuisance in that county or any portion thereof stating the manner in which squirrels or rabbits have become a nuisance or their reasons for such desire with such other information as the petitioners may deem advisable the Board if after investigation is satisfied the conditions in such county warrant may declare such county or any township or townships thereof open during an additional season not exceeding one month at such time of the year as may be deemed necessary except between January first and August twentieth During any such special open season squirrels rabbit and woodcock may be killed and disposed of only under the same conditions and in the same number as during the general open season

The Board may extend such special open season from year to year so long as in their opinion conditions in such county warrant without a new petition being filed each year

To open a county or any portion thereof to the killing of squirrels rabbits or woodcock during a special season as herein provided a notice to that effect shall be published by the Board before the beginning of such special open season in not less than three newspapers of general circulation if there be so many published in the county affected once a week for at least two consecutive weeks setting forth the dates of any such special open season and the conditions governing same

Section 510 REMOVAL OF PROTECTION FROM BEARS Upon the receipt of a petition from any county containing the signatures of not less than two hundred citizens setting forth that bears have become a nuisance in that county stating the manner in which such animals are a nuisance and such other information as the petitioners may deem advisable the Board after investigation if satisfied the conditions in such county warrant may declare such county or portion thereof open during a special season to the killing in any number by it specified and at any time during the year of bears by any method except by the use of steel-traps or dead-falls It is unlawful for any person to kill bears during such special season unless such person shall comply with the provisions of this act relating to hunters licenses and such regulations as the Board may prescribe

To either open a county to the killing of bears as herein provided or to revoke such declaration a notice to that effect shall be published by the Board in not less than three newspapers of general circulation if there be so many published in the county affected once a week for three consecutive weeks setting forth the date such action becomes effective and the regulations adopted Bears killed during any special season shall be disposed of only in the manner provided for the disposition of bears legally killed during the general season

Section 511 REMOVAL OR PROTECTION FROM FEMALE DEER SPECIAL DEER LICENSE Upon receipt of a petition signed at least two hundred residents of any county setting forth that deer have become a nuisance in that county or any township thereof stating the manner in which such animals are a nuisance the Board if satisfied that conditions warrant or if in their opinion the sexes are not balanced properly may declare such county or any township thereof open to the killing of large female deer through the use of legal firearms as hereinafter provided by residents of the Commonwealth during a special season not exceeding three days following the regular open season for deer During such special season the killing of female deer shall be in accordance with such rules and regulations as the Board may adopt

Ninety or more days prior to the date of any such special open season a notice shall be published by the Board in at least two newspapers of the county one time each week for three consecutive weeks setting forth the date or dates of such special season and the conditions governing same

Before any person shall hunt for female deer during a special open season declared by the Board such person shall have a Resident Hunter's License before hunting on any property where this act requires such license and shall also apply to and obtain from the board at Harrisburg a SPECIAL FEMALE DEER LICENSE the fee for which is hereby fixed at Five Dollars such license shall entitle the holder to kill one female deer Such special female deer licenses shall be issued only in such number for each county or township as the Board may deem advisable and shall be issued in the order of the applications made to the Board

It is unlawful for any person to hunt for or kill or attempt to kill female deer during any special open season declared by the Board unless complying with the provisions of this section relative to licenses and complying with the rules and regulations prescribed by the Board Deer killed during such special season shall be disposed of only in the manner provided for the disposition of deer legally killed during the general open season but no provisions of this act relative to the number of deer that may be killed by any person or any hunting party or camp shall be construed to prevent the killing of female deer by any resident if legally authorized as herein provided

Section 512 PENALTIES Any person violating any of the provisions of this article shall be sentenced to pay the following fines and costs of prosecution for each offense

For taking wounding killing or transporting from one locality to another within this State or for attempting to take kill or wound contrary to this article or any rules and regulations adopted by the Board

(a) Each elk two hundred dollars and in the discretion of the court six month's imprisonment
(b) Each deer one hundred dollars
(c) Each bear fifty dollars
(d) Each wild turkey ruffed grouse ring-neck pheasant quail or woodcock twenty-five dollars
(e) Each other bird or animal ten dollars

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition shall in the discretion of the court suffer imprisonment one day for each dollar of fine imposed

ARTICLE VI

FUR-BEARING ANIMALS

Section 601 OPEN SEASON FOR FUR-BEARING ANIMALS The open season for fur-bearing animals excepting racoons and beavers is from the first day of November to the last day of February next following The open season for racoons is from the first day of October to the fifteenth day of February Next following Sundays excepted

There is no open season for beavers

Section 602 UNLAWFUL TAKING KILLING POSSESSION ETC OF FUR-BEARING ANIMALS Except as otherwise provided in this act it is unlawful for any person to take or kill or wound or capture or attempt to take or kill or wound or capture any fur-bearing animal except during the open season or to have in possession the green pelt of any fur-bearing animal or any part thereof except during the open season therefor and for fifteen days thereafter

It is unlawful to buy or sell or offer to buy or sell or to ship out of this State any fur-bearing animal or any part thereof knowing the same to have been unlawfully taken

This section does not prohibit the possession at any time of fur-bearing animals killed or taken outside of this State or the possesion of the tanned or cured skins or any parts thereof of fur-bearing animals not unlawfully killed or the possession of live fur-bearing animals legally taken within this State during the open season

Section 603 ILLEGAL METHODS OF TAKING FUR-BEARING ANIMALS EXCEPTIONS In the taking or killing of fur-bearing animals it is unlawful to use poison explosives or chemicals or to smoke out or dig out any den or house of any kind or to cut den trees or to use steel traps unless visited at least once every thirty-six hours except when prevented by sickness or storm All traps so used must be marked with a metallic plate or tag attached to the trap or chain bearing in plain English the name and address of the owner and must be taken up or sprung at the end of the season

Nothing contained in this section shall prevent persons residing upon cultivated lands from digging out dens or houses of fur-bearing animals excepting beavers during the close season in fields which are under cultivation or from preventing any person from killing or capturing alive any fur-bearing animals excepting beavers at any time in any manner when found in the act of destroying personal property or in the immediate pursuit thereafter but in no case shall the pursuit be carried beyond the limits of the property upon which the damage is done The person killing or capturing any such fur-bearing animal or accidentally killing or capturing and injuring a fur-bearing animal during the close season while legally hunting or trapping for other animals in season shall immediately notify the secretary at Harrisburg and such animal or the pelt thereof shall be disposed of as may be directed by the Secretary Failure to notify the Secretary as herein provided shall constitute prima facie evidence of the unlawful killing or capturing of fur-bearing animals

Section 604 DISTURBING TRAPS OF ANOTHER LARCENY It is unlawful for any person to disturb the traps of another or to take a fur-bearing animal from the traps of another unless specifically authorized by the owner Any person taking a trap or taking a fur-bearing animal from a trap set by another is guilty of the larceny of personal property and punishable accordingly

Section 605 BEAVERS AND THEIR DAMS PROTECTED It is unlawful to kill or capture or to attempt to kill or capture any beaver within this Commonwealth or to destroy or disturb in any manner interfere with the dams or houses of such animals except upon special permit from the Board

Section 606 ARTICLE NOT TO APPLY TO BOARD Nothing contained in this article relating to the taking killing and possession of fur-bearing animals shall apply to the Board or any of its officers or agents while acting for the Commonwealth

When it is proven to the satisfaction of the Board that fur-bearing animals are excessively destroying property or otherwise becoming a nuisance in any section the Board may at any time remove or have removed such animals from that locality or direct the killing and disposition of same in such manner as the case may require

Section 607 PENALTIES Any person killing or capturing or attempting to kill or capture any beaver or destroying or disturbing or interfering with their dams or houses contrary to the provisions of this article shall be sentenced to pay a fine of one-hundred dollars and costs of prosecution for each offense

Any person violating any of the provisions of this article except as otherwise provided for shall be sentenced to pay a fine of ten dollars and costs of prosecution for each offense

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall in the discretion of the court suffer imprisonment one day for each dollar of fine imposed

ARTICLE VII

GENERAL HUNTING REGULATIONS

Section 701 UNLAWFUL TAKING KILLING POSSESSION ETC OF GAME Except as otherwise provided in this act it is unlawful for any person to take or kill or wound or attempt to take or kill or wound any game except during the open season or to have in possession either living or dead any game or any part thereof except game lawfully taken during the open season which may be had in possession during the open season therefor and for thirty days thereafter The burden of proof that game or any part thereof found in possession of any person after the close of the open season was lawfully taken shall be upon the person in whose possession such game or part thereof is found This clause does not prohibit the possession at any time of game killed or taken outside of this State or the possession of the tanned or cured skins or any parts thereof of birds or animals not unlawfully killed or the possession of live raccoons when lawfully taken during the open season

It is unlawful for any person to knowingly use any game that has been unlawfully killed or taken or to knowingly aid or assist in the concealment of any game unlawfully killed or to knowingly have in possession with intent to use or conceal the same any game or part thereof that has been unlawfully killed or taken

Section 702 HUNTING ON SUNDAY AND AT NIGHT It is unlawful for any person to hunt for or shoot at or chase or catch or kill or attempt to shoot at or chase or catch or kill with or without dogs any game upon the first day of the week commonly called Sunday or to hunt for or shoot at or catch or kill or attempt to hunt for or shoot at or catch or kill any game between one half hour after sunset of one day and sunrise Eastern Standard Time of the day following except that raccoons and woodchucks may be hunted for and killed at any time either day or night during the open season Sundays excepted

Any person violating any of the provisions of this section shall be liable to the fine hereinafter provided

Section 703 LAWFUL METHODS OF HUNTING It is lawful to hunt for or catch or take or wound or kill game of any kind only through the use of a gun pistol or revolver of a kind the use of which is not hereinafter prohibited except

(a) That raccoons may be killed or captured in any manner if complying with the provisions of this act when using traps except that unless as a protection to property as hereinafter provided such animals may not be taken through the use of automatic firearms or poisons or explosives or chemicals or by smoking out or digging out dens or houses or cutting den trees

(b) That blinds and decoys in number as provided for in this act may be used in hunting wild water fowl

(c) That residents under the age of fourteen years may take rabbits not exceeding the bag limits provided by this act through the use of box-traps during the open season upon the lands whereon such persons reside if visited at least once every thirty-six hours

(d) That it is lawful to use steel traps with a spread of jaws not exceeding six and one-half inches if a metallic plate or tag is attached to each trap or chain bearing in plain English the name and address of the owner for the purpose of taking vermin so long as such traps are not set where rabbits or other game may be caught and such traps are visited once every thirty-six hours unless prevented by sickness or storm and at the end of the trapping season all traps are sprung or removed and

(e) In any manner for scientific purpose pursuant to a license issued by the Board

Section 704 UNLAWFUL METHODS OF HUNTING

(a) Unlawful methods and Devices

It is unlawful for any person to shoot at or to shoot for game unless the same is plainly visible to him or to dig cut or smoke live game out of its den or place of refuge

It is unlawful to hunt for or catch or take or kill or wound or attempt to catch or take or kill or wound game of any kind excepting raccoons through the use of what is commonly known as an automatic gun or an automatic firearm of any kind or a swivel gun or an air-rifle or the apparatus known as a silencer or from an automobile or vehicle or boat or craft of any kind propelled by any mechanical power or to set lay or prepare for use or to use any trap snare net bird-lime deer-lick pit-fall turkey-blind turkey-call or turkey-pen or to make use of or to take advantage of any artificial light battery or other contrivance or device or to make use of any method or device not specifically permitted by this act for the purpose of catching or taking or wounding or killing game

It is unlawful to hunt for or catch or take or kill or wound or attempt to catch or take or kill or wound raccoons except in the manner provided in the preceding section

(b) Unlawful Manner of Hunting Elk Deer or Bear

It is unlawful to kill or attempt to kill any elk or deer or bear except through the use of a gun propelling one all-lead or lead alloy or soft-nosed or expanding bullet or ball at a single discharge or to take an elk in any manner except through the method known as still-hunting

(c) Unlawful to Kill Elk or Deer in Water

It is unlawful for any person at any time to shoot at or kill or wound or capture or attempt to kill or wound or capture either an elk or a deer while taking refuge in or swimming through the waters of any of the streams ponds or lakes

(d) Use of Dogs in Hunting Deer Elk Wild Turkey

It is unlawful for any person to make use of a dog in hunting elk or deer or wild turkey and every person who takes a dog into the woods or who has possession or control of a dog in the woods and every person in a camp which has a dog in their possession or control or in which a dog is harbored shall be liable to the fines prescribed in this article for the unlawful chasing taking or killing of elk or deer or wild turkey as the case may be if such dog within a radius of ten miles from said camp or from any point where such dog has been accompanied by such person or persons runs after pursues or follows upon the track of any elk or deer for a distance of one-half mile or does pursue or scatter wild turkeys

(e) Hunting with Ferrets

Except as otherwise provided in this act it is unlawful for any perosn to hunt for or catch or kill or cause or permit the hunting of hares or rabbits with or through the use of a ferret The fact that any person shall place a ferret in any hole or opening outside of buildings in which a rabbit might be found or shall be caught in the act of using a ferret in taking hares or rabbits or shall have a ferret in possession or under control in either the fields or forests or any vehicle upon the highways or on railroad or railway cars shall render such person liable to the penalty prescribed in this article Any ferret found running at large or found in the possession or under the control of a person not possessed of a ferret license or of a person convicted of violating any provision of this act shall be forfeited to the Commonwealth and shall be immediately killed by the officer or citizen into whose hands such animal may come

(f) Unlawful Crafts

It is unlawful to hunt for or pursue or to follow after with intent to kill game of any kind from or with or through the use of any boat or craft propelled by any means other than oars or pole or hand-paddle Any person using a craft or boat for such purposes contrary to this section or the captain or owner or other person in charge of such boat or craft who shall allow or knowingly permit the same to be used contrary to this section shall be liable to the fines provided for in this article

(g) Hunting with Decoys

It is unlawful for any person or for any number of persons acting together to place in any of the waters of this Commonwealth for the purpose of attracting wild waterfowl more than thirty-six specimens of artificially prepared wooden ducks or ducks of any character commonly used as decoys or to shoot over or attempt to control more than thirty-six such decoys so placed as to cover not exceeding one-fourth of a mile upon any stream or lake

It is unlawful for any person or for any number of persons acting together to use decoys unless each specimen is marked with a metallic plate or tag giving in plain English the name and address of the owner or owners or to have such decoys in the water more than thirty-six hours without removing them for at least twelve hours before replacing in the water

Section 705 UNLAWFUL KILLING OF ELK AND DEER It is unlawful for any person at any time by standing on watch or otherwise to kill or attempt to kill a second male elk or a second male deer in one season It is unlawful for any person at any time to shoot at or wound or kill or attempt to shoot at or wound or kill or have in possession a female elk or a female deer or any part thereof or a male elk or a male deer found in a wild state or any part thereof that may not be lawfully taken except as otherwise provided by the laws of this Commonwealth relating to the taking of game animals and game birds under authority of a license issued by the Board

Section 706 POSSESSION OF DEER OR ELK WITHOUT HEAD ATTACHED

The possession or control of a deer or elk or of any portion of either of such animals shall be prime facie evidence that such animal was killed unlawfully in this Commonwealth unless the head bearing antlers as hereinbefore provided is attached in a natural way Each person in whose possession or under whose control the same may be found or whom may be proven to have had such animal or part thereof in possession or under control shall be liable to the penalty provided in this article for the unlawful killing of elk or deer as the case may be unless such person shall immediately upon demand made by an officer of the Commonwealth whose duty it is to protect game produce the head bearing such antlers or shall swear that the flesh in question found in his possession or proven to have been under his control is a part of a deer or elk legally killed in the Commonwealth both or either as in the mind of the officer investigating may be considered necessary

Section 707 HUNTING REGULATIONS FOR PARTIES HUNTING LARGE GAME TAGGING LARGE GAME

Each camp or body of men hunting together for elk or deer or bears shall at all times while hunting maintain a roster or record giving in plain English the name address and license numbers of all persons hunting with that party at any time during that season such roster or record shall be kept at the camp boarding house or other stopping place and if not in a camp or stopping together in the possession of the leader or captain of such party such roster or record shall at all times be open to inspection by any officer whose duty it is to protect the game of the Commonwealth and shall be produced upon the demand of any such officer every failure to keep or produce any such roster or record shall render the person responsible for such neglect or refusal individual as quickly as possible after the said Board is liable to penalties provided in this article

It is unlawful for any body of men either camping together or hunting in unison or in any manner cooperating with each other to kill or be possessed of in one season more than six legal male deer or more than one legal male elk or more than four bears found in a wild state

Every person in a camp or body of men hunting together or in any manner co-operating with others in hunting for elk or deer or bear shall be individually liable to the full penalty imposed in this article for each elk or deer or bear killed in excess of the number provided for in this section after the time the various members of such party hunting together have had ample opportunity to go together not exceeding the close of said day and ascertain that the legal limit of such animals has been killed in any case where more than the lawful number of elk or deer or bear are killed unintentionally by any camp or hunting party any excess animals shall be turned over to the nearest game protector or paid representative of the Department of Forestry within eighteen hours after killing for delivery to a charitable institution and the head and skin shall be disposed of by the Board

Every person who may hunt individually or with another camp or party hunting in unison for elk or deer or bear or in any manner co-operating with others hunting for such animals after having participated in any manner in killing during the season the number of such animals prescribed in this section for camps or hunting parties shall be liable to the full penalty and costs of prosecution prescribed in this article for killing such animals contrary to the provisions of this article and such penalty shall be imposed for every day such person shall hunt contrary to the provisions of this section .

Each person killing an elk or deer or bear found in a wild state shall attach thereto a tag or marker within six hours after such killing bearing in plain English his name address license number and county number with the location where such game was killed Every failure to have said tag attached as herein provided shall subject the person so neglecting to the penalties provided in this article Any game found in the possession of any person and not tagged as herein provided shall be confiscated If the person responsible for such neglect to tag any such game cannot be located each member of the samp or party shall be individually liable to such penalty

Section 708 KILLING GAME FOR HIRE It is unlawful for any person to kill game for wages or hire or in evasion of this provision and to that end it shall be unlawful for any person acting as a guide to deliver or in manner cause to be delivered to the benefit of his employer or the person he may be guiding game killed by him or for the employer of any employe acting in the capacity of a guide to receive game killed by such employe or guide while in his employ

Nothing in this act shall be construed to prevent any person from using a dog or dogs belonging to him or under his control to locate or chase legal game while acting as a guide for others during the open season or from acting as a guide when not carrying a rifle or shot gun loaded with a ball shell after such person has killed his limit of large game or participated in killing the lawful limit of large game as prescribed for camps or parties hunting in unison

Section 709 KILLING GAME BY MISTAKE RETURN OF PENALTY Each individual who may by mistake kill any game or fur-bearing animal contrary to the provisions of this act shall have returned to him one-fourth of the penalty imposed by law for such offense and actually paid by him to a legally authorized representative of the Commonwealth if such individual to the best of his ability shall at once dress and hang up or deliver the carcass of the game or fur-bearing animal so killed and shall immediatey after such killing and caring for or delivering of the carcass make report of the wrong done to any Game Protector or the District Attorney of the County or a justice of the peace or a representative of the Department of Forestry in the neighborhood where the offense was committed and shall give to such person definite information regarding the place where such carcass may be found or deliver the carcass to such official for disposition as hereinafter provided and shall within twenty-four hours after such killing forward to the Board at Harrisburg a statement in writing under oath explaining when and where and how such mistake was made

Said one-fourth of the penalty imposed by law and paid into the hands of the Board shall be returned to the said satisfied that said killing was by mistake and was not intentional or by carelessness

Section 710 SHIPPING GAME BY PARCEL POST Except as in this act otherwise provided it is unlawful for any person to ship game or any part thereof killed in a wild state in this Commonwealth by parcel post Nothing contained in this section shall be construed to prevent the shipment of skins of raccoons or bears legally killed if marked properly to show the contents

Section 711 TRANSPORTING SMALL GAME It is unlawful for any person to ship or transport by common carrier of any description or by automobile or vehicle of any kind any small game or part thereof killed in a wild state in this Commonwealth or for any common carrier or his or its agent to transport small game of any kind from one point to another point in this Commonwealth unless such small game is accompanied by the owner thereof or is carried upon the same train or automobile or vehicle with such owner in the following manner Such game shall be carried upon the person in the hunting-coat or game-bag or openly as hand-baggage without cover in such manner as to be easily seen and inspected When such game is carried in baggage or boxed for shipment each package or box or receptacle of any description containing such game shall have attached thereto a card or marker bearing in English the name of the person owning same with the place of his residence the name of the county wherein such game was killed and the number of each species of small game contained in said package

Section 712 TRANSPORTING LARGE GAME It is unlawful for any person or for any common carrier or his or its agent to ship or transport large game of any kind unless the carcass shall in all instances have attached thereto a card or marker bearing the name and address of the owner with the name of the county wherein the same was killed It is unlawful for any person to cut up large game and ship or transport or carry or convey any art thereof or for any common carrier or his or its agent to transport any such part unless each division thereof shipped uncovered or each package container or baggage of every description containing any part of such game shall have attached a card or marker bearing in English the name of the owner of such game with his home address and the character of the contents of such package so that such contents may be determined by an outside inspection of such package

Section 713 TRANSPORTATION OF GAME OUTSIDE OF STATE Except as otherwise provided in this act it is unlawful for any person at any time to ship or transport or remove or attempt to ship or transport or remove or cause or attempt to have shipped or transported or removed out of this State any game-animal or game-bird or protected bird or to catch or take or kill or have in his possession or under his control any game-bird or game-animal or protected bird with intent to allow or aid in the shipment or removal thereof out of this State and it is unlawful for any person acting in the capacity of a common carrier or his or its agent or as the operator of an automobile or in control of a vehicle of any kind to knowingly receive for transportation or remove or aid or assist in removing or attempt to remove beyond the limits of the State any game-animal or game-bird or protected bird

Nothing contained in this section shall be held to impose any penalty upon the transportation of game in unbroken packages in transit through this State from another State nor upon the shipment out of the State at any ime of game legally killed or taken in another State whether the same be in original packages or otherwise nor upon the shipment of game legally killed in this Commonwealth which is delivered in good faith to a common carrier for transportation from one point to another point in this State if necessarily carried out of this State to reach its destination but actually delivered at the point of destination within this State and in the case of small game is accompanied by the owner thereof

Any non-resident licensed hunter may take with him personally when leaving the State in the manner prescribed by law relating to the shipment of game from one point to another point in this Commonwealth and the tagging of game any game except elk that such licensee has lawfully taken or killed not exceeding during the season the number that any one person may lawfully take or kill in any two days

Section 714 SHIPPING GAME TO TAXIDERMISTS Nothing contained in this article relative to the shipment of parts of game within or out of the Commonwealth shall apply to the shipment of a bird or animal or part thereof either legally or accidently killed that the holder thereof may desire to preserve as a trophy or as a specimen and shall send to a licensed taxidermist for tanning or mounting when the package is properly marked showing the contents thereof Provided that all such shipments out of the Commonwealth shall be legal only pursuant to a permit secured from the Secretary

Section 715 BUYING AND SELLING GAME It is unlawful for any person at any time to knowingly buy or sell or barter or expose for sale or barter or have in possession for sale or barter any game or parts thereof no matter where such game has been killed excepting deer or rabbits killed in another state and the skins of raccoons and bears no matter where killed

Nothing in this section shall be construed to prevent the purchase or sale of game raised under authority of a propagating license or the purchase or sale or introduction into this State at any time of live game for propagating purposes that has been inspected and legally passed by a representative of the Bureau of Animal Industry of the Department of Agriculture or to prevent at any time the sale within the State or the shipment out of the State without a license of any kind of any animal raised in captivity and not found in a wild state in this Commonwealth or the purchase or sale of the tanned cured or mounted heads or skins or parts thereof of any game not killed in a wild state in this Commonwealth

Section 716 DOGS PURSUING ELK OR DEER LIABILITY OF OWNERS Any dog pursuing or following upon the track of an elk or deer is hereby declared to be a public nuisance Such dog may be killed by any person when pursuing or following upon the track of an elk or a deer for a distance believed by such person to be one-half mile or more or by any officer whose duty it is to protect the game of the State upon affidavit being made by any person acqainted with the facts that said dog is in the habit of or has been seen or heard running upon the track of or pursuing any elk or deer for a distance of one-half mile or more within a period of two years before the date of such affidavit The owner or person harboring or in control of a dog either killed in conformity with the law or proven to have pursued an elk or deer for the distance of one-half mile or more shall be liable to a penalty of fifty dollars for each elk and twenty-five dollars for each deer pursued and one hundred dollars for each elk and fifty dollars for each deer killed or caused to be killed by such dog running at large without the aid or direction of its master Where the owner or person harboring or in control of a dog shall neglect or refuse to take such action as may be necessary to prevent such dog from running elk or deer after notice in writing from an officer whose duty it is to protect the game to the effect that the dog in question is in the habit of pursuing elk or deer he shall be liable to double the amount as fixed before for the first offense

Section 717 DOGS PURSUING SMALL GAME OR PROTECTED BIRDS IN CLOSE SEASON Any dog pursuing or following upon the track of any small game or protected bird during what is known as the close season for such animal or bird is hereby declared to be a public nuisance and may be killed by the owner or lessee of land whereon it is found or by an employee of such owner or lessee or by an officer of the Commonwealth whose duty it is to protect the game or wild birds unless such dog shall wear a collar having attached thereto a metallic tag or plate upon which shall be plainly incribed in English the name and address of the owner of such dog and also a dog license tag as provided by the laws of the Commonwealth Any dog thus wearing a collar inscribed and tagged as before mentioned pursuing small game or protected birds during what is known as the close season may be killed by the owner or lessee of any land upon which such dog may be found or by any employee of either the owner or lessee or by any officer of the State whose duty it is to protect the game of the State when such dog is seen upon the track of such game after notice in writing from that particular person or from the Secretary of the Board has been given to the owner or reputed owner or person in control of such dog to the effect that the dog in question is in the habit of destroying or pursuing or following upon the track of game or protected birds contrary to this section

Any person who shall or negligently permit his dog or a dog under his control to pursue small game during the close season on land other than his own or which he may control shall be liable without notice of any kind to a penalty of ten dollars for each day small game or protected birds may be pursued in violation of this section and to an additional penalty of five dollars for each such annimal or bird killed by such dog without the aid or direction of its master together with costs of prosecution

Section 718 TRAINING OF DOGS ON CERTAIN GAME During the period between one hour before sunrise and nine o'clock Post Meridian Eastern Standard Time dogs when accompanied by and under control of their owner or handler may be trained upon any game in this State excepting elk or deer or wild-turkey from the twentieth day of August to the last day of February next following Sundays excepted so long as no firearms usually raised at arm's length and fired from the shoulder are carried and no injury is inflicted upon said animals or birds this section does not prohibit the training of dogs on rassoons during the night-time Under control is hereby defined to mean within call except when actually on a trail or track of legal game

Any person who shall train a dog or dogs or permit a dog or dogs under his control to pursue or follow upon the track of any small game contrary to the foregoing provisions shall be liable to a fine of ten dollars for each offense

Section 719 IMPORTING SELLING AND RELEASINC CERTAIN BIRDS EGGS AND ANIMALS It is unlawful for any person to bring or in any manner to have transported into this Commonwealth from any other State or country any living specimen or any egg thereof of the bird known as the European starling or any other bird or any living animal the importation of which is prohibited by the Secretary of Agriculture of the United States under the provisions of any law of the United States or to release within this Commonwealth any fox wild cat mink or weasel brought into this State from another state or country or reared in captivity

It is unlawful to bring into or to sell within this Commonwealth living game of any kind either birds or animals that have been imported from any other state or nation or to release within this Commonwealth for propagating purposes imported game of any kind excepting under a certificate to be issued from the Department of Agriculture of Pennsylvania after inspection by a representative of the Bureau of Animal Industry of that Department and quarantine when necessary Any person violating any of the provisions of this section shall be sentenced to pay the fine provided for in this article

Section 720 REMOVAL OR KILLING OF GAME DESTROYING PROPERTY When it is proven to the satisfaction of the Board that game is excessively destroying property or otherwise becoming a nuisance in any section of the State the Board may at any time remove or have removed such animals or birds from that neighborhood or direct the killing and disposition of the same as the case may require

Nothing in this act shall be construed to prevent any person actually residing upon or cultivating lands within this Commonwealth as either the owner or lessee or the herein contemplated and shall subject any person killing any animal or bird named in this section to the full fine herein- or raccoon or the birds commonly known as blackbirds regardless of sex or age which he may find on such lands actually engaged in the material destruction of cultivated employee of such owner or lessee from killing in any manner at any time any elk or deer or bear or rabbit or squirrel fruit-trees cultivated crops vegetables live-stock poultry or bee-hives or in the case of red squirrels or blackbirdes destroying either the eggs or young of protected or game birds or from estroying such animals or birds anywhere on the property under their control immediately following such destruction Any such person shall at all times prove that material damage was being done by the animal or bird killed and report such killing except in the case of red squirrels and blackbirds within twenty-four hours either verbally or in writing to the nearest game protector or the office of the Board at Harrisburg and shall also remove the entrails hang up and care properly for the carcass of any animal killed for delivery to such charitable institution as such officer or board may direct

Failure to prove material damage or make the report herein required or dress and care for such carcass properly shall be prima facie evidence that the purpose of such killing was not to relieve the destruction of property as after provided for unlawfully killing such animal or bird

Nothing in this act shall be construed to prevent any person from killing a bear at any time or in any manner when such animal is inflicting or attempting to inflict injury to either the person or personal property of any individual or the killing of such bear in a pursuit commenced within forty-eight hours after the commission of such offense or to prevent any person from killing a bear at any time in any manner when such animal is found within one-half mile of his regular place of residence if such person has just cause to fear injury to persons or his personal property No steel traps shall be used for the purposes stipulated in this provision relative to bear An bear killed under this provision shall be reported and the carcass dressed and cared for and disposed of in the same manner as directed in this section

Section 721 POSSESSION OR INTERFERENCE WITH NEST OR EGGS OF BIRDS Except as otherwise provided in this act it is unlawful for any person to take or have in possession or under control of either the nest or any egg found therein of any game-bird or protected bird or to wantonly interfere with or destroy any such nest or egg Any person violating any of the provisions of this section shall be liable to the fine hereinafter provided

Section 722 UNLAWFUL KILLING AND POSSESSION OF PROTECTED BIRDS Except as otherwise provided in this act it is unlawful for any person at any time to shoot at or wound or take or kill any protected birds or to have such bird either living or dead or any part thereof in his possession

Nothing contained in this section shall be construed to prevent any person from killing any eagle or hawk or owl or heron protected by this act when caught in the act of destroying domestic livestock poultry game other protected birds their nests or young or fish in private rearing ponds or to prevent such killing immediately following such destruction No protected bird or any part thereof killed as herein provided or by accident shall be mounted or retained in possession except pursuant to a permit obtained from the Board

Any person violating any of the provisions of this section shall be liable to the penalty hereinafter provided

Section 723 UNLAWFUL SALE OF PROTECTED BIRDS AND PLUMAGE Except as otherwise provided in this act it is unlawful for any person acting either for himself or as the agent or representative of another to have any protected bird or any part of the plumage or skin thereof or any bird or part of the plumage or skin of a bird that may have been brought into this Commonwealth from another state or country which belongs to the same family as those found in a wild state in this Commonwealth in possession or under control for the purpose of sale or to offer or expose the same for sale or to transport or ship or remove or attempt to transport or ship or remove from this Commonwealth for any purpose any such bird either living or dead or any part of the plumage or skin thereof

Any persons violating any of the provisions of this section shall be liable to the fine hereinafter provided

Section 724 OWNERSHIP OF CARCASS OF GAME.

The ownership of the carcass of game lawfully shot and killed shall be deemed to be in the person who inflicts a mortal wound which causes the death of the bird or animal and which enables the hunter to obtain possession of the carcass

When a mortal wound has been lawfully inflicted on any game but the same is not killed immediately and continues in flight and is thereafter lawfully shot by another hunter who inflicts a mortal wound thereby stopping the flight of such game and killing it enabling such hunter to take possession of the carcass the ownership of the carcass shall be deemed to be in the hunter whose fatal wound stopped the flight of such game and enabled him to take possession of the carcass In case of a dispute a disinterested person other than an officer whose duty it is to enforce the game laws may be called in to arbitrate the matter

Section 725 PENALTIES Any person violating any of the provisions of the sections of this article shall upon conviction be sentenced to pay the following fines and costs of prosecution for each offense

(a) For hunting or shooting or chasing or catching or killing any game or attempting to shoot or chase or catch or kill with or without dogs any game upon the first day of the week commonly called Sunday or for hunting for or shooting at or catching or killing or attempting to hunt for or shoot at or catch or kill any game between one-half hour after sunset of one day and sunrise of the day following contrary to the provisions of this article twenty-five dollars

(b) For using a boat or craft or permitting the same to be used contrary to the provisions of this article fifty dollars for each day

(c) For using decoys contrary to the provisions of this article ten dollars for each decoy

(d) For using traps in taking vermin contrary to the provisions of this article ten dollars for each trap

(e) For failure to keep or produce upon demand by an officer the roster or record of a hunting party as required by the provisions of this article twenty-five dollars

(f) For failure to tag or mark a deer or elk or bear within six hours after killing as required by the provisions of this article twenty-five dollars

(g) For shipping transporting carrying or conveying parts of large game in any package container or baggage of any description without having a card or marker attached as provided by this article twenty-five dollars

(h) For a common carrier or his or its agents to knowingly or negligently transport game from one point to another in this Commonwealth contrary to the provisions of this article twenty-five dollars

(i) For violating any of the provisions of this article relating to living birds and the eggs thereof and living animals imported or brought into or released within this Commonwealth fifty dollars for each bird or egg or animal imported or sold or released contrary to said provisions

(j) For interfering with or destroying the nest or egg of any game bird contrary to the provisions of this article fifty dollars for each nest

(k) For interfering or destroying the nest or egg of a protected bird contrary to the provisions of this article ten dollars for each nest

(l) For shooting at or wounding or taking or killing or possessing any protected bird contrary to the provisions of this article ten dollars

(m) For selling or offering for sale or possessing for the purpose of sale or transporting or shipping or attempting to transport or ship any protected bird or any bird that may have been brought into this Commonwealth which belongs to the same family or the skins or plumage of any such bird twenty dollars

(n) Except as otherwise herein provided for hunting or chasing or catching or taking or killing or wounding or receiving or delivering or transporting or shipping or using or concealing or assisting to conceal or having in possession or attemptin to hunt for catch take kill wound or transport contrary to this article or for violating any of the provisions of this article relating to the shipping or transportation or removal out of this Commonwealth or relating to the buying or selling or bartering of

I Each elk two hundred dollars and in the discretion of the court six months' imprisonment

II Each deer one hundred dollars

III Each bear fifty dollars

IV Each wild turkey ruffed-grouse ring-neck pheasant quail or woodcock twenty-five dollars

V Each other game-bird or game animal ten dollars

In any case where any game-bird or game-animal was legally taken and held in possession after the time permitted by this article the fine shall be one-half of the fine above prescribed

In addition to the fine above prescribed any person who shall make use of or have in possession or under control a ferret contrary to the provisions of this article shall be liable to a fine of twenty-five dollars for each ferret and costs of prosecution

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall in the discretion of the court suffer imprisonment one day for each dollar of fine imposed

ARTICLE VIII

STATE GAME LANDS HUNTING GROUNDS AND GAME REFUGES

(a) STATE GAME LANDS

Section 801 ACQUISITION The Board may acquire title to or control of lands within the Commonwealth suitable for protection and propagation of game or for hunting purposes or to be used as hereinafter provided by purchase gift or otherwise to be known as State Game Lands The Board may also acquire title to such lands by condemnation proceedings in the same manner as provided for the condemnation of lands for State Forests The Board may purchase or erect such buildings as may be deemed necessary properly to maintain and protect such lands The Board may purchase or lease land from which the ownership of minerals oil or gas and the right to mine and drill for the same have been expected All purchases and leases shall be made only with the consent of a majority of the Board The President shall represent the Board in all purchases and leases

Section 802 TITLE AND CONTROL The title to any land acquired by purchase gift or otherwise shall be approved by the Attorney General and shall be taken by the Board in the name of the Commonwealth The deed to any such land shall be deposited with the Secretary of Internal Affairs The entire control of such land shall be under the direction of the Board

Section 803 PURCHASE PRICE No land shall be purchased at a price to exceed ten dollars per acre except where buildings or cultivated lands deemed necessary to the proper maintenance and administration of Game Refuges or for game propagation are included The Board may expend for the purchase of lands during any year such amount as in their opinion can be allotted to that purpose

Section 804 SALE AND EXCHANGE Whenever the Board shall deem it to the best interests of the Commonwealth it may by resolution adopted by unanimous vote at a meeting when a majority of the Board are present and voting and with the consent of the Governor authorize the exchange of any lands or any part thereof to which title has been acquired by purchase gift or otherwise together with the buildings improvements and appurtenances thereof for privately owned lands of equal or greater value and adapted for State Game lands or game propagation or may authorize the sale of any lands to which title has been acquired as aforesaid or any part thereof to the party or parties offering the highest price thereof after advertisement once each week for three successive weeks in at least two newspapers published in the county or counties in which the land is situate

Such lands may also be sold to the State Forest Commission of the Commonwealth or the United States of America for National Forest Reserves in the same manner as above except no advertisement shall be required

The Attorney General shall prepare the necessary deeds to consummate such exchange or sale and the deeds shall be executed by the President of the Board The proceeds of such sale shall be deposited in the game fund

Section 805 FIXED CHARGES Lands acquired by purchase gift or otherwise shall be exempt from the payment of all taxes except such fixed charges as apply to and are imposed upon State Forests

Section 806 USE OF LANDS Lands to which title has been acquired by the Board or which have been leased or any part thereof may be used for the purpose of creating and maintaining State Game Refuges and Hunting Grounds either or both for the propagation of game and as much thereof as deemed necessary may be used for the administration of such lands The Board after consultation with the Department of Forestry may cut and remove and sell or permit the cutting and removing and selling of timber on lands to which title has been acquired by the Board by purchase gift or otherwise the net proceeds from which shall be deposited in the Game Fund The Board may grant rights-of-way on and across lands acquired as aforesaid when such grant will not adversely affect game protection and propagation The Board may also at its discretion grant leases for church or school purposes for a period not to exceed ten years

(b) STATE GAME REFUGES

Section 815 STATE GAME REFUGES The Board may establish and maintain State Game Refuges for the protection and propagation of game on all or any portion of State Game Lands wherein game and fur-bearing animals shall not be hunted pursued disturbed or molested at any time The Board may also with and by the consent of the State Forest Department or proper Federal authority locate State Game Refuges on State Forests or National Forests No such Refuge shall exceed in area one-half of the total area of the State or National Forest on which it is located No State Game Refuge shall be established within ten miles of another State Game Refuge nor shall a Refuge exceed ten miles at its greatest transverse dimension

Section 816 BOUNDARY LINES NOTICES Each State Game Refuge shall be surrounded by a well defined fire-line road or other clear strip of land and by at least one wire at the boundary thereof On the boundary of each State Game Refuge there shall be posted in conspicuous places not more than one hundred and fifty yards apart notices bearing the following "State Game Refuge Hunting is Unlawful" and such other information or rules and regulations as the Board may deem advisable

(c) AUXILIARY STATE GAME REFUGES

Section 825 APPLICATION FOR AUXILIARY REFUGES Whenever the owner or owners or persons in control of suitable lands having an area of not less than two hundred acres desiring to have said lands or part thereof set apart as a Refuge for game and wild birds they may make application to the Board giving a description of said lands including (a) specific location (b) map or sketch showing an outline or said lands and the location of all buildings roads streams and fences (c) the type of such lands whether woodland abandoned farmland or cultivated land The Board may have an examination made of said lands and if found suitable for game protection and propagation purposes shall notify the owner or owners or persons in control of said lands to that effect The owner or owners or persons in control of said lands may then present a petition as hereinafter provided to the Board on forms supplied by the Board declaring his or their desires

Section 826 CONTENTS OF PETITION FOR AUXILIARY REFUGES A petition for an Auxiliary State Game Refuge shall state clearly (a) that the owner or owners or persons in control of such lands are willing to vest in the Commonwealth all hunting rights upon said lands without charge or for such remuneration as may be agreed upon between them (b) that neither they their families their agents their tenants nor any other persons shall hunt thereon by and with their authority (c) that they will make every effort to protect said refuge from forest fires hunting and from violations of any nature (d) that the agreements shall continue in force for an uninterrupted period of not less than ten years and such longer period as may be desired by the petitioners and (e) all such other information as the Board may require The petition shall be endoresd by at least fifty qualified electors of the county or counties wherein said lands are located

Section 827 ESTABLISHMENT OF AUXILIARY REFUGES If upon investigation the Board finds that the proposed Auxiliary Game Refuge is not within a radius of five miles from any State Game Refuge or other Auxiliary State Game Refuge and decides that the establishment of the proposed auxiliary game refuge is advisable it may enter into an agreement in the form of a lease with the owner or owners or persons in control of such property and shall thereupon declare said lands or any part thereof an Auxiliary State Game Refuge The Board shall surround that part of the lands set aside as a refuge by a single wire as a marker if the same is not already surrounded by a suitable enclosure and shall post notices along the boundary line of the refuge not more than one hundred and fifty yards apart Such notices shall bear the words "Auxiliary State Game Refuge Hunting is Unlawful" and such other information or rules and regulations as the Board may deem advisable

Section 828 ADVERTISEMENT OF THE ESTABLISHMENT OF AUXILIARY REFUGES The Board shall cause notice of its action declaring lands to be an Auxiliary State Game Refuge to be advertised at least one time each week for three consecutive weeks in at last two newspapers of general circulation in the county or counties wherein such refuge is located and shall also have a suitable notice published for at least two consecutive months in not less than two sportsmen's journals if there be so many published monthly in the State

(d) REGULATIONS PENALTIES

Section 840 RULES AND REGULATIONS The Board may formulate adopt and post such rules and regulations for the government of lands under its control and for protection and propagation of game thereon as it may deem necessary for their proper use and administration or as may be established pursuant to agreements with the State Forest Commission or proper Federal authority or lessors Such rules and regulations shall be the law of this Commonwealth controlling such lands and a violation of any of the provisions of such rules and regulations shall subject the offender to the payment of fines provided for in this article for the violation of such rules and regulations

Section 841 ENTRY UPON REFUGES Any citizen may go upon a State Game Refuge or an Auxiliary State Game Refuge without firearms or traps or dogs except during the months of October November and December The Board may through the Secretary by written permission grant to responsible persons the right to hunt or trap for vermin on State Game Refuges for Auxiliary State Game Refuges between December sixteenth and September thirtieth next following The Board may adopt rules and regulations setting forth the manner in which persons working upon or living within the boundaries of Auxiliary State Game Refuges may be or go upon such refuges at any time

The Board may under proper permit authority for the granting of which is hereby given the Secretary authorize the owner tenant or lessee of lands used for an Auxiliary State Game Refuge or any member of his family residing upon any part of said lands leased to the Board for the purpose of creating said refuge or hunting grounds in connection therewith to take not more than ten rabbits through the use of box traps during any season on said lands set aside as an Auxiliary State Game Refuge

Nothing contained in this Article shall be construed to prevent school children at a time other than the open season under proper supervision of an instructor from entering without firearms or traps or dogs an Auxiliary State Game Refuge at any time for the study of bird animal and plant life

In connection with their official duties it is unlawful for any member or employee or duly appointed agent of the Board or the Department of Forestry or the Federal Forest Service to go upon a game refuge at any time and in any manner with or without firearms or traps or dogs

Except as above provided it is unlawful for any person to carry firearms or traps within the limits of or take a dog upon a State Game Refuge or an Auxiliary State Game Refuge at any time

Except as above provided it is unlawful for any person to go upon a State Game refuge or an Auxiliary Game Refuge during the months of October November and December

Except as in this article otherwise provided it is unlawful for any person to hunt for or catch or kill or wound or drive or to attempt to hunt for or catch or kill or wound or drive any birds or animals within the limits of a State Game Refuge or an Auxiliary State Game Refuge

It is unlawful for any person to violate any of the rules and regulations adopted by the Board for the protection and preservation of protected birds and game on Auxiliary State Game Refuges

Section 842 PENALTIES Any person violating any of the provisions of this article shall be sentenced to pay the following fines and costs of prosecution for each offense

For catching or killing or wounding or driving or attempting to catch or kill or wound or drive

(a)	Each elk	$200 and in the discretion of the court 6 months imprisonment
(b)	Each deer	$100
(c)	Each bear	$ 50
(d)	Each wild turkey ruffed grouse ring-necked pheasant quail or woodcock	$ 25
(e)	Each other bird or animal	$ 10

For violating any of the provisions of this article not above specifically provided for or for violating any of the rules and regulations of the Board $25 and costs of prosecution for each offense

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall in the discretion of the court suffer imprisonment one day for each dollar of fine imposed

ARTICLE IX

UNNATURALIZED FOREIGN-BORN RESIDENTS

Section 901 DEFINITION OF UNNATURALIZED FOREIGN-BORN RESIDENTS For the purpose of this article any unnaturalized foreign-born person who shall live or reside within the boundaries of the Commonwealth for ten consecutive days shall be considered a resident and shall be liable to the fines imposed for violations of the provisions of this article

Section 902 HUNTING ET CETERA POSSESSION OF FIREARMS OR DOGS It is unlawful for any unnaturalized foreign-born resident to hunt for in any manner or capture or kill any wild bird or animal of any description either game or otherwise except in defense of person of property and to that end it is unlawful for any unnaturalized foreign-born resident to either own or be possessed of a shotgun or rifle or pistol or firearm of any make or kind or a dog of any kind

Section 903 PRIMA FACIE EVIDENCE OF VIOLATIONS The possession of a shotgun or rifle or pistol or firearm of any kind or of a dog of any kind at any place outside of buildings by an unnaturalized foreign-born resident shall be prima facie evidence of a violation of the provisions of this article

The presence of a shotgun or rifle or pistol or firearm of any make or kind or of a dog of any kind in a room or house or building or tent or camp of any description occupied or controlled by an unnaturalized foreign-born resident shall be prima facie evidence that such firearm or dog is owned or controlled by the person occupying or controlling the property in which the same is found and shall render such person liable to the fines imposed by this article

Section 904 PENALTIES Any person violating the provisions of this article shall be sentenced to pay the following fines and costs of prosecution for each offense

For the capture or killing contrary to the provisions of this article any wild bird or animal

(a) Each elk two hundred dollars and in the discretion of the court six months imprisonment

(b) Each deer one hundred dollars

(c) Each bear fifty dollars

(d) Each wild turkey ruffed grouse ring-neck pheasant quail or woodcock twenty-five dollars

(e) Each other bird or animal ten dollars

For hunting in any manner or for owning or possessing a shotgun or rifle or pistol or firearm contrary to the provisions of this article twenty-five dollars and costs of prosecution

For owning or possessing a dog contrary to the provisions of this Article fifteen dollars and costs of prosecution

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second and subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall in the discretion of the court suffer imprisonment one day for each dollar of fine imposed

Section 905 FORFEITURE OF FIREARMS AND DOGS All shotguns rifles pistols firearms and dogs found in possession or under control of an unnaturalized foreign-born resident shall upon the conviction of any such person or upon his signing an acknowledgment of guilt as hereinafter provided in this act be forfeited to the Commonwealth All such firearms shall be sold by the Board as hereinafter provided All such dogs shall be either killed in a humane manner or disposed of in such manner as the Board or the magistrate alderman or justice of the peace hearing the case may direct

ARTICLE X
BOUNTIES

Section 1001 BOUNTIES ON CERTAIN ANIMALS A reward or bounty shall be paid for the killing within the Commonwealth only of the following animals For each Canada or bay lynx commonly called bobcat or wildcat fifteen dollars for each gray fox four dollars and for each red fox two dollars and for each weasel one dollar

Section 1002 MAKING CLAIM FOR BOUNTY Any person having killed within this Commonwealth any such animal and being desirous of securing the reward or bounty provided for such killing shall produce such slain animal or the entire pelt thereof before any game protector or deputy game protector or any other person authorized to administer oaths within this Commonwealth and shall make affidavit on forms supplied by the Board that (a) he or some member of his family or household naming such person killed the same (naming it) (b) stating clearly the approximate time of such killing (c) that it was killed in a wild state (d) that the place (naming it) where such animal was killed was within the Commonwealth and (e) that such animal was not reared in captivity

No person shall include in one affidavit more than ten claims for bounties for animals killed Each officer other than a salaried game protector shall receive a fee of twenty-five cents for each affidavit containing one claim and fifty cents for each affidavit containing more than one claim Game Protectors and deputy game protectors are authorized to administer the oath required by this section Deputy game protectors shall supply seals at their own expense

The person administering the oath shall without splitting the face or otherwise mutilating the skin deliver said affidavit and skin or pelt to the claimant for bounty who shall as soon as may be forward such affidavit and the unmutilated salted cured or tanned skin or pelt of the animal or animals to the Secretary of the Board at Harrisburg

Section 1003 PAYMENT OF BOUNTIES MONTHLY ACCOUNTING Upon the receipt of such affidavit and skins or pelts in proper form if the Secretary is satisfied that the skins or pelts presented to him are the skins or pelts of animals for the killing of which a bounty is offered by this act and that such claims are in all respect legitimate he shall split the face of the skin from a point between the eyes through the end of the nose and shall as quickly as may be forward his check to the claimant for the amount found to be due and shall if requested return all such skins or pelts at the expense of the game fund to such address as the owner may direct The Secretary shall at least once a month render an accounting to the Auditor General in such form as he may prescribe of all claims paid giving the name and address of the payee the number of the check given and the amount so paid

Section 1004 UNLAWFUL COLLECTION OF BOUNTY PENALTIES It is unlawful for any person to collect or to attempt to collect a bounty for the killing of any animal the face of which is split before presentation to a person authorized to take affidavits or to collect or attempt to collect a second bounty for the killing of any animal or to collect or attempt to collect such bounty through the presentation of the skin or carcass or any part thereof of any animal not named in this act or through deception of any character or to present for the purpose of securing a bounty the skin or carcass or any part thereof of an animal that has been reared or held in captivity or the skin or carcass or any part thereof of any animal killed or captured outside of this Commonwealth

Any person who shall wilfully or fraudulently collect or attempt to collect any reward or bounty to which he is not legally entitled under the provisions of this act or shall aid or abet or assist in any capacity official or otherwise in any attempt to defraud the State through the collection or payment of any reward or bounty shall be guilty of a misdemeanor and upon conviction thereof shall in addition to the penalty that may be imposed for perjury where a false affidavit is made be sentenced to pay to the Commonwealth for the use of the game fund a fine of not less than one hundred dollars or more than five hundred dollars and in default of the payment thereof with costs shall suffer an imprisonment in the jail of the county in which the affidavit is made for a period of one day in jail for each dollar of fine and costs imposed and unpaid

ARTICLE XI
ENFORCEMENT OF ACT PROCEDURE PENALTIES

Section 1101 JURISDICTION Except in cases where the offense is designated a misdemeanor or a felony each magistrate alderman and justice of the peace shall have the power of summary conviction in matters pertaining to violations of any of the provisions of this act

Section 1102 PROCEDURE All summary proceedings under the provisions of this act shall be commenced by affidavit made within two years after the date of any violation Any magistrate alderman or justice of the peace on complaint made before him by affidavit charging any person with having violated any of the provisions of this act or any of the rules and regulations issued by the Board pursuant to this act shall issue his warrant under his hand and seal directed to any constable police officer game protector or any officer whose duty it is to enforce the game laws of the Commonwealth and cause such person to be brought before him When any person is arrested without warrant the officer making the arrest shall immediately take such person before a magistrate alderman or justice of the peace and make complaint by affidavit The magistrate alderman or justice of the peace shall in all cases hear the evidence and determine the guilt or innocence of the person accused If such person is convicted of the offense charged the magistrate alderman or justice of the peace shall also find as a fact any bird or animal or part thereof found in possession is unlawfully possessed and the defendant shall be sentenced to return to the Commonwealth any bird or animal or part thereof found to be unlawfully in his possession and to pay the full fine prescribed by this act for such violation together with the costs of prosecution and in default of the return of such bird or animal or part thereof or the payment of such fine and costs shall be imprisoned one day for each dollar of fine and costs so imposed

Section 1103 ACKNOWLEDGEMENT OF GUILT Any person charged with violating any provision of this act may sign an acknowledgement of the offense committed either before or after the beginning of suit and pay to any duly appointed and commissioned game protector or deputy game protector the fine provided by this act together with costs accruing to that date and surrender to the Commonwealth any bird or animal or part thereof unlawfully taken or possessed Such person shall receive a printed receipt therefor which shall bear the imprint of the seal of the Board and the signature of its secretary and shall be evidence of full satisfaction of the offense committed

Section 1104 ARRESTS WITHOUT WARRANT SEIZURE OF CERTAIN PROPERTY AND GAME Any officer whose duty it is to preserve the peace of the Commonwealth may arrest without warrant any person caught in the act of violating any of the laws relating to game or other wild birds or wild animals or in pursuit immediately following any such violation He may seize all guns shooting or hunting paraphenalia traps dogs boats decoys or other appliances used in violation of any such laws or which he may find in the execution of a search warrant and may seize all birds or animals found either in the possession or under the control of the suspected person

Section 1105 ARRESTS ON SUNDAY Any officer whose duty it is to enforce the game laws of the Commonwealth or any officer whose duty it is to preserve the peace of the Commonwealth may arrest on Sunday without warrant any person caught in the act of violating any of the laws relating to game or other wild birds or wild animals or in pursuit immediately following such violation and in such cases the person arrested may be committed to the jail or lockup for safekeeping for that day unless such person pays to the officer making the arrest in trust a sum of money equivadent to the amount of fine imposed for. the violation committed. Such person shall be taken before a proper magistrate alderman or justice of the peace and be proceeded against as soon as may be on a week day following the arrest

Section 1106 SEARCH WARRANTS Whenever any individual makes complaint in writing before any magistrate alderman or justice of the peace supported by his oath or affirmation and subscribed to by him alleging that there is probable cause to believe and that he has just and reasonable grounds for believing and does believe that certain birds or animals have been caught taken killed possessed shipped or are about to be shipped or that a firearm or dog is concealed by an unaturalized foreign-born resident contrary to the provisions of this Act and describing as nearly as may be the things to be searched for and the place or places to be searched shall issue a search warrant and cause search to be made

Section 1107 PENALTY FOR RESISTING ARREST Any person who by force menance or in any manner resists arrest for violation of any of the provisions of this act or refuses to go with an officer after an arrest has been made or interferes with an officer of the Commonwealth in the performance of his duty under the provisions of this act shall be sentenced to pay a fine of one hundred dollars and cost of prosecution and in default of the payment of such fine and costs shall be imprisoned one day for each dollar of fine and costs

Section 1108 INVESTIGATIONS BY OFFICERS ETC The officer investigating any violation of the game-laws is hereby authorized to administer oaths relative to such matter and where birds or animals of any kind are found in a camp or in possession or under control of an individual or hunting party the person or persons in charge or in possession or control of such birds or animals shall answer satisfactorily immediately under oath if required such questions relating to the taking or ownership or possession of same as may be considered necessary by the officer investigating and in every case where such person or persons in charge or in possession or in control of such birds or animals refuse to so answer such questions the birds or animals thus found are hereby declared forfeited to the Commonwealth and such officer is directed to take charge of and dispose of same as provided by this act

Section 1109 REVIEW OF PROCEEDINGS BY COURT OF QUARTER SESSIONS Any person convicted of violating any of the provisions of this act may enter into good and sufficient recognizance to pay the fine imposed and costs within a period of ten days after the date of his conviction or may certiorari or appeal the proceedings within five days after such conviction to the court of quarter sessions of the county Any prosecutor dissatisfied with the finding of any magistrate alderman or justice of the peace may in like manner appeal to said courts within said period All such appeals shall be only on allowance of the court of quarter sessions or a judge thereof on cause shown and shall be determined by the court of quarter sessions without a jury

Section 1110 FINES TO BE FORWARDED TO SECRETARY All fines recovered in cases where the prosecutor is a salaried officer of the Commonwealth shall be immediately surrendered by the court receiving the same to the prosecutor who in turn as soon may be shall forward or deliver such fines and penalties to the secretary Where any officer of the Commonwealth other than a salaried officer is the prosecutor the fines and penalties shall as soon as the case is fully determined before him be forwarded by such magistrate alderman or justice of the peace to the secretary at Harrisburg together with a statement of the cause for which such fines were collected the cost of which statement is hereby fixed at fifty cents and made a part of the costs of prosecution All fines received by the Secretary shall be paid into the State Treasury monthly for the use of the game fund

Section 1111 RETURN OF FINES ERRONEOUSLY PAID INTO TREASURY Whenever the Board is satisfied that any fine paid into the State Treasury under the foregoing provisions was erroneously collected and deposited the Board within six months after such deposit may by resolution direct the Secretary to draw a requisition upon the fund with which such fine was deposited for the amount involved Upon receipt of such requisition and an extract of the minutes of the Board the Auditor General shall draw his warrant upon the State Treasurer in favor of the person from whom such fine was erroneously collected

Section 1112 WHEN CERTAIN CONVICTIONS TO BE DEEMED SECOND CONVICTIONS Any person convicted or pleading guilty or signing an acknowledgement of guilt under the provisions of this act who prior thereto was convicted or plead guilty or signed an acknowledgement of guilt for violating any of the game laws then in force shall be sentenced under this act and be denied by the Board or by this act the right to hunt anywhere with or without a hunter's license in the same manner as if such person had been convicted of a second offense against this act

Section 1113 DISPOSITION OF SEIZED BIRDS AND ANIMALS All birds and animals protected by this act or parts thereof found in the possession of any person not legally taken and seized under the provisions of this act shall be forfeited to the Commonwealth All dead game so forfeited shall be forwarded immediately to the most convenient charitable institution or to a charitable institution designated by the Secretary All live game and all other birds and animals or parts thereof not classed as game so seized shall be disposed of by the Board

Section 1114 DISPOSITION OF SEIZED PROPERTY WHEN DEFENDANT CONVICTED When a defendant is convicted of violating any of the laws relating to game or other wild birds or wild animals and pays the fine and costs imposed all guns traps boats decoys dogs and other shooting or hunting paraphernalia seized in connection with his arrest shall if the use of the same is not forbidden by this act be returned to the defendant except in the case of the conviction of any unnaturalized foreign-born person and in case the fine and costs are not so paid in full all property other than illegal devices so seized shall be sold at public auction in such manner and subject to such conditions as the Board shall direct The cost of any such sale shall be part of the costs of prosecution Any fund arising from any such the payment of costs of prosecution and third to the payment of the fine imposed The remained if any shall be returned to the owner of the property thus seized The defendant shall be entitled for the first offense only to the credit of one day off his imprisonment for each dollar applied toward the payment of his fine

Property seized the use of which is forbidden by this act shall be forfeited to the Commonwealth and be disposed of by the Board

Section 1115 DISPOSITION OF SEIZED PROPERTY WHEN OWNER ESCAPES ARREST All guns traps dogs boats decoys and other shooting or hunting paraphernalia seized under the provisions of this act where the owner thereof escapes arrest and refuses to present himself and make claim to the property shall be held for a period of ten days after which time such property shall be sold in a manner prescribed for the sale of property seized where the defendant is convicted The fund arising from such sale shall be applied first to the payment of the costs of the sale second to any costs of prosecution accrued and the remainder thereof shall be forfeited to the Commonwealth

Section 1116 LIABILITY FOR COSTS NOT PAID BY DEFENDANT Whenever any officer whose duty it is to enforce the laws of this State protecting game fur-bearing animals and protected birds shall in good faith bring suit for any violation of such laws and for any legal cause shall fail to recover the costs of record Such costs shall be a charge upon the proper county and shall be audited and paid as are costs of like character in said county

ARTICLE XII

Section 1201 ESTABLISHMENT OF GAME FUND APPROPRIATION All license fees fines and other moneys received and collected (a) under the provisions of any law repealed and replaced by this act and now held in the State Treasury as a fund or any part of a fund seperate and apart for the various purposes designated by law or (b) that may be hereafter paid into the State Treasury under the provisions of any act so repealed or replaced or (c) that may be paid into the State Treasury under the provisions of this act shall be placed in a separate fund to be known as "The Game Fund" and shall be held seperately and apart solely for the purposes of the payment under the supervision of the Board (a) of the salaries and expenses of the officers and employes of the Board and contingent office expenses (b) for wild bird game and fur-bearing animal protection and propagation (c) for the purchase of game for propagation and stocking purposes (d) for feeding game and wild birds (e) for the creation acquisition maintenance and administration of hunting grounds and game refuges (f) for the purchase of other lands and buildings and for the erection of buildings (g) for the purchase and maintenance of equipment (h) for control of vermin the payment of bounties and expenses in connection therewith (i) for the payment of all or any part of the cost of any printing posters notices tags badges buttons and such other like materials as in the opinion of the Board may be necessary to its work (j) for the refund of fines erroneously collected and deposited

The sum of not less than twenty per centum of the net revenue received from resident hunters' licenses shall be set aside by the Board for the purchase and distribution of game feed for game and for the propagation or distribution of game for stocking purposes

All such moneys placed in the game fund under the provisions of this section are hereby made available immediately and are hereby specifically appropriated to the Board for the purposes herein specified

Section 1202 MONEY TO BE PAID MONTHLY UPON REQUISITION OF SECRETARY The money in such fund shall be paid to the use of said Board monthly in advance upon requisition by its secretary

The Auditor General shall upon requisition from time to time of the Secretary of the Board and the proper accounting for moneys already advanced from the fund draw his warrant upon the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund available for the purposes before specified at the time such requisition is made

ARTICLE XIII

ACTS OF ASSEMBLY REPEALED SAVING CLAUSE

Section 1301 REPEALS The following acts and parts of acts of assembly are hereby repealed as respectively indicate The repeal clause of the first section of an act shall not repeal the enacting clause of such act

I Sections one two three four five and eight of an act entitled "An act to prevent the hunting of deer and other wild beasts beyond the limits of the lands purchased of the Indians by the Proprietaries of this province and against killing deer out of season" approved the ninth day of April one thousand seven hundred and sixty (one Smith Laws two hundred twenty-seven) chapter four hundred fifty-six absolutely

II An act entitled "An act for the better preservation of Game and Insectivorous Birds" approved the twenty-first day of April one thousand eight hundred and fifty-eight (Pamphlet Laws three hundred seventy-one) absolutely

III An act entitled "A supplement to an act for the better Preservation of Game approved April twenty-first Anno Domini one thousand eight hundred and fifty-eight" approved the fourteenth day of April one thousand eight hundred and fifty-nine (Pamphlet Laws six hundred forty) absolutely

IV An act entitled "A supplement to an act for the better preservation of game and insectivorous birds approved the twenty-first day of April one thousand eight hundred and fifty-eight" approved the thirty-first day of March one thousand eight hundred and sixty-eight (Pamphlet Laws fifty-one) absolutely

V An act entitled "An act providing for the taking of game" approved the twenty-first day of April one thousand eight hundred and sixty-nine (Pamphlet Laws eighty-four) except in so far as it relates to fish

VI An act entitled "An act to amend and consolidate the several acts relating to game and game fish" approved the first day of May one thousand eight hundred and seventy-three (Pamphlet Laws eighty-nine) except in so far as it relates to fish

VII An act entitled "A supplement to an act approved the first day of May one thousand eight hundred and seventy-three entitled 'An Act to amend and consolidate the several acts relating to game and game fish'" approved the eighteenth day of March one thousand eight hundred and seventy-five (Pamphlet Laws twenty-six) absolutely

VIII An act entitled "An act to amend and consolidate the several acts relating to game and game fish" approved the fifth day of May one thousand eight hundred and seventy-six (Pamphlet Laws one hundred and four) except in so far as it relates to fish

IX An act entitled "A supplement to an act entitled 'An act to amend and consolidate the several acts relating to game and game fish' approved the fifth day of May Anno Domini eighteen hundred and seventy-six" approved the twenty-fourth day of March one thousand eight hundred and seventy-seven (Pamphlet Laws forty-five) number forty-four absolutely

X An act entitled "An act regulating the hunting and killing of web-footed wild fowl" approved the seventeenth day of May one thousand eight hundred and eighty-three (Pamphlet Laws thirty-four) absolutely

XI An act entitled "An act to permit the killing at any season of the year of the small bird known as the English sparrow" approved the fourth day of June one thousand eight hundred and eighty-three (Pamphlet Laws sixty-eight) absolutely

XII An act entitled "An act to amend part of an act entitled 'An act to amend and consolidate the several acts relating to game and game fish' et cetera with the supplements thereto' approved the twenty-seventh day of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred and sixty three) number one hundred and fifty except in so far as it relates to fish

XIII An act entitled "An act to amend the first section of an act entitled 'An act regulating the hunting and killing of web-footed wild fowls' approved May seventeenth Anno Domini one thousand eight hundred and eighty-three" approved the sixteenth day of April one thousand eight hundred and eighty-five (Pamphlet Laws eight) number nine absolutely

XIV An act entitled "An act to amend the ninth section of an act entitled 'An act to amend and consolidate the several acts relating to game and game fish'" approved the twenty-third day of May one thousand eight hundred and eighty-seven (Pamphlet Laws one hundred and sixty-nine) absolutely

XV An act entitled "An act to amend the ninth section of an act entitled 'An act to amend and consolidate the several acts relating to game and game fish'" approved the twenty-fifth day of April one thousand eight hundred and eighty-nine (Pamphlet Laws fifty-three) absolutely

XVI An act entitled "An act prohibiting the killing or taking of song and wild birds except in certain cases and providing a penalty therefor" approved the fourteenth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws two hundred and eighteen) absolutely

XVII An act entitled "A supplement to an act approved May fourteenth one thousand eight hundred and eighty-nine entitled 'An act prohibiting the killing and taking of song and wild birds except in certain cases and providing a penalty therefor' amending the first sixth and eighth section thereof" approved the fifteenth day of April one thousand eight hundred and ninety-one (Pamphlet Laws twenty) absolutely

XVIII An act entitled "An act to provide for the appointment of game commissioners for the Commonwealth of Pennsylvania defining their duties and empowering them to appoint game protectors" approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred and seventy-three) absolutely

XIX An act entitled "An act for the better protection of game and game mammals game birds song and insectivorous birds limiting the number of game birds and game mammals to be killed by any one person in one day or in one season prohibiting the sale of the same and the shipment thereof out of the State and providing penalties for the violation thereof" approved the fourth day of June one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred and twenty-three) absolutely

XX An act entitled "An act to amend the title to an act approved the fourth day of June Anno Domini one thousand eight hundred and ninety-seven" approved the sixth day of May one thousand eight hundred and ninety-nine (Pamphlet Laws two hundred and fifty-three) number one hundred and forty-nine absolutely

XXI An act entitled "An act authorizing and empowering the owners and lessees of real estate within this Commonwealth to kill hare or rabbits upon their own premises at all seasons of the year" approved the eleventh day of April one thousand nine hundred and one (Pamphlet Laws seventy-three) number forty-two absolutely

XXII An act entitled "A supplement to an act entitled 'An act to provide for the appoinment of game commissioners of the Commonwealth of Pennsylvania defining their duties and empowering them to appoint game protectors' approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five extending the powers of said protectors making disposition of fines received by them and regulating their pay" approved the twenty-first day of May one thousand nine hundred and one (Pamphlet Laws seventy-three) number forty-two absolutely

XXIII An act entitled "An act to prohibit the capture or killing of beaver within the Commonwealth of Pennsylvania and providing penalties for the violation of its provisions" approved the seventeenth day of March one thousand nine hundred and three (Pamphlet Laws twenty-eight) absolutely

XXIV An act entitled "An act to provide for the appointment of deputy game protectors for the Commonwealth of Pennsylvania and defining their duties" approved the eleventh day of April one thousand nine hundred and three (Pamphlet Laws one hundred and sixty-three) absolutely

XXV An Act entitled "An Act fixing the liability for record costs in cases where officers whose duty it is to enforce the game laws of this Commonwealth fail for any legal cause to receive the same from the defendant" approved the sixteenth day of April one thousand nine hundred and three (Pamphlet Laws two hundred and thirteen) absolutely

XXVI An act entitled "An act to provide for the appointment of special deputy game protectors for the Commonwealth of Pennsylvania and defining their duties and powers" approved the eighteenth day of April one thousand nine hundred and five (Pamphlet Laws two hundred and one) absolutely

XXVII An act entitled "An act to provide for the protection and preservation of game game-quadrupeds and game-birds and song insectivorous and other wild birds and prescribing penalties for violation of its several provisions" approved the twenty-second day of April one thousand nine hundred and five (Pamphlet Laws two hundred and forty-eight) absolutely

XXVIII An act entitled "An act regulating the hunting and killing and possession of wild-water-fowl in the Commonwealth of Pennsylvania and prescribing penalties for violation of its provisions approved the fifteenth day of April one thousand nine hundred and seven (Pamphlet Laws sixty-three) number fifty-seven absolutely

XXIX An act entitled "An act to provide for the better protection of deer in the Commonwealth of Pennsylvania and prescribing penalties for violation of its several provisions" approved the fifteenth day of April one thousand nine hundred and seven (Pamphlet Laws seventy) absolutely

XXX An act entitled "An act to provide for the taking or killing of rabbits or hares in this Commonwealth and prescribing penalties for violation of its several provisions" approved the fifteenth day of April one thousand nine hundred and seven (Pamphlet Laws seventy-two) absolutely

XXXI An act entitled "An act to amend sections six and twenty-three of the act entitled 'An act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions' approved the twenty-second day of April Anno Domini one thousand nine hundred and five changing the open season for ruffed-grouse commonly called pheasant prohibiting the killing of game birds in the night-time limiting the kind of guns to be used in killing game regulating prosecutors for the violation of the provisions of this act and the disposition of the fines and penalties imposed therefor" approved the fifteenth day of April one thousand nine hundred and seven (Pamphlet Laws seventy-four) absolutely

XXXII Sections two three and four of an act entitled "An act to provide for the better protection and preservation of song and insectivorous birds and other wild birds and providing penalties for violation of its several provisions" approved the eighth day of May one thousand nine hundred and seven (Pamphlet Laws one hundred and eighty-six) absolutely

XXXIII An act entitled "An act prohibiting the use of automatic guns for the killing of game or wild-birds within this Commonwealth and prescribing a penalty for violation of its provisions" approved the thirty-first day of May one thousand nine hundred and seven (Pamphlet Laws three hundred and twenty-nine) absolutely

XXXIV An act entitled "An act to give additional protection to wild birds and animals and game within the Commonwealth of Pennsylvania prohibiting the hunting for or capture or killing of such wild birds or animals or game by unnaturalized foreign-born residents forbidding the ownership or possession of shot gun or rifle by any unnaturalized foreign-born resident within the Commonwealth and prescribing penalties for violation of its provisions" approved the eighth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred and sixty-six) absolutely

XXXV An act entitled "An act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received" approved the seventeenth day of April one thousand nine hundred and thirteen (Pamphlet Laws eighty-five) absolutely

XXXVI An act entitled "An act to provide for the better protection and preservation of deer and elk squirrels and certain birds classed as game-birds within the Commonwealth providing a method through which certain lands in the Commonwealth may be closed to hunting for a term of years and prescribing penalties for violation of its several provisions" approved the ninth day of April one thousand nine hundred and fifteen (Pamphlet Laws seventy-three) absolutely

XXXVII An act entitled "An act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same and providing the method of furnishing evidence of said destruction and penalties for the violation of the several provisions hereof" approved the fifteenth day of April one thousand nine undred and fifteen (Pamphlet Laws one hundred and twenty-six) absolutely

XXXVIII An act entitled "An act providing for the establishment regulation and maintenance by the Board of Game Commissioners of State Game Preserves on the Forestry Reservations and elsewhere and providing penalties for violation of this act" approved the sixteenth day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred and thirty-five) absolutely

XXXIX An act entitled "An act to give additional protection to wild birds and animals and game within the Commonwealth of Pennsylvania prohibiting the hunting for or capture or killing of such wild birds or animals or game by unnaturalized foreign-born residents forbidding the ownership or possession of dogs by any unnaturalized foreign-born resident within the Commonwealth and prescribing penalties for violation if its provisions" approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred and forty-four) absolutely

XL An act entitled "An act for the better protection of wild animals and birds and game within this Commonwealth requiring non-residents to procure a license before hunting in this Commonwealth providing penalties for violation of any of its several provisions and prescribing the disposition of license fees and penalties received" approved the third day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred fifty-one) absolutely

XLI An act entitled "An act to provide for the protection and preservation of game game-quadrupeds and game birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws five hundred and seventy-two) absolutely

XLII An act entitled "An act to amend sections one three and four of an act approved the eighth day of May one thousand nine hundred and nine entitled 'An act to give additional protection to wild birds and animals and game within the Commonwealth of Pennsylvania prohibiting the hunting for or capture or killing of such wild birds or animals or game by unnaturalized foreign-born residents forbidding the ownership or possession of shot-gun or rifle by any unnaturalized foreign-born resident within the Commonwealth and prescribing penalties for violation of its provisions' by providing that pistol and firearm of any kind be added to the firearms enumerated in said act" approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and seventy-nine) absolutely

XLIII An act entitled "An act to amend section twelve of the act of April seventeenth one thousand nine hundred and thirteen entitled 'An act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received by making available these funds as soon as paid into the State Treasury" approved the eleventh day of July one thousand nine hundred and seventeen (Pamphlet Laws seven hundred and ninety-six) absolutely

XLIV An act entitled "An act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same and providing the method of furnishing evidence of said destruction and penalties for the violation of the several provisions hereof" approved the twenty-third day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and seventy) absolutely

XLV An act entitled "An act providing a method for the abatement of the penalty as fixed by law for killing by mistake a deer or an elk in this Commonwealth" approved the twenty-third day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and eighty-four) absolutely

XLVI An act entitled "An act taking protection from the red squirrel and changing the open season for blackbirds" approved the fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws three hundred and ninety-nine) absolutely

XLVII An act entitled "An act relating to the disposition of penalties collected under the provisions of the act of May eighth one thousand nine hundred and nine amended by the act of July eleventh one thousand nine hundred and seventeen (Pamphlet Laws four sixty-six and seven seventy-nine respectively) also the act of June first one thousand nine hundred and fifteen (Pamphlet Laws six forty-four) relating to the possession by unnaturalized foreign born residents of firearms and dogs respectively" approved the seventh day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred and twenty-three) absolutely

XLVIII An act entitled "An act authorizing the Board of Game Commissioners or the Conservation Commission to acquire through purchase or gift lands for game-preserve purposes" approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and thirty-three) absolutely

XLIX An act entitled "An act to amend section three of an act entitled 'An act to provide for the appointment of Game Commissioners for the Commonwealth of Pennsylvania defining their duties and empowering them to appoint game protectors approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five as amended by the Act of the fifteenth day of June one thousand nine hundred and eleven (Pamphlet Laws nine hundred sixty) as further amended by the act of the twenty-second day of April one thousand nine hundred and fifteen (Pamphlet Laws one hundred sixty eight) authorizing the Board of Game Commissioners to increase its force of game protectors to eighty if so many be needed" approved the twelfth day of July one thousand nine hundred and twelve (Pamphlet Laws nine hundred and thirty- two) absolutely

L An act entitled "An act providing for the establishment of auxiliary State game preserves" approved the twenty-first day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand fifty-nine) absolutely

LI An act entitled "An act to amend section one of an act approved the twenty-third day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred and seventy) entitled 'An act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same and providing the method of furnishing evidence of said destruction and penalties for the violation of the several provisions hereof" approved the first day of April one thousand nine hundred and twenty-one (Pamphlet Laws ninety) absolutely

LII An act entitled "An act to further amend section four and amend section six of an act approved the seventeenth day of April one thousand nine hundred and thirteen (Pamphlet Laws eighty-five) entitled 'An act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received'" approved the twenty-first day of April one thousand nine hundred and twenty-one (Pamphlet Laws two hundred and fifty-nine) absolutely

LIII An act entitled "An act to amend and further amend sections five seven fourteen fifteen sixteen nineteen twenty-one twenty-two and twenty-six of an act approved the seventh day of June one thousand nine hundred seventeen (Pamphlet Laws five hundred seventy-two) entitled 'An act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violaition of its several provisions' sections fourteen and fifteen previously having been amended" approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and fifty-three) absolutely

LIV An act entitled "An act to amend section twenty-four of an act approved the seventh day of June one thousand nine hundred seventeen (Pamphlet Laws five hundred seventy-two) entitled 'An act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and twenty-six) absolutely

LV An act entitled "An act to amend section eight of an act approved the seventeenth day of April one thousand nine hundred and thirteen (Pamphlet Laws eighty-five) entitled 'An act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the law of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received'" approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and thirty-two) absolutely

LVI An act entitled "An act relating to the taking of certain fur-bearing animals" approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine hundred) absolutely

LVII All other acts or parts of acts inconsistent herewith are hereby repealed Provided however this act shall not repeal or in any manner affect any of the provisions of an act approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws five hundred and twenty-two) entitled "An act relating to dogs and the protection of livestock and poultry from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to livestock and poultry by dogs and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain state county city borough town and township officers and employees directing the payment of all moneys collected into the State Treasury and making an appropriation thereof and providing penalties" or any of its amendments

Section 1302 SAVING CLAUSE The repeal of any of the aforesaid acts of Assembly shall not effect any prosecution pending at the date of the passage of this act nor prevent the institution of any prosecutions for violations of any of the provisions of the aforesaid acts committed prior to the passage of this act but all such pending prosecutions shall be terminated and all such violations shall be prosecuted in the same manner and under the same authority and with like effect as prior to the passage of this act

On the question,

Will the Senate agree to the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 583 RETURNED WITH AMENDMENTS.

He also returned to the Senate, Senate Bill No. 583, entitled:

An Act authorizing the annexation to cities of portions of townships not exceeding one hundred acres in areas and totally surrounded by said cities and providing for the division of the assets and liabilities of said townships

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. HARRIS. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. MANSFIELD. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, twice read, as follows:

Amend section 1, page 1, line 4, by inserting after the word "city" the words "of the second class".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Curbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1337.

He also presented communication from the House of Representatives, informing the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1337, entitled:

An Act providing a method for deciding a tie vote in borough councils

APPOINTMENT OF COMMITTEE OF CONFERENCE.

Mr. BUCKMAN. Mr. President, I move that the Senate insist upon its amendments to the foregoing bill non-concurred in by the House and that a Committee of Conference be appointed to confer with a similar committee of the House (if the House shall apoint such committee) to consider the differences existing between the two Houses in relation to said bill.

Mr. SMITH. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. Joyce, Buckman and Sones, be said committee on the part of the Senate, and that the Clerk inform the House of Represetnatives accordingly.

COMMUNICATIONS FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which were read as follows:

APPROVAL OF SENATE BILLS Nos. 690, 691, 553, 638 746, 761, 770 448, 496, 511, RESOLUTION OF THE HOUSE AND SENATE, ENDORSING THE MOVEMENT TO PROVIDE FOR CANALIZATION OF UPPER DELAWARE VALLEY, RESOLUTIONS PROVIDING THAT 2500 COPIES OF PROCEEDING, OF THE MEMORIAL SERVICES HELD IN HONOR OF THE LATE HONORABLE EDWIN H. VARE, HONORABLE WILLIAM E. CROW, AND HONORABLE BOISE PENROSE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 21, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed the following:

Senate Bill No. 690, entitled:

"An Act authorizing and empowering counties of the second class in this Commonwealth to acquire by lease purchase or condemnation proceedings any land within the county for the purpose of establishing and maintaining airdromes or aviation landing fields providing for the procedure in case of condemnation and the extent of title acquired authorizing the lease by the county of portions of said land to individuals or corporations upon such terms as may be fixed and the lease thereof to the Government of the United States upon nominal rental authorizing and empowering the county to use land now owned by it for such purposes and authorizing joint operation by said county and any city within the county of airdromes or aviation landing fields where such city is authorized to establish and maintain the same."

Senate Bill No. 691, entitled:

"An Act authorizing and empowering the cities of the second class in this Commonwealth to acquire by lease purchase or condemnation proceedings any land within the limits of said cities but within the limits of the counties in which such cities are located for the purpose of establishing and maintaining municipal airdromes or aviation landing fields providing for the procedure in cases of condemnation and the extent of title acquired authorizing the lease by the cities of portions thereof to individuals or corporations upon such terms as may be fixed and the lease thereof to the Government of the United States upon nominal rental and empowering said cities to operate and maintain said fields jointly with any county within said city is situate where the county is empowered to operate and maintain an airdrome or aviation landing field"

GIFFORD PINCHOT.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 19, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentleman: I have the honor to inform you that I have this day approved and signed the following:

Senate Bill No. 553, entitled "An Act for the appointment of a commission to study conditions relating to blind persons in Pennsylvania and make recommendations and making an appropriation".

Senate Bill No. 638, entitled "An Act to amend section four of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred and ninety) entitled 'An act authorizing the sale of certain property owned by the State the title to which is in the State Sanitary Board and providing for the use of the proceeds of such sale' ".

Senate Bill No. 746, entitled, "An Act relative to the disposition of fines and forfeitures in counties of this Commonwealth of the fourth class and authorizing the expenditure of a portion of all of said fines for the support and maintenance of a law library in said counties."

Senate Bill No. 761, entitled "An Act to amend section two of an act approved the twenty-second day of April one thousand nine hundred and nine (Pamphlet Laws one hundred twenty-one) entitled 'An act restricting the use of the word 'trust' as part of a corporate name forbidding advertising or doing business as a trust company except by corporations under the supervision of the banking department and providing a penalty for violations thereof'"

Senate Bill No. 770, entitled "An Act fixing the salary of sheriffs in counties of the eighth class providing for the care and maintenance of prisoners where the sheriff is the keeper or warden of the jail requiring all fees and mileage earned by sheriffs in such counties to be paid into the county treasury for the use of the county and prescribing penalties".

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 16, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to inform you that I have this day approved and signed the following:

Senate Bill No. 448, entitled, "An Act providing for the transfer to Pennsylvania of the titles to and liens affecting any lands heretofore regarded as being in the State of Delaware but found to be in Pennsylvania in accordance with the interstate boundary run by the joint commission of said States appointed by virtue of the act of Assembly of Pennsylvania approved the fourth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws eighty-one) entitled 'An Act relative to the boundary lines and boundary line monuments.' "

Senate Bill No. 496, entitled, "An Act to further amend section two of an act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and twenty-one) entitled 'An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporations or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal' as amended."

Senate Bill No. 511, entitled, "An Act making it a misdemeanor to make or manufacture any object with intent of representing or of permitting the same to be represented as an archaeological specimen or to sell or exchange or to possess for the purpose of selling or exchanging as such any object so unlawfully made or manufactured and providing penalties."

Resolution of the House and Senate endorsing the movement to provide for the canalization of the Upper Delaware Valley, and the purchase of rights of way and reconstruction of a one thousand ton barge canal running from the head of tide water of the Delaware River at Morrisville to Easton and Mauch Chunk.

Resolution of the Senate and House of Representatives providing that two thousand five hundred (2,500) copies of the proceedings of the memorial services, held in honor of the late Honorable Edwin H. Vare, be printed for the use of the Senate.

Resolution of the Senate and House of Representatives providing that two thousand five hundred (2,500) copies of the proceedings of the memorial services, held in honor of the late Honorable William E. Crow, be printed for the use of the Senate.

Resolution of the Senate and House of Representatives providing that two thousand five hundred (2,500) copies of the proceedings of the memorial services, held in honor of the late Honorable Boies Penrose, be printed for the use of the Senate, and two thousand five hundred (2,500) copies for the use of the House.

GIFFORD PINCHOT.

NOMINATIONS BY THE GOVERNOR.

JUSTICES OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 21, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advise and consent of the Senate Charles C. Neeld, of Nuangola, to be Justice of the Peace in and for the Borough of Nuangola, Luzerne County, to serve until the first Monday in January, 1924.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 21, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law I have the honor hereby to nominate for the advise and consent of the Senate T. A. Lukehart, of Smicksburg, as Justice of the Peace, in and for the Township of South Mahoning, County of Indiana, vice Ford Moore, resigned, to serve until the first Monday in January 1924.

GIFFORD PINCHOT.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 21, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of expiration of their present commissions:

ALLEGHENY COUNTY.

John K. Davis, Pittsburgh, June 3, 1923.
Miss Anna A. Gonst, Pittsburgh, June 2, 1923.
J. Garfield Houston, Pittsburgh, May 27, 1923.
Anthony Kerpanty, Natrona, May 17, 1923.
Joseph A. Richardson, Pittsburgh, June 3, 1923.

DAUPHIN COUNTY.

Paul A. Strickler, Harrisburg, June 2, 1923.

ERIE COUNTY.

C. Harrison Lund, Erie, June 2, 1923.

FAYETTE COUNTY.

Miss Mildred Kennell, Scottdale, June 3, 1923.

FOREST COUNTY.

R. R. Chaffee, Endeavor, June 2, 1923.

LEHIGH COUNTY.

Miss Bessie M. Dickert, Allentown, April 1, 1923.

LUZERNE COUNTY.

Wm. C. Boyd, Wilkes-Barre, June 2, 1923.
W. W. Spry, Plymouth, May 20, 1923.

MONTGOMERY COUNTY.

John M. Yerger, Norristown, June 2, 1923.

PHILADELPHIA COUNTY.

J. H. Casey, Philadelphia, April 1, 1923.
Philip Green, Philadelphia, April 1, 1923.
Oscar H. Price, Philadelphia, Feb. 24, 1923.
Charles J. Shull, Philadelphia, May 19, 1923.
Howard S. Welker, Philadelphia, June 3, 1923.

GIFFORD PINCHOT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 21, 1923.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public, for the term of four years, to compute from the date of confirmation:

CUMBERLAND COUNTY.

Earl D. Geyer, Shippensburg.

DAUPHIN COUNTY.

Mrs. Ethel E. Zweifer, Harrisburg.

DELAWARE COUNTY.

Thomas W. Stratton, Drexel Hill.

McKEAN COUNTY.

Mrs. Jean R. Bartlett, Westline.

MERCER COUNTY.

Ralph D. Morgan, Sharon.

PHILADELPHIA COUNTY.

G. David Colvey, Philadelphia, Harper & Huey Aves., Drexell Hill.
Duke R. Flolis, Philadelphia, 852 N. 42nd St.
Chas. E. Kennedy, Philadelphia, 4705 Greene St.
Nathan Mosenson, Philadelphia, 2435 S. 7th St.
David Nobinovitz, Philadelphia, 2751 N. 19th St.
U. K. Sabul, Philadelphia, 2534 S. Beulah St.
Paul A. Stalder, Philadelphia, 725 E. Cheltenham Ave.
Elwood F. Walter, Philadelphia, 6707 Germantown Ave.
Joseph A. Welsh, Philadelphia, 5410 Catharine St.

WASHINGTON COUNTY.

John B. Black, Canonsburg.
R. R. Smith, Fredericktown.

YORK COUNTY.

Miss Lillian M. Newcomer, York.

GIFFORD PINCHOT.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BUCKMAN,

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. BUCKMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47.

Baldwin,
Barr,
Betts,
Brown,
Buckman,
Christley,
Clark,
Craig,
Culbertson,
Daix,
Davis,
Derrick,
DeWitt,
Einstein,
Eyre,
Harris,
Heaton,
Homsher,
Huffman,
Jones,
Krause,
Kutz,
Lanius,
Leslie,
Long,
MacDade,
Mansfield,
McClintock,
McNichol,
Miller,
Norton,
Patton,
Phipps,
Quigley,
Salus,
Schantz,
Sisson,
Smith,
Snyder,
Sones,
Sprowls,
Steele,
Stineman,
Stites,
Vare,
Weaver,
Woodward,

NAYS—0.

Two thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. BUCKMAN. Mr. President, I move that the Executive Session do now rise.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES.

Mr. DAIX, from the Committee on Judiciary Special, remake report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DAIX, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1378, entitled:

An act relating to public improvements by boroughs, townships, school districts and poor districts, and requiring the filing of plans and specifications thereof in the office of the clerk of the courts in certain cases; and requiring copies to be furnished by the secretary, architect or engineer of the municipality to applicants therefor.

Mr. SCHANTZ. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SCHANTZ from the Committee on Appropriations, reported as amended, Senate Bill No. 127, entitled:

An Act making an appropriation to the Western Pennsylvania School for the Blind located at Pittsburgh, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 144, entitled:

An act making an appropriation to the Trustees of the State Hospital of the Northern Anthracite Coal Region of Pennsylvania at Scranton, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 150, entitled:

An act making an appropriation to the State Hospital for Injured Persons of the Trevorton, Shamokin, and Mount Carmel Coal Fields.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 284, entitled:

An act making an appropriation to the Cottage State Hospital, Cottage Avenue, Connellsville, Fayette County, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 646, entitled:

An act making an appropriation to the State Industrial Home for Women, at Muncy.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 1059, entitled:

An act making an appropriation to the Western State Penitentiary.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 1060, entitled:

A supplement to an Act, entitled "An Act providing for the selection and purchase, or the appropriation from the State Forest Reserves, of a tract of land, and the erection thereon of buildings for the Western Penitentiary; making an appropriation therefor; authorizing the removal thereto of the inmates of the said Penitentiary, and directing the sale of the site now occupied by the said Penitentiary, and the buildings and materials thereon," approved the 30th day of March, A. D. 1911, making an additional appropriation for erection, construction, and equipment.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 1076, entitled:

An act making an appropriation to the Eatsern State Penitentiary, at Philadelphia, Pennsylvania.

Also from the Committee on Appropriations, reported as amended, Senate Bill No. 1081, entitled:

An act making an appropriation to the Pennsylvania Industrial Reformatory, at Huntingdon, Pennsylvania.

MOTION TO READ BILLS THE FIRST TIME.

Mr. EYRE. Mr. President, I move that all bills reported from Committees at to-day's session be read the first time.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 32, entitled:

An act making an appropriation to the Chester Day Nursery and Children's Home, at Chester, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 43, entitled:

An act making an appropriation to the Lewistown Hospital, of Lewistown, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 72, entitled:

An act making an appropriation to the Trustees of the State Institution for Feeble-Minded of Eastern Pennsylvania at Spring City.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 115, entitled:

An act making an appropriation to the Children's Home, of Bethlehem, Salisburg Township, Lehigh County, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 127, entitled:

An act making an appropriation to the Western Pennsylvania School for the Blind located at Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 134, entitled:

An Act making an appropriation to the trustees of the State Institution for Feeble Minded of Western Pennsylvania, at Palk, Venango County for maintenance and training.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 144, entitled:

An Act making an appropriation to the Trustees of the State Hospital of the Northern Anthracite Coal Region of Pennsylvania at Scranton, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 150, entitled:

An Act making an appropriation to the State Hospital for Inured Persons of the Trevorton, Shamokin, and Mount Carmel Coal Fields.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 170, (House Bill No. 9), entitled:

An Act to repeal the act approved the thirtieth day of March one thousand nine hundred and twenty-one (Pamphlet Laws 67) entitled "An Act authorizing the State Treasurer to appoint a Deputy State Treasurer and Commissioner of Trusts defining his powers and duties providing for the care custody safe-keeping and recording of stocks bonds mortgages securities and indemnity bonds held in trust or otherwise or owned by the Commonwealth or by any of the departments bureaus divisions commissions or agencies thereof and fixing his salary."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 205, entitled:

An act making an appropriation to the Philadelphia Home for Incurables.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 252, entitled:

An act making an appropriation to the Western Temporary Home of Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 253, entitled:

An Act making an appropriation to the Home for Veterans of the Grand Army of the Republic and Wives, Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 254, entitled:

An act making an appropriation to the Home for Widows and Single Women of Lebanon and Lebanon County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 261, entitled:

An Act making an appropriation to the Northern Home for Friendless Children of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 284, entitled:

An act making an appropriation to the Cottage State Hospital, Cottage Avenue, Connellsville, Fayette County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 299, entitled:

An Act making an appropriation to the Home for Friendless Children, of Lancaster, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 333, entitled:

An Act making an appropriation to the Children's Aid Society, of Franklin County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 369, entitled:

An Act making an appropriation to the Home for Friendless Children, in the City of Reading, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 373, entitled:

An Act making an appropriation to the Pennsylvania Seamen's Friend Society, of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 375, entitled:

An Act making an appropriation to the Midnight Mission of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 376, entitled:

An Act making an appropriation to the Florence Crittenton Home, located at one hundred and thirty-nine Queen Street, Germantown, Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 379, entitled:

An Act making an appropriation to the Children's Aid Society of Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 387, entitled:

An Act making an appropriation to the Tabor Home for Children, Doylestown, Bucks County, Pa., for the two fiscal years beginning June first, one thousand nine hundred and twenty-three, for the purpose of maintenance.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 401, entitled:

An Act making an appropriation to the George Junior Republic Association of Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 408, entitled:

An Act making an appropriation to the Christian Home, of Johnstown, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 437, entitled:

An act making an appropriation to the Commissioners of Fairmount Park.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 458, entitled:

An Act making an appropriation to the Easton Home for Friendless Children, at Easton, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 459, entitled:

An Act making an appropriation to the Home for Aged and Infirm Women, of Easton, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 473, entitled:

An act making an appropriation to the Philadelphia Home for Infants located ot 4618 Westminster Ave., Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 474, entitled:

An Act making an appropriation to the Home of Industry for Discharged Prisoners, of the city of Philadelphia and State of Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 501, entitled:

A supplement to an act approved the twenty-fifth day of July, one thousand nine hundred and thirteen (P. L. 1311), entitled "An Act providing for the establishment of a State Industrial Home for Women; authorizing the purchase of a site, and the erection thereon and equipment of necessary buildings; providing for the commitment to said State Industrial Home for Women of females between the ages of sixteen and thirty years, convicted of, or pleading guilty to, the commission of any criminal offense; and providing for the government and management of said institution; and making an appropriation to carry out the purposes of this act;" changing the name of said home.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 542, (House Bill No. 605), entitled:

An Act to amend section one of Article two of the act approved the seventh day of March one thousand nine hundred and one (Pamphlet Laws twenty) entitled "An Act for the government of cities of the second class" as amended by changing the name of the Department of Charities to the Department of Public Welfare.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 548, (House Bill No. 698), entitled:

An Act lapsing certain appropriations available for expenditure by the Department of Public Instruction

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 611, entitled:

An Act to repeal an act approved the twenty-fourth day of February, one thousand eight hundred and seventy-three, (P. L. 155), entitled "An Act relating to the office of surveyor and civil engineer for the County Allegheny."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 615, entitled:

An Act making an appropriation to the Julia White Priscilla Home for Aged Colored People, located at LaMott, Montgomery County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 618, entitled:

An Act making an appropriation to the Home for Widows and Single Women of Reading, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 619, entitled:

An Act making an appropriation to the Robert Wood Home, of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 620, entitled:

An Act making an appropriation to the Friends' Home for Children, situated at four thousand eleven, Aspen Street, Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 621, entitled:

An Act making an appropriation to the Union Home for Old Ladies, of West Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 624, entitled:

An Act making an appropriation to the Nazarene Home for the Aged, at Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 626, entitled:

An Act making an appropriation to the Home for the Aged, located at one thousand eight hundred nine Mount Vernon Street, Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 630, entitled:

An Act making an appropriation to the Industrial Home for Crippled Children, at Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 646, entitled:

An Act making an appropriation to the State Industrial Home for Women, at Muncy.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 788, entitled:

An Act making an appropriation to the Pittsburgh Newsboys' Home, of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 794, entitled:

An Act making an appropriation to the Buelah Anchorage, of Reading, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 870, entitled:

An Act making an appropriation to the Home for the Aged and Infirm Colored Women at Pittsburgh Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 873, entitled:

An Act making an appropriation to the Penn Asylum for Indigent Widows and Single Women Philadelphia Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 879, entitled:

An Act making an appropriation to the Bethesda Home, Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 880, entitled:

An Act making an appropriation to the Coleman Industrial Home for Colored Boys, Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 983, entitled:

An Act making an appropriation to the Saint Vincent's Hospital for Women and Children, Seventieth Street, and Woodland Avenue, of Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 999, entitled:

An Act making an appropriation to the Rosalia Foundling Asylum and Maternity Hospital of the City of Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1057, entitled:

An Act to repeal section six of an act approved the twenty-seventh day of April, one thousand eight hundred and fifty-two, (P. L. 467), entitled "An Act relating to the Towanda Plank Road Company; to hawkers and peddlers in Bradford and Beaver counties; to the trustees of Athens Academy; and to tenpin alleys and billiard rooms in Wyoming County."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1059, entitled:

An Act making an appropriation to the Western State Penitentiary.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1060, entitled:

A supplement to an Act, entitled "An Act providing for the selection and purchase, or the appropriation from the State Forest Reserves, of a tract of land, and the erection thereon of buildings for the Western Penitentiary; making an appropriation therefor; authorizing the removal thereto of the inmates of the said Penitentiary, and directing the sale of the site now occupied by the said Penitentiary, and the buildings and materials thereon," approved the 30th day of March, A. D. 1911, making an additional appropriation for the erection, construction, and equipment.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1061, entitled:

An Act to amend section one of an act approved the fifth day of April, one thousand nine hundred and seventeen, (P. L. 46) entitled, "An Act authorizing executors, administrators, guardians and other trustees to invest trust funds in farm loan bonds issued by Federal Land Banks under the provisions of the act of Congress of the United States of July seventeenth, one thousand nine hundred and sixteen, its amendments or supplements," extending the act to bonds issued by Joint Stock Land Banks organized in Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1075, entitled:

An Act making an appropriation to the United Evangelical Home and Orphanage at Lewisburg, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1076, entitled:

An Act making an appropriation to the Eastern State Penitentiary, at Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1090, entitled:

An Act reappropriating certain moneys to the Trustees of the Pennsylvania Training School at Morganza, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1124, (House Bill No. 970), entitled:

An Act to amend section one of an act approved July 21, 1919, (P. L. 65) entitled "A further supplement to an act approved July 24, 1913, (P. L. 977) entitled 'An act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith'"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1128, (House Bill No. 1134), entitled:

An Act fixing the per diem compensation of assistant or registry assessors of boroughs and second class townships for attendance at election.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1156, (House Bill No. 871), entitled:

An Act relating to matresses, pillows, bolsters, feather beds, comfortables cushions and upholstered furniture, regulating the making, remaking, renovating, sterilizing, disinfecting, sale, leasing, delivering and consigning thereof and the possession thereof with intent to sell, lease, deliver or consign.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1157, entitled:

An Act to amend article nineteen, section thirteen, paragraph five, and six and section eighteen, of an act approved the twenty-fifth day of June, one thousand nine hundred and nineteen, (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth".

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1173, entitled:

An act making an appropriation to the Saint Joseph's Protectory for Homeless Boys, Pittsburgh, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1236, (House Bill No. 83), entitled:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its navigatable tributaries for two years from June first, one thousand nine hundred and twenty-three.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1237, (House Bill No. 89), entitled:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries for the maintenance of a nautical school, to be located at the port of Philadelphia, for two-years from June first, one thousand nine hundred and twenty-three.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1238, (House Bill No. 96), entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1239, (House Bill No. 107), entitled:

An act making an appropriation to the Woman's Medical College of Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1240, (House Bill No. 108), entitled:

An act making an apropriation to the trustees of the Philadelphia School of Design for Women, at Philadelphia, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1241, (House Bill No. 495), entitled:

An act making an appropriation to the State Highway Department for the payment of rewards to townships of the second class.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1242, (House Bill No. 602), entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the Veterinary School of Medicine.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1243, (House Bill No. 803), entitled:

An Act making an appropriation for the payment of the expenses required by an act approved the twenty-fifth day of May, one thousand eight hundred and eighty-nine, entitled, "An Act to provide for the continuance of the education and maintenance of the destitute orphans of deceased soldiers, sailors and marines, and the destitute children of permanently disabled soldiers sailors and marines of the State", also making an appropriation to carry out the provisions of an act to provide for the education and maintenance of the children admitted to the Pennsylvania Soldiers' Orphan Industrial School and the Soldiers' Orphans Schools, approved May twenty-seventh, one thousand eight hundred and ninety-three, and its supplements.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1244, (House Bill No. 817), entitled:

An Act making an appropriation to the Board of Trustees of the Pennsylvania Soldiers' Home, at Erie, Pennsylvania, for maintenance of said home and the payment of expenses of administration, including salaries of officials and clerks; and providing that all moneys received from the United States Government by the Governor of Pennsylvania on account of maintenance shall be paid into the State Treasury.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1246, (House Bill No. 1131), entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration og Senate Bill No. 1249, entitled:

An act making an appropriation to the Saint Joseph's Infant Asylum and Maternity Hospital, 2010 Adams Avenue, of Scranton, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1250, entitled:

An act making an appropriation to the Saint Mary's Keller Memorial Hospital of Scranton, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1253, entitled:

An act to amend clause (2) (g) of and to add clause (8) to section thirteen of the act approved the twenty-fifth day of May one thousand nine hundred and twenty-one, (P. L. 1144), entitled "An act creating a Department of Public Welfare; defining its powers and duties; abolishing the Board of Public Charities, the Committee on Lunacy, and the Prison Labor Commission, and all officers thereunder, and vesting all the powers of said board, committee, and commission in the Department of Public Welfare; requiring all reports, notices, statements, or matters, heretofore required to be made, given, or submitted to the Board of Public Charities or the Committee on Lunacy, to be made, given, or submitted to the Department of Public Welfare; and providing penalties."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1256, entitled:

An act making an appropriation to the De Paul Institute of Mount Lebanon Township, Allegheny County, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1257, entitled:

An Act allowing leaves of absence to officers and employees of the Commonwealth who are members of the Organized Reserves of the United States Army, while engaged in the service of the United States.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1259, (House Bill No. 3), entitled:

An Act making an appropriation to the trustees of the Milliken Hospital Pottsville Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1260, (House Bill No. 4), entitled:

An Act making an appropriation to the Pottsville Hospital Pottsville Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1261, (House Bill No. 39), entitled:

An Act making an appropriation to the Mary M. Packer Hospital Sunbury Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1262, (House Bill No. 47), entitled:

An Act making an appropriation to the Coatesville Hospital Coatesville Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1263, (House Bill No. 56), entitled:

An Act making an appropriation to the Charleroi-Monessen Hospital at Charleroi Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1264, (House Bill No. 78), entitled:

An Act making an appropriation to the Hahnemann Hospital in city of Scranton Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1265, (House Bill No. 173), entitled:

An Act making an appropriation to the Taylor Hospital Association of the borough of Taylor Lackawanna County Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1266, (House Bill No. 198), entitled:

An Act making an appropriation to the Wayne County Memorial Hospital at Honesdale Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1267, (House Bill No. 223), entitled:

An Act making an appropriation to the Citizens General Hospital of New Kensington Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1268, (House Bill No. 264), entitled:

An Act making an appropriation to the Westmoreland Hospital Association of Greensburg Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1269, (House Bill No. 270), entitled:

An Act making an appropriation to the Chester Hospital in the city of Chester

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1270, (House Bill No. 284), entitled:

An Act making an appropriation to the Women's Medical College of Philadelphia Pennsylvania for hospital maintenance

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1271, (House Bill No. 300), entitled:

An Act making an appropriation to the Shenango Valley Hospital of New Castle Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1272, (House Bill No. 305), entitled:

An Act making an appropriation to the Carbondale Emergency Hospital Carbondale Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1273, (House Bill No. 308), entitled:

An Act making an appropriation to the Mid-Valley Hospital Association at Blakely Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1274, (House Bill No. 315), entitled:

An Act making an appropriation to the Simon H. Barnes Memorial Hospital of Susquehanna Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1275, (House Bill No. 332), entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1276, (House Bill No. 335), entitled:

An Act making an appropriation to the Williams Valley Hospital of Williamstown Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1277, (House Bill No. 338), entitled:

An Act making an appropriation to the Harrisburg Hospital of Harrisburg Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1278, (House Bill No. 341), entitled:

An Act making an appropriation to the Harrisburg Polyclinic Hospital of Harrisburg Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideratio nof Senate Bill No. 1279, (House Bill No. 349), entitled:

An Act making an appropriation to the Trustees of the Samaritan Hospital Philadelphia Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1280, (House Bill No. 356), entitled:

An Act making an appropriation to the Frankford Hospital located at Frankford Philadelphia

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1281, (House Bill No. 360), entitled:

An Act making an appropriation to the Indiana Hospital of Indiana County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1282, (House Bill No. 367), entitled:

An Act making an appropriation to the Children's Hospital of Pittsburgh in the city of Pittsburgh Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1283, (House Bill No. 369), entitled:

An Act making an appropriation to the West Side Hospital Association of Scranton Lackawanna County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1284, (House Bill No. 385), entitled:

An Act making an appropriation to the Washington Hospital Washington Pennsylvania or its successors

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1285, (House Bill No. 386), entitled:

An Act making an appropriation to the Ellwood City Hospital Ellwood City Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1286, (House Bill No. 391), entitled:

An Act making an appropriation to the Mercy Hospital of Altoona Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1287, (House Bill No. 392), entitled:

An Act making an appropriation to the Altoona Hospital Altoona Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1288, (House Bill No. 393), entitled:

An Act making an appropriation to the Ohio Valley General Hospital at McKees Rocks Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1289, (House Bill No. 407), entitled:

An Act making an appropriation to the Women's Homeopathic Hospital of Philadelphia

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1290, (House Bill No. 408), entitled:

An Act making an appropriation to the Maple Avenue Hospital Association of DuBois Clearfield County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1291, (House Bill No. 418), entitled:

An Act making an appropriation to the Trustees of the Garretson Hospital Philadelphia Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1292, (House Bill No. 419), entitled:

An Act making an appropriation to the Diagnostic Hospital of the City of Philadelphia Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1293, (House Bill No. 424), entitled:

An Act making an appropriation to the Punxsutawney Hospital Association of Punxsutawney Jefferson County Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1294, (House Bill No. 429), entitled:

An Act making an appropriation to the Homestead Hospital Homestead Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1295, (House Bill No. 430), entitled:

An Act making an appropriation to the Carlisle Hospital Carlisle Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1296, (House Bill No. 439), entitled:

An Act making an appropriation to the Saint Luke's Homeopathic Hospital of Philadelphia

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1297, (House Bill No. 442), entitled:

An Act making an appropriation to the Greenville Hospital Greenville Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1298, (House Bill No. 443), entitled:

An Act making an appropriation to the Christian H. Buhl Hospital of Sharon Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1299, (House Bill No. 453), entitled:

An Act making an appropriation to the Lying-in-Charity Hospital Philadelphia

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1300, (House Bill No. 455), entitled:

An Act making an appropriation to the Woman's Hospital of Philadelphia two thousand one hundred and thirty-seven North College Avenue

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1301, (House Bill No. 491), entitled:

An Act making an appropriation to the Northeastern Hospital of Philadelphia Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1302, (House Bill No. 492), entitled:

An Act making an appropriation to the Pottstown Hospital Pottstown Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1303, (House Bill No. 493), entitled:

An Act making an appropriation to the Pottstown Homeopathic Hospital Pottstown Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1304, (House Bill No. 499), entitled:

An Act making an appropriation to the Wilkes-Barre City Hospital Wilkes-Barre Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1305, (House Bill No. 513), entitled:

An Act making an appropriation to the Memorial Hospital at Roxborough Philadelphia Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1306, (House Bill No. 517), entitled:

An Act making an appropriation to the J. C. Blair Memorial Hospital of Huntingdon Pennsylvania

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1307, (House Bill No. 518), entitled:

An Act making an appropriation to the Mercy Hospital at Wilkes-Barre Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1308, (House Bill No. 533), entitled:

An Act making an appropriation to the Wyoming Valley Homeopathic Hospital at Wilkes-Barre Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1309, (House Bill No. 550), entitled:

An Act making an appropriation to the Waynesburg Hospital of Waynesburg Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1310, (House Bill No. 553), entitled:

An Act making an appropriation to the Chambersburg Hospital at Chambersburg Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1311, (House Bill No. 564), entitled:

An Act making an appropriation to the Nason Hospital Association of Roaring Springs Blair County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1312, (House Bill No. 567), entitled:

An Act making an appropriation to the Robert Packer Hospital

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1313, (House Bill No. 589), entitled:

An Act making an appropriation to the Saint Francis' Hospital of Pittsburgh Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1314, (House Bill No. 599), entitled:

An Act making an appropriation to the Pittston Hospital Association of the city of Pittston Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1315, (House Bill No. 613), entitled:

An Act making an appropriation to the Kane Summit Hospital Association of Kane McKean County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1316, (House Bill No. 614), entitled:

An Act making an appropriation to the Bradford Hospital of the city of Bradford

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1317, (House Bill No. 621), entitled:

An Act making an appropriation to the Saint John's General Hospital of Pittsburgh Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1318, (House Bill No. 622), entitled:

An Act making an appropriation to the Northwestern General Hospital of Philadelphia Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1319, (House Bill No. 628), entitled:

An Act making an appropriation to the Latrobe Hospital Latrobe Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1320, (House Bill No. 634), entitled:

An Act making an appropriation to the Good Samaritan Hospital at Westfield Tioga County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1321, (House Bill No. 648), entitled:

An Act making an appropriation to the Spencer Hospital Meadville Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1322, (House Bill No. 649), entitled:

An Act making an appropriation to the Titusville Hospital Meadville Hospital Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1323, (House Bill No. 651), entitled:

An Act making an appropriation to the Meadville Hospital Meadville Hospital Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1324, (House Bill No. 655), entitled:

An Act making an appropriation to the Roosevelt Hospital of Philadelphia Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1325, (House Bill No. 656), entitled:

An Act making an appropriation to the Allegheny Valley Hospital at Tarentum Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1326, (House Bill No. 658), entitled:

An Act making an appropriation to the Grove City Hospital in the Borough of Grove City Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1327, (House Bill No. 672), entitled:

An Act making an appropriation to the Coudersport General Hospital at Coudersport Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1328, (House Bill No. 699), entitled:

An Act making an appropriation to the Eye and Ear Hospital of Pittsburgh Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1329 (House Bill No. 703), entitled:

An Act making an appropriation to the Bellefonte Hospital Bellefonte Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1330, (House Bill No. 734), entitled:

An Act making an appropriation to the Mount Sinai Hospital of Philadelphia Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1331, (House Bill No. 765), entitled:

An Act making an appropriation to the Beaver Valley General Hospital at New Brighton Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1332, (House Bill No. 766), entitled:

An Act making an appropriation to the Rochester General Hospital at Rochester Beaver County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1333, (House Bill No. 767), entitled:

An Act making an appropriation to the Good Samaritan Hospital of Lebanon Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1334, (House Bill No. 778), entitled:

An Act making an appropriation to the Kittanning General Hospital Kittanning Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1335, (House Bill No. 779), entitled:

An Act making an appropriation to the Rush Hospital for Consumption and Allied Diseases of Philadelphia

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1336, (House Bill No. 780), entitled:

An Act making an appropriation to the Memorial Hospital at Mount Pleasant Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1337, (House Bill No. 807), entitled:

An Act making an appropriation to the Miner's Hospital of Northern Cambria at Spangler Cambria County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1338, (House Bill No. 816), entitled:

An Act making an appropriation to the Warren General Hospital Warren Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1339, (House Bill No. 829), entitled:

An Act making an appropriation to the Pennsylvania Epileptic Hospital and Colony Farm Chester County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1340, (House Bill No. 834), entitled:

An Act making an appropriation to the National Stomach Hospital of Philadelphia Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1341, (House Bill No. 838), entitled:

An Act making an appropriation to the Conemaugh Valley Memorial Hospital at Johnstown Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1342, (House Bill No. 841), entitled:

An Act making an appropriation to the Brookville Hospital Brookville Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1343, (House Bill No. 842), entitled:

An Act making an appropriation to the Adrian Hospital Association of Punxsutawney Jefferson County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1344, (House Bill No. 845), entitled:

An Act making an appropriation to the Surburban General Hospital of Bellevue Allegheny County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1345, (House Bill No. 867), entitled:

An Act making appropriation to the Memorial Hospital Association of Monongahela City Washington County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1346, (House Bill No. 872), entitled:

An Act making an appropriation to the Uniontown Hospital Uniontown Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1347, (House Bill No. 907), entitled:

An Act making an appropriation to the Women's Southern Homeopathic Hospital of Philadelphia Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1348, (House Bill No. 934), entitled:

An Act making an appropriation to the Oil City Hospital Oil City Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1349, (House Bill No. 960), entitled:

An Act making an appropriation to the Canonsburg General Hospital Association at Canonsburg Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1351, (House Bill No. 988), entitled:

An Act making an appropriation to the York Hospital West College Avenue York Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1352, (House Bill No. 1021), entitled:

An Act making an appropriation to the Brownsville General Hospital Brownsville Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1353, (House Bill No. 1038), entitled:

An Act making an appropriation to the Community Hospital of the borough of Somerset in the County of Somerset

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1354, (House Bill No. 1048), entitled:

An Act making an appropriation to the Hamot Hospital Association of Erie Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1355 (House Bill No. 1064), entitled:

An Act making an appropriation to the Germantown Dispensary and Hospital Germantown Philadelphia Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1356 (House Bill No. 1068), entitled:

An Act making an appropriation to the Maternity Hospital in the City of Philadelphia Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1357 (House Bill No. 1072), entitled:

An Act making an appropriation to the Howard Hospital of Philadelphia Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1358 (House Bill No. 1102), entitled:

An Act making an appropriation to the Lock Haven Hospital Lock Haven Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1359 (House Bill No. 1116), entitled:

An Act making an appropriation to the Renova Hospital

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1360 (House Bill No. 1124), entitled:

An Act making an appropriation to the Providence General Hospital of Philadelphia Philadelphia County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1361 (House Bill No. 1154), entitled:

An Act making an appropriation to the Braddock General Hospital Braddock Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1362 (House Bill No. 1160), entitled:

An Act making an appropriation to the Elk County General Hospital of Ridgway Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1363 (House Bill No. 1161), entitled:

An Act making an appropriation to the General Hospital East Stroudsburg Monroe County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1364 (House Bill No. 1166), entitled:

An Act making an appropriation to Montgomery Hospital at Norristown in the county of Montgomery

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1366 (House Bill No. 1210), entitled:

An Act making an appropriation to the Corry Hospital Association of Corry Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1367 (House Bill No. 1213), entitled:

An Act making an appropriation to the Williamsport Hospital of the City of Williamsport Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1368 (House Bill No. 1245), entitled:

An Act making an appropriation to the Chester County Hospital West Chester Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1369 (House Bill No. 1247), entitled:

An Act making an appropriation to the Phoenixville Hospital Phoenixville Pennsylvania Chester County

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1370 (House Bill No. 1248), entitled:

An Act making an appropriation to the Homeopathic Hospital West Chester Chester County Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1371 (House Bill No. 1317), entitled:

An Act making an appropriation to the Kensington Hospital for women of Philadelphia Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1372 (House Bill No. 1348), entitled:

An Act providing for the purchase of the copyright and property interest therein of Smull's Legislative Hand Book and Manual providing for the future editing compilation and distribution thereof and making an appropriation for such purchase

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1375, entitled:

An act making a reappropriation to the Legislative Referance Bureau, created under the provisions of the Act approved the seventh day of May, one thousand nine hundred and twenty-three, entitled "An act creating a Legislative Referance Bureau, providing for the election of a Director by the General Assembly, designating the officers and employees of such Bureau, defining their duties, fixing their salaries, abolishing the present Legislative Reference Bureau, and making an appropriation," of all moneys appropriated in the general appropriation act of May twenty-seventh, one thousand nine hundred and twenty-one, to the Legislative Reference Bureau, abolished by said act of May seventh, one thousand nine hundred and twenty-three.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1377, entitled:

A supplement to an Act approved the 31st day of May, 1911, entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer chief draughtsman, superintendents of Highways, and staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties and townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvements providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; providing that existing contracts are not affected by provisions of this act," providing that the State Highway Commissioner may take over, as a part of the system of State highways, the roads, highways, and avenues situated within Valley Forge Park, the location or relocation of such roads, highways and avenues to be approved by the Commissioners of Valley Forge Park.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1378, entitled:

An act relating to public improvements by boroughs, townships, school districts and poor districts, and requiring the filing of plans and specifications thereof in the office of the clerk of the courts in certain cases; and requiring copies to be furnished by the secretary, architect or engineer of the municipality to applicants therefor.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1379, entitled:

An Act making an appropriation to the Board of managers of the Pennsylvania Village for Feeble Minded Women, at Laurelton, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1383, entitled:

An Act providing for the erection and construction of temporary buildings at the penitentiary at Rockview for the detention of convicts transferred from the several penitentiaries, and re-appropriating for such purposes the unexpended balances of moneys heretofore appropriated to the Commission to select a site and erect an institution for inebriates under the provisions of the act approved the twenty-fifth day of July, one thousand nine hundred and seventeen, (P. L. 1212), entitled "A supplement to an act approved the twenty-fifth day of July, one thousand nine hundred and thirteen, entitled 'An Act to provide for the selection of a site and the erection of a State institution for the detention, care, and treatment of inebriates, or persons habitually addicted to the use of alcoholic drink or intoxicating drugs, to be called the State Institution for Inebriates, and making an appropriation therefor,' making an appropriation, and providing for the admission of patients to said institution, and providing for the payment of the costs and fees of hearings and of maintenance of patients by the respective counties."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1387, entitled:

An Act to further amend an act, approved the twenty-fifth day of June, one thousand, nine hundred and thirteen (Pamphlet Laws, five hundred and fifty), entitled "An Act authorizing the several Counties, incorporated towns, and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans, and of the Army of the Philippines and to each post of the American Veterans of Foreign Service in the respective counties, boroughs, and towns, to aid in defraying the expenses of Memorial Day," by authorizing appropriations to each post of the Disabled American Veterans of the World War.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS SIGNED.

The PRESIDENT (Lieutenant-Governor David J. Davis) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publically read as follows:

House Bill No. 84 entitled:

An Act making an appropriation to the Washington Crossing Park Commission for the purpose of the acquisition of land and property and the making of improvements in accordance with the provisions of the act of July twenty-fifth, one thousand nine hundred and seventeen (Pamphlet Laws one thousand two hundred nine) entitled "An Act to authorize the acquisition by purchase or condemnation of land for a park and the erection of a monument commemorative of Washington Crossing the River Delaware and for the appointment of a commission to acquire said lands and erect such monument and making an appropriation for the purposes of this act

House Bill No. 85 entitled:

An Act making an appropriation to the Pennsylvania State Park and Harbor Commission of Erie

House Bill No. 86 entitled:

An Act making an appropriation to the several fire companies of the city of Harrisburg

House Bill No. 93 entitled:

An Act making an appropriation to carry into effect the provisions of an act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws eight hundred ninety-three) entitled "An Act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State Supervisor and assistants and fixing the salaries of such State Supervisors and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties"

House Bill No. 99 entitled:

An Act making an appropriation to the Commissioners of Valley Forge Park

House Bill No. 112 entitled:

An Act to amend section five of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An Act to provide revenue for State and county purposes and in cities co-extensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" providing for the assessment of property and the collection of taxes interest and penalties in cases of the refusal or failure of taxables to make returns and in the case of false or incomplete returns

House Bill No. 162 entitled:

An Act to amend section one thousand seven hundred and eight of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An Act to establish a public school system in the Commonwealth of Pensylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

House Bill No. 216 entitled:

An Act to provide for the payment of moneys by the Commonwealth to counties and townships the tax funds of which are diminished by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions and making an appropriation

House Bill No. 217 entitled:

An Act making an appropriation to the Superintendent of Public Instruction to carry into effect the provisions of the act approved the twentieth day of May one thousand nine hundred and twenty-one (Pamphlet Laws one thousand thirty-four) entitled "An Act to provide for the payment of moneys to school districts the taxes of which are reduced by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions"

House Bill No. 227, entitled:

An Act to further amend the fifth section of an act entitled "An Act relating to the organization and jurisdiction of orphans' courts and to establish a separate orphans' court in and for counties having more than one hundred and fifty thousand inhabitants and to provide for the election of judges thereof" approved May nineteenth Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six) as amended by fixing and determining the salaries of the assistant clerks of said court in counties of the first second third and fourth classes

House Bill No. 374 entitled:

An Act to amend Section 1 of an act approved June 1, 1907, (P. L. 383) entitled "An act regulating the collection of taxes and other claims and demands due the Commonwealth, and providing for six per centum interest thereon, and an attorney's commission."

House Bill No. 540 entitled:

An Act prohibiting persons from concealing changing or destroying manufacturers' serial numbers or identification marks upon machines or apparatus or from knowingly having any such machine in the possession and prescribing penalties for violation thereof

House Bill No. 653 entitled:

An Act making an appropriation to the Lake Erie and Ohio River Canal Board of Pennsylvania for the payment of expenses incurred in printing distributing and making available for public use reports maps documents and records of the board in securing the cooperation and aid of the Government of the United States and other public authorities in the construction of the canal or waterway authorized to be constructed by the board for the payment of incidental office expense and for the payment of salaries fees and expenses

House Bill No. 957 entitled:

An Act to provide for the laying out altering and vacating roads lying partly in one county and partly in an adjoining county forming or intended to form a continuous highway from one county to another and providing for the location construction of a joint county bridge on said road

House Bill No. 1025 entitled:

An Act to provide a method of relieving real estate of the charge of a life interest imposed thereon by any order judgment or decree of any court in this Commonwealth in any partition proceedings

House Bill No. 1159, entitled:

An Act providing a system of registering titles to motor vehicles for the protection of owners of motor vehicles and to facilitate the recovery of motor vehicles stolen or unlawfully taken regulating the certificate of such titles the purchase sale and transfer of motor vehicles and their registration providing for the collection of fees for the certification of titles and for disposition thereof forbidding the destruction removal alteration covering or defacement of any engine manufacturer's or other distinguishing number or identification mark on motor vehicles and providing for the assignment of special numbers in certain cases imposing duties on the State Highway Commissioner sheriffs constables police officers and other peace officers and providing penalties

House Bill No. 1236, entitled:

An Act providing for a giant power survey creating a Giant Power Survey Board defining the powers and duties thereof requiring officers departments commissions and other agencies of the Commonwealth to give information thereto and making an appropriation

House Bill No. 1307, entitled:

An Act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the districts in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen asistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates

House Bill No. 1309, entitled:

An Act to amend Rule Thirty-four Article XXV of an Act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws seven hundred and fifty-six) entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by requiring mine operators to pay the Department of Mines for certain report and record books

House Bill No. 1312, entitled:

An Act to amend sections one two three and four of an act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An Act defining consolidating of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools"

Whereupon,

The PRESIDENT (Lieutenant-Governor David J. Davis) in the presence of the Senate signed the same.

LEAVE OF ABSENCE.

Mr. VARE asked and obtained leave of absence for himself for May 22nd on account of death in his family.

HOUSE MESSAGES.

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 819, (Senate Bill No. 1389), entitled:

An Act to amend section six of the act approved the third day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred thirty-eight) entitled "An Act relating to the appointment of persons to the fire departments in cities of the third class constituting a civil service board in relation thereto providing for and regulating examinations the manner of appointments and the manner and power of removal of employes of said department and providing for fixing compensation of a secretary"

Which was committed to the Committee on Municipal Affairs.

House Bill No. 956, (Senate Bill No. 1390), entitled:

An Act to amend section one of the act approved the twenty-fifth day of June one thousand eight hundred and eighty-five (Pamphet Laws one hundred eighty-one) entitled "An Act to authorize certain corporations to become sole surety for the faithful performance of any trust or duty and to authorize certain officers to approve the same" by requiring the approval thereof when the certificates issued by the Insurance Department to said corporations have been filed in the prothonotary's office

Which was committed to the Committee on Insurance.

BILL INTRODUCED.

Mr. HOMSHER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 1391, entitled:

An Act to repeal the act approved the twelfth day of July, one thousand nine hundred and nineteen, (P. L. 933), entitled "An Act to regulate the practice of architecture in the Commonwealth of Pennsylvania by providing for the examination and registration of architects by a State Board of Examiners; defining the power and duties of said board of examiners; and providing penalties for the violation of this act."

Which was committed to the Committee on Judiciary Special.

ADJOURNMENT.

Mr. SISSON. Mr. President, I move that the Senate do now adjourn until tomorrow morning at eleven o'clock.

Mr. BALDWIN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 P. M. until Tuesday, May 22, 1923, at 11 o'clock A. M.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 21, 1923.

The House met at 9:00 o'clock P. M.

The SPEAKER (C. J. Goodnough), in the Chair.

PRAYER.

The Chaplain, Rev. W. B. Cox, offered the following prayer:

Oh, Lord, how excellent is Thy name in all the earth. Thou art God, and beside Thee there is none other. Thou hast been great in Thy greatness; Thou hast been good, and Thou hast not dealth with us according to our deserts, but by Thy own long suffering and tender mercies Thou hast permitted us to gather together this evening at the reconvening of this representative body.

We pray Thee that Thou wouldst bless the members of this Assembly, enable them to solve the problems that here await them. Bless the Speaker, that he may continue to exercise the functions of his office in the same fair and impartial manner that he has shown during the past days. Bless the clerks and all who have to do with the affairs of this House, bless the Commonwealth, bless the Governor, and the Senate and all who have to do with the affairs of State.

We ask it for Thy name's sake. Amen.

JOURNAL APPROVED.

The SPEAKER. The Clerk will read the Journal of the proceedings of Thursday, May 17, 1923.

The Clerk proceeded to read the Journal of the proceedings of Thursday, May 17, 1923, when, on motion of Mr.

Huber, the further reading was dispensed with and the Journal approved.

REPORTS FROM COMMITTEES.

Mr. SCHAEFFER, from the Committee on Appropriations, reported as amended, House Bill No. 41, entitled:

An Act making an appropriation to the trustees af the State Hospital for Injured Persons of the Middle Coal Field.

Mr. SCHAEFFER, from the Committee on Appropriations, reported as amended, House Bill No. 71, entitled:

An Act making an appropriation to the trustees of the State Hospital for Injured Persons of the Anthracite Coal Regions of Pennsylvania, at Ashland, Schuylkill County, Pennsylvania.

Mr. DAVID FOWLER, from the Committee on Appropriations, reported as committed, House Bill No. 124, entitled:

An Act making an appropriation to the Pennsylvania State Oral School for the Deaf at Scranton, Pennsylvania.

Mr. ALEXANDER, from the Committee on Appropriations, reported as amended, House Bill No. 207, entitled:

An Act making an appropriation to the Glen Mills Schools in the Eastern District of the Commonwealth of Pennsylvania.

Mr. SCHAEFFER, from the Committee on Appropriations, reported as amended, House Bill No. 357, entitled:

An Act making an appropriation to the trustees af the State Hospital of Nanticoke, Nanticoke, Luzerne County, Pennsylvania.

Mr. SCHAEFFER, from the Committee on Appropriations, reported as amended, House Bill No. 415, entitled:

An Act making an appropriation to the State Hospital of Coaldale, Coaldale, Schuylkill County, Pennsylvania.

Mr. ALEXANDER, from the Committee on Appropriations, reported as committed, House Bill No. 437, entitled:

An Act making an appropriation to the Pennsylvania Training School for Feeble Minded Children, located at Elwyn in the County of Delaware and the Commonwealth of Pennsylvania .

Mr. ARMSTRONG, from the Committee on Appropriations, repored as amended House Bill No. 441, entitled:

An Act making an appropriation to the Cottage State Hospital for Injured Persons, located at Mercer, Pennsylvania.

Mr. STARK, from the Committee on Appropriations, reported as amended, House Bill No. 573, entitled:

An Act making an appropriation to the State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania, located at Blossburg, Pennsylvania.

Mr. McCAIG, from the Committee on Appropriations, reported as amended, House Bill No. 642, entitled:

An Act making an appropriation to the Western Pennsylvania Institution for the Instruction of the Deaf and Dumb.

Mr. McKIM, from the Committee on Appropriations, reported as amended, House Bill No. 776, entitled:

An Act making an appropriation to the Pennsylvania Institution for the Instruction of the Blind.

Mr. HEFFERNAN, from the Committee on Appropriations, reported as amended, House Bill No. 1106, entitled:

An Act making an appropriation to the Pennsylvania Institution for the Deaf and Dumb, Mount Airy, Philadelphia

Mr. BEAVER, from the Committee on Appropriations reported as amended, House Bill No. 1209, entitled:

An Act making an appropriation to the Cottage Stat Hospital, of Philipsburg, Pennsylvania.

Mr. HARER, from the Committee on Appropriations, reported as committed House Bill No. 1609, (Senate Bill No 1133), entitled:

A Joint Resolution making an appropriation to the Auditor General for the purpose of adjusting and paying certai outstanding bills contracted by the commission appointe under the provisions of the act approved the twenty-fift day of July, one thousand nine hundred and thirteen (Pamphlet Laws one thousand three hundred and six) entitle "An act to provide for the selection of a site and the erection of a State institution for the detention care and treatment of inebriates or persons habitually addicted to th use of alcoholic drink or intoxicating drugs to be called th State Institution for Inebriates and making an appropriation therefor."

Mr. RINN, from the Committee on Approriations,p reported as committed House Bill No. 1617, (Senate Bill No 1222), entitled:

An Act making an appropriation to the Sacred Hear Hospital of Allentown, Lehigh County, Pennsylvania.

Mr. McKIM, from the Committee on Appropriations, reported as committed House Bill No. 126, (Senate Bill No 1472), entitled:

An Act making an appropriation to the Western Pennsylvania School for the Blind located at Pittsburgh, Pennsylvania.

Miss BENTLEY, from the Committee on Appropriations reported as committed House Bill No. 1528, (Senate Bil No. 1145), entitled:

An Act reappropriating moneys to the trustees of th State Institution for Feeble Minded of Western Pennsylvania at Polk, Pennsylvania.

Mr. VICKERMAN, from the Committee on Appropriations, reported as committed, House Bill No. 1551, (Senat Bill No. 65), entitled:

An Act making an appropriation to the Sewickley Valle Hospital Association Incorporated at Allegheny Count Pennsylvania.

Mr. LAFFERTY, from the Committee on Appropriations reported as committed, House Bill No. 1552, (Senate Bil No. 93), entitled:

An Act making an appropriation to the Frederick Douglass Memorial Hospital and Training School of Philadelphi Pennsylvania.

Mr. WELLS, from the Committee on Appropriations, reported as committed, House Bill No. 1553, (Senate Bill No 103), entitled:

An Act making an appropriation to the North Pennsylvania General Hospital and Sanatorium at Austin Pennsylvania.

Mr. HAINES, from the Committee on Appropriations reported as committed, House Bill No. 1554, (Senate Bil No. 110), entitled:

An Act making an appropriation to the Grand View Hospital located near Sellersville Bucks County Pennsylvania

Mr. RINN, from the Committee on Appropriations, reported as committed, House Bill No. 1555, (Senate Bill No 114), entitled:

An Act making an appropriation to the Allentown Hospital Allentown Lehigh County Pennsylvania.

Mr. RINN, from the Committee on Appropriations, reported as committed, House Bill No. 1556, (Senate Bill No. 116), entitled:

An Act making an appropriation to the Saint Luke's Hospital located at Bethlehem Lehigh County Pennsylvania.

Mr. ALEXANDER, from the Committee on Appropriations, reported as committed, House Bill. No. 1557, (Senate Bill No. 121), entitled:

An Act making an appropriation to the Taylor Hospital, Ridley Park, Delaware County, Pennsylvania.

Mr. SCHILLING, from the Committee on Appropriations, reported as committed House Bill No. 1558, (Senate Bill No. 187), entitled:

An Act making an appropriation to the Saint Vincent's Hospital Association of the city of Erie, Pennsylvania.

Mr. WONER, from the Committee on Appropriations, reported as committed House Bill No. 1559, (Senate Bill No. 189), entitled:

An Act making an appropriation to the Butler County General Hospital at Butler, Pennsylvania.

Mr. HEFFERNAN, from the Committee on Appropriations, reported as committed House Bill No. 1560, (Senate Bill No. 204), entitled:

An Act making an appropriation to the West Philadelphia Hospital for Women in the City of Philadelphia.

Mr. WILLISTON P. WOOD, from the Committee on Appropriations, reported as committed House Bill No. 1561, (Senate Bill No. 219), entitled:

An Act making an appropriation to the Franklin City Hospital, Franklin, Pennsylvania.

Mr. SOFFEL, from the Committee on Appropriations, reported as committed House Bill No. 1562, (Senate Bill No. 236), entitled:

An Act making an appropriation to the South Side Hospital of Pittsburgh, Pennsylvania.

Mr. McCAIG, from the Committee on Appropriations, reported as committed House Bill No. 1563, (Senate Bill No. 244), entitled:

An Act making an appropriation to the Western Pennsylvania Hospital.

Mr. McKIM, from the Committee on Appropriations, reported as committed House Bill No. 1564, (Senate Bill No. 245), entitled:

An Act making an appropriation to the Homeopathic Medical and Surgical Hospital and Dispensary of Pittsburgh.

Mr. PERRY, from the Committee on Appropriations, reported as committed, House Bill No. 1565, (Senate Bill No. 251), entitled:

An Act making an appropriation to the Mercy Hospital of Philadelphia.

Mr. BALDI, from the Committee on Appropriations, reported as committed, House Bill No. 1566, (Senate Bill No. 279), entitled:

An Act making an appropriation to the Children's Homeopathic Hospital of Philadelphia Pennsylvania.

Mr. POSEY, from the Committee on Appropriations, reported as committed, House Bill No. 1567, (Senate Bill No. 280), entitled:

An Act making an appropriation to the Reading Hospital of Reading Pennsylvania.

Mr. WEAMER, from the Committee on Appropriations, reported as committed, House Bill No. 1568, (Senate Bill No. 288), entitled:

An Act making an appropriation to the Berwick Hospital Berwick Pennsylvania.

Mr. BIDELSPACHER, from the Committee on Appropriations, reported as committed, House Bill No. 1569, (Senate Bill No. 290), entitled:

An Act making an appropriation to the Bloomsburg Hospital Bloomsburg Pennsylvania.

Mr. DIEHM, from the Committee on Appropriations, reported as committed, House Bill No. 1570, (Senate Bill No. 298), entitled:

An Act making an appropriation to the Lancaster General Hospital Lancaster Pennsylvania.

Mr. BALDI, from the Committee on Appropriations, reported as committed House Bill No. 1571, (Senate Bill No. 304), entitled:

An Act making an appropriation to the Polyclinic Hospital of the University of Pennsylvania.

Mr. DRINKHOUSE, from the Committee on Appropriations, reported as committed House Bill No. 1572, (Senate Bill No. 305), entitled:

An Act making an appropriation to the Medico-Chirurgical Hospital of the University of Pennsylvania.

Mr. GOLDER, from the Committee on Appropriations, reported as committed, House Bill No. 1573, (Senate Bill No. 306), entitled:

An Act making an appropriation to the Hospital of the University of Pennsylvania.

Mr. ANDREW F. STEVENS, from the Committee on Appropriations, reported as committed House Bill No. 1574, (Senate Bill No. 336), entitled:

An Act making an appropriation to the Annie M. Warner Hospital, Gettysburg, Adams County, Pennsylvania.

Mr. McCAIG, from the Committee on Appropriations, reported as committed, House Bill No. 1575, (Senate Bill No. 361), entitled:

An Act making an appropriation to the McKeesport Hospital, McKeesport, Pennsylvania.

Mr. HARER, from the Committee on Appropriations, reported as committed, House Bill No. 1576, (Senate Bill No. 370), entitled:

A Supplement to an act approved the thirteenth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and thirty-six) entitled "An act providing for the appointment and expenses of a commission of three persons to codify and revise the laws relating to poor districts and the care of the poor and making an appropriation," continuing the commission appointed under the provisions of said act for the further period of two years and making an appropriation.

Mr. GOLDER, from the Committee on Appropriations, reported as committed, House Bill No. 1577, (Senate Bill No. 371), entitled:

An Act making an appropriation to the Hospital of the Hahnemann Medical Hospital and College.

Mr. GOLDER, from the Committee on Appropriations, reported as committed, House Bill No. 1578, (Senate Bill No. 372), entitled:

An Act making an appropriation to the Wills Hospital for the Relief of the Indigent Blind and Lame Philadelphia Pennsylvania.

Mr. RINN, from the Committee on Appropriations, reported as committed, House Bill No. 1579, (Senate Bill No. 428), entitled:

An Act making an appropriation to the Easton Hospital at Easton Pennsylvania.

Mr. BEAVER, from the Committee on Appropriations, reported as committed, House Bill No. 1580, (Senate Bill No. 431), entitled:

An Act making an appropriation to the Clearfield Hospital.

Mr. WETTACH, from the Committee on Appropriations, reported as committed, House Bill No. 1581, (Senate Bill No. 443), entitled:

An Act making an appropriation to the Allegheny General Hospital.

Mr. POSEY, from the Committee on Appropriations, reported as committed, House Bill No. 1582, (Senate Bill No. 480), entitled:

An Act making an appropriation to the Homeopathic Medical and Surgical Hospital of Reading Pennsylvania.

Mr. BLUETT, from the Committee on Appropriations, reported as committed, House Bill No. 1584, (Senate Bill No. 591), entitled:

An Act making an appropriation to the Stetson Hospital of Philadelphia, Pennsylvania.

Mr. HEFFRNAN, from the Committee on Appropriations, reported as committed, House Bill No. 1587, (Senate Bill No. 625), entitled:

An Act making an appropriation to the American Hospital for Diseases of the Stomach of Philadelphia, Pennsylvania.

Mr. WILLISTON P. WOOD, from the Committee on Appropriations, reported as committed, House Bill No. 1588, (Senate Bill No. 647), entitled:

An Act making an appropriation to the Bonair Sanatorium, Bells Camp, McKean County, Pennsylvania.

Mr. HAWS, from the Committee on Appropriations, reported as committed House Bill No. 1589, (Senate Bill No. 658), entitled:

An Act making an appropriation to the Philadelphia Orthopaedic Hospital and Infirmary for Nervous Diseases.

Mr. HAWS, from the Committee on Appropriations reported as committed, House Bill No. 1590, (Senate Bill No. 659), entitled:

An Act making an appropriation to the Gynecean Hospital, Philadelphia, Pennsylvania.

Mr. PERRY, from the Committee on Appropriations, reported as committed, House Bill No. 1591, (Senate Bill No. 682), entitled:

An Act making an appropriation to the Saint Christopher's Hospital for Children, Philadelphia, Pennsylvania.

Mr. SARIG, from the Committee on Appropriations, reported as committed, House Bill No. 1593, (Senate Bill No. 875), entitled:

An Act making an appropriation to the Nesbit West Side Hospital, Dorranceton, Luzerne County, Pennsylvania.

Mr. DIEHM, from the Committee on Appropriations, reported as committed, House Bill No. 1594, (Senate Bill No. 876), entitled:

An Act making an appropriation to the Columbia Hospital at Columbia Lancaster County Pennsylvania.

Mr. FLYNN, from the Committee on Appropriations, reported as committed, House Bill No. 1595, (Senate Bill No. 982), entitled:

An Act making an appropriation to the Misericordia Hospital of the Sisters of Mercy of Philadelphia Pennsylvania.

Mr. DILSHEIMER, from the Committee on Appropriations, reported as committed, House Bill No. 1598, (Senate Bill No. 986), entitled:

An Act making an appropriation to the St. Joseph's Hospital of Philadelphia Pennsylvania.

Mr. JEFFERSON W. SMITH, from the Committee on Appropriations, reported as committed, House Bill No. 1599, (Senate Bill No. 989), entitled:

An Act making an appropriation to the Mercy Hospital of Johnstown, Pennsylvania.

Mr. MILLAR, from the Committee on Appropriations, reported as committed, House Bill No. 1600, (Senate Bill No. 991), entitled:

An Act making an appropriation to the Saint Agnes' Hospital of Philadelphia Pennsylvania.

Mr. PERRY, from the Committee on Appropriations, reported as committed, House Bill No. 1601, (Senate Bill No. 994), entitled:

An Act making an appropriation to the Saint Mary's Hospital of Philadelphia Pennsylvania.

Mr. McCAIG, from the Committee on Appropriations, reported as committed House Bill No. 1602, (Senate Bill No. 996), entitled:

An Act making an appropriation to the Pittsburgh Hospital Association of Pittsburgh, Pennsylvania.

Mr. BRENNEMAN, from the Committee on Appropriations, reported as committed, House Bill No. 1603, (Senate Bill No. 997), entitled:

An Act making an appropriation to the DuBois Hospital of DuBois, Pennsylvania.

Mr. McCAIG, from the Committee on Appropriations, reported as committed, House Bill No. 1604, (Senate Bill No. 1002), entitled:

An Act making an appropriation to the Mercy Hospital of Pittsburgh, Pennsylvania.

Mr. GOLDER, from the Committee on Appropriations, reported as committed, House Bill No. 1605, (Senate Bill No. 1004), entitled:

An Act making an appropriation to the Jewish Hospital Association of Philadelphia.

Mr. HEFFERNAN, from the Committee on Appropriations, reported as committed, House Bill No. 1606, (Senate Bill No. 1056), entitled:

An Act making an appropriation to the Home for the Training in Speech of Deaf Children before they are of school age at Belmont Avenue and Monument Road, Philadelphia.

Mr. SOFFEL, from the Committee on Appropriations, reported as committed, House Bill No. 1607, (Senate Bill No. 1064), entitled:

An Act making an appropriation to the Saint Joseph's Hospital and Dispensary of Pittsburgh, Pennsylvania.

Mr. POSEY, from the Committee on Appropriations, reported as committed, House Bill No. 1608, (Senate Bill No. 1085), entitled:

An Act making an appropriation to the Saint Joseph's Hospital of Reading Pennsylvania.

Mr. WETTACH, from the Committee on Appropriations, reported as committed, House Bill No. 1611, (Senate Bill No. 1168), entitled:

An Act making an appropriation to the Presbyterian Hospital at Pittsburgh Pennsylvania.

Mr. MILLAR, from the Committee on Banks and Banking, reported as committed, House Bill No. 1257, entitled:

An Act regulating deposits of State moneys or funds, creating a State Depository Board consisting of the State Treasurer, the Auditor General, the Secretary of the Commonwealth and the State Commissioner of Banking, defining the powers and duties of such Board, imposing certain duties upon the State Treasurer, Auditor General and the State Commissioner of Banking, and prescribing penalties.

Mr. WHITEMAN, from the Committee on Judiciary General, reported as committed, House Bill No. 1284, entitled:

An Act to provide for the compensation of child caring societies and agencies for service rendered in the care of dependent, neglected and delinquent childrn on a per capita, per weekly basis, fixing the method of giving such compensation, classifying societies, and agencies coming under this Act, and prescribing minimum standards of equipment and service.

Mr. WHITEMAN, from the Committee on Judiciary General, reported as committed, House Bill No. 1288, entitled:

An Act to provide for the compensation of institutions, maternity hospitals and homes, for service rendered in care of indigent, dependent, neglected and delinquent children and indigent persons in maternity hospitals or homes on a per capita, per weekly basis, fixing the method of giving such compensation, classifying institutions coming under the provisions of this act, and prescribing minimum standards of equipment and service.

Mr. BLUMBERG, from the Committee on Judiciary General, reported as committed, House Bill No. 1550, (Senate Bill No. 1147), entitled:

An Act to authorize and provide for the transfer of person or persons confined in any penitentiary under sentence of law to some other prison or institution.

Mr. BLUMBERG, from the Committee on Judiciary General, re-reported as committed, House Bill No. 1436, (Senate Bill No. 59), entitled:

An Act to repeal an Act entitled "An act to regulate the practice of the profession of engineering and of land surveying creating a State Board for the registration of Professional Engineers and Land Surveyors, defining its powers and duties, imposing certain duties upon the Commonwealth and political subdivisions thereof in connection with public work and providing penalties."

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 536, 686, 882, 975, 1023, 1224, 1305, 1319 and 1338.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 19, 1923

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 536, entitled, "An Act to amend sections two three four five as amended seven eight nine and ten of the act approved the thirtieth day of March one thousand nine hundred and seventeen (Pamphlet Laws twenty-one) entitled 'An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith' ".

House Bill No. 686, entitled, "An Act authorizing probation officers of the various counties to attend the annual State Association or Conference of Probation and Parole and providing for the payment of their expenses and membership dues by counties".

House Bill No. 882, entitled, "An Act to amend section thirteen of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled, 'A further supplement to the act regulating elections in this Commonwealth' as amended by authorizing the members of the board for receiving computing and certifying election returns to act when a majority of the members thereof are not qualified' ".

House Bill No. 975, entitled, "An Act to amend section six as amended and section eight of the act approved the twenty-fourth day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred and sixty-five) entitled 'An act defining commodities regulating the sale thereof and providing penalties for violations hereof' changing the legal weight of certain commodities and providing for the disposition of certain fines"

House Bill No. 1023, entitled, "An Act providing a system of employment and compensation for the inmates of county jails and prisons".

House Bill No. 1224, entitled, "An Act regulating service of process and authorizing the service of writs of summons and other process in actions for damages for breaches of covenants of warranty in any deed or conveyance of real estate in any county of the Commonwealth".

House Bill No. 1305, entitled, "An Act to confer upon the Courts of Quarter Sessions of the several Counties of the Commonwealth jurisdiction and power to authorize the removal of the remains of the dead from private Burial grounds which have or shall become unsightly and unsuitable places for interment".

House Bill No. 1319, entitled, "An Act to amend section one article four chapter seven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve) entitled 'An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs' as amended".

House Bill No. 1338, entitled, "An Act providing a means whereby the individual justice of the peace may better inform himself as to the law changes in the law and decisions of the Courts on the law of this Commonwealth".

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 639.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 17, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 639, entitled, "An Act authorizing the sale assignment disposition transfer and conveyance of the franchises and of the property real personal and mixed of any water or power companies organized prior to the first day of April one thousand nine hundred and five to another water or water power company also organized prior to the first of April one thousand nine hundred and five and providing the manner in which said sale and purchase shall be effected".

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL, No. 206.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 17, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 206, entitled, "An Act to further amend section three of the act approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-eight) entitled 'An act relating to replevin and regulating the practice in cases where the writ of replevin is issued, as amended providing for the impounding of property where an affidavit is filed before issuing of the writ".

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS, Nos. 469, 486, 980, AND 1128.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 18, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 469, entitled, "An Act to amend section three of an act approved the twelfth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled 'An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to national party conventions and of certain officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation' as amended".

House Bill No. 486, entitled, "An Act to amend section two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws nine Hundred and eight) entitled 'An act regulating the closing of public highways and providing for the locating marking and maintenance of detours necessitated by such closing' and providing penalties".

House Bill No. 980, entitled, "An Act to amend section eleven of an act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred and seventy) entitled 'An act creating a Division of Township Highways in the State Highway Department conferring powers and imposing duties upon officers of the State Highway Department requiring certain duties of clerks of the courts of quarter session and providing penalties' requiring clerks of the court to certify lists of township auditors to the State Highway Commissioners".

House Bill No. 1128, entitled, "An Act authorizing the State Highway Commissioner to empower certain other employees of his department to perform such official acts as he may designate".

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL, No. 139.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 18, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 139, entitled, "An Act to amend section ten of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred and sixty-eight) entitled 'An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioners and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repairs of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts of parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act' as amended".

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL, Nos. 203, 461, AND 1235.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 21, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 203, entitled, "An Act relating to and regulating the speed of motor vehicles through cemeteries and burial grounds and providing penalties for violation thereof".

House Bill No. 461, entitled, "An Act to better secure all bonds stocks mortgages or other securities deposited with the State Treasurer by providing for their inspection examination and verification and the verification of the books containing a record of such bonds stocks mortgages or other securities by the Auditor General or his agents".

House Bill No. 1235, entitled, "An Act authorizing the Department of Forestry to grant on terms conditions and stipulations rights to occupy and use any portions of the State Forest for dams reservoirs canals pipe lines and other water conduits for certain water supply purposes and providing 'remedies for violations of this act or regulations or orders hereunder or of such terms conditions or stipulations and providing for revocation of the grant in certain cases' ".

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 276, 532, 593, 885, 916 AND 1034.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 16, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 276, entitled, "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior Acts of Assembly."

House Bill No. 532, entitled, "An Act to provide for the registration and protection of names titles or designations of associations societies orders foundations federations organizations and corporations of the first class".

House Bill No. 593, entitled, "An Act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation".

House Bill No. 885, entitled, "An Act limiting the power of State banks banking companies trust companies savings banks and unincorporated banks to become surety on bonds."

House Bill No. 916, entitled, "An Act to amend sections eighteen twenty-two twenty-six thirty-two thirty-four thirty-eight fifty-four fifty-five fifty-six fifty-seven fifty-nine and sixty-one of an act entitled, 'An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth' approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred and sixty-nine)"

House Bill No. 1034, entitled, "An Act to promote the health and efficiency of firemen in cities of the first class by providing for a two-platoon system for the certain officers of the uniformed fire force of the Department of Public Safety of such cities".

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 1216.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 21, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed House Bill No. 1216, entitled, "An Act authorizing certain corporations to authorize create and issue capital stock of any class or kind without nominal or par value and to change or convert their authorized or outstanding capital stock of any class or kind into shares of any class or kind either with or without nominal or par value and validating the creations and issues of stock heretofore made by corporations in ascordance with the provisions hereof"

GIFFORD PINCHOT.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 17, 1923.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Ladies and Gentlemen: I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor House Bill No. 1345, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GIFFORD PINCHOT.

RECONSIDERATION OF VOTE.

Mr. HENDERSON. Mr. Speaker, I move that the vote by which House Bill No. 1345, passed finally be reconsidered.

Mr. McDANIEL. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. HENDERSON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McDANIEL. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. HENDERSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend sec. 1, page 1, line 5 by striking out the word "fically" and inserting in lieu thereof "ally"

Amend sec. 6, page 3, line 27 by striking out the word "and"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there any objections? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

LEAVES OF ABSENCE.

Mr. HETRICK asked and obtained leave of absence for Mr. Baker for balance of the week.

Mr. FLINCHBAUGH asked and obtained leave of absence for Mr. Brenneman on account of illness.

Mr. SARIG asked and obtained leave of absence for Mr. Brownmiller on account of illness in family.

Mr. MACK asked and obtained leave of absence for Mr. Harter on account of illness.

The SPEAKER asked and obtained leave of absence for Mr. Gilchrist for balance of the week.

The SPEAKER asked and obtained leave of absence for Mr. Sample.

RESOLUTIONS.

RELATIVE TO TEXT BOOKS ON HISTORY.

Mr. WHITEHOUSE offered the following resolution which was twice read and laid over under the rules.

In the House of Representatives, May 21st, 1923.

Whereas, There have been serious and repeated charges in the public press and other publications that a number of text books on history now used in the schools of the Commonwealth contain offensive material, tending to destroy the faith of pupils in the public schools, that the American Revolution was waged for clean and exalted principles of human rights, and that American historical characters were heroic, clean and upright; and

Whereas, A committee of twenty-one superintendents, principals and teachers in New York City, after six months of investigation found these texts unfit for use in the public schools and characterized one in the following language:

> "Mr. West presents only the views of the council for the Crown. He is constantly finding defense for the course of action taken by the British Government. The American side of the argument is entirely ignored. No Wedderburn, no Crown advocate, could plead the British cause in a more bitterly partisan spirit than West has done."

Whereas, Said committee further reported as follows:

> "The paragraphs complained of in the books, indicate an attitude of mind toward the founders of the Republic which, in our judgment, is entirely reprehensible," and

Whereas, These historical texts have been condemned in formal resolutions by the American Legion, the descendants of the signers of the Declaration of Independence, the Grand Army of the Republic, the Knights of Columbus, the Sons of the American Revolution, the United Spanish War Veterans and the Veterans of Foreign Wars; and

Whereas, It is alleged these texts teach that many Patriots were drawn into the Continenal Army by money, bounties and promises of land; that the Boston Tea Party was wholly a lawless destruction of property; that if you called Washington an American he would have thought you were applying a nickname; that the American Revolution was not an attempt of England to tyrannize over the Colonies; that the wisdom of the break from England is a debatable question; that the English Colonial system was not tyrannical; that the War of 1812 originated in blunder and was conduced discreditable, and that it was a mistake; that the first signer of the Declaration of Independence was a smuggler; that the Continental Congress was made up of scoundrels and was the scene of petty bickering and schemings among selfish, unworthy, short sighted, narrow minded, office seeking and office trading plotters, and many other offensive provisions, and

Whereas, Such teachings do not constitute honest history, and are not designed to be an accurate presentation of the truth, and must inevitably result in the deadening of pride and confidence in the characters and principles of our Nation's founders, the poisoning of the springs of patriotism and the lessening of National spirit and morals in the next generation; and

Whereas, We should in all justice do honor to our forefathers, credit to ourselves and justice to our children, by purging the public schools of histories that are disloyal to American tradition, spirit and prestige; and

Whereas, Laws have been passed in the States of Oregon, Washington, Wisconsin and New York prohibiting the use of such texts and measures of the same kind are pending in Colorado, Idaho, Missouri, West Virginia and Florida, and in Indiana the legislature in letting a five-year contract of text books, excluded, all the accused histories; therefore be it

Resolved, (if the Senate concur), That the Department of Public Instruction shall make an immediate investigation of all text books of history in the public schools of the Commonwealth, and ascertain whether any of such texts ignore, omit, discount or in any manner belittle, ridicule, falsify, distort, question, doubt or deny events leading up to the Declaration of Independence or connected with the American Revolution, or the spirit, determination, or patriotism with which this Nation was founded, defended and preserved, or the accomplishments, motives and acts of American patriots or cast aspersions upon their lives.

Resolved, That the Department of Public Instruction shall, after such investigation, make a report of its findings and therein shall specifically list any text book of history which in its opinion teaches improper matter or in an improper way, and shall send a copy of its report to each board of school directors of the Commonwealth, with the request that further use of said text books be discontinued.

Resolved, That the Department of Public Instruction shall make a report to the next Session of the General Assembly showing what was done in accordance with this resolution, and what, if any, legislation is needed to prevent the further use of improper text books in the public schools.

Resolved, That a copy of this resolution be certified to the Superintendent of Public Instruction by the Secretary of the Commonwealth.

RELATIVE TO DEATH OF HON. THADDEUS W. HARRY.

Miss THOMAS offered the following resolution which was twice read, considered and adopted.

In the House of Representatives, May 21, 1923.

Whereas, The House has learned of the death of Thaddeus W. Harry, a former member of the House of Representatives from Chester County, since the Memorial Resolution was adopted on May 15th, 1923.

Be It Resolved, That the Memorial services to be held in the House on Tuesday, May 22, 1923, at 2 o'clock P. M. shall include services for the late Hon. Thaddeus W. Harry, and

Be It Further Resolved, That when this House adjourns tonight it do adjourn in memory of the said late Thaddeus W. Harry.

REPORT OF COMMITTEE ON RULES.

Mr. McVICAR offered the following report of the Committee on Rules which was twice read, considered and adopted.

Resolved, That commencing May twenty-second, the calendar shall be made up as follows:

First, appropriation bills on first, second and third reading.

Second, House bills on first, second and third reading, after which the calendar shall be as it is at present.

Nelson McVicar.
Geo. W. Williams.
Chas. F. Bidelspacher.
Chester H. Rhodes.
John W. Flynn.
Committee on Rules.

RECONSIDERATION OF VOTE.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I move that the vote by which House Bill No. 1314, file folio 6413 entitled

> An Act to give concurrent jurisdiction to the municipal court in actions for divorce in any judicial district in which such court shall exist and providing that all laws relating thereto are hereby made applicable to said court

was defeated on final passage on May 15, 1923, be reconsidered.

Mr. STEEDLE. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL RECOMMITTED.

Mr. DILSHEIMER. Mr. Speaker, I move that House Bill No. 1314, file folio 6413, be recommitted to the Committee on Judiciary General for the purpose of a hearing.

Mr. BLUMBERG. Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. JOSEPH MARCUS. Mr. Speaker, I move that the vote by which the House on Tuesday, May 15, 1923, refused to adopt the report of the committee on conference on House Bill No. 234, file folio 7091, entitled:

> An Act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto

be reconsidered.

Mr. SOWERS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. WHITEMAN. Mr. Speaker, so that the members may understand what this motion is, it is a motion to try to get into a position whereby it may be possible for the House to adopt the report of the committee on conference on the Game Code.

The yeas and nays were required by Mr. Zook and Mr. Kelly.

YEAS—180.

Albert,
Allman,
Anderson,
Armstrong,
Aston,
Baldi,
Beaver,
Behney,
Bell, F. A.,
Bell, W. T.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Bluett,
Blumberg,
Boback,
Brewster,
Bromley,
Brown,
Burchinal,
Burns,
Bush,
Chaplin,
Clutton,
Coldsmith,
Colville,
Coyne,
Craig,
de Young,
Diehm,
Dietz,
Dilsheimer,
Donahue
Driggs,
Drinkhouse,
Dunn,
Eaches,
Earley,
Edmonds,
Eshelman,
Evans, B. P.,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Fratt,
Frazier,
Gallaher,
Gelder,
Gibbon,
Gilchrist,
Glasgow,
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Haines,
Hall,
Harer,
Harter,
Haslett,
Haws,
Heffernan,
Hefferan,
Henderson,
Hetrick,
Heyburn,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Huber,
Irvin,
Johnson,
Jones, D. J.,
Jones, E. P.,
Keene,
Kennedy,
Kohler,
Kunkle,
Labar,
Lauver,
Little,
Long,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,
Malie,
Mangan,
Marcus, J.,
Marcus, J. C.,
Marshall, J. G.,
Marshall, W. F.
Mathay,
McBride,
McCaig,
McCann,
McClure,
McCurdy,
McDaniel,
McGowan,
McKim,
McVicar,
Metcalf,
Miller,
Minehart,
Moffatt,
Moore,
Morrison,
Munley,
Myers, G. C.,
Myers, P. M.,
Nolte,
O'Boyle,
Ogle,
Orr,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Richards,
Rinn,
Rippman,
Sample,
Sautter,
Schilling,
Schleiter,
Schoener,
Schwartz,
Sheridan,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Soffel,
Stoner,
Storb,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Walker,
Weamer,
Wells,
Wettach,
Wheller,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Goodnough,
Speaker.

NAYS—11.

Alexander,
Himes,
Jones, C. B.,
Kelly,
McDermott,
Rhodes,
Sarig,
Schaeffer,
Shambach,
Whitehouse,
Zook,

So the question was determined in the affirmative, and the motion was agreed to.

On the question recurring,

Will the House adopt the report of the committee on conference?

Mr. KELLY. Mr. Speaker and members of the House, we are about to vote on a bill that you voted on last Tuesday when we refused to concur in the amendments. In the past week there has been an unlimited amount of lobbying on this bill all over the State. In my home town a game warden, paid from the game fund, I presume, came to my city and solicited the local members of our wild life association, asking them to send telegrams to Harrisburg to vote for this resolution so that it would be reconsidered. I haven't received one telegram today, but I know that there have been a good many coming in here. During the time that the soliciation was going on my friends at home asked this game warden if he had a copy of the bill with him, and he said, "No." "Well," he said, "what do you want me to endorse? What do you want me to send a telegram asking them to approve? That bill has been changed so much that we really don't know what shape it is in. I don't feel as though I should send a wire to Harrisburg, asking my friends to do something that I don't know anything about."

I presume from the amount of telegrams and letters that have been received from the members of this House today, that that, perhaps, has been going on over the entire State. The cry goes over the State, that this is a sportsmen's game code. When I landed here this morning, I found that the president of the Wild Animal League in Pennsylvania and the members and the treasurer of that same organization and another man was here, representing the Central Beagle Club of Pennsylvania, opposing this bill. This bill is unjust and and it dosen't look to me as though the representations that have been made are correct. You have voted this bill down last Tuesday, by a vote of 97 to 61 you voted to non-concurr in it. It passed our committee in the House after holding public hearings, going over the matter thoroughly without a dissenting vote and it was sent to the Senate, where it was amended considerably. I requested the Senate Game Committee, as I said before on this floor, the privilege of appearing before them and telling my story. That privilege I did not have. After they amended this bill, I went to them personally and asked them to have another hearing on it and allow the sportsmen of the State to come in and tell the truth. Now, since that time we haven't had a public hearing on this bill, and I don't think that it is quite fair. I think the sportsmen ought to have something to say about this matter. Now, I would ask you to vote this bill down. If we can't come to any better understanding in this bill, why not revert back to the old laws. Why not work under the old law two years longer and let the people that make up these bills find out what the feeling is, and get the experience that we have had in this session. I ask you to vote the bill down.

Mr. SARIG. Mr. Speaker, ladies and gentlemen of the House, this bill is like the proverbial cat with nine lives. We have had this bill before us several times and have refused to concur in the Senate amendments; Next, we refuse to agree on the conference report; now, after having defeated it, it is back here again. Now, the same has been true in my county as in the case just stated. The game wardens have been lobbying during the last week, and what has been true in my county has been true, I find, in a number of others. Now the question, as I see it, is simply whether the Game Commission shall rule this House or whether this House is supreme to the Game Commission. We all understand what an organization may have built up here on Capital Hill. Now, we all know that a lot of these commissions are little kingdoms by themselves that have been built up and organized right here on Capital Hill. This Game Commission has an income of its own independent of the rest of the State. It spends this money practically as it sees fit. Now this House, when this bill first passed, put a provision in it that one-third of the money, at least, should be spent for propagating game. That was cut out entirely at the behest of the Game Commission over in the Senate, and then the House refused to concur. Finally, the conference committee restored the amendments. As it is now, it puts us in this position: Are we going before the people of Pennsylvania and say to them that we believe that 20% of the money should be spent for game purposes and 80% should be spent for overhead? That 20%, even, includes feed for game and such other items; it doesn't even provide that any percentage of it shall be spent for the propagation of game. Now, I feel that this House will indeed stultify itself if it will let the Game Commission know that they can dictate to this House just what kind of legislation they want. We have a good many of these little kingdoms right here on Capital Hill. They are governments all by themselves; they are kingdoms all unto themselves; they are a law unto themselves; they are free to act as they see fit in the matter.

Now, this Legislature has twice turned down this proposition, and I feel that we cannot, without stultifying ourselves, agree to pass this proposition. Now, you all remember that when this hunters' license law was enacted ten years ago, the specific promise was made that the bulk of this money was to be spent for the propogation of game. Why, down in Berks County, we haven't received a drop in the bucket. As I have told you before, the money has been spent in overhead. They have built up an organization all their own. Why, as I understand, the Chairman of the Commission in a speech some time ago, said, "We collected $60,000 in finances during a year, and we could easily have collected $120,000. Now, I would like to know, why didn't they collect $120,000 if they could have collected it under the law? Does that mean that this commission simply uses the law in an endeavor to punish its enemies and to take care of its friends? Are we simply here to build up a little independent political organization like that? Are we simply here to build up these little kingdoms, one after the other? Why, the talk all over the State for the last year has been about the mess that the Governor, in his campaign has spoken of, the mess, if there is a mess, on Capital Hill. Why the Game Commission is one of the worst messes that they talk about, and here we are, after we have turned down the tax bill, after we have told the people that we don't want to tax them any further, here we are, asked to increase the hunters' license fee and build up one of these little political kingdoms that has been established here on the Hill in late years. I feel that if we want to be sincere about cleaning up the mess and giving a square deal to the people of Pennsylvania, we should now vote down this bill.

Mr. GROVER C. MYERS. Mr. Speaker, I do not wish to take up too much time after hearing Mr. Kelly and Mr. Sarig discuss the bill. If Mr. Sarig will take into consideration that by the spending of 25 cents more, and if each hunter in Berks county will take a little salt along with him and sprinkle it on the rabbits tail he will get more game. Now, as to Mr. Kelly's argument, we went over this bill for 8 weeks and Mr. Kelly sat in every conference I was in, and we tried to make a bill that would not belong to the Commission, and I think a majority of the members that were on that committee will sanction my words when I say that we as much as ruled the Commission out of the room when we acted on the bill. I feel the game code is a good one and should go through. Now, with reference to the one-third that is to be used for the propagation of game, he takes exception to the feeding of game, and you cannot have game unless you feed it. I think the truth of the matter is that dogs got loose the other night and now they want to tear the bill up.

Mr. WHITEMAN. Mr. Speaker, I have been working so hard on this bill and I have been talking so much about it that I don't feel like taking up your time except to answer a few of the arguments that have been advanced, in an effort to defeat it. The argument has been made that the House has already turned this code down twice. That may be true, Mr. Speaker and members of the House, but I think it has been so because the members of this House have not understood the full meaning and intent of this code. It also has been said that there has been lobbying for and against this bill. I freely confess that there has been lobbying against this bill and that statements have been made concerning the bill which would not stand close investigation. For example, last week the statement was made that the Game Commission uses 85% of its revenues for overhead. Mr. Speaker, you only need to look at the report of the Game Commission for the year 1922, to discover there that the Game Commission, out of its receipts of about half a million dollars spent more than $83,000 for the purchase and propagation of game, and it spent more than $133,000 in bounties for the removal of noxious animals. In those two items alone, almost 50% of the revenues of the Game Commission have been expended during the past year and in preceding years. The fact of the matter is, there is no commission that I know of that is incurring so little overhead expense as this Game Commission, and that solely due to the fact that the men who are on the Commission give their time free of charge and their services simply out of love for the State of Pennsylvania and for the good of the sportsmen. I violate no confidence, I think, when I say that the gentleman from Allegheny, who has fought this bill so persistently from its very beginning is interested in fighting it because he represents and is the spokesman of a number of beagle hound breeders and trainers, principally in Allegheny County. Now, he contends that he should have the month of March in which to train his dog. I wish that you members of the House would hear what Mr. Hornaday, a recognized expert on game life in the United States, says even about our proposal to give these dog trainers six months and ten days for the training of their animals. In New York, only a single month is allowed to the dog trainers for that purpose. He thinks it is a crime, even, to give them six months and he thinks it would be a double crime if we would give them permission to train their dogs in the month of March when men who know about the woods and about wild life know that the rabbits are bearing their young. Members of this House, this game code is an honest proposition, put forward at the request and representing the sentiment of the sportsmen of the State of Pennsylvania. The Game Commission has nothing to gain by passing this code. It isn't their code, it is the code of the sportsmen of the State of Pennsylvania. The Game Commission is composed of men who are in business; they are busy men, and yet they are willing to give their time without a single dollar's remuneration to this work of trying to make and keep Pennsylvania the best State in all the United States for sportsmen, and it seems to me that there is mighty small business for some of us who do not know much about sportsmen and about the sport, about the game, about anything of that kind, to take difference with them when they know that they are honestly minded to do what is best for Pennsylvania and Pennsylvania sportsmen.

Mr. SARIG. Mr. Speaker, I would like to interrogate the gentleman from Westmoreland, Mr. Whiteman.

The SPEAKER. Will the gentleman from Westmoreland, Mr. Whiteman permit himself to be interrogated?

Mr. WHITEMAN. I will Mr. Speaker.

Mr. SARIG. If this money is not spent in overhead, then what is the objection to this law, which provides that one-third of it must be spent for propagation of game?

Mr. WHITEMAN. I will say in answer to the gentleman from Berks that objection has been made to that, since the situation might arise where other states in which we purchase our game, that the men who raise the game and who sell it to Pennsylvania, knowing that we had to spend s large an amount whether or not we could spend it economically or not, would immediately put up the price and force Pennsylvania to pay more than it ought to pay for the gam that lies outside of the Commonwealth.

Mr. MILLER. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Haws, Harer, Burd P. Evans, Orr, Fratt, Howard Smith, Burns, Dilsheimer, Heffernan, Bidelspacher, Hall, Hetrick, Wells, Eaches, Gelder, Whitehouse, Stark, George W. Williams, Posey, Mathay, and others.

The SPEAKER. More than twenty members having joined in moving the previous question.

On the question,

Shall the main question be now put?

It was agreed to.

On the question recurring,

Will the House adopt the report of the Committee on Conference

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—138.

Albert,
Allman,
Anderson,
Armstrong,
Aston.
Baldi,
Beaver,
Behney,
Bell. F. A.,
Bentley,
Berger,
Betts,
Bidelspacher,
Blair,
Blumberg,
Boback,
Brewster.
Bromley,
Brown,
Burchinal,
Chaplin,
Clutton,
Coldsmith,
Conner,
Coyne,
de Young,
Diehm,
Donahue,
Drinkhouse,
Dunn,
Eaches,
Earley,
Eshelman,
Evans, J.,
Fields,
Flynn,
Frazier,
Gallaher,
Gelder,
Gibbon.
Goehring,
Golder,
Gorham,
Goss,
Greeby,
Griffith,
Grimes,
Guerin,
Gundy,
Haas,
Harer,
Haws,
Heffernan,
Heffran,
Henderson,
Hetrick,
Horne,
Irvin,
Jones, D. J.,
Jones, E. P.,
Keene,
Kennedy,
Kunkle,
Lafferty,
Lauver,
Lucas,
Ludlow,
Lynch,
Mack,
MacKinney,.
Malie,
Mangan,
Marcus, J.,
Marcus. J. C.,
Marshall. J. G.,
Mathay,
McBride,
McCaig,
McCann,
McDermott.
Miller.,
Moffatt,
Moore.
Morrison,
Munley,
Myers. G. C.,
O'Boyle,
Ogle,
Parkinson,
Patterson,
Peelor,
Perry,
Pitts,
Posey,
Post,
Price,
Raymond,
Richards,
Rinn,
Rippman,
Sautter,
Schaeffer,
Schleiter,
Schwartz,
Smith, G. A.,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Spangler,
Speiser,
Sprowls,
Stark,
Staudenmeier,
Stavitski,
Steedle,
Sterling,
Stevens, A. J.,
Stevens, A. F.,
Soffel,
Stoner,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Walker,
Wells,
Wettach,
Wheeler,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,

NAYS—43.

Alexander,
Armstrong,
Bluett,
Burns,
Craig,
Dietz,
Dilsheimer,
Driggs,
Evans, B. P.,
Flinchbaugh,
Fowler, A. I.,
Fowler, D.,
Fratt,
Glasgow,
Heyburn,
Himes,
Holcombe,
Hollis,
Hontz,
Howell,
Huber,
Johnson,
Jones, C. B.,
Kelly,
Kohler,
Labar,
Little,
Long,
Marshall, W. F.
McClure,
McCurdy,
McDermott,
McVicar,
Metcalf,
Minehart,
Nolte,
Rhodes,
Sarig,
Schoener,
Shambach,
Sheridan,
Whitehouse,
Zook,
Goodnough,
Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, that the Clerk inform the Senate accordingly.

BILL ON FINAL PASSAGE.
(SPECIAL ORDER)

The SPEAKER. The Chair lays before the House the Special Order of the day, House Bill No. 36,

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 36, as follows:

An Act to regulate the practice of Chiropractic and to provide for the appointment and maintenance of the Board of Chiropractic Examiners To define the powers and duties of said Board of Chiropractic Examiners To provide for the examining and licensing of Chiropractors in this State and provide for penalties for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there shall be established a Board of Chiropractic Examiners for the State of Pennsylvania The Board shall consist of five (5) members and each of said members shall serve for a term of five (5) years from the first day of July next after his appointment or until a successor is appointed with the exception of those first appointed who shall serve as follows namely

One for one year
One for two years
One for three years
One for four years
One for five years

each member of the said Board shall be a graduate of a reputable College of Chiropractic and shall have been licensed as a Drugless Therapist to practice Chiropractic under the laws of the State

Section (2) The Governor shall appoint the members of said Board of Examiners from a list of all eligible Chiropractors within the State of Pennsylvania who are qualified by graduation and practice under the terms of this bill for appointment which said lists shall on or before the first day of June one thousand nine hundred and twenty-three (1923) be transmitted to the Governor by the secretaries of the various Chiropractors Associations of Pennsylvania In case of failure of said Chiropractors Associations to submit said lists as aforesaid the Governor shall appoint members in good standing eligible under the Medical Practice Act of one thousand nine hundred and eleven as a Drugless Therapist

Section (3) Within fifteen days after the approval of this act the secretaries of the various Chiropractic Associations of Pennsylvania shall submit to the Governor of this State a full list of members in good standing in said Associations who are eligible for appointment under the provisions of this act and shall not be in any manner financially interested in or connected with the faculty or management of any Chiropractic school or college and shall have been engaged in the practice of chiropractic in this State for a period of at least three (3) years and within thirty (30) days from the receipt of said list the Governor shall appoint from said list five (5) persons to serve upon the first Board

The Governor shall in this first appointments designate the number of years for which each appointee shall serve In case of vacancy by death or otherwise there shall be appointed in like manner a person to serve through such unexpired term Each person who shall be appointed to serve on said Board of Chiropractic Examiners shall receive a certificate of appointement from the Secretary of the Commonwealth Each and every member of said Board shall within ten (10) days after appointment on being appraised of the same take and subscribe an oath or affirmation before the Secretary of the Commonwealth to faithfully and impartially perform the duties of said office

The Board shall be authorized to take testimony concerning all matters within its jurisdiction and the presiding officer for the time being of the said Board or any of the committees thereof may issue subpoenas and administer oaths to witnesses The Board of Examiners shall make and adopt all necessary rules regulations and by-laws not inconsistent with the Constitution and laws of the State of Pennsylvania or of the United States of America whereby to perform the duties and transact the business required under the provisions of this act

Section (4) The first meeting of the said Board of Chiropractic Examiners shall convene on the third Monday of August one thousand nine hundred and twenty-three (1923) and subsequent meetings for organization in June annually thereafter suitable notice in the usual form being given by the Secretary of the Board to each of the members thereof specifying the time and place of meeting

At the first meeting of the Board and at each annual meeting in June an organization shall be affected by the election from its membership of a President Secretary and Treasurer

Section (5) For the purpose of examining applicants for license the said Board of Chiropractic Examiners shall hold two stated meetings in each year due notice of which shall be made public at such times and places as the Board may determine at said meetings a majority of the members of the Board shall constitute a quorum thereof but the examination may be conducted by a committee of two or more members of the Board of Examiners duly authorized by said Board and no license to practice Chiropractic shall be granted on an affirmative vote of less than three members said examinations shall be conducted in writing in accordance with the rules and regulations prescribed by the said Board of Chiropractic Examiners and may be supplemented by practical examinations and by practical tests upon the human body and shall embrace the subjects named in section 8 of this Act

After each such examination the Committee having charge thereof shall without unnecessary delay act upon the same An official report of such action signed by each acting member of said committee of Examiners stating the examination average of each candidate the general average and the result of the examination whether successful or unsuccessful shall be transmitted to the said Board of Chiropractic Examiners said report shall embrace all examinations papers questions and answers therein and such written reports as result from the practical tests as hereinbefore specified All such reports shall be kept for reference and inspection for a period not less than five years The Board shall keep a record of its proceedings and register of all applicants for license giving the name and location of the institution granting the applicant the degrees of Doctor of or diplomat in Chiropractic the date of his or her diploma and also whether the applicant was rejected or granted a license and the number of the license granted

The record and register shall be a prima facie evidence of all matters recorded therein

Section (6) All fees provided by this Act shall be paid in advance to the Treasurer of the Board and after proper audit thereof by the Auditor-General the Treasurer shall pay the same out on warrants drawn by the Auditor-General and signed by the President and Secretary of the Board The compensation and expenses of the members and officers of said Board and all expenses proper and necessary in the opinion of such Board to discharge its duties under and to enforce the law shall be paid out upon the warrant of the President and Secretary of the said Board and no expenses shall be created to exceed the income of fees and fines as herein provided Salaries shall be fixed by the Board but shall not exceed fifteen dollars ($15.00) per day of actual service per member and railroad and hotel expenses

Section (7) Any person engaged in the practice of Chiropractic in this Commonwealth prior to the passage of this act and desiring to continue the practice thereof after January first one thousand nine hundred and twenty-four who shall file with the Secretary of the said State Board of Chiropractic Examiners upon appropriate blank to be furnished by said secretary an application verified by oath that the applicant is not less than twenty-one years of age is of good moral character and a graduate of a legally incorporated or chartered school or college of Chiropractic shall be entitled to take an examination as to his or her qualifications for the practice of Chiropractic which examination shall include the subjects of anatomy physiology chemistry diagnosis pathology sanitation hygiene neurology synptomatology and the principles of Chiropratic and shall further require the prospective licentiate to give a clinical demonstration of the vertebral palpation and adjusting

The said State of Chiropractic Examiners shall issue forthwith to each applicant who shall have successfully passed said examination and been adjudged by said Board of Examiners to be duly qualified for practice of Chiropractic a license to practice Chiropractic in the State of Pennsylvania

Every license to practise chiropractic issued under the provisions of this Act shall be signed by each member of the Board of Examiners and shall have affixed to it by the person authorized to affix the same the seal of the State Board of Chiropractic Examiners Before said license shall be issued it shall be recorded in a book to be kept by the Secretary of the Board Examiners and the number of the book and the page therein containing such recorded copy shall be noted upon the face of said license said records shall under proper restrictions for their safekeeping be open to public inspection provided further that anyone who at the time of the passage of this Act has been in continuous practice of Chiropractic for ten (10) years in some other State and who graduated from a legally incorporated and reputable college of Chiropractic which provides a three years' residence course of instruction of not less than eight months in each calendar year and who can in addition present evidence of having received the necessary preliminary education as provided for in this act

Section (8) After January first one thousand nine hundred and twenty-five any person not theretofore or by the terms of this Act authorized practice Chiropractic in this State and desiring to enter upon such practice may deliver to the Secretary of the State Board of Chiropratic Examiners upon the payment of a fee of twenty-five ($25) dollars a written application for license together with satisfactory proof that the applicant is more than twenty-one years of age is of good moral character and has received a diploma conferring the degree in Chiropractic from some legally incorporated reputable Chiropractic College of the United States wherein the course of instruction consists of at least three terms of actual resident attendance of not less than eight months in at least three different calendar years and that after January first one thousand nine hundred and twenty-five if such applicant shall have been matriculated and actually a bona fide student at such Chiropractic College the preliminary educational requirements shall apply to all students the work of each term having been successfully passed in some legally incorporated reputable college or colleges requiring a minimum class room attendance of 2,000 sixty minute hours or the equivalent of the same prior to the granting of said diploma shall be eligible for examination upon all other terms and conditions provided for applicants of examination under the provisions of this Act upon the making of said payment and provided the State Board of Chiropractic Eaminers if satisfied with the same shall admit said applicant to examination as to his or her qualifications for the practice of Chiropractic which examination shall include the subjects of anatomy physiology chemistry diagnosis pathology sanitation hygiene neurology symptomatology and the principles of Chiropractic and shall further require the prospective licentiate to give a clinical demonstaration of vertebral palpation and adjusting and such other subjects as the Board may require on receiving from the Committee of Examiners delegated to conduct the examinations as provided for in section (7) of this act official report of the examination of any applicant for license the said State Board of Chiropractic Examiners shall issue forthwith to each applicant who shall have obtained the general average of not less than 75% and an average of at least 70% on the questions propounded in every subject and therefore has been returned as having successfully passed said examination and who shall have been adjudged by the said Board of Examiners to be duly qualified for practice of Chiropractic a license to practice Chiropractic in the State of Pennsylvania as provided for in section 10 of this Act in case of failure at any such examination the candidate after the expiration of six (6) months and within two (2) years shall have the privilege of a second examination

Having failed upon a second examination as herein provided application de novo may be made upon conforming with the standard of qualifications both as to character preliminary and chiropracitic education in force at the time of said application and upon the payment of a fee of twenty-five ($25) dollars

Section (9) After January one thousand nine hundred and twenty-five a school or college of Chiropractic to be recognized as reputable under the provisions of this Act must be legally incorporated prosecute a course of study consisting of the time element as provided for under the provisions of this Act and instruct in all the branches of study in which examinations are required for licensure under the provisions of this act

Section (10) Applicants examined and licensed by State Boards of Chiropractic Examiners of other States as heretofore provided for in this act on the payment of a fee of Twenty-five Dollars ($25.00) to the State Board of Chiropractic Examiners and filing in the office of the State Board of Chiropractic Examiners a copy of said license certified by the Affidavit of the president or secretary of such Board showing that the standard of requirements adopted by said Board of Examiners including the standard of professional education is substantially the same as is provided by Section (8) of this Act may if the State Board of Chiropractic Examiners be satisfied of the applicants standing and qualifications without further examination receive a license conferring on the holder thereof all the rights and privileges provided by Section (11) of this Act

Candidates for license to practice chiropractic in this State who present their applications and undergo examinations ofter January first one thousand nine hundred and twenty-five shall be obliged to present to the State Board of Chiropractic Examiners one of the following credentials covering their preliminary education prior to their beginning the study of Chiropractic in some legally incorporated reputable Chiropractic College to wit a diploma of graduation from a reputable college or university granting the degree of bachelor of arts or science or equivalent degree or a diploma of graduation from an educational institution maintaining a four (4) year course of study that is a State Normal or a High School a Seminary an Academy or a College preparatory School or a certificate of having passed examination for admission to the freshman class of a reputable literary or scietific college or university or a certificate of having passed an equivalent examination conducted by a certified examiner for the State of Pennsylvania to be appointed by the State Superintendent of Public Instruction and for other States to be approved by the State Superintendent of Public Instruction of Pennsylvania

Section (11) The license provided for in this Act shall authorize the holder thereof to practice Chiropractic which is defined to be the adjustment by hand of any or all articulations of the spinal column and as taught and practiced in the legally incorporated reputable Colleges of Chiropractic as provided for in this Act

Section (12) Chiropractors shall observe and be subject to all State and Municipal regulations and all matters relating to public health the same as Practitioners or other schools and such reports shall be accepted by the Officers or department to whom the same are made

Section (13) From and after the approval of this Act no person shall enter upon or continue the practice of Chiropractic in the State of Pennsylvania unless he or she has complied with the provisions of this Act and shall have exhibited to the Prothonotary of the Court of Common Pleas of County in which he or she desires to practice Chiropractic a license duly granted to him or her as hereinbefore provided whereupon he or she shall be entitled upon the payment of one dollar ($1.00) to be duly registered in the office of the Prothonotary of the Court of Common Pleas of the said County and any person who shall practice or attempt to practice Chiropractic as defined in Section (11) of this Act in treating any ailment whatsoever of the human body or who shall use any of the terms or letters Chiropractor Chiropractic Doctor of Chiropractic Diplomat in Chiropractic or D D or any other titles or letters under such circumstances as to induce the belief that the person who uses such terms is engaged in the practice of Chiropractic without having first obtained the license as herein provided for or contrary to the provisions of this Act or who shall under any other terms or name practice as defined in Section (11) of this Act or who for the purpose of obtaining such license shall falsely represent himself of herself to be the holder of a diploma as herein provided shall be deemed guilty of a misdemeanor and upon conviction thereof in the Court of Quarter Sessions of the County wherein the offense shall have been committed shall suffer punishment by the imposition of a fine of not less than One Hundred Dollars ($100) nor more than Five Hundred Dollars ($500) or by imprisonment in the County Jail for not less than thirty (30) days nor more than ninety (90) days for each offense either or both at the discretion of the court Provided however that nothing contained in this Act shall be construed as affecting the practice of medicine

Section (14) On and after the approval of this Act the State Board of Chiropractic Examiners shall refuse to grant a license to an applicant to practice Chiropractic in this State and is empowered to revoke a license conferring on a person the right to practice Chiropractic upon the presentation to said State Board of Chiropractic Examiners of a court record showing the conviction in due course of law of said person for procuring aiding or abetting in producing a criminal abortion or miscarriage by any means whatsoever The State Board of Chiropractic Examiners upon such evidence and proof shall cause the name of such convicted licentiate to be removed from the record in the office of any Prothonotary in the State The State Board of Chiropractic Examiners may refuse revoke or suspend the right to practice in this State upon any or all of the following reasons to wit

The conviction of a crime involving moral turpitude habitual intemperate in the use of ardent spirits or stimulants narcotics or any other substance which impairs intellection and judgment to such an extent as to incapacitate him or her in the performance of Professional duties Any person who is a licentiate under this Act or who is an applicant for examination for licensure to practice Chiropractic in this State against whom any of the foregoing charges are preferred for causing the revocation or suspension of license or for causing the refusal of the right to be examined for licensure shall be furnished by the State Board of Chiropractic Examiners with a copy of the complaint and shall have a hearing before said Board in person or by Attorney and witnesses may be examined by said Board respecting the guilt or innocence of said accused The suspension of license of any licentiate under this Act shall be removed when said narcotic or vicious habit hereinbefore specified shall have been adjudged by the proper authorities to be cured or overcome and said suspended licentiate deemed again capable of practicing the healing art

Section (15) All Acts or parts of Acts inconsistent herewith be and the same are hereby repealed

On the question,

Shall the bill pass finally?

Mr. DUNN. I would like to interrogate the gentleman from Allegheny, Mr. Steedle?

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. STEEDLE. Yes, sir.

Mr. DUNN. Mr. Speaker, I would like to ask the gentleman from Allegheny whether all the amendments which he wanted inserted in this bill when it was up before are now included?

Mr. STEEDLE. They are not, sir.

Mr. DUNN. Mr. Speaker, I would like to ask the gentleman from Allegheny what amendments have been omitted.

Mr. STEEDLE. Mr. Speaker, I would like to answer the gentleman from Philadelphia, not by stating what amendment is omitted, but by what amendments are omitted.

Mr. DUNN. Beg pardon?

Mr. STEEDLE. I said that I would like to answer the gentleman from Philadelphia, not by stating what amendment is omitted, but what amendments are omitted. Amendments, plural. Or perhaps, I could answer that more generally, Mr. Speaker and members of the House, as a matter of enlightenment. Unfortunately the Journal of May 14th is not on record, neither is the Journal of May 15th, that I can properly answer the gentleman from Philadelphia, who possibly misinformed this House. But in response to the gentleman's question in regard to the introduction of amendments that I submitted to this House two weeks ago tomorrow, the first amendment was in section 1, page 2, line 10, by inserting after the word licensed, the following: "as a drugless therapist".

Mr. DUNN. Mr. Speaker, I desire to interrogate the gentleman from Allegheny on that amendment.

Mr. SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. STEEDLE. Yes, Sir.

Mr. DUNN. Is that amendment not in the bill now?

Mr. STEEDLE. If the gentleman will let me proceed, I will tell the House that this is on of the amendments that we both agreed upon. The second amendment offered, to which Mr. Dunn agreed, was in section 2, page 3, line 1, by striking out the words "This act", and inserting "The Medical Practice Act of one thousand nine hundred and eleven as a Drugless Therapist."

Now I offered an amendment to section 6, on page 10 line 3, by inserting after the word "character", the following: "Has obtained a preliminary education as hereinafter provided". This section as I proposed the amendment has not been taken care of by Mr. Dunn in his proposed amendments.

Mr. DUNN. Is not this inserted in the bill?

Mr. STEEDLE. I am only referring to the amendments as given to me by you last week.

Mr. DUNN. I am asking you whether it is inserted in the bill before us tonight?

Mr. STEEDLE. I have not found it in the amended bill.

Mr. DUNN. In what section are you looking?

Mr. STEEDLE. On page 10.

Mr. DUNN. The section in which the word "Not" is stricken out as suggested by the medical people?

Mr. STEEDLE. What file folio have you got?

Mr. DUNN. 7873. What file folio have you got?

Mr. STEEDLE. File folio 7873.

Mr. DUNN. Don't you see it, your amendments inserted there?

Mr. STEEDLE. On page 10, line 3?

Mr. DUNN. On page 10, line 17.

Mr. STEEDLE. That entire amendment, "has obtained a preliminary education as herein provided?" Well, I don't see it.

Mr. DUNN. Its there. "has obtained a preliminary education as hereinafter provided." That is in lines 6 and 7, page 10.

Mr. STEEDLE. That's right.

Mr. DUNN. Thank you. What is the next?

Mr. STEEDLE. Amend section 7, page 11, by striking out the word "confirming".

Mr. DUNN. That is merely a typographical error.

Mr. STEEDLE. Then, the other one is, "Amend section 10, page 12, line 27, by inserting after 'examiners', the following: 'Including the standard of professional education' ".

Mr. DUNN. What page?

Mr. STEEDLE. Page 12.

Mr. DUNN. Look on page 13, line 4. "including the standard of professional education."

Mr. STEEDLE. That's ours, and you inserted "not to become effective until January 1, 1925", to which we object.

Mr. DUNN. You object to that? Well that's all right. Any further amendments?

Mr. STEEDLE. That's all.

Mr. DUNN. Then you admit all your amendments are offered in this bill?

Mr. STEEDLE. No. I don't.

Mr. DUNN. What ones are not included?

Mr. STEEDLE. You don't accept "professional education until 1925"?

Mr. DUNN. Did you or not insert 1925?

Mr. STEEDLE. You did.

Mr. DUNN. I admit that.

Mr. STEEDLE. But I do not agree to your amendments.

Mr. DUNN. Well, I know you didn't. I agree to that.

Mr. DUNN. Mr. Speaker and members of the House, the bill before you tonight is one in which all the amendments offered, when this bill was up before, by your friend and my friend, are included. It includes all the amendments submitted by the medical people, with the exception of one, which I, on behalf of the chiropractors inserted. The amendment which they want to impose is this: Every one of those chiropractors in the field today who have been practising from one to fifteen years must acquire a preliminary education before they can make application for an examination. See the impossibility of that. I want to be fair with these people, and the people whom I represent want to be honest, but how can a man or a woman who has been in the field practicing this healing art from one to fifteen years go back in the high school to secure the preliminary education which the medical men demand of them? It is a most foolish proposition ever submitted to an intelligent body of Pennsylvanians. The medical men, when they first were granted a board, and this is one of the most important pieces of legislation which comes before this body, you will remember years ago the allopaths were in control of this state, then came the homeopaths along and they showed the people of Pennsylvania that their science of healing had merits, but the allopaths said, "No, you cannot come into Pennsylvania and practice because we want this field to ourselves", but finally, after years of coming before this body they were granted the same privilege as the allopaths, and they were granted licenses without an examination. Then came along the eclectics and they applied, and they were fought by the allopaths and the homeopaths, but they finally won out, and they were granted the right to practice without an examination. Then the three combined; the allopaths, homeopathic and the eclectic to prevent any other healing art or advanced science of the healing art to enter Pennsylvania; and then the osteopaths came along and they fought for four or five years but finally they got a license and were permitted to practice without an examination; that is, those who were already practicing in the field. Then the optometrists came along and they finally were granted by an almost unanimous vote of this House a license without an examination. I am speaking now of those who were already in the field, and ever since the day the first Board was granted to the allopaths this combination has tried to prevent any other cult, whether they have merit or not from practising in Pennsylvania. There are three different groups of these people. I have talked to the old fashioned medical doctor who did not have a high school education, but was granted a license. He came out of the work-shop. He was a brick-layer, probably; he was a mechanic just the same as the gentleman from Allegheny who will speak on this subject later on will state of these people, as he has spoken of every other cult that came before this body since 1913. I spoke to the old fashioned doctor who works in the community. He is willing to pull teeth or do anything, whether it be major or minor surgery or medicine or prescribe, and he said, "Do the medical people require that these men who are in the field take an examination"? and I said, "Yes, they require it, and I who represent these people state that the ones already in the field are willing to take such an examination, and we inserted that", but he said that was unfair. Speaking for the old group of medical doctors he said, "It is unfair to force these people when the medical doctors and other branches of the healing art were never forced to take it." But, I said, "We are willing to put our people on record that they are able to take this examination, even though they were never in high school." Then I met another group. I talked to a later group of physicians and they said, "We agree that your bill is all right, providing you are going to put them under examination." I said, "That is what we are going to do. We are going to give them a test, and the incompetents in Pennsylvania we are going to chase out," and the schools in Pennsylvania that are advertising and which the doctors want to try to prevent from teaching which cannot be prevented unless they pass this bill, the three months school of which my friend from Allegheny has told you, they are turning them out in three months, two schools in Philadelphia turning them out within three months and the medical profession of the State of Pennsylvania are trying to prevent these people from driving out these schools, by their action trying to assume that Pennsylvania belongs to them and no other branch of the healing art shall be permitted in the state of Pennsylvania. There is another group, which since 1920 has formed itself into a political group, with Harrisburg as their headquarters. And that political group, my friends, have gathered together in this organization the allopaths, the homeopaths and the eclectics, the three different branches of the healing art. These men gather here for the purpose of sending propaganda all over the state, to the physician who is trying to do a good thing in Pennsylvania who is hard at work among his patients, day in and day out, while they sit here in Harrisburg, and formulate propaganda to go to these physicians and frighten them telling them that legislation may be passed here in Harrisburg detrimental to their practice. The secretary of the organization issuing that propaganda is a doctor, and when I asked him at the hearing whether he practiced medicine he said, "No, I have not for the last two years." I understand he gets a salary of $5,000 to be here as lobbyist for that purpose. The president is also here. The president was supposed to be appointed either as a commissioner of welfare or a commissioner of health, and he was disappointed. He is treasurer of the Norristown insane institution. There is hardly any work, probably, that he has to do. Then we have another one who is secretary and treasurer of that propaganda organization. It is political organization, because, and don't doubt it, for the letters that they sent out warned us when we were candidates at the general election to pledge ourselves to their purposes and to vote for their particular legislation. The secretary and treasurer of that propaganda organization was here each time, and in legislation affecting these three different branches he too was active. He also was a man who went on a man's bail in Norristown when a physician was used by them as a tool to go into the chiropractor's office to arrest him for practicing medicine without a license. He too went their bail, the secretary and treasurer of that propaganda organization. And each and every one of them who is attached to that organization is there, not for the purpose of practicing medicine, but for the purpose of trying to get better jobs, so that they can give up the practice of medicine in the State of Pennsylvania. And any reputable physician of Pennsylvania who thinks that much of the honor in the diploma which was given to him should practice medicine and not get into politics for political jobs. I want to read what a physician says. They have increased the standard of the medical school so that a poor boy will be put out of busines and be unable to practice medicine, because it requires eleven years to go through the school before he gets his diploma, and it is estimated on an average, when he comes out of that school, that he is twenty-eight years of age, and then he must start to build up a practice. Where is there a poor man in Pennsylvania whose boy is ambitious to become a doctor who can afford to sent him to school for eleven years simply because the medical association in Chicago, the head trust of this great medical combination of Pennsylvania and the United States says that these standards must be raised and the poor boy kept out because of the length of time that he must spend in a school. What has been the result? They have issued another mandate from the medical association in the city of Chicago, from their headquarters, that the standard of these schools of ours, these colleges, must meet the required standard or go out of business. And then the letter that I shall read from Russell Conwell tells me that out of one hundred sixty-one schools in the United States, they have put eighty-one schools out of business. What does that mean? It means less doctors. It means less practical men in our suburbs, and you country members well know that in your country town you can hardly have a doctor anymore. Why? Because any boy whose father spent the money to send him to school and serve eleven years is not going to be the old family physician that we have seen in our homes. No, he goes to the city then; he becomes a specialist, and therefore your country towns are becoming disorganized, because no physician can be had. Who is going to take their place if the physicians are going to drive out our schools and then prevent our boys from practicing medicine, from going into our country towns? Who is going to take their place? I understand from one of my friends, a representative here, he told me only a week ago that in his little town in Pennsylvania, when it is necessary for them to have a physician, they must send to the city and it costs them twenty-five dollars a visit. They are commercializing their business instead of looking primarily after the healing of the sick among the people of this Commonwealth; that is what they are doing, and so long, gentlemen of this House, that you vote against a piece of legislation like this, you are encouraging these men, who now are licensed, who are tightening their grip around Pennsylvania so that they alone shall be the people who shall administer to the sick of Pennsylvania and set their own prices. I want to read what a physician says in regard to this. It is an extract from the Fairview Echo, of Fairview, Pennsylvania.

"The New York State Department of Health reported in 1921 some 165 localities which had no doctor and that in 323 communities there was not a physician who had been out of college less than twenty-five years. Out of eighty-two applications for physicians from thriving villages and hamlets in New York, physicians were obtained for only half. The same situation exists in many other States. One town in New York raised a subsidy of $2,500 a year to keep its single physician. One of his nearest medical neighbors reported a drive of fifteen miles to cover a territory which a few years ago had several physicians. Many rural districts today lack medical service easily obtainable, of good quality and at a reasonable cost. The farmer needs a competent doctor within easy driving distance to his home and one who will give service for a fair compensation.

"The effect of standardization of medical colleges and education, although it has produced better trained men, has reached the stage where it shows in a decreased number of graduates. Many medical colleges are limiting the number of their students so as to give better instruction. Most of the recent graduates in medicine are not willing to begin practice in the country but go to the cities. The tendency today is toward post-graduate study and then to go out as specialists, for this means a larger income with less work and without the irksomeness of a general practice. The specialist has regular office and hospital hours and is usually free from evening interference with his social life.

"Between 1911 and 1919, in the rural districts of New York there was a falling off of 400 doctors, or 13.6 per cent., although the population had gained 7 per cent. City comforts and larger advantages attract the graduates of medical colleges to the cities, leaving the country deserted. The World War gathered many doctors into army and navy service and after their discharge the attractions of the city made them fail to return to the country."

They are driving the country doctor out into the city on account of the high standard raised by the medical combination. Here is what one of the present medical board submits. Mind you, we are going to put him under an examination, but here he says, "what is reasonable for them." One of the State Medical Board says, "any person who has practiced chiropractics in the Commonwealth of Pennsylvania continuously three to five years prior to the passage of this act pursuant to a proper application be issued a license to practice chiropractics in Pennsylvania." That is, without an examination, and one of the State Medical Board submits that, submits that for the chiropractors of the State. We go still further than that, and we say to these people, the medical people that we are challenging, you now as to the qualifications of an educational standard and let them take the examination that is required in this bill and if the man is not educated, even though he has not got the high school education, you know and the medical men know that he cannot pass the examination. The Declaration of Independence says, "All men are created equal and are endowed by their creator with certain inalienable rights, that among those are life, liberty and the pursuit of happiness." The Constitution of Pennsylvania says, "All men are born equally free and independent and have certain inherent and indefeasable rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing and protecting property." This is a property right. It belongs to the people of Pennsylvania; it belongs to these people of Pennsylvania, this property right, and even though you defeat this bill tonight and put them at the mercy of the medical combination, it is up to you, because they will practice in Pennsylvania so long as some detective from the medical combination don't get in and detect them at diagnosing a case and practicing medicine without a license. Do you want to see, when we have a fair bill like this to license these people and put them under regulations, do you want to see these men go to jail simply because the medical profession has tightened its grip around the throat of the Legislature. I appeal to you tonight, members of this House, to grant them this, and inside of one year and a half the State will meet the requirements of the high educational standard, they will meet the requirements of the other educational standard which we put into effect on January 1, 1925, and the State will be rid of all the correspondence school students of which the gentleman from Allegheny speaks, these schools in Pennsylvania will be wiped out if they cannot meet the requirements of this act, what more do they want? Why, if you are fair-minded Pennsylvanians you would all unite together to protect these people and clean the incompetent out of Pennsylvania.

Mr. PATTERSON. Mr. Speaker, I should like to interrogate the gentleman from Philadelphia, Mr. Dunn.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Dunn, permit himself to be interrogated?

Mr. DUNN. Yes sir, Mr. Speaker.

Mr. PATTERSON. I should like to ask if you are a chiropractor yourself, do you have a license to practice chiropractic, do you have a certificate as a chiropractor?

Mr. DUNN. No, never understood it at all, no.

Mr. PATTERSON. At the present time, Mr. Speaker and members of the House, the question recurrs on the bill as the Speaker has stated. It is simply the same old bill that we voted down here the other night, and the same objection that I voiced the other evening still holds good. As a member of the medical profession, deeply interested, of course in this bill the same statement that I made the other night holds true. The gentleman has said that this is an attempt to prevent these people from practicing chiropractics. It is not. They have been practising and can go on practising just the same as they have heretofore, and those ten thousand letters from patients the other evening that they received, those ten thousand patients could still have their chiropractors, they would be fully protected as they have been in the past under the drugless therapy act. The thing that we do stand for is to raise the standard, to put them on the same plane before they can become doctors to protect the public, that is all. These men have been practising and can go on practising as chiropractors. It is not an attempt to drive them from the state, it is simply an attempt to keep them where they belong. If they want to practise medicine let them conform to all the regulations and more power to them. The gentleman speaks as to the question of the requirements of the past seven years in the medical profession, resulting in, he says, less doctors. I answer, better doctors. Doctors that are prepared fully to diagnose, treat and care for any and all ailments that come up. If the men who claim that they don't, as chiropractors, wish to practise medicine but simply by this mechanical manipulation desire to correct evils, all right. Well and good. If they can succeed in doing that, as I said the other night, more power to them. We are not attempting to stop them, but we are attempting to stop them from imposing upon the public as doctors, as practising medicine, and getting in on a short term basis as compared to those of us who have had to work long in years. If they are going to practise chiropractics, all right. They can do that under the drugless therapy act, but if they are going to try to practise medicine, diagnose conditions, and so forth then they certainly do require the same standards as other doctors who are practising today. I certainly ask that this bill be defeated.

Mr. DUNN. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Patterson.

The SPEAKER. Will the gentleman from Allegheny, Mr. Patterson, permit himself to be interrogated?

Mr. PATTERSON. I will, Mr. Speaker.

Mr. DUNN. I would like to ask the gentleman from Allegheny whether he is a physician?

Mr. PATTERSON. I am, sir.

Mr. DUNN. I would like to ask the gentleman from Allegheny how long he has been a physician?

Mr. PATTERSON. Since 1900, twenty-three years ago.

Mr. DUNN. I would like to ask the gentleman from Allegheny whether when he was granted a license and took an examination he was required to have a high school education?

Mr. PATTERSON. Yes sir.

Mr. DUNN. Is the gentleman from Allegheny aware of the fact that the medical act only required a high school education since 1911?

Mr. PATTERSON. That was required of me in 1900.

Mr. DUNN. Then the act didn't require you to have a high school education.

Mr. PATTERSON. Yes.

Mr. DUNN. No sir. I would like to interrogate the gentleman further, Mr. Speaker. I would like to ask the gentleman from Allegheny, as a physician whether he thinks it is right for these people who are practicing today in the field from one to fifteen years, it is right for them to drop their practice and feasable to go back into the high school in order to get the preliminary education in order to pass the examination.

Mr. PATTERSON. No, let them go on as they are doing.

Mr. DUNN. That is all we are asking.

Mr. PATTERSON. No, you don't. You ask for a board of examination. I think the whole act is wrong.

Mr. DUNN. I would like to interrogate the gentleman further, Mr. Speaker. Are you the gentleman from Allegheny who introduced a barbers' bill?

Mr. PATTERSON. I am, sir.

Mr. DUNN. It is all right then.

Mr. BURD P. EVANS. Mr. Speaker, House Bill No. 36, which is before the House, is intended to "regulate the practice of chiropractic." Chiropractic consists chiefly in the prevention and cure of disease by means of the adjustment of the bones in the spine, to permit the natural functioning of the nerves which pass through the openings between these bones, and help nature, the greatest healer, in effecting a cure.

As the name chiropractic indicates, the adjustments are done solely by the hands of the chiropractor.

There are no medicines, no instruments, no appliances of any kind used in the practice of chiropractic.

Chiropractors are not anti-medical, they are non-medical, they have no connection with any other science of healing, and do not want to practice medicine, surgery, obstetrics, or treat contagious diseases.

Chiropractic has been practised in the United States for twenty-seven years; there are thousands of chiropractic practitioners and many thousands more grateful patients, of which I am one, I know that chiropractic treatment does give the patient the desired result in many cases, and leaves no drugs for the system to eliminate.

This bill is opposed by the same element that opposed a similar bill last session of the Legislature.

Does the same jealousy, selfishness and bigotry characterize the opposition to this bill that from earlier times, characterized the religious fanatics and professional zealots?

In the time of Hippocrates, in the year 460 B. C. there were at least two schools of medicine contradicting and opposing each other.

When Harvey discovered the circulation of the blood, in 1615 his theory was bitterly opposed by some of the high men of his times.

The learned Hahnerman, the first homeopath, brought forth his theory of "Similia Similibus Curantur" in 1789, and it was not only opposed by the learned medical men, but he, the man, was so much in danger from his opponents that he was forced to save his life by fleeing from his home in Leipsic, and he died in exile, because he had dared to suggest a new treatment.

Homeopaths know how they have been treated by the allopaths in this state; true they now have equal rights, but only because public opinion forced the opposition to accede to the legal status.

History is repeating itself. Chiropractic is being presented, but here too, public opinion will soon compel all unfair opposition to yield and full, equal rights will be given to chiropractors, limited only to the limits of their profession.

Chiropractic is recognized by twenty-eight states of the Union, and this recognition has raised the standard of service. It will do the same in this state.

Opponents of chiropractics, if you are actuated by fear that the coming of chiropractic will cause you to lose some of your practice then pass this bill, because as soon as the bill passes and chiropractors have the right to examine their own practitioners, their standard will be higher, their number less and their competition more liberal.

If you hope to drive chiropractic into the hands of the medical men so they can control it, you are deceiving yourselves, because there is nothing in common between the two except the duty to relieve suffering and prolong life.

If you hope to exterminate chiropractors by continued persecution, I tell you solemnly it cannot be done. The public will not permit this. You will make martyrs of them. Extermination was tried in California. The public made it a political issue, and the chiropractic issue swept the state by 160,000 majority in its favor. The public do [illegible] same in this State if it wills to do so. Extermination is being tried in Ohio now. Wait and see what will happen there. Right is might and will prevail. I claim it as my right to have a chiropractor treat me if I wish. If you opponents arrest him and put him in jail for curing me, I tell you now, I will, by all lawful menas, try to get him out, and keep him out at any cost. Any red-blooded man will do the same, and some may seek revenge against you for your folly.

If the opponents of this bill are actuated by professional hatred, their actions will only tend to drive chiropractors to outlawry and they only will add hate to hate with no chance of extermination and no hope of cooperation. More than 10,000 grateful patients, cured by chiropractic treatment, petition that this bill shall pass, and there is not one dissatisfied patient to protest against it. I appeal to the members of this House that this argument of more than 10,000 patients in favor and not one opposed should show us it is our duty to pass this bill. And I here earnestly urge that we may pass this bill, because it will hasten the fair day when these divided cults will join heart and hands in performance of their highest duty, the service of humanity, and will cease this destructive conflict with each other so that their brotherly love may run more pure, and they will drive blind hatred back to Hades whither it springs.

Mr. SCHLEITER. Mr. Speaker, I move the previous question.

Mr. STEEDLE. Mr. Speaker, I should like the gentleman from Beaver, to postpone this motion for just a moment.

The SPEAKER. There is a motion before the House.

Mr. STEEDLE. I understand that, Mr. Speaker, and I will ask him that if he will not insist upon it for about three minutes, that I will not occupy more than three minutes' time.

Mr. SCHLEITER. Mr. Speaker, I don't like to be discourteous, but I think this debate has gone on long enough. It was under debate when it was first voted upon, and I think that the House is sufficiently informed. They have had the bill before them, but if there is any feeling of discourtesy, I will certainly withdraw my motion. Under the circumstances, Mr. Speaker, I will withdraw it.

Mr. STEEDLE. Mr. Speaker and ladies and gentlemen of the House, as I stated before, I will only occupy about a minute or two. You have heard so much chiropractics, osteopathy and everything on God's earth as to the treatment of diseases that I won't take up much of your time, but I just want you to bear with me a moment. Now, ladies and gentlemen, this is just the beginning of a new era in boards. At the present time we have a cult called the naturopaths; there is another cult, neuropaths, there is another cult called the hydropaths. The one teaches healing by the manipulation of the nerves; the other is supposed to be a water cure, and so on down the line. Now the chiropractors come and they want their rights. It is only today, and tomorrow we have a report from every cult or medicine known to humanity and every man who will come in. It is like Christian scientists. We don't object to the chiropractors, as I stated on this floor before; every professsion now in the healing art must qualify in professional education, and all that we ask them to do and that is all that I insisted that Mr. Dunn put into his amendments and we would be for it, and in view of that fact that the time is up on my limited talk, I am going to ask the ladies and gentlemen of the House to vote this bill down.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—78.

Alexander,
Anderson,
Aston,
Bell, F. A.,
Berger,
Betts,
Bluett,
Boback,
Burns,
Chaplin,
Colville,
Drinkhouse,
Dunn,
Eaches,
Evans, B. P.,
Evans, J.,
Gallaher,
Gelder,
Gibbon,
Glasgow,
Golder,
Gorham,
Goss,
Greeby,
Guerin,
Haas,
Haws,
Heffran,
Heyburn,
Hoover,
Horne,
Howell,
Irvin,
Jones, C. B.,
Jones, D. J.,
Keene,
Lauver,
Lucas,
Ludlow,
MacKinney,
Marcus, J.,
Marshall, W. F.
McCurdy,
McDermott,
Millar,
Miller,
Minehart,
Moore,
Myers, G. C.,
Myers, P. M.,
Orr,
Peelor,
Posey,
Post,
Price,
Raymond,
Rippman,
Sarig,
Schaeffer,
Schleiter,
Schoener,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Sowers,
Staudenmeier,
Stevens, A. J.,
Stoner,
Storb,
Walker,
Whitehouse,
Williams, G. W.,
Woner,
Wood, N.,
Wright,
Zook,
Goodnough,
Speaker.

NAYS—95.

Allman,
Armstrong,
Baldi,
Beaver,
Behney,
Bell, W. T.,
Bidelspacher,
Blair,
Blumberg,
Brewster.
Burchinal,
Bush,
Clutton,
Coldsmith,
Craig,
de Young,
Diehm,
Dietz,
Donahue
Driggs,
Eshelman,
Fields,
Flinchbaugh,
Flynn,
Fowler, A. I.,
Fowler, D.,
Frazier,
Goehring,
Griffith,
Grimes,
Gundy,
Haines,
Hall,
Harer,
Haslett,
Heffernan,
Henderson,
Himes,
Holcombe,
Hollis,
Huber,
Johnson,
Jones, C. B.,
Kelly,
Kohler,
Kunkle,
Lafferty,
Little,
Long,
Mack,
Malie,
Marshall, J. G.,
Marcus, J. C.,
Mathay,
McBride,
McCaig,
McClure,
McDaniel,
McVicar,
Metcalf,
Moffatt,
Munley,
Nolte,
O'Boyle,
Ogle,
Parkinson,
Patterson,
Pitts.
Rhodes,
Richards,
Rinn,
Sautter,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Soffel,
Stark,
Stavitski,
Steedle,
Stevens, A. F.,
Soffel,
Storb,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Vickerman,
Weamer,
Wells,
Wettach,
Wheeler.
Whiteman,
Wood, W. P.,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REASONS FOR VOTE.

Mr. WONER. Mr. Speaker, I vote for this bill because I believe no one should be allowed to practice the healing art and diagnose diseases who has not been required to measure up a safe standard of knowledge of human anatomy and disease symptoms. It is a serious thing to permit untrained and unskilled men and women to practice on the ailments of human kind. If I had my way, I would urge the State to set a general standard for the healing art and bar all who did not measure up to it from diagnosing and treating ills of the human body. It is especially serious to allow persons to diagnose who are not educated and trained specifically and in a comprehensive way to do so.

I believe this Bill will set a standard. It is not high enough to suit me. But in another two years this Assembly should make it higher until it removes all practitioners from the low standard class.

I would then put a barrier against unskilled practitioners by a general law prohibiting any phase of healing art, where there was any form of diagnosing resorted to, or any responsibility assumed to cure human ills, the nature of which was uncertain or problematical to the one assuming to treat or cure such ills.

Until such a law is passed the Chiropractics should be compelled to come up to a standard, at least as high as called for in this Bill.

BILL RECOMMITTED.

Mr. KELLY. Mr. Speaker, I move that House Bill No. 478, file folio 7767, entitled:

An Act to provide for the nomination of candidates for President of the United States at primaries and the appointment of delegates to the national conventions by the candidates of each party receiving the largest number of votes

on page 18 of today's calender, bills on third reading be recommitted to the Committee on Elections for the purpose of a hearing.

Mr. McClure. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 764, entitled:

An Act making an appropriation to the Passavant Memorial Homes for the Care of Epileptics at Rochester Beaver County Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1073, entitled:

An Act to amend revise change and consolidate the laws relating to the assessment of persons property and subjects of taxation in counties of the second third fourth fifth sixth seventh and eighth classes and in cities of the third class boroughs towns townships school districts of the second third and fourth classes independent school districts and certain poor districts permitting cities of the second class to accept the provisions of this act and become subject thereto and repealing existing laws

And said bill having been read at length the first time, Ordered, To be laid aside for a second reading.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2, as follows:

An Act making an appropriation to the Benevolent Association's Home for Children Pottsville Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four thousand dollars ($4,000) or so much thereof as may be necessary is hereby specifically appropriated to the Benevolent Association's Home for Children Pottsville Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 196, as follows:

An Act making an appropriation to the Boys' Industrial Home of Western Pennsylvania located at Oakdale Allegheny County

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby specifically appropriated to the Boys' Industrial Home of Western Pennsylvania located at Oakdale Allegheny County for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 263, as follows:

An Act making an appropriation to the Westmoreland Children's Aid Society at Greensburg Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twelve thousand dollars ($12,000) or so much thereof as may be necessary is hereby specifically appropriated to the Westmoreland Children's Aid Society at Greensburg Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 266, entitled:

An Act making an appropriation to the Colored Women's Relief Association of Western Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two thousand two hundred dollars ($2,200) or so much thereof as may be necessary be and the same is hereby specifically appropriated for the two fiscal years beginning June first Anno Domini one thousand nine hundred and twenty-three to the Colored Women's Relief Association of Western Pennsylvania to be used for the purpose of maintenance of the Davis Temporary Home for Colored Children and Day Nursery located at Pittsburgh Pennsylvania to be paid according to law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 290, as follows:

An Act making an appropriation to The Pennsylvania Home Teaching Society and Circulating Library for the Blind at Philadelphia

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eleven thousand dollars ($11,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Home Teaching Society and Free Circulating Library for the Blind in the city of Philadelphia for the two fiscal years beginning June first nineteen hundred and twenty-three for the purpose of maintenance and that the further sum of two thousand five hundred dollars ($2,500) is hereby specifically appropriated for the purpose of purchasing books in the Moon or raised letter type for the blind and other supplies during the same period to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 292, as follows:

An Act making an appropriation to the Berean Manual Training and Industrial School

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby specifically appropriated to the Berean Manual Training and Industrial School for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 301, as follows:

An Act making an appropriation to the Almira Home Association at New Castle Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eight thousand four hundred dollars ($8,400) or so much thereof as may be necessary is hereby specifically appropriated to the Almira Home Association at New Castle Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 318, as follows:

An Act making an appropriation to the Pennsylvania Working Home for Blind Men Philadelphia

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty-five thousand dollars ($45,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Working Home for Blind Men Philadelphia for the instruction maintenance and employment in handicraft of inhabitants of the State of Pennsylvania and to aid in the necessary expenses of the same for the two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 336, as follows:

An Act making an appropriation to the Children's Industrial Home at Harrisburg Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seven thousand five hundred dollars ($7,500) or so much thereof as may be necessary is hereby appropriated to the Children's Industrial Home Harrisburg Pennsylvania for maintenance for the two fiscal years beginning June first one thousand nine hundred and twenty-three to be paid according to law

In the event of the merger or consolidation of the Children's Industrial Home at Harrisburg Pennsylvania with any other institution the amount of the aforesaid appropriation remaining unpaid at the time of such merger or consolidation is hereby appropriated and made available to the institution with or into which such Children's Industrial Home has been merged or consolidated for the same purpose The Auditor General is hereby authorized to issue his warrant upon the State Treasurer in favor of the institution into which such Children's Industrial Home has been merged or consolidated for the payment of the sum to is so appropriated and made available

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 339, as follows:

An Act making an appropriation to the Florence Crittenton Home of Harrisburg Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one thousand six hundred dollars ($1,600) or so much thereof as may be necessary is hereby specifically appropriated to the Florence Crittenton Home of Harrisburg Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 340, as follows:

An Act making an appropriation to the Nursery Home of Harrisburg Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of six thousand dollars ($6,000) or so much thereof as may be necessary is hereby specifically appropriated to the Nursery Home of Harrisburg Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance and repairs to be paid according to law

In the event of the merger or consolidation of the Nursery Home of Harrisburg Pennsylvania with any other institution the amount of the aforesaid appropriation remaining unpaid at the time of such merger or consolidation is hereby appropriated and made available to the institution with or into which such Nursery Home has been merged or consolidated for the same purpose The Auditor General is hereby authorized to issue his warrant upon the State Treasurer in favor of the institution into which such Nursery Home has been merged or consolidated for the payment of the sum to it so appropriated and made available

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 342, as follows:

An Act making an appopiration to the Home for the Friendless of Harrisburg Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seven thousand two hundred dollars ($7,200) or so much thereof as may be necessary is hereby specifically appropriated to the Home for the Friendless of Harrisburg Pennsylvania for the two fiscal years beginning June first Anno Domini one thousand nine hundred and twenty-three (1923) for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 355, as follows:

An Act making an appropriation to the Old Ladies' Home located at Wissinoming Philadelphia

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fourteen thousand dollars ($14,000) or so much thereof as may be necessary is hereby specifically appropriated to the Old Ladies' Home located at Wissinoming Philadelphia for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 422, as follows:

An Act making an appropriation to the Children's Aid Society of Western Pennsylvania at Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighteen thousand dollars ($18,000) or so much thereof as may be necessary is hereby specifically appropriated to the Children's Aid Society of Western Pennsylvania located at forty-three Fernando Street Pittsburgh Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 463, as follows:

An Act making an appropriation to the Florence Crittenton Circle of Wilkes-Barre Pennsylvania

Section 1 Be it enacted by the Senate and House of Representativs of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two thousand five hundred dollars ($2,500) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Florence Crittenton Circle of Wilkes-Barre for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid in manner provided by law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 473, as follows:

An Act making an appropriation to the United Charities of Hazleton Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two thousand five hundred ($2,500) dollars or so much thereof as may be necessary is hereby specifically appropriated to the United Charities located at Hazleton Pennsylvania during the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 542, as follows:

An Act making an appropriation to the Home for Colored Children Termon Avenue Twenty-seventh Ward Pittsburgh Pennsylvania or its successor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand five hundred ($5,500) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Home for Colored Children Termon Avenue Pittsburgh Pennsylvania or its successor for the two fiscal years beginning June first one thousand nine hundred twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 546, as follows:

An Act making an appropriation to the Pennsylvania Board of Pharmacy

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seven thousand five hundred dollars ($7,500) together with an unexpended balance of the amount appropriated by the act of July eighteenth one thousand nine hundred and nineteen (Appropriation Acts page two hundred thirty-nine) entitled "An act making an appropriation to the Pennsylvania Board of Pharmacy" is hereby specifically appropriated to the Pennsylvania Board of Pharmacy for the two fiscal years commencing the first day of June one thousand nine hundred and twenty-three for the purpose of enabling said board to enforce the provisions of the act approved the eighth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred seventy) entitled "An act to prevent the manufacture and sale of adulterated or misbranded drugs defining the word 'drug' prescribing penalties for violation of this act and the method of its enforcement" and its amendments and such other acts of Assembly the enforcement of which is or shall be entrusted to the Pennsylvania Board of Pharmacy Said appropriation shall include and be used for all payments for contingent expenses clerical services stenography typewriting and such other assistance as may be necessary in enforcing said act

Payments from the said appropriation shall be made in the usual manner on requisition and voucher of the president of the board duly itemized

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 562, as follows:

An Act making an appropriation to the Home for the Aged of Westmoreland county at Greensburg Pennsylvania

Sestion 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is here enacted by the authority of the same That the sum of one thousand five hundred dollars ($1,500) or so much thereof as may be necessary is hereby specifically appropriated to the Home for the Aged of Westmoreland county located at Greensburg Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 572, as follows:

An Act making an appropriation to the Bethel Orphanage located at Osceola Tioga county Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is here enacted by the authority of the same That the sum of two thousand dollars ($2,000) or so much thereof as may be necessary is hereby specifically appropriated to the Bethel Orphanage located at Osecola Tioga county for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 583, as follows:

An Act making an appropriation to the Home for Friendless Women and Children of the City of Scranton

Sestion 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is here enacted by the authority of the same That the sum of twelve thousand dollars ($12,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Home for Friendless Women and Children of the City of Scranton for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 584, as follows:

An Act making an appropriation to the Curtis Home of Western Avenue North Side Pittsburgh or its successor

Sestion 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is here enacted by the authority of the same That the sum of six thousand five hundred dollars ($6,500) or so much thereof as may be necessary is hereby specifically appropriated to the Curtis Home of Western avenue Pittsburgh Pennsylvania or its successor for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 590, as follows:

An Act making an appropriation to the Orphan Asylum of the Holy Family of Emsworth Allegheny county Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is here enacted by the authority of the same That the sum of forty-five thousand dollars ($45,000) or so much thereof as may be necessary is hereby specifically appropriated to the Orphans Asylum of the Holy Family of Emsworth Allegheny county Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 640, as follows:

An Act making an appropriation to the Ladies of the Grand Army of the Republic Home Department of Pennsylvania at Hawkins Station Allegheny county Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is here enacted by the authority of the same That the sum of thirty-two thousand dollars ($32,000) or so much thereof as may be necessary is hereby specifically appropriated to the Ladies Grand Army of the Republic Home Department of Pennsylvania located at Hawkins Station Alleghenny county Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 650, as follows:

An Act making an appropriation to the Meadville Children's Aid Society and Home for the Aged Meadville Crawford county Pennsylvania

Sestion 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is here enacted by the authority of the same That the sum of six thousand dollars ($6,000) or so much thereof as may be necessary is hereby specifically appropriated to the Meadville Children's Aid Society and Home for the Aged located at Meadville Crawford county Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 683, as follows:

An Act making an appropriation to the Northern Tier Home Harrison Valley Potter County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three thousand dollars ($3,000) or so much thereof as may be necessary is hereby specifically appropriated to the Northern Tier Home Harrison Valley Potter county Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 716, as follows:

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirty-one thousand five hundred dollars ($31,500) or so much thereof as may be necessary is hereby specifically appropriated to the National Farm School at Doylestown Pennsylvania for the two fiscal years beginning June first one thouasnd nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 732, as follows:

An Act making an appropriation to the Beaver County Children's Home of New Brighton Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seven thousand dollars ($7,000) or so much thereof as may be necessary is hereby specifically appropriated to the Beaver County Children's Home Association of New Brighton Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 824, as follows:

An Act making an appropriation to the First Allegheny Day Nursery and Temporary Home for Children Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four thousand five hundred dollars ($4,500) or so much thereof as may be necessary is hereby specifically appropriated to the First Allegheny Day Nursery and Temporary Home for Children of Pittsburgh Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 843, as follows:

An Act making an appropriation to the Pennsylvania Memorial Home of Brookville Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of sixteen thousand dollars ($16,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pensylvania Memorial Home of Brookville Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 875, as follows:

An Act making an appropriation to the Woods Run Settlement Association Petosky Street Northside Pittsburgh Allegheny county Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three thousand dollars ($3,000) or so much thereof as may be necessary is hereby specifically appropriated to the Woods Run Settlement Association located on Petrosky Street North Side Pittsburgh Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 886, as follows:

An Act making an appropriation to the Christian Home for Women at fourteen hundred and twenty-three Liverpool street North Side city of Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three thousand dollars ($3,000) or so much thereof as may be necessary is hereby specifically appropriated to the Christian Home for Women located at fourteen hundred and twenty-three Liverpool street (formerly city of Allegheny) now city of Pittsburgh county of Allegheny Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 989, as follows:

An Act making an appropriation to the York Society to Protect Children and Aged Persons of York Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby specifically appropriated to the York Society to Protect Children and Aged Persons of York Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1005, as follows:

An Act making an appropriation to the Pittsburgh Home for Babies Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pittsburg Home for Babies located in the city of Pittsburgh for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1030, as follows:

An Act making an appropriation to the Elmwood Home for Boys of Erie Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two thousand dollars ($2,000) or so much thereof as may be possible is hereby specifically appropriated to the Elmwood Home for Boys at Erie Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1054, as follows:

An Act making an appropriation to the Erie Home for the Friendless of the City of Erie Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighteen thousand dollars ($18,000) or so much thereof as may be necessary is hereby specifically appropriated to the Erie Home for the Friendless of the City of Erie Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1055, as follows:

An Act making and appropriation to the Erie Infant's Home and Hospital of Erie Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the by the authority of the same That the sum of two thousand seven hundred dollars ($2,700) or so much thereof as may be necessary is hereby specifically appropriated to the Erie Infants' Home and Hospital of Erie Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1056, as follows:

An Act making an appropriation to the Florence Crittenton Home of Erie Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of six hundred dollars ($600) or so much thereof as may be necessary is hereby specifically appropriated to the Florence Crittenton Home of Erie Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1123, as follows:

An Act making an appropriation to the Philadelphia Association for the Protection of Colored Women Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four thousand five hundred dollars ($4,500) or so much thereof as may be necessary is hereby specifically appropriated to the Philadelphia Association for the Protection of Colored Women of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1273, as follows:

An Act making an appropriation to the Pittsburgh and Allegheny Home for the Friendless situated in the City of Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eighteen thousand dollars ($18,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pittsburg and Allegheny Home for the Friendless situated in the City of Pittsburgh for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1343, as follows:

An Act making an appropriation to the Pennsylvania Association for the Blind at Pittsburgh Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of thirteen thousand five hundred dollars ($13,500) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Association for the Blind at Pittsburgh Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1362, as follows:

An Act making an appropriation to the Aged Colored Women's Home at Williamsport Lycoming County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two thousand four hundred ($2,400) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Aged Colored Women's Home at Williamsport Lycoming county Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1363, as follows:

An Act making an appropriation to the Williamsport Training Home for Girls at Williamsport Lycoming county Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seven thousand two hundred ($7,200) dollars or so much thereof as may be necessary is hereby specifically appropriated to the illiamsport Training Home for Girls at Williamsport Lycoming county Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1364, as follows:

An Act making an appropriation to the Florence Crittenton Mission of the City of Williamsport Lycoming county Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two thousand ($2,000) dollars or so much thereof as may be necessary is hereby specifically apropriated to the Florence Crittendon Mission of the City of Williamsport Lycoming County for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1365, as follows:

An Act making an appropriation to the Home for the Friendless of the City of Williamsport Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of sixteen thousand five hundred ($16,500) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Home for the Friendless of the City of Williamsport Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1366, as follows:

An Act making an appropriation to the Boys' Industrial Home at Williamsport Lycoming county Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand ($5,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to the Boys' Industrial Home at Williamsport Lycoming county Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and twenty-three for the purpose of maintenance to be paid according to law

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 940, as follows:

An Act to amend revise change and consolidate the laws relating to the assessment of persons property and subjects of taxation and the levy and collection of taxes in counties of the second third fourth and fifth sixth seventh and eighth classes and in cities of the third class boroughs towns townships school districts of the second third and fourth classes independent school districts and certain poor districts permitting cities of the second class to accept the provisions of this act and become subject thereto and repealing existing laws

CONTENTS.

Article	I	Preliminary Provisions	101-113
Article	II	Board of County Assessors	201-213
Article	III	Subjects of Local Taxation Exemptions	301-304
Article	IV	Annual Assessments	401-438
Article	V	Revisions Appeals from Assessments	501-515
Article	VI	Collection of Taxes	601-633
Article	VII	Tax Sales	701-725
Article	VIII	Acts of Assembly Repealed	801-802

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the laws for the assessment and collection of taxes in counties of the second third fourth fifth sixth seventh and eighth classes in cities of the third class in boroughs in towns in townships in school disctricts of the second third and fourth classes and in independent school districts and in poor districts coextensive with or embracing territory in one or more of said counties or other municipal subdivisions are hereby revised amended consolidated and changed as follows

ARTICLE I

PRELIMINARY PROVISIONS

Section 101 SHORT TITLE This act shall be known and cited as "The Local Taxation Act"

Section 102 DEFINITION OF CERTAIN WORDS The term "corporate authorities" as used in this act shall be construed to mean (a) the county commissioners of any county (b) the mayor or the council or both of any city (c) the burgess or council or both of any borough or town (d) the board of township commissioners of any township of the first class (e) the board of township supervisors of any township of the second class (f) the board of school directors of any school district and (g) the managers directors or overseers of any poor district

Section 103 APPLICATION OF ACT This act shall apply to all counties of the second third fourth fifth sixth seventh and eighth classes to all cities of the third class to all boroughs to all towns to all townships to all school districts of the second third and fourth classes and all independent school districts and to all poor districts coextensive with or embracing territory in one or more of said counties or other municipal subdivisions

Section 104 ACCEPTANCE OF ACT BY CITIES OF THE SECOND CLASS Any city of the second class may become subject to the provisions of this act and the mayor and council of any such city may effect the same by an ordinance duly passed A copy of such ordinance approved by the mayor and duly certified accompanied by a statement of the vote thereon with the names of the members of council voting for and against said ordinance shall be forwarded to and filed in the office of the Secretary of the Commonwealth and when so filed the Governor shall under the great seal of the Commonwealth certify the acceptance of the provisions of this act which certificate shall be recorded among the minutes of the council and in the office for the recording of deeds in the proper county

From the date of the completion of such acceptance the assessment of persons property and subjects for taxation for second class city and school purposes and the levy and the collection of taxes therein for city and school purposes shall be made only in accordance with the provisions of this act and by the officers designated in this act

Whenever any such city shall accept the provisions of this act the taxes levied and assessed for city and school purposes prior to such acceptance shall be collectible in the same manner and with like effect as if no such acceptance had been had and for such purposes all the rights powers duties privileges and liabilities of the said city and school district and the officers thereof shall be preserved

Section 105 ASSESSMENTS IN THE YEAR ONE THOUSAND NINE HUNDRED AND TWENTY-THREE COLLECTIONS IN ONE THOUSAND NINE HUNDRED AND TWENTY-FOUR In the year one thousand nine hundred and twenty-three the several city borough ward and township assessors shall proceed to make the assesments which are now provided for by law and such assessments shall be revised by the county commissioners for taxation for county borough township poor and school purposes and by the councils of cities of the third class for city and school purposes in the manner and at the time or times now provided by law and such assessments shall be the assessments upon which all taxes of the several districts to which this act applies shall be levied and collected for the year one thousand nine hundred and twenty-four and all collections for the year one thousand nine hundred and twenty-four shall be made as now provided by law and by the same collectors of taxes

Section 106 OFFICE OF TAX COLLECTOR ABOLISHED POWERS ET CETERA PRESERVED FOR COLLECTION OF ACCRUED TAXES The office of tax collector provided for by any general or local or special law of this Commonwealth in any county city borough town township school or poor district subject to the provisions of this act shall be abolished after the first day of January one thousand nine hundred and twenty-five except so far as the same may be necessary for the collection of taxes charged in duplicates placed in the hands of such collectors prior to such date and for the purposes of such collections all the rights powers duties privileges emoluments and liabilities provided by laws existing at the time this act goes into effect are preserved

Section 107 COLLECTION OF ACCRUED TAXES FILING LIENS RETURNS TO COUNTY COMMISSIONERS FOR NON-PAYMENT SALES All county city borough town township school and poor taxes which will have accrued prior to the first day of February one thousand nine hundred and twenty-five shall be collected and the lieu of the same shall be preserved and be collectible or return thereof to the county commissioners for non-payment shall be made and sale thereon had as if the acts under which such taxes were levied and assessed or under which the lien accrued and was collectible or the return was made and sale held had not been repealed and for such purposes said acts are saved from appeal

Section 108 COLLECTION OF ACCRUED TAXES IN THIRD CLASS CITIES CITY TREASURERS' SALES All city taxes which will have accrued prior to the first day of January one thousand nine hundred and twenty-five shall be collectible by sale of the property upon which the same were levied and assessed by the city treasurer as if the acts under which they were levied and assessed or under which the sale was held had not been repealed and for such purposes said acts are saved from appeal

Section 109 SALE OF PROPERTY RETURNED FOR NON-PAYMENT OF TAXES PRIOR TO PASSAGE OF ACT All property which has been returned to the county commissioners for non-payment of county city borough town township school or poor taxes shall continue to be liable for the payment of such taxes and any additional taxes penalties and interest which under laws in force are legally assessible against such properties and the county treasurer or the county commissioners in the case of lands purchased by them for the county shall proceed to sell the same with like force and effect as if the acts under which such return was made and sale held or under which said taxes penalties and interest was assessed had not been repealed and for such purposes such acts are saved from appeal

Section 110 COLLECTION OF TAX LIENS FILED PRIOR TO PASSAGE OF ACT All legal and valid county city borough township school and poor tax liens which shall have been filed in the office of the prothonotary of any county shall continue to be legal and valid liens and shall be collectible in the same manner as if the acts under which said liens were filed and under which the same were collectible had not been repealed and for such purposes such acts are saved from repeal

Section 111 CONSTITUTIONALITY OF ACT The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of the act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 112 EFFECT OF ACT ON EXISTING LAWS The provisions of this act so far as they are the same as those of existing laws shall be construed as a continuation of such laws and not as new enactments The repeal by this act of any act of assembly or part thereof shall not revive any act or part thereof heretofore repealed or superseded The provisions of this act shall not affect any act done liability incurred or any right accrued or vested nor affect any suit or prosecution pending or to be instituted to enforce any right or punish any offense under the authority of such repealed laws

Section 113 ENACTING CLAUSES NOT REPEALED Whenever the first section of an act is wholly repealed but not the entire act the repeal shall not extend to the enacting clause if the same is included in such first section

ARTICLE II

BOARD OF COUNTY ASSESSORS

Section 201 BOARD OF COUNTY ASSESSORS CREATED In each county of this Commonwealth except in counties of the first class there is hereby created a Board of County Assessors In counties of the second class the Board of County Assessors shall be composed of seven members In counties of the third fourth fifth and sixth classes the Board of County Assessors shall be composed of three members and in counties of the seventh and eighth classes the county commissioners shall act as the board of county assessors The members of the board shall be known as county assessors

Section 202 ELECTION OF COUNTY ASSESSORS QUALIFICATIONS The members of the board of county assessors in counties of the second third fourth fifth and sixth classes shall be elected by the qualified electors of the county at the municipal election in the year one thousand nine hundred and twenty-three and every four years thereafter and shall hold office for four years from the first Monday of January next succeeding their election and until their successors are duly elected and qualified In counties of the second class no political party shall nominate more than six candidates for the office of county assessor and in counties of the third fourth fifth and sixth class no political party shall nominate more than two candidates No elector shall be permitted to vote for more than six candidates for county assessor in counties of the second class or more than two candidates in counties of the third fourth fifth or sixth class and the seven or three highest candidates as the case may be in said counties shall be elected to the office of county assessor

No person shall be eligible to hold the office of county assessor unless he is a citizen of the Commonwealth and a qualified elector of the county

Section 203 VACANCIES Any vacancy in the office of county assessor in counties of the second third fourth fifth and sixth classes happening by death resignation removal from the county or in any other manner shall be filled by appointment for the unexpired term by the county commissioners by and with the advice and consent of the majority of the judges of the court of common pleas of the county

Section 204 SALARIES OF COUNTY ASSESSORS Each county assessor shall receive an annual salary which is hereby fixed as follows

(a) In counties of the second class five thousand dollars ($5,000)

(b) In counties of the third class four thousand dollars ($4,000)

(c) In counties of the fourth class three thousand five hundred dollars ($3,500)

(d) In counties of the fifth class three thousand dollars ($3,000)

(e) In counties of the sixth class two thousand dollars ($2,000)

(f) In counties of the seventh class three hundred dollars ($300) in addition to the salary received as county commissioner and

(g) In counties of the eighth class two hundred dollars ($200) in addition to the salary received as county commissioner

The salaries of the county assessors shall be paid by the several counties from their respective county treasuries in the usual manner In addition to his salary each county assessor shall when performing duties away from the county seat be allowed his actual expenses necessarily incurred in the discharge of the duties of his office including hotel expenses and mileage at the prevailing rate

Section 205 OATH OF OFFICE Each county assessor shall before he enters upon the duties of his office take and subscribe to the oath of office prescribed by article seven of the Constitution which oath shall be filed in the office of the clerk of the Court of Quarter Session of the county

Section 206 OFFICE OF ASSESSOR FOR VALUATION PURPOSES ABOLISHED ONE ASSESSMENT FOR TAXATION PURPOSES PROVIDED After the first Monday of January one thousand nine hundred and twenty-four the office of city ward borough town and township assessor as now existing for the assessment of property and occupations for state county city borough town township school and poor purposes is hereby abolished and all assessments and valuation for local taxation purposes in the counties to which this act applies shall be made by and under the direction of the Board of County Assessors and shall be the assessments and valuations upon which all county city borough town township school and poor taxes shall be levied and collected Nothing in this section shall be construed as abolishing the office of assessor in so far as the same relates to the performance of duties connected with elections

Section 207 ORGANIZATION OF BOARD MEETINGS QUORUM The county assessors shall meet on the first Monday of January one thousand nine hundred and twenty-four and every two years thereafter and shall immediately organize as a Board of County Assessors by the election of a president Failure of the county assessors to organize as a board within fifteen days from the date fixed for the organization meeting shall be sufficient cause for forfeiture of and removal from office Stated meetings of the board shall be held as such times as the public business may require and as may be agreed upon by the board In counties of the second class four members of the Board of County Assessors shall constitute a quorum for the transaction of all business and in all other counties to which this act applies two members of the board shall constitute a quorum A majority vote of the entire board shall in all cases be required to take any final action

Section 208 CLERKS SALARIES The Board of County Assessors may appoint a chief clerk and such additional clerks as the County Commissioners may deem necessary The chief clerk and additional clerks shall receive such salaries as may be fixed by the County Commissioners or the salary board of the county in counties where such board exists which salaries shall be paid by the county from the county treasurer in the usual manner The Board of County Assessors may appoint one or more clerks employed in their office to administer oaths in any manner properly coming before said board The County Commissioners with the consent of the Board of County Assessors when such clerks may not be needed by said board may assign any of said clerks to assist the county tax collector hereinafter provided for in the collection of taxes

Section 209 OFFICE SUPPLIES The office of the Board of County Assessors shall be kept at the county seat in the court house or such other place as may be provided by the County Commissioners The County Commissioners shall furnish at the expense of the county to the Board of County Assessors all books records and supplies deemed necessary in the transaction of its business

Section 210 RECORDS All records of the Board of County Assessors shall be kept in the office of the board and shall be public records open to the inspection of the public during business hours and copies thereof and of the minutes of the board duly certified by the president of the board shall be admitted in evidence in all courts and elsewhere

Section 211 The county assessors shall from time to time as the business of their office permits assist the subordinate assessors in their field work and are authorized to make assessments in the same manner as is herein provided in the case of subordinate assessors

Section 212 NUMBER OF SUBORDINATE ASSESSORS The board of county assessors shall divide the county into convenient number of districts and shall appoint one or more subordinate assessors for each district The subordinate assessors appointed in any county shall not be in excess of the following number

(a) In counties of the second class one for each ten thousand inhabitants or fraction thereof but not more than one hundred and ten (110)

(b) In counties of the third class one for each nine thousand inhabitants or fraction thereof but not more than forty (40)

(c) In counties of the fourth class one for each eight thousand inhabitants or fraction thereof but not more than twenty-eight (28)

(d) In counties of the fifth class one for each seven thousand inhabitants or fraction thereof but not more than twenty (20)

(e) In counties of the sixth class one for each five thousand inhabitants or fraction thereof but not more than fifteen (15)

(f) In counties of the seventh class one for each two thousand inhabitants or fraction thereof but not more than twelve (12) and

(g) In counties of the eighth class not more than one for each one thousand inhabitants or fraction thereof but not more than ten (10)

Section 213 COMPENSATION OF SUBORDINATE ASSESSORS The subordinate assessors shall receive such compensation as the county commissioners or the salary board in counties where such board exists shall fix but such compensation shall not exceed in any county five dollars per diem for assessors employed part time only nor for assessors employed full time the following

(a) In counties of the second third and fourth classes eighteen hundred dollars ($1,800)

(b) In counties of the fifth and sixth classes fifteen hundred dollars ($1,500) and

(c) In counties of the seventh and eighth classes twelve hundred dollars ($1,200)

No board of county assessors shall employ more than the following subordinate assessors full time

(a) In counties of the second class fifty
(b) In counties of the third class fifteen
(c) In counties of the fourth class ten
(d) In counties of the fifth class eight
(e) In counties of the sixth class five
(f) In counties of the seventh class four and
(g) In counties of the eighth class two

All subordinate assessors employed full time when not engaged in field work shall be employed in the office of the board of assessors in writing transcripts duplicates tax notices and other clerical work or in the office of the county tax collector as clerks and deputy tax collectors

The compensation of the subordinate assessors shall be paid by the county except when employed in the preparation of tax duplicates and notices or when acting as clerks for the county tax collector or deputy tax collectors in which case the compensation paid to such assessors shall constitute an item of the cost of collection of taxes and shall be paid by the county and the several cities boroughs towns townships school districts and poor districts as hereinafter provided

ARTICLE III

SUBJECTS OF LOCAL TAXATION EXEMPTIONS

Section 301 SUBJECTS OF LOCAL TAXATION All property persons and subjects of the following classes shall be liable to taxation for all county city borough town township school and poor purposes viz

(a) All real estate to-wit Houses lands lots of ground and ground rents minerals mills and manufactories of all kinds garages furnaces forges bloomeries distilleries sugar-houses malt-houses breweries tan-yards fisheries and ferries wharves and all other real estate and the structures and improvements including privately owned houses and improvements upon leased public lands and not exempt by this act from taxation

(b) All horses mares geldings mules and neat cattle over the age of four years

(c) All traction engines and

(d) All salaries and emoluments of office all offices and posts of profit professions trades and occupations

(e) All other property made taxable in any county city borough town or township by any special law of this Commonwealth

Section 302 PERSONAL PROPERTY TAXABLE FOR COUNTY PURPOSES ONLY EXEMPTIONS All personal property of the classes hereinafter enumerated owned held or possessed by any person copartnership or unincorporated association or company resident located or liable to taxation within this Commonwealth or by any joint-stock company or association limited partnership bank or corporation formed erected or incorporated in pursuance of any law of this Commonwealth or of the United States or of any other state or government and liable to taxation within this Commonwealth whether such personal property be owned held or possessed by such person co-partnership unincorporated association company joint stock company or association limited partnership bank or corporation in his or its own right or as an active trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person copartnership unincorporated association company joint-stock company or association limited partnership bank or corporation is hereby made taxable annually for county purposes at the rate of four mills on each dollar of the value thereof and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

(a) All mortgages

(b) All moneys owing by solvent debtors whether by promisory note or penal or single bill bond or judgment

(c) All articles of agreement and accounts bearing interest

(d) All public loans except those issued by the Commonwealth or by the United States and those made taxable for State purposes by the laws of this Commonwewalth

(e) All loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government including car-trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms thereof except such loans as are made taxable for State purposes by the laws of this Commonwealth

(f) All shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other state or government except shares of stock in any bank corporation or limited partnership that may be liable to a tax on its shares or its capital stock for state purposes under the laws of this Commonwealth or relieved from the payment of tax on its shares of Capital stock for State purposes by the laws of this Commonwealth

(g) All moneys loaned or invested in any other state territory the District of Columbia or any foreign country

(h) All other moneyed capital in the hands of the individual citizens of the State

(i) All vehicles used in transporting passengers or freight for hire except steam and street passenger railway cars owned used or possessed within this Commonwealth by any person or by any corporate body and

(j) All annuities yielding annually over two hundred dollars

The provisions of this section shall not apply

(a) To bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company

(b) To building and loan associations or to savings institutions having no capital stock but nothing herein contained shall be construed to exempt individuals depositors in savings institutions having no capital stock from any taxation to which such depositors may be subject and if at any time any persons or bodies corporate have agreed or shall hereafter agree to issue their or its securities bonds or other evidences of indebtedness free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to exempt it or them from paying the said four mills tax on any of such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said savings institution having no capital stock

(c) To fire companies firemen's relief associations life or fire insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or both from funds received from voluntary contributions or assessments upon members of such associations societies unions or

(d) To bonds mortgages and other securities owned in their own right by corporations limited partnerships and joint-stock associations liable to a tax on capital stock for State purposes but corporations limited partnership associations and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall return the same and pay the tax imposed by this section upon all securities so held by them as in the case of individuals

None of the classes of property made taxable by this section for county purposes shall be taxed or taxable for any city borough town township school or poor purposes or for State puposes

Section 303 RESIDENT ALIENS TAXABLE Any unnaturalized foreign born person who lives within the boundaries of this Comonwealth shall be considered a resident and shall be subject to the payment of all taxes levied by any county city borough town township school or poor district in the same manner and under the same penalties as citizens of this Commonwealth

Section 304 PROPERTY EXEMPT FROM LOCAL TAXATION The following classes of property shall be exempt from all county city borough town township school and poor district taxes vis

(a) All churches meeting houses or other regular places of stated worship with ground thereto annexed necessary for the occupancy and enjoyment of the same

(b) All burial grounds not used or held for private corporate profit and all lots or the right of sepulture in such lots granted to any person or family by any incorporated cemetery company or church or religious congregation within any common inclosure made by such company church or congregation for the purpose of the perpetual burial of the dead so long as such lots shall be used or held only for the purposes of sepulture

(c) All hospitals universities colleges seminaries academies associations and instituitons of learning benevolence or charity with the grounds thereto annexed and necessary for the occupancy and enjoyment of the same founded endowed and maintained by the public or by private charity

The exemptions granted in clauses (a) (b) and (c) shall apply only when the entire revenue derived is applied to the suport of and to increase the efficiency and facilities of the same or to the repair or for the necessary increase of grounds and buildings thereof and for no other purpose

(d) All school houses belonging to any county city borough township or school district with the ground thereto annexed and necessary for the occupancy and enjoyment of the same

(e) All court-houses jails poor-houses and all other public property used for public purposes with the ground thereto annexed and necessary for the occupancy and enjoyment of the same

Nothing contained in clauses (a) (b) (c) (d) and (e) of this section shall exempt any property real or personal which is not in actual use or occupation for the purposes aforesaid and from which any income or revenue is derived nor shall anything in any of said clauses exempt any property real or personal in actual use and occupation for the purposes aforesaid unless the person or persons association or corporation so using or occupying the same shall be seized of the legal or equitable title in the realty and possessor of the personal property absolutely

(f) Any building which shall be owned and occupied by a free public non-sectarian library and the land on which it stands and that which is immediately and necessarily appurtenant thereto notwithstanding the fact that some portion or portions of said buildings or lands appurtenant may be yielding rentals to the corporation or association managing such library if the net receipts of such corporation or association from rentals shall be used solely for the purpose of maintaing the said library

(g) All property including buildings and lands reasonably necessary therto provided or maintained by public or private charity and used exclusively by museums or art galleries and not used for private or corporate profit so long as the said public use continues

(h) All playgrounds with the equipments and grounds thereto annexed necessary for the occupancy and enjoyment of the same founded endowed or maintained by public or private charity which apply their entire revenue to the support and repair of such playgrounds and to increase the efficiency and facilities thereof either in ground or buildings or otherwise and for no other purpose and owned leased possessed or controlled by public school boards or properly organized and duly constituted playground associations and approved and accepted by the board of county assessors of the county in which such playgrounds are situated This clause shall not exempt from taxation any property real or personal which is not in actual use and occupation for the purposes aforesaid and from which any income or revenue is derived

(i) All bonds and mortgages issued by the trustees of any State Normal School under the provisions of the Act of May twenty-second one thousand nine hundred and one (Pamphlet Laws two hundred and ninety) entitled "An Act authorizing the trustees of any State Normal School of the State of Pennsylvania to refund its bonded indebtedness at a lower rate of interest and to include in the reissue of bonds a limited amount of additional indebtedness contracted prior to the passage of this act for the erection of buildings or the making of other improvements"

(j) All real estate of public service corporations necessary for the enjoyment of their franchises and

(k) All property and lands owned by the govenrment of the United States and by the Commonwealth of Pennsylvania but such exemption shall not apply to any charges placed upon any such land for county township or school purposes

ARTICLE IV

ANNUAL ASSESSMENTS

Section 401 ANNUAL ASSESSMENTS TRIENNIAL ASSESSMENTS ABOLISHED It shall be the duty of the board of county assessors to cause to be made an assessment of persons and an assessment and vatuation of all property and subjects of taxation for county city borough town township school and poor purposes in the year one thousand nine hundred and twenty-four and annually thereafter and all triennial assessments and valuations for local taxation purposes as now existing in the several counties and cities and used as a basis for the collection of taxes for county city borough town township school and poor purposes are hereby abolished

Section 402 OATH OF SUBORDINATE ASSESSOR Each subordinate assessor before assuming the duties of his office shall take and subscribe the following oath or affirmation

"You do (swear or affirm) that you will support the Constitution of the United States and the Constitution of Pennsylvania and that you will perform your duty as subordinate assessor of the...........district of.......... county with honesty and fidelity according to the laws of this Commonwealth and without fear favor affection hatred malice or ill will'

The oath or affirmation herein required shall be filed with the board of county assessors

Section 403 STANDARDS OF VALUATION The subordinate assessors shall at least once each year meet with the board of county assessors on the day chosen by the board At such meeting a uniform standard shall be adopted to ascertain the actual value of all property made taxable by existing law In adopting such uniform standard there shall be taken into consideration (a) the improvements to the property (b) proximity to the market and (c) other advantages of situation as well as (d) the amount paid by the owner if the same came to the said owner through purchase within a reasonable time prior to the assessment (e) the amount of rents if any demanded or received during the year next preceding the date of the assessment and (f) the amount of insurance which is carried on any building or improvement

The board shall also instruct subordinate assessors as to the kind and character of personal property which is taxable under this act for county purposes

Section 404 COUNTY COMMISSIONERS TO PREPARE ASSESSMENT MAPS FOR THE USE OF THE BOARD OF COUNTY ASSESSORS Immediately after the passage of this act the county commissioners in each county of the second third and fourth classes shall and of all other counties may cause to be prepared if not already prepared for the use of the board of county assessors assessment maps of all lands in their respective county which have been mapped plotted or laid out into lots and blocks Said assessment maps shall show the location of (a) all streets avenues courts or places (b) the location of each lot with respect to the said streets avenues courts or places (c) the size of each lot and (d) the number of each lot and block The said maps shall be prepared by wards where cities boroughs towns or townships are divided into wards and the blocks in each ward shall be numbered from one upwards and the lots in each block shall be numbered from one upwards When any deed is presented to the board of county assessors for registration which conveys a portion of a lot or lots it shall be the duty of the board of county assessors to note the said change on the said maps

Within five years from the passage of this act the county commissioners in each county of the second third and fourth classes shall and of all other counties may cause assessment maps to be made of all lands in their respective county which are not plotted into lots and blocks showing (a) the roads and highways (b) the location of the said lands with respect to said roads or highways (c) the size of each tract by acreage (d) the portion of each tract which is improved land and (e) the portion which is wild or woodland by acreage A separate map shall be made for each township and the properties in each township shall be numbered from one upwards

The said county commissioners shall cause the said maps to be revised and brought up to date every four years after the same have been prepared

Section 405 PRECEPTS FOR ANNUAL ASSESSMENTS RETURNS The board of county assessors shall not later than the first day of February of each year issue their precepts for the assessment of all persons and the assessment and valuation of all property and subjects of taxation to the subordinate assessors of the respective districts into which the county has been divided The subordinate assessors shall make and complete their assessments and valuations in the manner provided in this act and make return thereof to the board of county assessors not later than the first day of October of the same year

Section 406 METHOD OF ASSESSMENT PENALTY The several subordinate assessors shall assess rate and value all property and subjects of taxation according to the actual value thereof and at such rates and prices for which they believe the same would bona fide sell after full public notice and all customs now existing providing for the assessment and valuation of property and subjects of taxation at any other rate or price than that hereinbefore provided for are abolished prohibited and declared unlawful They shall also make a just and perfect list of all male and female persons over the age of twenty-one years resident within their districts and assess said persons according to the valuation fixed for his or her respective office post of profit trade profession or occupation by the county commissioners of the county and shall arrange the same in alphabetical order according to the several cities boroughs towns and townships in which they reside In the performance of their duties the subordinate assessors shall personally view all visible property and subjects of taxation within their respective districts and shall make a personal house to house canvass in order that all persons legally chargeable with occupation poll or per capta taxes may be accurately ascertained and assessed

In making of assessments the subordinate assessors when so instructed by the board of county assessors shall arrange all assessments and valuations of real property according to the locaton thereof by street and number but in all such cases persons who are assessed for the payment of occupation poll or per capita taxes only shall nevertheless be listed alphabetically

Any subordinate assessor who shall fail to make his assessment in the manner provided in this section or who shall knowingly and intentionally omit neglect or refuse to assess any person or property or subject of taxation or who shall knowingly and intentionally assess rate and value any property or subject of taxation at a rate or price below or in excess of that which he knows and believes the same would sell for at a bona fide sale after full public notice shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or undergo imprisonment for a period of ninety days or both

Section 407 REGISTRY OF DEEDS AND MORTGAGES REGISTRATION BEFORE RECORDING REQUIRED PENALTY A registry of deeds mortgages and conveyances shall be established in the office of the board of county assessors The registry of deeds mortgages and other conveyances shall show (a) the date of the deed mortgage or other conveyance (b) the names of the grantor mortgagor and grantee or mortgagee (c) the consideration mentioned or real sum of money secured in the deed mortgage or conveyance (d) the location of the property by city borough town or township (e) the acreage or dimensions of the land mortgaged or conveyed (f) if the conveyance by a lot or lots on a recorded plan the number or numbers of the same (g) in the case of mortgages a brief description of the real estate upon such mortgage is secured and (h) the date or several dates upon which the sum or portion of the sum of any mortgage shall become due and payable The recorder of deeds shall certify weekly to the Board of County Assessors a true record of each deed mortgage assignment and conveyance offered for record in his office and such certificate shall contain such information as may be required by the said board All mortgages assignments and articles of agreement given to secure the payment of money offered for record in the office of the recorder of deeds shall have attached thereto a certificate forth the precise residence of the mortgagee assignee or person entitled to interest

Prior to each annual assessment the board of county assessors shall deliver to the subordinate assessors a statement of all deeds mortgages assignments articles of agreement and conveyances within their respective districts during the preceding year together with all informaton regarding such deeds mortgages and conveyances n their possession

Section 408 SUBORDINATE ASSESSORS TO ASCERTAIN OWNERS OF REAL ESTATE Each subordinate assessor in making the assessment within his district shall ascertain as certainly as possible from the statements furnished by the board of county assessors from any other sources the name of the owner of each tract piece parcel and lot of ground and the improvements and minerals thereon in his district and assess the same accordingly

Section 409 ASSESSMENTS TO SHOW NAMES AND RESIDENCES OF TAXABLE INHABITANTS The subordinate assessors shall in their assessments state the names and surnames and the address of each taxable inhabitant stating the street and number of the house in which such taxable inhabitant resides In all cases where such taxable inhabitant resides in a house not having a street and number address the name of the owner of the house and his or her address as definitely as possible shall be given

Section 410 DISTINCTION BETWEEN SEATED AND UNSEATED LANDS ABOLISHED REAL ESTATE ASSESSED WITHOUT DEDUCTION FOR ENCUMBRANCES All distinctions now existing classifying lands as seated or unseated are hereby abolished and the subordinate assessors shall hereafter assess all lands as land without any such distinction All real estate shall be assessed at its actual value without any deduction on account of any ground rent dower mortgage or other encumbrance thereon and shall be taxed accordingly

Section 411 LANDS IMPROVEMENTS AND MINERALS TO BE ASSESSED SEPARATELY In assessing real estate all structures and improvements thereon shall be valued and assessed separately from the land In assessing minerals the same shall be assessed separately and apart from the surface regardless of the fact that the minerals and the surface lands may be owned by the same person copartnership association or corporation

Section 412 TIMBER AND CLEARED LAND TO BE

DESIGNATED SEPARATELY EXEMPT PROPERTY TO BE RETURNED In making assessments the subordinate assessors shall make a separate return of all timber land in their respective districts by specifying in separate columns how many acres of cleared land each tract contains and how many acres of timber land They shall also in a separate list return all property within their respective districts which is exempt by law from taxation

Section 413 ASSESSMENT OF AUXILIARY FOREST RESERVES All surface land which may hereafter be classified and set apart as auxiliary forest reserves in the manner provided by law be rated in value for the purpose of taxation not in excess of one dollar ($1,00) per acre and shall continue to be so rated so long as the said land remains within the class designated as auxiliary forest reserves Provided however That if the said surface land is underlaid with coal iron ore oil gas or other valuable minerals said minerals shall be separately assessed The subordinate assessors in the several districts in which such lands are situate shall assess such lands in the manner for the assessment of real estate for purposes of taxation as if they had not been set apart as auxiliary forest reserves and shall make their return to the board of county assessors in like manner as is in this act subject to exemption appeal and final adjustment

Section 414 REVISION OF AUXILIARY FOREST RESERVE ASSESSMENTS BY BOARD Upon receipt of assessment returns from the various assessors the Board of County Assessors shall reduce in their records to a sum not in excess of one dollar ($1.00) per acre the assessment on all those lands which shall have been placed in the class known as auxiliary forest reserves in accordance with certificates filed with county commissioners by the State Forest Commission and the original assessment returns made by said assessors shall be preserved

Section 415 PAYMENT OF TAX WHEN TIMBER ON AUXILIARY FOREST RESERVES IS ABOUT TO BE HARVESTED Whenever timber on land which is included in the class of land known as auxiliary forest reserves is about to be harvested the then owner of the timber on said land shall give a bond to the county treasurer in twenty per centum of the amount of the estimated value of the timber to be harvested and to be approved by the court of the county conditioned to pay to the county treasurer within ninety days after harvesting ten per centum of the value of the trees immediately at and before the time of harvesting which amount shall be ascertained by statement and return under oath or affirmation furnished in triplicate one to the Board of County Assessors one to the county treasurer and one to the commission immediately after harvesting by the then owner of the land setting forth said value which sum thus paid shall be divided and distributed by the county treasurer of each county—to the county township school and poor district in which the auxiliary reserve is situate pro rata based upon the last assessed millage of taxation

Such sum of money when ascertained to be due as a tax by the filing of the foregoing statement and return under oath and as hereinbefore provided directed to be paid to the county treasurer by the owner of an auxiliary forest reserve shall from the time of such filing be and remain a lien upon the land of such owner until payment shall have been made All moneys received by the boards of supervisors shall be appropriated exclusively to the opening maintenance and repair of the public roads now or hereafter passing through or into said auxiliary forest reserves or upon which said reserves now or hereafter may abut and in the event that no public highways pass through or into said reserves or none of said reserves abut on such highways then aid moneys shall be used for general township road purposes

Section 416 APPRAISAL OF TAXES DUE WHEN TIMBER IS HARVESTED ON AUXILIARY FOREST RESERVES Should the Board of County Assessors be dissatisfied with the return made as hereinbefore provided the court of common pleas of the proper county on petition of the board shall appoint a board of three appraisers who shall go upon the land in question estimate the quantity and value of the trees immediately at and before the time of harvesting and make a return thereof to the court which said return shall then be made the basis upon which each owner shall make payment to the respective county treasurers unless changed upon appeal The said appraisers shall be duly sworn or affirmed before entering upon their work and either party if dissatisfied with the report of the appraisers shall have right of appeal to the court of common pleas of the county within ten days after such report shall be filed and notice thereof given the owner The said appraisers shall be allowed their expenses and a compensation to be fixed by the court both to be paid by the county

Section 417 ASSESSMENT OF TIMBER LANDS WHEN REMOVED FROM CLASS OF AUXILIARY FOREST RESERVES In case of the removal of said lands from the class known as auxiliary forest prior to the maturity of the timber and without payment of the tax of ten per centum of the value thereof as provided in section three of this act the Board of County Assessors shall on notice from the forest commission ascertain the amount of the taxes which would have been paid by the said owner on the original assessment before the reduction provided for in this act adding legal interest from the date when each tax payment would have become delinquent The said board shall likewise ascertain the amount of taxes which have actually been paid upon the land in question adding legal interest upon all such payments from the date when paid and certify the result thereof to the county treasurer who shall then proceed in the manner provided for the collection of county taxes under general laws to recover from such owner the difference between the two amounts with costs Such difference so ascertained to be due as tax as aforesaid shall be and remain a lien upon the land of such owner until payment shall have been made

If such land shall be so removed from said class after the due cutting of matured crop and the payment of tax thereon the owner shall in that case not be liable for such past assessment but the land shall thereafter be liable to assessment and tax as all other land not classed as auxiliary forest reserves

Section 418 ASSESSMENT OF GROUND RENTS The subordinate assessors shall in assessing ground rents where there is no provision made in ground rent deeds that the lessee shall pay the taxes thereon estimate and assess such ground rents to the owners thereof In all other cases the ground rent shall be assessed to the lessee No mistake in assessing any ground rent as herein provided shall invalidate such assessment

Section 419 ASSESSMENT OF PROPERTY OF DECEDENTS When any person shall die leaving real or personal estate subject to taxation such property may so long as the same shall belong to the estate of such deceased person be assessed and taxed in the name of the decedent his personal representatives or his heirs or in the name of any of them In taxing property in the names of the personal representatives or heirs it shall not be necessary to designate them by their given names or by their surnames

Section 420 ASSESSMENT OF LANDS AND MINERALS DIVIDED BY COUNTY CITY BOROUGH AND TOWNSHIP LINES Wherever county lines divide a tract of land the tract shall be assessed in the county in which the mansion house or plant thereon is situate.

Where township lines divide a tract of land the tract shall be assessed in the township where the mansion house or plant thereon is situate

Where a tract of land lies partly within one or more townships and partly within a borough or city so much thereof as lies within the township or townships shall be assessed therein and the remainder shall be assessed in the borough or city notwithstanding that the mansion house or plant of the tract is located in the borough or city

Where the dividing line between any two townships or between any township and borough or city shall pass through the mansion house or plant of any tract of land the owner of such tract may choose as the place of residence or location either of the townships or the borough or city by giving a written notice of his election to the board of county assessors which election shall be binding on the owner and occupants of such mansion house or plant and on the future owners thereof In case of the neglect or refusal to make an election the persons occupying the said mansion or plant shall be regarded as residing being located within the township wherein lies the greater portion of the land and the assessors shall in any such case or when the owner of the land elects that the place of residence of the occupants of said mansion house or location of the plant shall be in the township assess such persons and the land on which such mansion house or plant is erected in the township

Where lands underlaid with minerals are divided by county township borough or city lines such minerals shall be assessed in the county township borough or city in which it actually lies

Section 421 ASSESSMENTS WHERE PROPERTY UNDISCLOSED OR FALSE RETURNS MADE If any subordinate assessor shall have reason to believe that any person copartnership association or corporation has rendered a false statement of property or of any subject made taxable by law or has not made a full disclosure of the same he shall return what he shall believe to be the full value and amount thereof to the board of county assessors If the person copartnership association corporation thus assessed shall feel aggrieved an appeal may be had from such assessment The board of county assessors may administer an oath or affirmation to the person or any member or principal officer of the copartnership association or corporation taking such appeal touching the value and amount of their property or any subject made taxable and if it deems an abatement proper the same shall be made The board of county assessors may also receive any other evidence it deems of value in determining the ownership and value of any such property

Section 422 PENALTY ON SUBORDINATE ASSESSORS Any subordinate assessor having taken upon himself the duties of his office who shall neglect or refuse to comply with any lawful order precept or warrant issued to him by the board of county assessors or who shall neglect or refuse to perform the duties enjoined upon him by law or who shall refuse to assess and return any person whom he knows to be liable to assessment shall pay a fine not exceeding one hundred dollars for the use of the county to be recovered in a summary proceeding in the manner provided by law

Section 423 RETURN OF PERSONAL PROPERTY TAXABLE FOR COUNTY PURPOSES The board of county assessors shall annually furnish the subordinate assessor with blanks prepared by them for the return of personal property made taxable for county purposes The subordinate assessors shall furnish a copy of the same to every taxable person copartnership unincorporated association joint-stock association limited partnership and coporation in his respective district or to any officer agent or employe found at the place of business of any such limited partnership copartnership unincorporated association joint-stock association or corporation in his district Upon such blank each taxable person copartnership unincorporated association limited partnership joint-stock association and corporation shall respectfully make return annually to the subordinate assessor of the aggregate amount of all the different classes of personal property made taxable by section three hundred and two article three of this act for county purposes copartnership unincorprated association limited partnership joint-stock association or corporation in his her or its own right or as trustee agent attorney-in-fact or in any other capacity for the use or advantage of any other person persons copartnership unincorporated association limited partnership joint-stock association or corporation This return shall be made and sworn or affirmed to by such taxable person and in case of copartnership unincorporated associations and joint-stock associations by some member thereof and in case of limited partnerships and corporations by the president chairman treasurer or general partner thereof Any corporation joint-stock association or limited partnership doing business in more than one county shall make such return only in the county in which its principal office is situated

Any subordinate assessor who shall wilfully neglect or refuse to furnish any taxable person copartnership unincorporated association joint-stock association limited partnership or corporation with the blank provided for in this section shall pay a fine of twenty-five dollars for the use of the county for each neglect or refusal to be removed in a summary proceeding in the manner now provided by law

Section 424 AFFIDAVIT TO PERSONAL PROPERTY RETURN PENALTY The affidavit required by the last preceding section shall be made before the subordinate assessor or any member of the board of county assessors or any clerk of said board or before some other person authorized to administer oaths and shall set forth that the return is full true and correct to the best of affiant's knowledge and belief Any person or officer who shall wilfully and corruptly make a false and fraudulent return shall be guilty of wilful and corrupt perjury and be punished accordingly

Section 425 SUBORDINATE ASSESSORS NOT TO RECEIVE FEE FOR AFFIDAVITS TO RETURNS RETURNS WITHOUT AFFIDAVITS NOT TO BE ACCEPTED PENALTY Any subordinate assessor who administers the oath or affirmation to any person or officer making the return prescribed by this act shall not receive or collect any fee for such service any subordinate assessor who shall accept such return from any person or officer without requiring such oath or affirmation or who shall make any charge for administering such oath or affirmation shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding five hundred dollars

Section 426 ESTIMATED RETURNS OF PERSONAL PROPERTY WHERE NO RETURN MADE PROCEDURE REVISION AND CORRECTION PENALTY Upon the refusal or failure of any taxable person copartnership unincorporated association limited partnership joint-stock association or corporation to make a return verified by oath or affirmation as hereinbefore required within ten days after being notified so to do the subordinate assessor shall make a return for such taxable person copartnership unincorporated association joint-stock association limited partnership or corporation from the information he can obtain He shall examine the records and lists of judgments returned by the prothonotary and clerk of the court of common pleas and the registry of mortgages and assess such defaulting person copartnership unincorporated association joint-stock association limited partnership or corporation with the amounts of all such liens with interest thereon and add thereto the amount of all taxable property obtained from all other sources of information available The board of county assessors shall revise and correct this return according to the best information they can command from the records in their office or other sources They shall send for persons and papers and may administer oaths or affirmations To the revised and corrected estimated return the board of county assessors shall add fifty per centum The aggregate amount so obtained shall in each case be the basis for taxation

Section 427 SUBSTITUTION OF PERSONAL PROPERTY RETURNS FOR ESTIMATED RETURNS If any taxable person copartnership unincorproated association limited partnership joint-stock association or corporation on or before the day fixed for appeals from assessments shall present reasons supported by oath or affirmation satisfactory to the board of county assessors excusing the failure to make a return such as should have been made to the subordinate assessors and shall then make such return the board of county assessors may substitute such return for that returned by the subordinate assessor and corrected

Section 428 CONSPIRACIES TO MAKE FALSE PERSONAL PROPERTY RETURNS PENALTY If any subordinate assessor and any taxable person or member of any copartnership or unincorporated association or officer stockholder or member of any limited partnership joint-stock association or corporation shall agree or enter into any arrangement or understanding that upon the failure of such taxable person copartnership unincroporated association limited partnership joint-stock association or corporation to make the return required by law to be made such subordinate assessor shall return a less amount of property made taxable than should have been returned by such taxable person copartnership unincorporated association limited partnership joint-stock association or corporation the persons entering into such agreement arrangement or understanding shall be guilty of conspiracy and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars and to undergo an imprisonment either at labor by separate or solitary confinement or to simple imprisonment not exceeding three years

Section 429 RECORDER OF DEEDS TO CERTIFY RECORD OF MORTGAGES ET CETERA SATISFIED TO BOARD OF COUNTY ASSESSORS The recorder of deeds shall keep a daily record of the names of the parties to all mortgages and articles of agreement for the payment of money which shall have been that day satisfied of record The recorder shall on the first Monday of each month file the said daily record in the office of the board of county assessors and attach his certificate thereto

Section 430 PROTHONOTARIES ET CETERA TO CERTIFY RECORD OF JUDGMENTS ET CETERA TO BOARD OF COUNTY ASSESSORS The prothonotary or clerk of the court of common pleas shall keep a daily record separate from all other records of every judgment or instrument securing a debt entered of record in his office which daily record shall set forth the following information to-wit (a) The date of the instrument or judgment (b) the names of the plaintiff and defendant together with the precise residence of the plaintiff or person to whose use such judgment or obligation to pay money is marked whenever such residence can be ascertained (c) the real sum secured and (d) the date or dates when the sum or portion of the same shall become payable with (e) the further information whether any bonds or judgments are accompanied with mortgage and also (f) the number of every judgment or instrument securing a debt together with (g) the amount of same which shall have been that day satisfied and (h) the names of the plaintiff and defendant thereto He shall file such daily record in the office of the board of county assessors on the first Monday of each month and attach their certificate thereto

Section 431 CERTIFICATION OF RECORD OF MORTGAGES TO COUNTIES WHERE PARTIES SUBJECT TO TAX ARE RESIDENT The board of county assessors upon record of the existence within any county of said mortgages and other obligations that shall be owned by a person copartnership association limited partnership joint-stock association or corporation resident or doing busines within this Commonwealth and not a resident of said county and in the case of a corporation limited partnership or company not having its principal office within said county shall transmit a certified statement of said record to the board of county assessors of the proper county wherein said person is domiciled or wherein said copartnership association limited partnership joint-stock association or corporation does business or maintains its principal office and shall also transmit to the board of county assessors a certified statement whenever it shall appear from the record that said mortgages and other obligations are satisfied which upon its receipt shall be filed of record by the board of county assessors

Section 432 STATEMENT OF MORTGAGES ET CETERA TO BE FURNISHED TO SUBORDINATE ASSESSORS The board of county assessors upon the receipt of the daily records from the offices of the recorder or prothonotary or clerk shall file the same in their office and on or before the time of making the assessment in any year prepare from the said records and from the registry of mortgages in its office a statement showing as far as practicable the number and amount of said mortgages and all other taxable obligations and names of the parties thereto in each district The statement shall be delivered to the subordinate assessor of each district respectively before said officers shall enter upon the discharge of their proper duties

Section 433 COMPARISON OF MORTGAGE ET CETERA STATEMENT WITH PERSONAL PROPERTY RETURN The subordinate assessors shall in making up their valuations of money at interest compare the return made by each person copartnership association limited partnership joint-stock association or corporation with the statements furnished them by the board of county assessors If the amount of said mortgages or other obligations as contained in said statement shall exceed the amount set forth in the return of any person copartnership association limited partnership joint-stock association or corporation the subordinate assessors shall note the fact and make return of the same to the board of county assessors

Section 434 ADDITIONS TO PERSONAL PROPERTY RETURNS BY THE BOARD OF COUNTY ASSESSORS In all cases where any person copartnership association limited partnership joint-stock association or corporation has returned a less amount of money at interest than appears from the records in possession of the board of county assessors the board shall thereupon raise the valuation of the personal property of such person copartnership association or limited partnership joint-stock association or corporation to the amount set forth in such records and shall forthwith notify the persons copartnerships associations limited partnerships joint-stock associations or corporations interested of the increase of valuation and that the same is subject to appeal at the same time and in the same manner as the original assessment

Section 435 PENALTY UPON OFFICERS IN CONNECTION WITH PERSONAL PROPERTY RETURNS Any wilful failure on the part of a member of the board of county assessors subordinate assessors recorder of deeds prothonotary or clerk of courts to carry out the duties imposed upon them by the several preceding sections of this article shall be a misdemeanor and upon conviction any such person shall be sentenced to pay a fine not exceeding five hundred dollars and to undergo an imprisonment not exceeding one year

Section 436 FEES FOR CERTIFICATION OF PERSONAL PROPERTY RECORDS Records of deeds prothonotaries and clerks of the court of common pleas shall be entitled to receive ten cents for each deed mortgage conveyance judgment lien assignment or satisfaction reported or certified to the board of county assessors The fees shall be paid by the county treasurer on the presentation of proper vouchers and shall be applied in like manner as other fees received by such recorders prothonotaries and clerks No fee shall be allowed in any case where the residence of any plaintiff or assignee is omitted in such report The aggregate amount allowed any prothonotary recorder of deeds or clerks of the courts shall not exceed the sum of six hundred dollars per annum

Section 437 TAXPAYERS PERMITTED TO EXAMINE RETURNS From the time of the filing of the returns by the subordinate assessors in the office of the board of county assessors until the day fixed for appeals any taxable inhabitant of the county may examine the returns of the subordinate assessors

Section 438 ASSESSMENT OF PERSONS FOR ELECTION PURPOSES Any citizen whose name may have been omitted from the assessment or who has moved into any election district subsequent to the making of an assessment and who desires to vote may apply in person to the board of county assessors at any time at least two months before any general or municipal election The board of county assessors shall thereupon enter the name of such citizen upon the assessment for the year previous and shall immediately certify the name of such person to the county tax collector and cause the same to be entered upon the proper duplicate for the year in which such person applies and shall charge such person with the proper amount of occupation poll and per capita taxes Such person for the purpose of qualifying himself or herself to vote may pay such county poll tax to the county tax collector at any time at least one month before such election and the county tax collector is hereby authorized to receive and receipt for the same

ARTICLE V

REVISIONS APPEALS FROM ASSESSMENTS

Section 501 EXAMINATIONS OF ASSESSORS' RETURNS The board of county assessors not later than the first day of October of each year shall examine and inquire into the returns made by the several subordinate assessors and ascertain whether the assessments and valuations have been made in conformity with this act and whether all property and subjects liable to taxation for county city borough town township school and poor purposes have been valued at the actual value thereof and at a sum not less than the same would bring at a bona fide sale after full public notice

Section 502 CONFORMITY WITH LEGAL STANDARD OF VALUATION REQUIRED It shall be unlawful for the board of county assessors in revising valuations and in disposing of appeals to adopt any standard or system for the valuation of property and subjects other than that fixed by the preceding section and that fixed by this act for subordinate assessors and all customs now existing providing for the revising of valuations at any other rate or price than that hereinbefore provided or for the equalizing of valuations are abolished prohibited and declared unlawful

Section 503 ASSESSMENT OF OMITTED SUBJECTS AND PERSONS The board of county assessors shall have power to add to the assessment of any district after the same has been returned by the subordinate assessor and prior to the day fixed for appeal for the district any property or subject of taxation or the name of any taxable person omitted by any subordinate assessor and to assess rate and value the same with like powers as the subordinate assessors

Section 504 COMMUNICATIONS AS TO LOW ASSESSMENTS REVISIONS TO BE CONTINUED UNTIL COMPLETED The board of county assessors shall consider the written communication of any taxable inhabitant or of the corporate authorities of any city borough town township school or poor district relative to the valuation of any property or subject of taxation which they believe to have been assessed too low and shall raise such valuation to the amount required by law The board of county assessors shall continue in session from day to day until all of the assessments have been revised as required by this act

Section 505 TRANSCRIPTS OF ASSESSMENTS APPEALS AND NOTICES THEREOF When the returns of the subordinate assessors have been revised by the board of county assessors they shall make transcripts of the same by cities boroughs towns and townships and forward them to the subordinate assessors and shall at the same time fix the day or days when appeals from the respective districts or cities boroughs towns and townships will be heard The subordinate assessors shall give written or printed notice at least five days before the day fixed for appeals to every taxable inhabitant of his district of the property and subjects the assessment of which has been increased over the preceding annual assessment the amount of such assessments and of the time and place of appeal Each taxable inhabitant is authorized to enter with the board of county assessors an appeal from his or her assessment and valuation as returned and revised

Section 506 NOTICES TO AND APPEALS BY MUNICIPAL DISTRICTS The board of county assessors shall give written or printed notice to the corporate authorities of the several counties cities boroughs towns townships school districts and poor districts of the time and place fixed for appeals The corporate authorities of any county city borough town township school district and poor district are empowered to appeal to the board of county assessors from any assessment made by the subordinate assessors and revised by the board of county assessors in the same manner and with like effect as if taken by a taxable inhabitant

Section 507 SUBORDINATE ASSESSORS TO ATTEND APPEALS The subordinate assessors shall attend at the time and place fixed for the appeals for their respective districts or territory within their respective districts to prevent impositions being practiced upon the board of county assessors by parties appealing

Section 508 APPEALS TO BE IN WRITING Each taxable person county city borough town township school district and poor district taking any appeal as hereinbefore provided shall reduce the same to writing on forms to be supplied by the board of county assessors and shall set forth in such detail as may be feasible the particular assessment or valuation appealed from and the reasons therefor

Section 509 BOARD OF COUNTY ASSESSORS TO HEAR TESTIMONY SUMMON WITNESSES AND ADMINISTER OATHS PENALTY In hearing appeals and in the correction of personal property returns the board of county assessors shall receive such testimony as may be offered touching the merits of the appeal and may subpoena any persons who in their judgment are capable of assisting the board in arriving at proper conclusions Any county assessor is empowered to administer oaths and affirmations to persons coming before them on appeals or in obedience to any subpoena In case any person subpoenaed shall refuse to appear before the board of county assessors or shall refuse to testify the board may present its petition to the Court of Common Pleas of the county setting forth the facts and thereupon the court shall issue its subpoena commanding such person to appear before it and there to testify to such matters as may be inquired into by the board of county assessors Any person who shall fail or refuse to obey any subpoena so issued by the court or who shall refuse so to testify shall be punished for contempt The board of county assessors may provide for the payment from the county treasury of reasonable witness fees to any person who may be summoned to testify before them on any matter other than his or her own assessment or return

Section 510 REVISION AFTER APPEALS Immediately after the appeals are over the board of county assessors shall revise the assessments and valuations and shall proceed to ascertain the total assessed valuation of property and subjects taxable for county purposes and for other local purposes within the respective cities boroughs towns townships school districts and poor districts

Section 511 LEGALITY OF REVISED ASSESSMENTS All assessments and valuations as finally revised and not appealed from to the Court of Common Pleas or the Supreme or Superior Court as hereinafter provided shall be legal and valid assessments and valuations and shall not thereafter be subject to any change or correction notwithstanding any defect error or illegality in the same

Section 512 TOTAL VALUATIONS TO BE CERTIFIED TO MUNICIPAL DISTRICTS LEVIES BY MUNICIPAL DISTRICTS Immediately after the assessments have been revised but not later than the first day of December the board of county assessors shall certify to the county commissioners and to the corporate authorities of each city borough town township school district and poor district the total assessed valuation of property and subjects taxable within their respective districts and the said county commissioners and corporate authorities shall not later than the first day of January succeeding the year in which the assessment was made proceed to levy all taxes which they are now or may hereafter be empowered by law to levy upon the assessed valuation so certified as well as all poll taxes which they are by law authorized to levy

Section 513 APPEALS TO COMMON PLEAS ASSESSMENTS TO REMAIN VALID PENDING APPEALS Any owner of taxable property or any county city borough town township school district or poor district who or which may feel aggrieved by any assessment or valuation may appeal from the decision of the board of county assessors as finally fixed by the board to the court of common pleas Such appeal shall be by petition filed in open court or in the prothonotary's office within thirty days after the board of county assessors has acted upon such assessment and valuation Whenever any appeal shall be entered as hereinbefore provided the assessment and valuation appealed from shall remain a legal and valid assessment for all purposes whatsoever until a final decree of a court has been entered at which time the assessment and valuation shall be corrected in accordance with said decree The appeal shall not prevent the collection of taxes imposed upon such assessment and valuation but in case the assessment and valuation shall be raised or reduced by a final decree of court then any increase in such taxes shall be collected from the persons owing the same or any excess shall be returned to the person who has been paid the same

Section 514 DISPOSITION OF APPEALS STANDARD OF VALUATION The court of common pleas shall proceed at the earliest convenient time of which at least ten days' notice shall be given to the board of county assessors to hear the appeal and to make such orders and decrees as may seem just and equitable having regard only to the actual value of the property or subject and the price which the same would bring at a bona fide sale after full public notice and all customs and practices now existing providing for the fixing of assessments and valuations at any other rate or price than that herein provided for or providing for the equalization of valuations without regard to the actual value of the property are abolished prohibited and declared unlawful

The cost of any appeal and hearing shall be apportioned as the court may direct

Section 515 APPEALS TO SUPERIOR AND SUPREME COURTS Any owner of taxable property or any county city borough town township school district or poor district may appeal from any judgment order or decree of the court of common pleas affecting the assessment and valuation of property to the Superior or Supreme Court Such appeal shall not prevent the collection of the taxes based upon such assessment and valuation but in case the same shall be raised or reduced then any increase in such taxes shall be collected from the persons owing the same or any excess shall be returned to the person who has paid the same

ARTICLE VI

COLLECTION OF TAXES

Section 601 CERTIFICATION OF RATES TO BOARD OF COUNTY ASSESSORS The corporate authorities of each county city borough town township poor district and school district shall not later than the first day of January of the year one thousand nine hundred and twenty-four and each year thereafter certify to the board of county assessors the several rates of taxation which have been levied within their respective districts upon the assessed valuation as finally revised and certified by the board of county assessors The said corporate authorities shall also certify the amount of any poll tax or per capita tax levied upon each taxable within theor respective districts The said corporate authorities shall at the same time forward to the board of county assessors their warrants directed to the county tax collector authorizing him to collect the taxes levied and assessed for their respective districts as will appear upon the duplicates to be furnished to him by the board of county assessors

In case any district shall neglect to certify its rate by the date hereinbefore fixed the board of county assessors is authorized to use the rate assessed the previous year and prepare duplicates accordingly

Section 602 PREPARATION OF DUPLICATES CONTENTS After the receipt of the rates of taxation the board of county assessors shall cause to be prepared duplicates of county city borough town township school and poor taxes by cities boroughs towns and townships which shall show (a) the name and residence of each taxable (b) the location and valuation of each parcel of real estate of such taxable (c) the valuation of any personal property taxable for all local purposes (d) the valuation of personal property of each person taxable for county purposes only (e) the valuation of the occupation of each taxable (f) the amount of any poll tax or per capita levied by any district (g) the several amounts of taxes due by each person and (h) the total amount of taxes due by each person All duplicates shall be public records and shall be admissible in evidence in the same manner as other public records All duplicates shall be preserved in the office of the county or city tax collector

It shall be the duty of the Bureau of Municipalities of the Department of Internal Affairs immediately after the passage of this act to prepare a model duplicate or duplicates arranged substantially in accordance with this act and to certify the form thereof to the board of county assessors of the several counties

Section 603 PREPARATION OF DUPLICATES FOR CERTAIN POOR DISTRICTS AND INDEPENDENT SCHOOL DISTRICTS In the case of any poor district embracing territory in more than one county and in the case of any independent school district embracing territory in one or more boroughs or in one or more townships or in boroughs and townships whether in the same or in different counties the duplicates shall be prepared by municipal districts as hereinbefore provided but shall set forth specially with the name of each taxable the poor district or school district to which the taxes charged in the duplicates are payable

Section 604 NOTICES TO TAXABLES CONTENTS STUBS With the preparation of the duplicates the board of county assessors shall cause to be prepared a notice to each taxable whose name appears on the duplicates Such notice shall contain (a) the name of the county and the name of the city borough town or township in which the taxes are assessed (b) the rates of taxation levied by the county city borough town township school district and poor district in which the person is taxable (c) the valuation of the real and personal property of the person taxable for all local purposes (d) the valuation of the personal property taxable for county purposes only (e) the valuation of the occupation of the taxable (f) the poll and per capita taxes are levied by the respective districts (g) the full amount of county city borough town township school and poor taxes for which the taxable is liable (h) a statement that the first installment of all of said taxes is due and payable (i) when the remaining installment will become due and payable (j) the time when an additional percentage will be added to the several installments as a penalty (k) the places where such taxes are payable (l) a space or spaces in which the person receiving the taxes can enter a receipt of the amount paid and (m) a statement that the taxable shall bring such notice with him when making payment of taxes

There shall be attached to each notice two detachable stubs upon which the person or bank receiving the taxes can enter an appropriate record of the several payments made by each taxable

Such notice shall be mailed by the board of county assessors to the last known address of each taxable not later than the last day of February of each year

Model forms of such notice shall be prepared by the bureau of municipalities

Section 605 DUPLICATE NOTICES In case any taxpayer shall lose or destroy any tax notice he shall upon application to the board of county assessors be furnished with a copy of such notice and such copy and the stubs thereto attached shall be used for the notation of the receipts of payments and for entry of payments upon the duplicate Copies of said notices may be obtained by personal application or by mail when a stamped and addressed envelope is forwarded for the return of such duplicate notice

Section 606 COUNTY AND CITY TREASURER DESIGNATED AS COUNTY TAX COLLECTOR BOND The county treasurer of each county shall be the collector of all county taxes other than of cities and of all borough town township school and poor taxes levied and assessed by said districts other than in cities and shall be known as the county tax collector the city treasurer shall be the collector of all county school and poor taxes levied in cities and of all city taxes and shall be known as the city tax collector Each tax collector shall give bond yearly to the Commonwealth in an amount to be fixed by the county commissioners and with surety corporate or personal to be approved by the court of quarter sessions Such bond shall contain a warrant of attorney to confess judgment thereon and shall be conditioned that such collector shall well and truly collect and pay over or account for to the several districts entitled thereto the whole amount of the taxes assessed in the duplicates delivered to him which have not been exonerated or returned for non-payment Said bond shall be deposited with the controller of the county where such office exists and in all other cases with the county commissioners The cost of procuring said bond shall be an item of the cost of collection of taxes and shall be paid by the county and the several cities boroughs towns townships school districts and poor districts in the proportion hereinafter provided for

Section 607 APPOINTMENT OF COUNTY OR CITY TAX COLLECTOR IN CERTAIN CASES Where any county or city tax collector refuses to furnish a proper bond or fails to finally settle all duplicates in his hands for any year in accordance with this act it shall be unlawful for the board of county assessors to deliver to him any new duplicates In any such case a vacancy in the office of county or city collector shall exist and the county commissioners or the city council as the case may be shall immediately appoint a citizen of the county or city as county or city tax collector who shall hold office until a new county or city treasurer is duly elected and qualified and who shall have all the rights powers privileges and emoluments conferred upon and be subject to all the liabilities and penalties of the county or city tax collector by this act Any vacancy happening in said office after any such appointment shall be filled in the manner as herein provided

Section 608 SALARIES OF TAX COLLECTORS Each county treasurer in addition to the salary and fees which he receives for acting as such shall receive the following annual salary as county tax collector

(a) In counties of the second class five thousand dollars ($5,000)

(b) In counties of the third class three thousand dollars ($3,000)

(c) In counties of the fourth class three thousand dollars ($3,000)

(d) In counties of the fifth class two thousand dollars ($2,000)

(e) In counties of the sixth class fifteen hundred dollars ($1,500)

(f) In counties of the seventh class one thousand dollars ($1,000)

(g) In counties of the eighth class five hundred dollars ($500)

The city tax collector shall receive such compensation for the collection of county city school and poor taxes as may be agreed upon by the corporate authorities of the districts levying the tax but such salary shall not exceed five thousand dollars per annum When such compensation has been once fixed the same shall not be increased or reduced unless such increase or reduction is made before the election of the city treasurer whose salary is to be affected The city tax collector shall be allowed annually such sum for clerk hire as may be agreed upon prior to the fifteenth day of February by the corporate authorities of the county city school and poor districts and if no agreement can be reached the city tax collector may appeal by petition to the court of common pleas whose decision fixing the amount to be allowed for clerk hire shall be final

The salaries and compensation herein provided shall constitute an item of the cost of collection of taxes and shall be apportioned as hereinafter provided

Section 609 APPOINTMENT OF CLERKS SALARIES The county tax collector with the consent of the county commissioners shall employ such number of clerks as may be deemed necessary to carry into complete effect the provisions of this act The salary of such clerks shall be fixed by the salary board or by the county commissioners as the case may be To assist the county treasurer in the collection of taxes the county commissioners with the consent of the board of county assessors may assign to the county tax collector any of the subordinate assessors or clerks of the board of county assessors when their services are not required by said board but such assessors and clerks shall receive no additional compensation for such services Such clerks shall in addition to their salaries be entitled to their expenses when engaged in the performance of their duties under the direction of the county tax collector as deputies or otherwise

The salaries and expenses of the clerks to the county tax collector shall constitute an item of the cost of the collection of taxes and shall be apportioned as hereinafter provided

Section 610 DIVISION OF COST OF PREPARING DUPLICATES NOTICES TO TAXABLES AND COLLECTION OF TAXES The board of county commissioners shall keep an accurate account of all moneys expended for books supplies stamps salaries including the salary of the county and city tax collector clerical hire and other expenses incidental to the preparation of duplicates the preparation and mailing of notices and the collection of taxes The county commissioners shall keep a separate account of the cost and expense of the collection of all taxes other than in cities and of all taxes in cities The entire cost and expense of the collection of taxes other than in cities shall be paid by the county and the several cities boroughs towns and townships and the school and poor districts not located in cities in the proportion that the valuation of the assessment of the particular district bears to the total valuation of all of said districts The entire cost and expense of the collection of taxes in any city shall be paid by the county and the respective city and the school district and poor district in the city in the proportion that the valuation of the assessment of the particular district bears to the total valuation of all of said districts All of such costs and expenses shall be paid in the first instance by the county The county commissioners shall once each year certify the amount due by each of said districts and request payments thereof In case any such district shall neglect to pay its proportion of such expense within ninety days after notice so to do the same shall upon certification by the county commissioners be deducted from the funds in the hands of the county or city tax collector belonging to such district and the county or city tax collector is hereby directed to pay any such amount into the county treasury and the receipt of the county commissioners shall exonerate the tax collector from the payment of such amount to the district

Section 611 TAX COLLECTORS TO BE RESPONSIBLE FOR COLLECTIONS LIFE OF WARRANTS POWERS OF EXECUTORS AND ADMINISTRATORS OF DECEASED COLLECTORS The controller in all counties where such office exists and in other counties the board of county assessors shall charge the whole amount of taxes in the several duplicates to the respective county and city tax collectors Each county and city tax collector shall be responsible for the collection of all taxes charged in the several duplicates delivered to him during his term of office except such as are legally returned for non-payment or abated or exonerated as hereinafter provided The warrants attached to the several duplicates shall be effectual for the colection of taxes for a period of two years The executors and administrators of any tax collectors shall have the same power to enforce the collection of unpaid taxes as the collector would have if living and may employ a suitable person to act for them in the execution of the warrant with all the powers of the deceased tax collector In the case of the death of any tax collector his executors or administrators upon the settlement of all duplicates charged to said collector shall receive the salary provided for in this act for the tax collector

Section 612 DELIVERY OF DUPLICATES TO TAX COLLECTOR WARRANTS TO BE ATTACHED The board of county assessors shall not later than the last day of February of the year one thousand nine hundred and twenty-five and each year thereafter deliver to the county or city tax collector the several duplicates prepared by them showing the taxes to be collected for county city borough town township school and poor purposes To such duplicates shall be attached the warrants issued by the corporate authorities of the county and the several cities boroughs towns townships school and poor districts authorizing the tax collector to collect receive and receipt for all taxes levied and shown upon their respective duplicates

Section 613 LIEN OF TAXES All county city borough town township school and poor taxes levied and assessed upon real property shall be a first lien upon such property from the time they become due and such lien shall continue and remain a valid lien until all of said taxes are fully paid and satisfied or are discharged by a county commissioner's sale as hereinafter provided or by sale on a tax lien as provided by law

Section 614 DEPUTY TAX COLLECTORS The county or city tax collectors shall have authority to appoint any clerks as deputy tax collectors with like powers as are given to him under the provisions of this act and may the county tax collector assign such deputies to sit receive and receipt for taxes in any municipal district of the county other than cities The county or city tax collector is also given authority to appoint any bank banking institution or trust company located within the county or city as a deputy tax collector for the purpose however only of receiving and receipting for taxes paid to it at its place of business The tax collector shall be responsible for the acts of each deputy tax collector No bank banking institution or trust company shall be allowed any compensation or commission for acting as a deputy tax collector other than expenses actually incurred in transmitting moneys and stubs as hereinafter provided to the tax collector All such expenses including expenses of deputy collectors in sitting in municipal districts shall constitute an item of the cost of collection of taxes and shall be apportioned as hereinbefore provided

Section 615 ATTENDANCE OF COLLECTORS IN CERTAIN DISTRICTS NOTICE In any municipal district where no bank banking institution or trust company is located which has been designated as a deputy county tax collector the county tax collector or one of his deputies shall sit to receive payment of taxes at least two days prior to the time when a penalty will attach to any installment of taxes Public notice of the time and place of the attendance of such deputy shall be given twice in one newspaper printed in or circulating generally in said district In lieu of advertisements in particular distrcts the county tax collector is authorized to advertise a list of the times and places when deputies will attend in the several districts of the county Such list shall be published four times in four newspapers if so many are published in such county circulating generally in the county The cost of all advertising provided for by this section shall constitute an item of the cost of the collection of taxes and apportioned as in this act provided

Section 616 COLLECTIONS ENTRY OF RECEIPTS FORWARDING STUBS Immediately after the delivery of the several duplicates the county and city tax collectors shall proceed to collect the taxes therein charged The county and city tax collector and any deputy tax collector or any thorized to act as a deputy tax collector when receiving taxes shall note a receipt upon the appropriate space provided on the notice mailed to the taxable and by him produced of the particular instalment or instalments of taxes paid by the taxable and shall enter upon the appropriate stub attached to the said notice a record of such payment The tax collector or such deputy tax collector shall thereupon remove said stub and shall if the tax is paid at any place other than the office of the tax collector immediately forward the same to the tax collector who shall cause to be entered upon the proper duplicate in his possession a record of the payment made

Section 617 PAYMENT OF TAXES IN INSTALMENTS PENALTY ON DELINQUENT TAXES All county city borough town township school and poor taxes charged in the several duplicates delivered to the respective county and city tax collectors shall be payable in two instalments The first instalment shall be due on the first day of May and the second instalment shall be due on the first day of August and shall be paid before the first day of October All instalments of taxes which are not paid before the dates hereinbefore set forth and fixed shall become delinquent No abatement on any taxes shall hereafter be made but all instalments of taxes when due and owing shall be payable for the full amount thereof To all instalments of taxes not paid before the day the same become delinquent a penalty of one per cent for each month or fractional part thereof shall be added and collected by the tax collector which penalty shall be added from the date when such taxes become due and not from the date they became delinquent

Section 618 PAYMENTS BY REGISTERED MAIL Payments of any installments of taxes may be made by money order or by certified check and forwarded by registered mail addressed to the county or city tax collector In the case of any such payment the taxpayer shall enclose his notice in order that the proper receipt may be entered by the tax collector and returned to the taxpayer and the proper stub may be detached for entry upon the duplicate

Section 619 PROCEEDINGS TO COLLECT TAXES If any person shall fail neglect or refuse to make payment of any one or more instalments of taxes which are delinquent within thirty days after demand made the tax collector or any of his deputies may levy the amount thereof together with the penalty and costs by distress and sale of the goods and chattels of the delinquent giving ten days' notice of such sale by written or printed advertisement In case goods and chattels sufficient to satisfy the same with the costs cannot be found such collector may take the body of such delinquent and convey him or her to the jail of the county there to remain until the amount of such tax together with penalty and costs shall be paid or secured to be paid or until the delinquent shall be otherwise discharged Nothing herein contained shall authorize the arrest or imprisonment of any infant or of any person found by inquisition to be of unsound mind

The tax collector may deputize any constable or constables resident within the county or city to collect by distress and sale of goods and chattels any taxes which are delinquent and for such purposes all the powers of the tax collector are hereby conferred upon such constable For each such distress and sale of goods and chattels the constable shall be entitled ot a fee of two dollars which fee shall be collected by the constable by such sale in addition to the taxes penalties and other costs

No failure to demand or to collect any taxes by distress and sale of goods and chattels or by imprisonment of the delinquent shall invalidate any return made or lien filed for non-payment of taxes or any tax sale had for the collection of such taxes

Section 620 LIABILITY OF TENANTS FOR TAXES Every tenant of any and and tenements shall be liable to pay all taxes which during his or her occupancy may thereon become due and payable The goods and chattels of such tenant shall be liable to distress and sale for the nonpayment of any such taxes Having paid such taxes or any part thereof the tenant may by action of assumpsit or otherwise recover said taxes from the landlord or at his or her election ma defalcate the amount thereof in the payment of rent due to the landlord unless such defalcation or recovery would impair any contract or agreement between them previously made

Section 621 COLLECTION OF TAXES FROM EMPLOYERS In case any person neglects or refuses to pay his or her occupation poll or percapita tax as herein provided after having received ten days' notice or demand so to do the tax collector shall notify any person firm association or corporation where such delinquent taxpayer is employed that such taxpayer has failed or neglected to pay said tax as required and such collector may thereupon request payment from such employer out of any money then due and owing or thereafter to become due and owing to such delinquent taxpayer whereupon every person firm association or corporation employing any such delinquent taxpayer shall deduct from any wages that are then or may thereafter become due and owing to the delinquent taxpayer the amount of such delinquent tax and pay the same over to such tax collector and the proper receipt for such taxes paid to the tax collector by any employer shall be a good and sufficient voucher to offset any claim that such delinquent taxpayer may have against such employer for any wages to the amount thereof

Section 622 LIABILITY OF EMPLOYER FOR TAXES OF EMPLOYEE If any person firm association or corporation receiving a notice from any tax collector requesting the payment of any such tax of any employee shall fail or refuse to deduct from any wages then due or that may thereafter become due and owing to such employee the amount of such tax or if such person firm association or corporation deducts the amount of such tax and fails to pay the same over to the tax collector within thirty days after making such deduction such person firm association or corporation shall forfeit said pay a sum equal to the amount of such tax collected from such employe or employees as aforesaid which sum together with costs may be recovered by the tax collector in an action of assumpsit against said person firm association or corporation failing to pay over such tax as debts of like amount are now recoverable In the collection of any judgement recovered for any such delinquent tax against any person association or corporation the defendent therein shall not be entitled to the benefit of any exemption appraisement law or stay of execution

Section 623 PAYMENT OF TAXES BY TENANTS IN COMMON AND CORPARCENERS The undivided interest of any tenant in common or coparcener of any lands in this Commonwealth shall not be sold or title thereto be divested by any treasurer's sale for the failure of any of said tenants in common or coparceners to pay their pro rata share of the taxes assessed against said land if such tenant in common or coparcener has paid to the tax collector his or her proportionate amount of taxes chargeable against such land and the sale of such lands shall divest and pass title to such undivided shares or interest only in such land as is held by such persons who have failed or neglected to pay their proportionate part of such taxes

Any such tenant in common or coparcener shall have the right to pay his or her proportionate part of such taxes at any time before any county treasurer's sale and it shall be the duty of the tax collector or county treasurer as the case may be to receive the same for the district levying the tax and the sale of the residue of the shares or interest in such lands on which the taxes remain unpaid shall in no way affect the right title or interest of those who have paid their proportionate share of such taxes for which the land is sold

Section 624 PAYMENT OF TAXES BY PERSONS OTHER THAN TAXABLE PENALTIES Except as hereinbefore provided in the case of payments by employers it shall be unlawful for any person to pay or cause to be paid any county occupation tax assessed against any elector except on the written and signed order of such elector authorizing such payment to be made which written and signed order must be presented at least one month prior to the date of holding the election at which such elector desires to vote

It shall be unlawful for any officer clerk or other person authorized to collect taxes and receipt therefor to receive payment of or receipt for any occupation tax assessed for county purposes from any persons other than the elector against whom such tax shall have been assessed except upon his or her written and signed order authorizing such payment to be made

Any person who shall violate any of the provisions of this section shall be guilty of a misdemeanor and on conviction thereof shall be punished by imprisonment in the county prison for a term of not less than twenty days nor more than six months or by a fine not exceeding two hundred dollars

Section 625 ABATEMENTS AND EXONERATIONS The corporate authorities of the several counties cities boroughs towns townships school and poor districts shall make such abatements and exonerations as to them shall appear just and reasonable They shall direct their clerk to enter in a book to be kept for that purpose (a) the names of all persons abated or exonerated together with (b) the reason therefor and (c) the amount and date when made and shall give to the tax collector a certificate stating the nature of the tax and the amount abated or exonerated in order that settlement may be made accordingly

The corporate authorities of each county city borough town township school district and poor district shall publish once in one newspaper a list of all persons exonerated from the payment of taxes each year which advertisement shall give the name of the person exonerated and the amount of the tax Such advertisement shall in each case be published in a newspaper published in the municipal district where the tax is exonerated If no newespaper is published therein then it shall be published in a newspaper nearest to said district

Section 626 MONTHLY RETURNS AND PAYMENTS The county and city tax collectors shall respectfully make monthly returns in writing to the board of county commissioners and to the corporate authorities of the several cities boroughs towns townships school and poor districts showing the amounts of taxes collected during the preceding month and the amount of uncollected taxes upon the duplicate

They shall at the time pay over to the treasurer of the county and to the treasurers of the various districts the full amounts so collected

Any county tax collector failing to make any monthly payment as herein required shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars

Section 627 FINAL SETTLEMENTS The county and city tax collectors shall make a complete settlement of all taxes charged upon their respective duplicates except such as may have been abated or exonerated or such as may be charged upon real property which has been returned for non-payment of taxes as hereinafter provided or for which a lien has been filed not later than the first Monday of January of the year following the one in which such taxes were payable On making final settlement the tax collector shall make an oath or affirmation before the county commissioners that he has made a true and just return of all moneys by him collected

Section 628 COLLECTION AFTER EXPIRATION OF WARRANTS In all cases where taxes are due and unpaid to any tax collector after the date fixed for final settlement and the collector has not been exonerated or the property upon which the taxes were levied has not been returned for non-payment of taxes the tax collector his executors and administrators may sue for the same

Section 629 PENALTY FOR EMBEZZLEMENT OF MONEYS If any person charged with the collection safekeeping or transfer of any county city borough township school or poor taxes shall convert the moneys so collected or any part thereof to his own use or shall use by way of investment in any kind of property or merchandise any portion of the money so collected by him from such taxes and shall fail to pay over the same or any part thereof at the time or place required and to the person authorized to demand and receive the same he shall be guilty of an embezzlement of so much of said moneys as shall be converted and unaccounted for Every such person and every person in any way accessory to such act on conviction shall be sentenced to an imprisonment not exceeding five years or to pay a fine not exceeding five thousand dollars or both

Section 630 TAXES EXONERATED OR FROM PERSONS NOT ASSESSED NOT TO BE RECEIVED PENALITY No tax collector or any other person on his behalf shall receive payment or give any receipt for the payment of any taxes not assessed and return of such assessment made nor shall any such collector or other person in his behalf receive payment or give any receipt for the payment of any taxes from the payment of which the party assessed has been exonerated unless the party so exonerated shall himself appeal in his own person and tender payment of such taxes If any tax collector or other person on his behalf shall violate any of the provisions of this section he shall upon conviction be sentenced to pay a fine of one hundred dollars for the use of the county

Section 631 RETURNS OF UNPAID TAXES ON REAL PROPERTY NOTATIONS ON DUPLICATES DUTY AND LIABILITY OF TAX COLLECTOR The several county and city tax collectors shall not later than the first Monday of February of each year following the one in which any taxes were due and collectible make a return to the county commissioners of all real property upon which any county city borough town township school or poor taxes remain unpaid and the county commissioners shall immediately certify such return to the county treasurer then in office in order that sale of such properties may be made in the manner hereinafter provided All returns for unpaid taxes as herein provided shall be made by the tax collector to whom the duplicates were delivered by the board of county assessors or by his personal representatives in a book to be provided for such purposes and a notation shall be made upon the proper duplicate by such tax collector of the fact that such return for unpaid taxes has been made to the county commissioners Whenever any lands are sold for unpaid taxes or any such lands which have been sold shall be redeemed a record of such sale and a record of such redemption shall be entered upon the proper duplicate by the county or city treasurer then in office In case any tax collector shall refuse neglect or fail to make any return as herein provided he shall become personally liable for the payment of all taxes upon the real property which should have been returned and recovery of such taxes may be had against the tax collector or upon his bond but nothing herein provided shall prevent the filing of any lien for the collection of taxes in the prothonotary's office and the collection thereof in the manner provided by law and where any such lien shall be filed the collector of taxes shall not thereafter be held liable for failure to collect such taxes

Section 632 PENALTIES TO BE ADDED TO TAXES Where real property shall be returned for non-payment of taxes the tax collector shall add to the amount of each item of tax for which the same is returned the penalty which shall be due on such taxes which penalty shall be recovered and collected along with such taxes

Section 633 AUDIT OF ACCOUNTS OF TAX COLLECTOR The accounts of the county and city tax collectors shall be audited and settled by the county controller and in counties where there is no county controller by an auditor who shall be a competent accountant and who shall be appointed by the court of common pleas Each county controller and each such auditor shall receive for his services such compensation as the court of common pleas may fix which compensation shall constitute an item of the cost of collection of taxes and be paid and apportioned as hereinafter provided Provided that the accounts of the city tax collectors for the collection of city, school and poor taxes shall be audited by the city controller

ARTICLE VII

Tax Sales

Section 701 DATE OF TAX SALES VALIDITY OF SALES AND TITLES The county treasurer shall on the second Monday in June of each year make public sale of the whole or any part of any real property sufficient to pay the arrearages of any delinquent county city borough town township school and poor taxes with penalties accrued thereon which shall then have remained unpaid for the year preceding the one in which said sale is held together with the costs Any such sale may be adjourned from day to day as it may be found necessary to do No failure of the tax collector to demand or to collect any taxes levied on real property by distress and sale of goods and chattels or by imprisonment of the delinquent shall invalidate any tax sale had for the collection of such taxes or any title acquired by any purchaser at such sale

Section 702 NOTICE OF SALE The county treasurer shall give at least sixty days' notice once a week for six consecutive weeks in at least two newspapers of general circulation within the county if so many are published in such county of (a) the time and place of such sales (b) the city borough town or township in which the pieces parcels or tracts of real property are respectively situated (c) a brief description of the property which may be by lot and block where so assessed (d) the names of the owners or reputed owners and (e) the sums of taxes and penalties due thereon He shall also mail to the Commissioner of Forestry and the State Game Commission five copies of such printed advertisements immediately upon publication

Section 703 EXECUTION OF DEEDS RECORDING ACKNOWLEDGMENT Whenever the county treasurer shall make sale of real property he shall execute deeds in fee simple to the purchasers and acknowledge the same before an officer authorized to acknowledge deeds No irregularity in the assessment or in the process or otherwise shall affect the title of the purchaser but the same shall be good The deed shall be recorded in the office of the recorder of deeds who shall index all such deeds in the name of the owner or reputed owner as grantor and in the name of the purchaser as grantee

Section 704 FORM OF COUNTY TREASURER'S DEED The form of deed to be executed by the county treasurer to all purchasers and to the commissioners shall be substantially in the following form "Whereas certain real property to wit .... situate in ....city borough town township in the county of..........and assessed in the name of.......... has been rated and assessed with divers taxes to wit county taxes.......dollars city taxes.......dollars borough taxes ....dollars town taxes........dollars and poor taxes........dollars which remain unpaid and the county treasurer having offered the same for sale agreebly to law on the........day of........the same was sold and purchased by.........................for the sum of...... dollars (or in the case of purchases by the county commissioners) (and no person bidding therefor the sum equal to the amount of taxes and penalties due and the cost of advertising and sale it became the duty of the county commissioners to buy the same which they have accordingly done on the....................for the sum of ....dollars) Now this indenture witnesseth that I .... county treasurer of said county for and in consideration of said sum grant bargain and sell the said tract of land (or house and lot) to the said......................(or the county commissioners of said county) to be held by him or his heirs and assigns (or by them and their successors in office) forever subject to the redemption allowed by law In witness whereof I have hereunto set my hand and seal the ....day of..............

Sealed and delivered in
the presence of

......................(Seal)
County Treasurer

Acknowledged by the county treasurer before............ a..........of the county of..........Witness the hand and seal of said...........the........day of............

........................(Seal)

Section 705 EXECUTION OF DEEDS IN CERTAIN CASES When any county treasurer shall die or be removed from office before deeds are executed by him to any purchasers of real property at a tax sale the county treasurer in office for the time being shall upon the payment of the price for which the property was sold with such costs and charges as remain unpaid execute acknowledge and deliver such deeds and do all things the former county treasurer could have done

Section 706 FEES FOR SALE OF REAL PROPERTY The county treasurer shall receive and collect the following fees for the sale of real property which fees shall be paid into the county treasury for the use of the county except the fees for acknowledging deeds which shall be paid to the officer taking such acknowledgment

Advertising each tract including printers	$1.00
Selling each tract or part thereof	.50
Writing and signing each deed	1.50
Acknowledging every deed	.50
Writing and filing every bond to acknowledge the purchase money	.25

Section 707 PAYMENT OF TAXES PENALTIES AND COSTS BEFORE SALE The taxes and penalties assessed levied and accrued against any property and which has been returned for non-payment may be paid to the county treasurer at any time before a treasurer's sale thereof In addition to such taxes and penalties the party paying the same shall also pay any advertising and other costs which may have accrued Upon any such payment no sale of such property shall be had In any such case the county treasurer shall note such redemption upon the record

Section 708 TENDERING DEEDS PAYMENT OF PURCHASE MONEY AND COSTS RECORDING OF DEEDS RESALES SALES TO COUNTY COMMISSIONERS Purchasers at such sales as soon as deeds have been tendered after the deeds are acknowledged shall pay to the county treasurer the purchase money or such part as shall pay the taxes penalties and costs and shall also pay the sum of two dollars and fifty cents for the recorder of deeds for recording such deeds In case of purchases by the county commissioners the fee for recording of deeds shall be paid by the county The county treasurer shall in case payment is not made declare the sale void and immediately sell the same again or expose the same to sale at any subsequent sale Such sale shall have the same effect as if no prior sale had been made Any property for which an amount sufficient to pay taxes penalties and costs is not bid shall be purchased by the county commissioners

Section 709 SURPLUS BONDS The county treasurer shall on making sale of any real property take from the purchasers bonds in his own name with warrants of attorney annexed for any surplus above the taxes penalties and costs All such surplus bonds shall be acknowledged by the maker before an officer competent to take acknowledgments of deeds and shall be deposited with the county treasurer before the deed for the land is lifted by the purchaser The county tax collector shall have all such surplus bonds forthwith recorded in the office of the prothonotary who shall provide a book at the expense of the county to be entitled "Surplus Bond Record" The bonds shall be indexed in alphabetical order in the name of the obligor with the amount and date of the same The prothonotary shall receive from such obligor the sum of fifty cents for recording and indexing the same and shall when required give certified copies thereto and such certificate shall be received in evidence the same as the original investment

Section 710 LIEN OF SURPLUS BONDS RECOVERY THEREON The surplus bonds shall from the date of the deed have the effect of a judgment and shall be a first lien upon the real property sold and the lien thereof shall continue and may be revived the same as the lien of an ordinary judgment If after the period of redemption has expired the amount secured by such bond has not been paid the owner his assigns or legal representatives may cause an execution to be issued in the name of the county treasurer for the use of such owners his assigns or legal representatives

Section 711 TITLE OF PURCHASERS Sales of real property sold by a county treasurer for taxes shall vest in the purchasers the estate and interest of the real owners at the time of such sale although the property may not have been assessed or sold in the name of the real owner

Section 712 RULE OF CAVEAT EMPTOR TO APPLY EXCEPTIONS In all sales of real property made by the county treasurer the rule of caveat emptor shall apply and the county treasurer shall not be required to refund the purchase money paid upon any property so sold except in cases of double assessment or where the taxes on which the sale is made shall have been previously paid or where the property does not lie within the county

Section 713 REDEMPTION OF PROPERTY If any owner shall within two years after such sale redeem such real estate by an offer of the taxes and penalties for which the lands were sold and the costs with the additional sum of twenty-five per centum and any taxes which may have been levied against any such property since the treasurer's sale and which remain unpaid to the county treasurer he shall receive and receipt for the same and pay said taxes penalties costs and additional percentage over to the purchaser upon demand and the accrued taxes to the district entitled thereto and the county treasurer shall forthwith cause an entry to be made on the margin of the record of the deed in the office of the recorder of deeds by marking thereon the word "redeemed" which shall be signed by the county treasurer and attested by the recorder of deeds The recorder of deeds shall be entitled to a fee of thirty cents for such service which shall be paid by the party redeeming such property The county treasurer shall certify all such redemptions to the board of county assessors so that the property may thereafter be assessed in the name of the owner

Section 714 EJECTMENTS BY PERSONS WHO WERE UNDER LEGAL DISABILITY Where the owner at the time of such sale shall be a minor or insane and shall reside within the United States two years after such disability is removed such person his heirs or legal representatives may at any time within such two-year period bring an action in ejectment for the recovery of the lands when such recovery is effected the value of the improvements made on the property after the sale shall be ascertained by the jury and be paid by the person recovering the same before possession shall be had in addition to all taxes penalties and costs paid by the purchaser

Section 715 REDEMPTION BY PERSONS HOLDING LIENS AND EQUITABLE INTERESTS COLLECTION OF SURPLUS MONEYS When any real property is sold for taxes on which any person has a lien or equitable interest such person his heirs assigns or legal representatives may redeem the same for the benefit of the real owner thereof and the amount paid for such redemption shall thereupon become a lien on such property when the time of redemption expires before the same is effected such person his heirs assigns or legal representatives may collect the amount of his surplus bond such moneys when collected shall be paid into the court where the bond is filed and shall be distributed by decree of court in the same manner as moneys arising from the sale of land by the sheriff Such decree of distribution shall be subject to like appeal as decrees for distribution arising from sheriffs' sales

Section 716 REDEMPTION BY JOINT TENANTS TENANTS IN COMMON AND COPARCENERS If any joint tenant tenant in common or coparcener of real property shall make within two years after such sale an offer of a proportionate part of the taxes penalties and of the costs with an additional sum of twenty-five per centum equal to the proportionate interest of the property so held by him to the county treasurer he shall receive and receipt for the same and pay it over to the purchaser of the land and such joint tenant tenant in common or coparcener and shall recover his interest in such property and shall hold the same with the purchaser at such sale as tenants in common Ln such cases an appropriate entry shall be made on the record of the deed by the county treasurer as in cases of other redemptions

Section 717 REDEMPTIONS WHERE SURVEYS AND LINES CONFLICT In case of the sale by any county treasurer of any real property which may be interfered with by surveys or titles of other claimants to such property any such claimant within two years after any sale may offer to the county tax collector the taxes penalties assessed upon so much of such property as is included within the lines under which the claimant claims title and the costs with the addition of twenty-five per centum equal to the proportionate part included within such lines aforesaid The county treasurer shall receive and recipt for the same and pay it over to the purchaser on demand Such redemption shall be as effectual for the protection of the claimant's title within the lines of his survey or claim as if the redemption had been made for and included all the land within the lines of said interferences

Section 718 PERSONS REDEEMING TO PAY TAXES ACCRUED SINCE SALE When a purchaser at a county treasurer's sale shall have paid taxes on such land which have accrued since the sale and before the time allowed to redeem has expired the owner or person redeeming shall pay together with the redemption money to the county treasurer all taxes which have been paid by the purchaser and the county treasurer shall pay the same to the purchaser with the redemption money when called for

Section 719 COLLECTION OF TAX LIENS AT SHERIFF SALES It shall be the duty of the county tax collector and of the county treasurer in the case of any real property returned for non-payment of taxes and of the county commissioners in cases where they have purchased any lands at a county treasurer's sale to certify to the sheriff the amount of any taxes penalties costs and interest which may be due upon any such property which the sheriff is about to expose to sale under any judicial process and the sheriff shall thereupon collect such taxes penalties and costs at any sale of such property and pay the same to the county treasurer

Section 720 PURCHASES BY COUNTY COMMISSIONERS TAXATION OF LAND REDEMPTIONS When the county commissioners shall purchase any real property at a county treasurer's sale they shall provide a book wherein shall be entered (a) the name of the person as whose land the same was sold (b) a brief description of the property together with any lot and block number and (c) the amount of taxes penalties and costs for which it was sold Such property shall not so long as it remains the property of the county be chargtd in the duplicate For the next two years following such sale if the land remain unredeemed the commissioners shall in separate columns in the same book charge every such tract of land with county city borough town township school and poor taxes as would have been chargeable against the land had the same not been purchased by the county commissioners The right of redemption shall remain in the real owner of such lands for two years after sale to the county commissioners and such redemption may be accomplished by a payment within such period to the county treasurer of all taxes penalties and costs due thereon at the time of sale and interest thereon and also the taxes and penalteis which have been levied and charged thereon after the sale and interest thereon from the time such taxes ought to have been paid All redemptions of property pur- records and the county treasurer shall forthwith cause an chased by the county commissioners shall be noted upon their entry to be made on the margin of the record of the deed in the office of the recorder of deeds by marking thereon the word "redeemed" which shall be signed by the county treasurer and be attested by the recorder of deeds

Section 721 REDEMPTION BY JOINT TENANTS TENANTS IN COMMON AND CORPARCENERS OF PROPERTY PURCHASED BY COUNTY COMMISSIONERS When any real property is so purchased by the county commissioners for the sue of the county any joint tenant tenant in common or coparcener of such property may during the time allowed to a sole owner redeem his proportionate interest upon paying the county treasurer his proportionate part of the taxes penaltes and costs due thereon at the time of sale with interest and also his proportionate part of the taxes and penalties which shall have been assessed thereon after the sale and interest on each assessment to be computed from the time it should have been paid On production of the county treasurer's receipt for such payments the commissioners shall note such redemption upon their records and the county treasurer shall cause an appropriate record to be entered in the office of the recorder of deeds as hereinbefore provided in the cases of other redemptions The county commissioners may sell the residue of the interest in such land not redeemed at public sale and make a deed therefor to the purchaser who shall hold the same as tenant in common with the person who has redeemed his interest

Section 722 SALES BY COUNTY COMMISSIONERS TAXATION OF PROPERTY OF COMMISSIONERS OR IN CASES OF REDEMPTION If the owner of any real property so purchased by the county commissioners shall not redeem the same within such period the county commissioners shall at any time after such period sell any such lands at public sale and make deeds therefor After any such sale or in the case of any redemption the property shall be charged by the subordinate assessor in the name of the last purchaser or redeemer and such lands shall again be liable for taxes at other lands

Section 723 NOTICE OF COMMISSIONERS' SALES The county commissioners before making sale of real property purchased by them at tax sales shall give at least thirty days' notice once a week for three consecutive weeks of such sale particularly designating the tracts that are to be sold this notice shall be inserted in two newspapers published in the county if so many are published in such county at least five copies of such notice shall be mailed to the Commissioner of Forestry and the State Game Commission

Section 724 EXECUTION OF DEEDS BY COUNTY COMMISSIONERS TITLES After any such sales the county commissioners shall make and execute a deed in fee simpe to the purchaser such deed after being acknowledged before an officer authorized to acknowledge deeds shall pass such title as the county commissioners have a right to convey

Section 725 RULE OF CAVEAT EMPTOR TO APPLY EXCEPTIONS In all sales of real property by the county commissioners the rule of caveat emptor shall apply and the county commissioners shall not be required to refund the purchase money upon any property so sold except in cases of double assessment or where the taxes on which the sale is made shall have been previously paid or where the property does not lie within the county

Section 726 LANDS PURCHASED BY COMMISSIONER OF FORESTRY REDEMPTION LISTS OF UNREDEEMED PROPERTY Where lands purchased by the Commissioner of Forestry or the State Game Commission at tax sales made by the county treasurer are redeemed the redemption money shall be remitted to the State Treasurer by the county treasurer with a statement describing the tract of land so redeemed and the county treasurer shall certify to the Commissioner of Forestry of the State Game Commission lists of all lands purchased in behalf of the Commonwealth and not redeemed with a description of each tract similar to the one required from the county treasurer in his notice of sales of property and thereafter such lands not be subject to taxation while they are owned by the Commonwealth but such exemption shall not be construed to apply to any fixed charge placed upon such lands by the laws of the Commonwealth for county township road or school purposes

Article VIII

Acts of Assembly Repealed

Section 801 The following acts and parts of acts of Assembly are hereby repealed as specifically set forth

(A) THE FOLLOWING ACTS AND PARTS OF ACTS OF ASSEMBLY ARE REPEALED ABSOLUTELY NAMELY

Sections five six seven and eight of an act entitled "An Act for laying out making and keeping in repair the public roads and highways within this Commonwealth and for laying out private roads" approved the sixth day of April one thousand eight hundred and two (Pamphlet Laws one hundred and seventy-eight)

The act entitled "An Act directing the mode of selling unseated lands for taxes" approved the third day of April on thousand eight hundred and four (Pamphlet Laws five hundred and seventeen)

The supplement to the act entitled "An Act enjoining certain duties on the holders of warrants not executed and on the holders of unseated lands" approved the twenty-eighth day of March one thousand eight hundred and six (Pamphlet Laws six hundred and forty-four)

The act entitled "An Act to alter and amend an act entitled "An Act directing the mode of selling unseated land for taxes'" approved the fourth day of April one thousand eight hundred and nine (Pamphlet Laws one hundred and ninety-two)

Section one of the act entitled "A supplement to an act entitled 'An Act for laying out and keeping in repair the public roads and highways within this Commonwealth and laying out private roads'" approved the thirtieth day of March one thousand eight hundred and eleven (Pamphlet Laws one hundred and eighty-nine)

Section twenty-four of an act entitled "An Act establishing a fee bill" approved the twenty-eighth day of March one thousand eight hundred and fourteen (Pamphlet Laws three hundred and fifty-two)

The act entitled "An Act to amend the act entitled 'An Act directing the mode of selling unseated lands for taxes and for other purposes'" approved the thirteenth day of March one thousand eight hundred and fifteen (Pamphlet Laws one hundred and seventy-seven)

The act entitled "A further supplement to an act to amend the act entitled 'An Act directing the mode of selling unseated land for taxes and for other purposes'" approved the thirteenth day of March one thousand eight hundred and seventeen (Pamphlet Laws one hundred and eleven)

Section one two and five of an act entitled "A further supplement to the act entitled 'An Act directing the mode of selling unseated lands for taxes and for other purposes'" approved the twenty-ninth day of March one thousand eight hundred and twenty-four (Pamphlet Laws one hundred and sixty-seven)

Section thirteen of an act entitled "An Act to provide for the incorporation of boroughs" approved the first day of April one thousand eight hundred and thirty-four (Pamphlet Laws one hundred and sixty-three)

Sections seventeen eighteen nineteen thirty-two thirty-four thirty-five thirty-six thirty-seven thirty-eight thirty-nine and fifty-two of an act entitled "An Act relating to county rates and levies and township rates and levies" approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws five hundred and nine)

Sections eighty-seven eighty-eight and eighty-nine of an act entitled "An Act relating to counties and townships and county and township officers" approved the fifteenth day of April one thousand eight hundred and thirty-four (Pamphlet Laws five hundred and thirty-seven)

Sections four five six seven of an act entitled "A supplement to an act entitled an act to incorporate a turnpike road company passed fourteenth February eighteen hundred and thirty-eight and for other purposes" approved the fourteenth day of April one thousand eight hundred and forty (Pamphlet Laws three hundred and forty-one)

Section eleven of an act entitled "An Act relating to the election of county treasurers and for other purposes" approved May twenty-seventh one thousand eight hundred and forty-one (Pamphlet Laws four hundred)

Sections twenty and twenty-one of an act entitled "A supplement to an act entitled 'An Act authorizing the Governor to incorporate the Tioga Navigation Company' passed the twenty-sixth day of February one thousand eight hundred and twenty-six and for other purposes" approved the twelfth day of April one thousand eight hundred and forty-two (Pamphlet Laws two hundred and sixty-two)

Section fifty-nine of an act entitled "An act regulating election districts and for other purposes" approved the eleventh day of July one thousand eight hundred and forty-two (Pamphlet Laws three hundred and twenty-one)

The act entitled "An act in relation to the sales of unseated lands in the several counties of this Commonwealth" approved the ninth day of March one thousand eight hundred and forty-seven (Pamphlet Laws two hundred and seventy-eight)

The act entitled "An act supplementary to acts relating to recording of deeds" approved the ninth day of March one thousand eight hundred and forty-seven (Pamphlet Laws two hundred and seventy-nine)

Section fifteen twenty-two thirty thirty-one thirty-two and thirty-three of an act entitled "An act relating to the bail of executrixes to partition in the orphans' court and common pleas to colored convicts in Philadelphia to the limitation of actions against corporations to actions enforcing the payment of ground rent to trustees of married women to appeals from awards of arbitrators by corporations to hawkers and peddlers in the counties of Butler and Union to the payment of costs in actions by informers in certain cases to taxing lands situate in different townships and in relation to fees of county treasurers of Lycoming Clinton and Schuylkill to provide for recording the accounts of executors administrators guardians and auditors' reports and to amend and alter existing laws relative to the administration of justice in this Commonwealth" approved the twenty-fifth day of April one thousand eight hundred and fifty (Pamphlet Laws five hundred and sixty-nine)

Section three clause nine and section twelve of an act entitled "An act regulating boroughs" approved the third day of April one thousand eight hundred and fifty-one (Pamphlet Laws three hundred and twenty)

Section sixteen of the act entitled "An act relating to the commencement of actions to judgments and decrees for the payment of money to the widows and children of decedents to partitions in the common pleas relative to penalties on telegraph operators to pleadings in certain actions of debt to actions of ejectments to the protection of fences to partnerships to limitations of writs of entry in manors lands and tenements to the exemption laws to reports of the Supreme Court to appeals relating to wards boroughs and township officers to the acknowledgment of deeds and sequestration of life estates" approved the fourteenth day of April one thousand eight hundred and fifty-one (Pamphlet Laws six hundred and twelve)

The act entitled "An act relating to the redemption of unseated land which may have been sold for taxes" approved the eighth day of May one thousand eight hundred and fifty-five (Pamphlet Laws five hundred and nineteen)

The act entitled "An act in relation to the appointment of collectors of State and county taxes" approved the first day of February one thousand eight hundred and fifty-six (Pamphlet Laws thirteen)

Sections one two and four of an act entitled "An act relative to the sales of lands for the non-payment of taxes" approved the twenty-first day of April one thousand eight hundred and fifty-six (Pamphlet Laws four hundred and seventy-seven)

The act entitled "An act supplementary to the several acts of this Commonwealth for the sale of unseated lands" approved the third day of April one thousand eight hundred and sixty-two (Pamphlet Laws two hundred and twenty-eight)

The act entitled "A supplement to an act concerning deeds made by the commissioners of a county under the act of twenty-ninth of March Anno Domini one thousand eight hundred and twenty-four and concerning the proving and recording of the same" approved the ninth day of April one thousand eight hundred and seventy-two (Pamphlet Laws forty-five)

The act entitled "An act to authorize the collection of poor tax from unseated lands" approved the fourteenth day of May one thousand eight hundred and seventy-four (Pamphlet Laws one hundred and fifty-five)

The act entitled "An act to make the redemption money paid by a lien creditor a prior lien on the title of the debtor in the land that is redeemed" approved the fifteenth day of May one thousand eight hundred and seventy-four (Pamphlet Laws one hundred and ninety-two)

Sections thirty-six and thirty-eight of an act entitled "An act dividing the cities of this State into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offenders in all of said cities and providing for the incorporation and government of cities of the third class" approved the twenty-third day of May one thousand eight hundred and seventy-four (Pamphlet Laws two hundred and thirty)

Section five of an act entitled "A supplement to an act entitled 'An act dividing the cities of this State into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offences in all of said cities and providing for the incorporation and government of cities of the third class' approved May twenty-third Anno Domini one thousand eight hundred and seventy-four" approved the eighteenth day of March one thousand eight hundred and seventy-five (Pamphlet Laws fifteen)

The act entitled "An act authorizing appeals from assessments in this Commonwealth to the court of common pleas" approved the twentieth day of April one thousand eight hundred and seventy-six (Pamphlet Laws forty-four)

Section two of an act entitled "A supplement to an act entitled 'An act to prescribe the manner in which the courts may divide boroughs into wards' approved the fourteenth day of May Anno Domini one thousand eight hundred and seventy-four" approved the tenth day of May one thousand eight hundred and seventy-eight (Pamphlet Laws fifty-one)

The act entitled "An act to determine the residence of owners and occupants of land when the dividing line between a township and a borough passes through the mansion house and prescribing the duties of assessors in such cases" approved the twenty-fourth day of May one thousand eight hundred and seventy-eight (Pamphlet Laws one hundred and thirty-one)

Section forty-one of the act entitled "An act to reduce the State debt and to incorporate the Pennsylvania canal and railroad company" approved the twenty-ninth day of April one thousand eight hundred and forty-four (Pamphlet Laws four hundred eighty-six)

The act entitled "An act requiring collectors of special taxes to give bond" approved the twenty-fifth day of May one thousand eight hundred and seventy-eight (Pamphlet Laws one hundred and fifty)

The act entitled "An act requiring county treasurers to enter the payment of taxes upon unseated lands in the proper book and prescribing the form of receipt to be given for such payment and making the receipt evidence and requiring county commissioners to procure books and official seal for county treasurer" approved the thirtieth day of April one thousand eight hundred and seventy-nine (Pamphlet Laws thirty-four)

The act entitled "An act regulating the right of redemption of seated lands returned to the county commissioners and sold for non-payment of taxes" approved the thirteenth day of May one thousand eight hundred and seventy-nine (Pamphlet Laws fifty-five)

The act entitled "An act for the division of real estate in cities of the third class into classes for purposes of taxation and for the fixing of the rates of taxation" approved the twenty-eighth day of May one thousand eight hundred and seventy-nine (Pamphlet Laws sixty-eight)

The act entitled "A supplement to an act entitled 'An act to amend an act directing the mode of selling unseated lands for taxes and for other purposes' approved the thirteenth day of March one thousand eight hundred and fifteen providing for special sales of such lands where the same have not been sold by the treasurer at the last regular sales" approved the eleventh day of June one thousand eight hundred and seventy-nine (Pamphlet Laws one hundred and fifty-one)

The act entitled "An act relating to the collection of borough tax in the boroughs of the Commonwealth of Pennsylvania" approved the twelfth day of April one thousand eight hundred and eighty-one (Pamphlet Laws nine)

The act entitled "An act authorizing and requiring county treasurers in counties where the treasurer by existing law collects State and county taxes to collect unpaid or delinquent taxes in certain cases" approved the twenty-fourth day of May one thousand eight hundred and eighty-one (Pamphlet Laws thirty-one)

The act entitled "An act to regulate the advertising of sales by county commissioners of lands bought by them for non-payment of taxes" approved the twenty-seventh day of May one thousand eight hundred and eighty-one (Pamphlet Laws thirty-five)

The act entitled "An act making sales of seated and unseated lands for arrearages of taxes valid and effective irrespective of the fact whether such lands were seated or unseated at the time of the assessment thereof" approved the third day of June one thousand eight hundred and eighty-five (Pamphlet Laws seventy-one)

The act entitled "An act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" approved the twenty-fifth day of June one thousand eight hundred and eighty-five (Pamphlet Laws one hundred eighty-seven)

The act entitled "An act to empower the county commissioners in the counties where by present laws the county treasurer collects the taxes to change the date or dates at which a reduction of said taxes for prompt payment shall cease" approved the thirtieth day of June one thousand eight hundred and eighty-five (Pamphlet Laws two hundred and four)

The act entitled "An act relative to the purchase of lands by county commissioners at sales thereof for arrearages of taxes" approved the eighth day of July one thousand eight hundred and eighty-five (Pamphlet Laws two hundred sixty-eight)

The act entitled "An Act authorizing county treasurers to charge and deduct commissions from school road and all other municipal taxes collected and paid over by them to the proper authorities" approved the twenty-third day of May one thousand eight hundred and eighty-seven (Pamphlet Laws one hundred and seventy-eight)

The act entitled "An Act to regulate the collection of taxes on unseated lands" approved the sixth day of June one thousand eight hundred and eighty-seven (Pamphlet Laws three hundred sixty-three)

The act entitled "An Act to amend an act entitled 'An Act relative to the purchase of lands by county commissioners at sales thereof for arrearages of taxes approved June eight Anno Domini one thousand eight hundred and eighty-five' " approved the ninth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred and forty-one)

Article fifteen sections one two three four five six seven eight nine ten eleven twelve thirteen fourteen fifteen sixteen seventeen eighteen and nineteen of the act entitled "An Act providing for the incorporation and government of cities of the third class" approved the twenty-third day of May one thousand eight hundred and eighty-nine (Pamphlet Laws two hundred and seventy-seven)

The act entitled "An Act to amend section nine of an act approved the twenty-fifth day of June one thousand eight hundred and eighty-five entitled 'An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth' by providing the time which tax collectors shall pay over tax and make settlements" approved the second day of June one thousand eight hundred and ninety-one (Pamphlet Laws one hundred and seventy-five)

The act entitled "An Act to authorize the election of tax collectors for the term of three years in the several boroughs and township of this Commonwealth" approved the sixth day of June one thousand eight hundred and ninety-three (Pamphlet Laws three hundred and thirty-three)

The act entitled "An Act authorizing the acknowledgment and recording of surplus bonds given by purchasers at tax sales of real estate for the surplus mony remaining after paying the taxes and costs to the county treasurer" approved the eighth day of May one thousand eight hundred and ninety-five (Pamphlet Laws forty-seven)

The act entitled "An Act amending sections three four five eleven and twelve of article fifteen of an act entitled 'An Act providing for the incorporation and government of cities of the third class' approved the twenty-third day of May Anno Domini one thousand eight hundred and eighty-nine defining the powers of city assessors in cities of the third class constituting a board of revision of taxes and appeals in said cities providing for the appointment of its members and defining its powers providing for a system of supervising assessments and altering and changing the same by said board providing for an appeal from its decision and regulating the lien of taxes so assessed" approved the twenty-third day of May one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and eighteen)

The act entitled "An Act to encourage the use of wide tires upon wagons upon the public highways of this Commonwealth" approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred and eighty-eight)

The act entitled "An Act requiring tax collectors of townships and boroughs of the Commonwealth to give a numbered tax receipt from a book to be furnished by the county commissioners containing a correspondingly numbered stub and requiring a sheet setting forth the name amount of tax paid and number of receipt to be sent twenty days before each election to the county commissioners for public inspection and to provide for punishment of tax collectors violating the provisions of this act" approved the twenty-fifth day of June one thousand eight hundred and ninety-five (Pamphlet Laws two hundred and ninety-six)

The act entitled "An Act to regulate the advertising of sales by county commissioners of lands bought by them for non-payment of taxes" approved the second day of July one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and twenty-one)

The act entitled "An Act regulating the employment of foreign born unnaturalized male persons over twenty-one years of age and providing a tax on the employers of such persons and prescribing a penalty for violation of the provisions of said act and directing the manner of collecting the same and providing that the amount of such tax may be deducted from the wages of persons affected by the provisions hereof" approved the fifteenth day of June one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred and sixty-six)

The act entitled "An Act requiring the tax collectors of the several boroughs and townships of this Commonwealth to make monthly returns of the taxes collected by them and the amount outstanding upon their respective duplicates to the several authorities legally authorized to receive the said taxes and to borough councils and to pay over monthly the amounts so collected by them and providing a penalty for violation of the same" approved the ninth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred and forty-two)

The act entitled "An Act to provide for the appoinment of collectors of State and county taxes in cities of the third class and defining their powers" approved the tenth day of April one thousand eight hundred and ninety-nine (Pamphlet Laws thirty-four)

The act entitled "An Act providing for the addition of five per centum of the amount of all taxes for which seated lands are returned for non-payment of taxes thereto and for the recovery and payment of taxes thereto and for the recovery and payment thereof to the collector of taxes or other person making such return" approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws eighty-one)

Sections thirty and thirty-one of the act entitled "An Act to revise and amend an act entitled 'An Act providing for the incorporation and government of cities of the third class' approved May twenty-third Anno Domini one thousand eight hundred and eighty-nine enlarging modifying and defining the powers of cities of the third class" approved the sixteenth day of May one thousand nine hundred and one (Pamphlet Laws two hundred and twenty-four)

The act entitled "An Act relating to the collection of city school and poor taxes in the several cities of the third class in this Commonwealth and providing that the city treasurer of each said cities by virtue of his office shall be the collector of the said several taxes prescribing his duties and fixing his compensation" approved the twentieth day of June one thousand nine hundred and one (Pamphlet Laws five hundred and seventy-eight)

The act entitled "An Act to provide for the election of assistant assessors for the valuation of real estate for taxation in townships of the first class and fixing the compensation of assessors in such townships" approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred and eighty-four)

The act entitled "An Act establishing in counties containing a population of from three hundred thousand to one million a Board for the Assessment and Revision of Taxes for State and County purposes prescribing their powers and duties and abolishing the office of ward borough and township assessors in so far as respects the assessment of State and county taxes" approved the twenty-fourth day of March one thouand nine hundred and five (Pampphlet Laws forty-seven)

The act entitled "An Act supplementary to an act entitled 'An Act providing for the incorporation and government of cities of the third class' approved the twenty-third day of May Anno Domini one thousand eight hundred and eighty-nine and the amendments thereof enlarging modifying defining and prescribing the powers and duties of the city assessors elected in pursuance of article fifteen of the said act and its amendments relating to their qualifications compensation and obligations and providing that the councils of each of the said cities shall have and exercise certain powers with reference to said assessors the Board of Revision and Appeal and the assessment and collection of taxes" approved the twenty-ninth day of March one thousand nine hundred and five (Pamphlet Laws seventy-one)

The act entitled "An Act to encourage the preservation of forests by providing for a rebate of taxes levied upon forested land" approved the eighth day of April one thousand nine hundred and five (Pamphlet Laws one hundred and eighteen)

The act entitled "An Act to amend section thirty-five of an act entitled 'An Act for the regulation and continuance of a system of education by common schools' approved the eighth day of May Anno Domini one thousand eight hundred and fifty-four providing for the payment of assessors" approved the eighth day of April one thousand nine hundred and five (Pamphlet Laws one hundred and twenty)

The act entitled "A supplement to an act approved the twenty-third day of April one thousand nine hundred and three to provide for the valuation of real estate for taxation in the townships of the first class and fixing the compensation of assessors in such townships" approved the twentieth day of April one thousand nine hundred and five (Pamphlet Laws two hundred and thirty-six)

The act entitled "An Act to encourage the planting and the maintaining of sprout forest and timber-trees and providing that those who thus aid shall be exempt from taxation defining the duties of the township assessor of taxes and penalties for violation of this act" approved the twentieth day of April one thousand nine hundred and five (Pamphlet Laws two hundred and forty-six)

The act entitled "An Act amending an act approved the twentieth day of June nineteen hundred and one entitled 'An Act relating to the collection of city school and poor taxes in the several cities of the third class in this Commonwealth and providing that the city treasurer of each of said cities by virtue of his office shall be the collector of the said several taxes prescribing his duties and fixing his compensation' in relation to the compensation to be paid for the collection of taxes" approved the twenty-fifth day of April one thousand nine hundred seven (Pamphlet Laws one hundred and seventeen)

The act entitled "An Act to provide for the registration of conveyances of real estate in townships of the first class in order to facilitate the assessment of taxes therein in the name of the owner of said real estate at the time of the assessment" approved the twenty-ninth day of April one thousand nine hundred and nine (Pamphlet Laws two hundred and seventy-five)

The act entitled "An Act to amend section seven of an act entitled 'An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth' approved June twenty-fifth one thousand eight hundred and eighty-five allowing a reduction of five per centum on all taxes paid within ninety days from date of notice by collector that duplicate has been issued or delivered to him" approved the first day of May one thousand nine hundred and nine (Pamphlet Laws three hundred and five)

The act entitled "An Act to amend an act approved the twenty-fifth day of June Anno Domini eighteen hundred and eighty-five entitled 'An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth' so as to fix the amount of bond at not more than the amount of taxes charged and assessed in the duplicates delivered to the collectors of taxes" approved the eighth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred seventy-four)

The act entitled "An Act to provide for the registration of conveyances of real estate in all counties of this Commonwealth with a population not to exceed four hundred thousand in order to facilitate the assessment of taxes therein in the name of the owner of said real estate and to ascertain the value of such real estate and providing compensation to the recorder of deeds of such counties for making reports thereof" approved the thirteenth day of April one thousand nine hundred and eleven (Pamphlet Laws sixty-two)

The act entitled "An Act providing for notification of taxable by tax collectors in boroughs and townships prescribing the contents of such notices and providing for the payment of the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven (Pamphlet Laws one hundred seventy)

The act entitled "An Act relating to treasurers' sales of land for taxes making the prothonotary's certificate of acknowledgment endorsed on the deed or the record thereof when such deed shall have been recorded prima facie evidence of such acknowledgment" approved the eleventh day of May one thousand nine hundred and eleven (Pamphlet Laws two hundred fifty-seven)

Sections five hundred three five hundred thirty-eight five hundred thirty-nine five hundred forty-one five hundred forty-three five hundred forty-four five hundred forty-seven five hundred forty-eight five hundred forty-nine five hundred fifty five hundred fifty-one five hundred fifty two five hundred fifty-three five hundred fifty-four five hundred fifty-five five hundred fifty-six five hundred fifty-seven five hundred fifty-eight five hundred fifty-nine five hundred sixty five hundred sixty-one five hundred sixty-two and five hundred sixty-six of the act entitled "An Act to establish the public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine)

The act entitled "An Act authorizing the sale for the best price obtainable by the county commissioners in the several counties of the Commonwealth of lands heretofore or hereafter purchased by said counties at sheriff's sales under judgment obtained on tax claims" approved the fourth day of April one thousand nine hundred and thirteen (Pamphlet Laws forty-three)

Section one of the act entitled "A supplement to an act approved the twenty-fourth day of March one thousand nine hundred and five entitled 'An Act establishing in counties containing a population of from three hundred thousand to one million a board for the assessment and revision of taxes for State and county purposes prescribing their powers and duties abolishing the office of ward borough and township assessors insofar as respects the assessment of State and county taxes' providing for the appointment by said board of collectors of county taxes in cities of such counties and defining the powers and duties of such collectors" approved the fifteenth day of April one thousand nine hundred and thirteen (Pamphlet Laws seventy-five)

The act entitled "An Act to amend section five hundred and thirty-nine of an act entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven so as to define what a properly certified duplicate therein required to be furnished to each school district of the second class at the expense of the city shall consist of and the form in which the same shall be printed and indexed" approved the twentieth day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred and sixty-nine)

The act entitled "An Act to amend an act approved the twenty-fifth day of June one thousand eight hundred and eighty-five entitled 'An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth' as amended by an act approved the second day of June one thousand eight hundred and ninety-one entitled 'An Act to amend section nine of an act approved the twenty-fifth day of June one thousand eight hundred and eighty-five entitled 'An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth' by providing the time in which tax collectors shall pay over tax and make settlements'" approved the twenty-first day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred and eighty-four)

The act entitled "An Act providing for the return of taxes on seated lands in counties poor districts boroughs incorporated towns and townships for county poor borough town or township taxes respectively and providing for the sale of such lands for taxes" approved the twenty-first day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred and eighty-five)

Section one of the act entitled "An Act to amend an act approved the eighteenth day of May one thousand nine hundred and eleven entitled 'An Act to establish a public system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws special general or local or any parts thereof that are or may be inconsistent therewith'" approved the fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws four hundred and thirty-nine)

The act entitled "An Act fixing the pay of assessors in the several townships of the second class" approved the twenty-fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and fifty-nine)

Article fifteen sections one two three four five six seven eight ten eleven twelve thirteen and fourteen of the act entitled "An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto" approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and sixty-eight)

The act entitled "An Act to amend an act approved the twentieth day of June one thousand nine hundred one entitled 'An Act relating to the collection of city school and poor taxes in the several cities of the third class in this Commonwealth and providing that the city treasurer of each of said cities by virtue of his office shall be the collector of the said several taxes prescribing his duties and fixing his compensation' by extending to August first the date for the payment of taxes" approved the twenty-seventh day of June one thousand nine hundred and thirteen (Pamphlet Laws six hundred thirty-three)

The act entitled "An act prescribing certain duties for collectors of taxes in boroughs and townships and for county treasurers" approved the twenty-sixth day of March one thousand nine hundred and fifteen (Pamphlet Laws eleven)

The act entitled "An act requiring the county commissioners to furnish to townships of the first class duplicates of the adjusted valuations for taxation purposes within such townships" approved the fifth day of May one thousand nine hundred and fifteen (Pamphlet Laws two hundred and fifty-eight)

The act entitled "An act to amend an act approved the twenty-first day of May Anno Domini one thousand nine hundred and thirteen entitled "An act providing for the return of taxes on seated lands in counties poor districts boroughs incorporated towns and townships for county poor borough town or township taxes respectively and providing for the sale of such lands for taxes' so as to include school taxes" approved the first day of June one thousand nine hundred and fifteen (Pamphlet Laws six hundred and sixty)

The act entitled "An act providing for the filling of vacancies in the office of tax collector in boroughs and townships by the county commissioners and repealing certain acts inconsistent therewith" approved the seventeenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and twenty-one)

The act entitled "An act to amend the second section of an act approved the thirteenth day of June Anno Domini nineteen hundred and eleven entitled 'An act establishing in counties containing a population of from eight hundred thousand to one million four hundred thousand a board for the assessment and revision of taxes for State and county purposes prescribing the method of their appointment their powers and duties fixing their salary to be paid by the proper county and abolishing the office of ward borough and township assessors insofar as respects the assessment of State and county taxes' by changing the pay of subordinate assessors from four to five dollars per day" approved the twenty-fourth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and eighty-four)

The act entitled "An act amending sections one three seven ten eleven and repealing section eight of an act entitled 'An act relating to the collection of city school and poor taxes in the several cities of the third class in this Commonwealth and providing that the city treasurer of each of said cities by virtue of his office shall be collector of the said several taxes prescribing his duties and fixing his compensation' approved the twentieth day of June Anno Domini one thousand nine hundred and one'" approved twenty-ninth day of May one thousand nine hundred and seventeen (Pamphlet Laws three hundred and fifteen)

Sections two hundred seventy-four two hundred seventy-five three hundred sixty-five three hundred sixty-six three hundred ninety-nine four hundred four hundred one four hundred two four hundred three four hundred four four hundred five four hundred six four hundred twenty-three four hundred twenty-four four hundred twenty-five four hundred twenty-six four hundred twenty-seven four hundred twenty-eight four hundred twenty-nine four hundred thirty and four hundred thirty-one of the act entitled "An act concerning townships and revising amending and consolidating the law relating thereto" approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty)

The act entitled "An act amending section two of an act entitled 'An act establishing in counties containing a population of from eight hundred thousand to one million four hundred thousand a Board for the Assessment and Revision of Taxes for State and county purposes prescribing the method of their appointment their powers and duties fixing their salary to be paid by the proper county and abolishing the office of ward borough and township assessors insofar as respects the assessment of State and county taxes' approved the thirteenth day of June one thousand nine hundred and eleven" approved the twentieth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred and thirty)

Section thirty-seven and thirty-eight of the act entitled "An act to amend and revise an act entitled 'An act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto' approved the twenty-seventh day of June Anno Domini one thousand nine hundred and thirteen enlarging changing modifying and defining certain of the powers of cities of the third class" approved the twenty-seventh day of May one thousand nine hundred and nineteen (Pamphlet Laws three hundred and ten)

The act entitled "An act creating in counties having a population of from eight hundred thousand to one million five hundred thousand a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners fixing their salaries payable by the county defining the powers and duties of such board and regulating the assessment of property and occupations for State and county purposes authorizing the appointment of subordinate assessors and clerks defining their duties and providing for their compensation payable by such counties imposing a penalty on subordinate assessors for failure to comply with certain provisions of this act and abolishing the office of ward borough and township assessor insofar as respects the assessment of property and occupation for State and county purposes" approved the twenty-second day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand ninety-three)

The act entitled "An act to amend the act of the seventeenth day of July Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws ten hundred twenty-one) entitled 'An act to exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit and institutions of purely public charity and repealing prior acts relating thereto" approved the ninth day of April one thousand nine hundred and twenty-one (Pamphlet Laws one hundred and nineteen)

The act entitled "An act to amend section three section five and section nine of an act approved the twenty-second day of July Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws one thousand and ninety-three) entitled 'An act creating in counties having a population of from eight hundred thousand to one million five hundred thousand a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners fixing their salaries payable by the county defining the powers and duties of such board and regulating the assessment of property and ocupations for State and county purposes authorizing the appointment of subordinate assessors and clerks defining their duties and providing for their compensation payable by such counties imposing a penalty on subordinate assessors for failure to comply with certain provisions of this act and abolishing the office of ward borough and township assessor insofar as respects the assessment of property and occupations for State and county purposes' as amended" approved the twenty-sixth day of April one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and seven)

The act entitled "An Act empowering clerks designated by the board for the assessment and revision of taxes in counties of the second class to administer oaths and affirmations" approved the fifth day of May one thousand nine hundred and twenty-one (Pamphlet Laws three hundred and eighty-two)

The act entitled "An Act authorizing boroughs townships school districts and poor districts to appeal from assessments of property or other subjects of taxation for their corporate purposes" approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and forty-one)

The act entitled "An Act to amend sections four hundred four hundred and one and four hundred and two of an act approved the fourteenth day of July one thousand nine hundred and seventeen entitled 'An Act concerning townships and revising amending and consolidating the law relating thereto" approved the eleventh day of May one thousand nine hundred and twenty-one (Pamphlet Laws four hundred and eighty-two)

(B) THE FOLLOWING ACTS AND PARTS OF ACTS OF ASSEMBLY ARE ABSOLUTELY REPEALED EXCEPT SO FAR AS THE SAME RELATE OR APPLY TO COUNTIES OF THE FIRST CLASS CITIES OF THE FIRST AND SECOND CLASSES SCHOOL DISTRICTS OF THE FIRST CLASS AND POOR DISTRICTS LOCATED WHOLLY IN COUNTIES OF THE FIRST CLASS OR CITIES OF THE FIRST AND SECOND CLASSES

The act entitled "An Act for raising of county rates and levies" passed the twentieth day of March one thousand seven hundred and twenty-four and one thousand seven hundred and twenty-five (four Statues at Large ten)

Section four of the act entitled "An Act for the relief of the poor" passed the ninth day of March one thousand seven hundred and seventy-one (one Smith's Laws three hundred thirty-two)

Sections four five six nine ten sixteen eighteen nineteen twenty twenty-one of an act entitled "An Act to raise and collect county rates and levies" passed the eleventh day of April one thousand seven hundred and ninety-nine (three Smith's Laws three hundred ninety-two)

Sections one of the act entitled "A supplement to the act entitled 'An Act to raise and collect county rates and levies'" approved the fourth day of April one thousand eight hundred and five (Pamphlet Laws two hundred and sixty-five)

The act entitled "A further supplement to the act entitled 'An Act for raising county rates and levies'" approved the twenty-eighth day of March one thousand eight hundred and eight (Pamphlet Laws one hundred and sixty-six)

The act entitled "An Act to provide for the enumeration of the taxable inhabitants and slaves within this Commonwealth" approved the sixth day of January one thousand eight hundred and twenty-one (Pamphlet Laws four)

Sections two three four five six eight nine ten eleven twelve thirteen fourteen fifteen sixteen twenty twenty-one twenty-two twenty-three twenty-four twenty-eight twenty-nine thirty thirty-one thirty-three forty forty-one forty-two forty-three forty-four forty-five forty-six forty-seven forty-eight forty-nine fifty and fifty-one of the act entitled "An Act relating to county rates and levies and township rates and levies "approved the fifteenth day of April one thousand eight hundred and thirty-four" (Pamphlet Laws five hundred nine)

Section one two three four five and six of the act entitled "A supplement to the act relating to county rates and levies and township rates and levies and to the act relating to counties and townships and county and township officers" approved the twenty-eighth day of February one thousand eight hundred and thirty-five (Pamphlet Laws forty-five)

The act entitled "An Act to establish a uniform mode for the valuation of property and assessment of taxes" approved the fifteenth day of May one thousand eight hundred and forty-one (Pamphlet Laws three hundred ninety-three)

Section eight of the act entitled "An Act relating to the election of county treasurers and for other purposes" approved the twenty-seventh day of May one thousand eight hundred and forty-one (Pamphlet Laws four hundred)

Sections nine ten eleven thirteen and fourteen of the act entitled "An Act to provide for the ordinary expenses of the Government payment of the interest upon the State debt receiving of proposals for the sale of the public works and for other purposes" approved the twenty-seventh day of July one thousand eight hundred and forty-two (Pamphlet Laws four hundred forty-one)

Section thirty-two of the act entitled 'An Act to reduce the State debt and to incorporate the Pennsylvania Canal and Railroad company" approved he twenty-ninth of April one thousand eight hundred and forty-four (Pamphlet Laws four hundred eighty-six)

The act entitled 'A'n Act relating to taxes on ground rents and real estate" approved the first day of April one thousand eight hundred and forty-five (Pamphlet Laws two hundred eighty)

Sections sixteen nineteen twenty twenty-one and twenty-three of the act entitled "An Act to provide for the reduction of the public debt" approved the twenty-second day of April one thousand eight hundred and forty-six (Pamphlet Laws four hundred eighty-six)

Section three of the act entitled "An Act to provide for the ordinary expenses of government the repairs of the canals and railroads belonging to the State and the payment of other claims upon the Commonwealth" approved the eleventh day of April one thousand eight hundred and forty-eight (Pamphlet Laws five hundred and seventeen)

Section thirty-four of the act entitled "An Act to create a sinking fund and to provide for the gradual and certain extinguishment of the debt of the Commonwealth" approved the tenth day of April one thousand eight hundred and forty-nine (Pamphlet Laws five hundred seventy)

Section five of the act entitled "An Act to incorporate the Union cemetery of Fayette county to exempt the hall of the Sons of Temperance in the district of Southwark Philadelphia county from taxation and relative to the duties of assessors" approved the fifth day of April one thousand eight hundred and forty-nine one thousand eight hundred and fifty (Pamphlet Laws nine hundred and sixty-two)

Section three of the act entitled "An Act relative to the sale of lands for the non-payment of taxes" approved the twenty-first day of April one thousand eight hundred and fifty-six (Pamphlet Laws four hundred and seventy-seven)

The act entitled "An supplement to an act relative to the sale of lands for the non-payment of taxes" approved the twenty-third day of February one thousand eight hundred and fifty-eight (Pamphlet Laws forty-five)

The act entitled "An Act relating to the boards of revision in the several counties of this Commonwealth" approved the eleventh day of February one thousand eight hundred and fifty-nine (Pamphlet Laws thirty-seven)

The act entitled "An Act relative to incorporated cemetery companies" approved the fifth day of April one thousand eight hundred and fifty-nine (Pamphlet Laws three hundred and sixty-three)

The act entitled "An Act relating to the powers of the legal representatives of deceased tax collectors in this Commonwealth" approved the twenty-sixth day of March one thousand eight hundred and sixty-seven (Pamphlet Laws forty-five)

The act entitled "An Act supplementary to the act relating to county rates and levies and township rates and levies" approved the twenty-sixth day of April one thousand eight hundred and sixty-eight (Pamphlet Laws one hundred and five)

The last proviso of section one of the act entitled "An Act to repeal all laws exempting real estate from taxation" approved the eighth day of April one thousand eight hundred and seventy-three (Pamphlet Laws sixty-four)

The act entitled "An Act to authorize the boards of revision in the cities of this Commonwealth to appoint additional assessors" approved the fifth day of June one thousand eight hundred and seventy-four (Pamphlet Laws two hundred and seventy-six)

Section one of the act entitled "A supplement to an act approved April twentieth one thousand eight hundred and seventy-six entitled 'An Act authorizing appeals from assessments in this Commonwealth to the courts of common pleas' and limiting taxation without the approval of the court of quarter sessions until the next triennial assessment where the county valuation has been raised to exceed three hundred and fifty per centum" approved the twenty-fourth day of May one thousand eight hundred and seventy-eight (Pamphlet Laws one hundred and thirty-three)

The act entitled "An Act defining what is taxable for poor purposes and providing for the assessing and apportioning the same" approved the eighth day of June one thousand eight hundred and eighty-one (Pamphlet Laws seventy-five)

The act entitled "An Act to require the assessors of the several townships within this Commonwealth to assess all seated lands in the county in which the mansion house is situated where county lines divide a tract of land" approved the first day of June one thousand eight hundred and eighty-three (Pamphlet Laws fifty-one)

The act entitled "An Act requiring the several assessors of this Commonwealth to make return of timber lands" approved the thirteenth day of June one thousand eight hundred and eighty-three (Pamphlet Laws one hundred and twelve)

The act entitled "An Act to punish defaulting tax collectors" approved the third day of June one thousand eight hundred and eighty-five (Pamphlet Laws seventy-two)

The act entitled "An Act authorizing appeals from assessments of taxes in this Commonwealth to the courts of common pleas" approved the nineteenth day of April one thousand eight hundred and eighty-nine (Pamphlet Laws thirty-seven)

The act entitled "An Act relating to the collection of state county and poor taxes in the several counties of this Commonwealth and providing for monthly returns and payments of the collectors thereof" approved the eighth day of June one thousand eight hundred and ninety-one (Pamphlet Laws two hundred and twelve)

The act entitled "An Act to provide for the more speedy and effectual manner of collecting the road and poor taxes in the several boroughs and townships in this Commonwealth" approved the twenty-second day of May one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and eleven)

The act entitled "An Act providing for the divestiture of liens of taxes levied or assessed against lands sold at judicial sales and for the payment of the same out of the proceeds of such sales" approved the twenty-second day of May one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and eleven)

The act entitled 'An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assessment of property and fixing a time for the return thereof" approved the twentieth day of April one thousand eight hundred and ninety-seven (Pamphlet Laws twenty-eight)

The act entitled "An Act requiring the retention by employers of aliens sums sufficient to pay the taxes respectively assessed against such alien employes upon notice in writing from tax collectors and directing the payment thereof to the said tax collectors within sixty days after such notice shall have been given" approved the seventh day of June one thousand eight hundred and ninety-seven (Pamphlet Laws one hundred and thirty-five)

Section one and two of the act entitled "An Act to prohibit the payment of any occupation or poll tax assessed for State or county purposes of any elector by any person other than the elector against whom such tax is assessed except upon the written and signed order of such assessed elector and prescribing penalties" approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred and seventy-six)

The act entitled "An Act authorizing the prothonotaries of the several counties of this Commonwealth in which certain taxes are by law directed to be filed as liens against real estate in the offices of such prothonotaries to enter such tax liens alphabetically in separate dockets against the dockets in which the liens aforesaid shall be separately set out for each ward borough and township and making such docket entries notice and evidence when completed and further authorizing such prothonotaries hereafter to enter such liens alphabetically in separate dockets against the several persons firms and corporations against whom the same may be levied or assessed and making such entry notice to all persons and providing that such liens when so entered shall not hereafter be entered upon the general judgment index" approved the twenty-eighth day of April one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred and twenty)

The act entitled "An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assessments and the reassessment between the periods of th triennial assesment of property and fixing the time for the return thereof" approved the twenty-third day of April one thousand nine hundred and three (Pamphlet Laws two hundred and ninety-two)

The act entitled "An Act to provide for and to determine the place of the assessment of coal and minerals underlying seated lands in cases of severed ownership where the same are divided by countiy lines" approved the twenty-seventh day of April one thousand nine hundred and three (Pamphlet Laws three hundred and twenty-six)

The act entitled "An Act providing that property provided and maintained by public or private charity and used for public libraries museums or art galleries shall be exempt from taxation during such use" approved the twentieth day of April one thousand nine hundred and five (Pamphlet Laws two hundred and thirty-four)

The act entitled "An Act authorizing the county commissioners of the several counties of this Commonwealth who are by the tenth section of the act of July twenty-seventh one thousand eight hundred and forty-two and the forty-first section of the act of April twenty-ninth one thousand eight hundred and forty-four constituted a "Board of Revision' to do and perform the duties of said Board of Revision upon the same day and at the same time and place of holding the appeals for the several boroughs townships and wards in their respective counties" approved the twenty-seventh day of April one thousand nine hundred and nine (Pamphlet Laws two hundred and forty-four)

The act entitled "An Act directing the recorder of deeds of each county of this Commonwealth to refuse for record all mortgages assignments of mortgages and agreements for the payment of money unless a certificate is attached to said instruments giving the precise residence of the mortgagees assignees and persons eititled to interest and requiring a list thereof to be delivered to the proper board of revision of taxes or other officials charged with the assessment of State tax" approved the twenty-ninth day of April one thousand nine hundred and nine (Pamphlet Laws two hundred and eighty-nine)

The act entitled "An Act amending sections eleven twelve and thirteen of an act of assembly entitled 'An Act relating to county rates and levies and township rates and levies' approved April fifteenth one thousand eight hundred and thirty-four" approved the eighth day of May one thousand nine hundred and nine (Pamphlet Laws four hundred and ninety-one)

The act entitled "An Act to make unnaturalized foreign-born-residents subject to taxation in the same manner as citizens of the Commonwealth" approved the thirtieth day of March one thousand nine hundred and eleven (Pamphlet Laws thirty-eight)

The act entitled "An Act to amend the second section of an act approved the twenty-third day of April Anno Domini one thousand nine hundred and three entitled 'An act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assessments and the reassessments between the periods of the triennial assessment of property and fixing the time for the return thereof' by requiring assessors to make returns of reassessments not later than ninety days from the date of issuing precepts" approved the thirteenth day of April one thousand nine hundred and eleven (Pamphlet Laws sixty-four)

The act entitled "An Act to tax traction-engines and providing that the same shall be assessed by the several assessors of the counties of this Commonwealth in the same manner as other articles of personal estate liable for taxation are assessed" approved the first day of July one thousand nine hundred and eleven (Pamphlet Laws five hundred and forty-two)

The act entitled "A supplement to an act approved the twenty-third day of April one thousand nine hundred and three entitled 'An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assessments and the reassessments between the periods of the triennial assessment of property and fixing the time for the return thereof' as amended" approved the twentieth day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred and forty-one)

Section one two three four five six seven eight nine ten eleven twelve thirteen fourteen fifteen and sixteen of an act entitled "An Act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred and seven)

Section two of an act entitled "An Act relative to judgments and prescribing the duties of prothonotaries in connection therewith" approved the thirty-first day of March one thousand nine hundred and fifteen (Pamphlet Laws thirty-nine)

The act entitled "An Act authorizing tenants in common and coparceners of land to pay their proportionate share of the taxes assessed against the land and providing that the sale thereof for unpaid taxes shall not impair or divest the title of these who have paid their respective shares of such taxes" approved the twenty-fourth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred and seventy)

The act entitled "An Act relating to payment of taxes on seated lands by joint tenants in common or coparceners" approved the twenty-third day of June one thousand nine hundred and seventeen (Pamphlet Laws six hundred and forty-five)

The act entitled "An Act to exempt certain playgrounds not used for private or corporate profit from taxation where the entire revenue is supplied to support said playgrounds and to increase the efficiency and improvement thereof" approved the twelfth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred and fifty-two)

The act entitled "An Act imposing certain duties upon assessors in the several counties with regard to returns of the taxable inhabitants within their respective townships wards and districts" approved the seventeenth day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand and five)

The act entitled "An Act to exempt from taxation public property used for public purposes actual places of religious worship places of burial not used or held for private or corporate profit and institutions of purely public charity and repealing prior acts relating thereto" approved the seventeenth day of July one thousand nine hundred and nineteen (Pamphlet Laws one thousand and twenty-one)

(C) THE FOLLOWING ACTS AND PARTS OF ACTS ARE REPEALED SO FAR AS THEY RELATE TO TAXATION

Sections nine and twelve of the act entitled "An Act to provide for the incorporation of boroughs" approved the first day of April one thousand eight hundred and thirty-four (Pamphlet Laws one hundred sixty-three)

Sections three clause ten and section six clause two of the act entitled "An Act regulating boroughs" approved the third day of April one thousand eight hundred and fifty-one (Pamphlet Laws three hundred and twenty)

The act entitled "An Act to authorize the councils of cities having less than ten thousand population to limit the number of street commisisoners and tax collectors approved the thirty-first day of March one thousand eight hundred and eighty-one (Pamphlet Laws eight)

The act entitled "An Act to authorize the county commissioners to appoint assessors in cases where the assessor refuses or neglects to qualify or refuses or neglects to receive the precept and books at the time designated by the commissioners to begin their several duties" approved the fifth day of May one thousand eight hundred and ninety-seven (Pamphlet Laws thirty-nine)

The act entitled "An Act to amend section two of an act entitled 'An Act to amend an act entitled 'An act to authorize the election of assessors for three years in the several boroughs of this Commonwealth' approved the eighth day of May Anno Domini one thousand eight hundred and eighty-nine regulating the duty of the assessors and providing that in making the valuation of the property the assessor of all the wards shall act as a board of assessors'" approved he ninth day of July one thousand nine hundred and one (Pamphlet Laws six hundred and thirteen)

The act entitled "An act to further amend an act entitled 'An act amending the eighty-ninth section of the act entitled 'An act relating to counties and townships and the county and township officers, approved the fifteenth day of April Anno Domini one thousand eight hundred and thirty-four and amendment thereto approved the twenty-fourth day of May Anno Domini one thousand eight hundred and eighty-seven making the compensation of assessors two dollars and fifty cents per day'" approved the twenty-fifth day of May one thousand nine hundred and seven (Pamphlet Laws two hundred thirty-two

The act entitled "An act allowing mileage to assessors and assistant assessors whose duties pertain to assessments for purposes of State and county taxation or either when traveling to or from the county seat of their respective counties or attending before the county commissioners elsewhere than at the county-seat" approved the twenty-third day of April one thousand nine hundred and nine (Pamphlet Laws one hundred forty-six

The act entitled "An act relating to assessments for taxes in townships of the first class in this Commonwealth fixing the compensation of assessors and assistant assessors in such townships extending the time within which the said assessors are required to complete their assessment and make their return thereof and further providing for the determination of the time actually employed by the said assessors and assistant assessors in the performance of their duties" approved the twentieth day of May one thousand nine hundred and thirteen (Pamphlet Laws two hundred sixty-four)

The act entitled "An act fixing the per diem compensation of borough and township assessors and assistant assesors and the method of ascertaining the number of days employed" approved the fourth day of April one thousand nine hundred and nineteen (Pamphlet Laws thirty-five)

The act entitled "An act requiring assessors and assistant assessors for county purposes in cities of the third class to keep an account of days actually employed and make return thereof to the county commissioners and fixing their compensation" approved the fourth day of April one thousand nine hundred and nineteen (Pamphlet Laws thirty-eight)

The act entitled "An act to amend section one hundred and twenty of an act approved the fourteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws eight hundred and forty) entitled 'An act concerning townships and revising amending and consolidating the law relating thereto' by providing for the election of a township assessor and an assistant township assessor in townships of the first class and fixing the compensation of such assistant assessor payable by the county" approved the eighteenth day of June one thousand nine hundred and nineten (Pam-Laws five hundred and one)

(D) THE FOLLOWING ACT IS REPEALED SO FAR AS IT RELATES TO CITIES OF THE THIRD CLASS

The act entitled "An act authorizing and empowering the city treasurers of the several cities of second class and third class of this Commonwealth to sell at public sale all properties upon which the taxes assessed and levied are delinquent and remain unpaid" approved the thirtieth day of March one thousand nine hundred and three (Pamphlet Laws one hundred and six)

Section 802 All other acts and parts of acts of assembly general local or special inconsistent with or supplied by this act are repealed absolutely It is the intention of the legislature that this act shall furnish a complete and exclusive system for the assessment of persons property and subjects of taxation and the collection of taxes in the districts to which the same applies

But nothing contained in this act shall be construed to repeal any act or part thereof providing for the filing of tax claims in the office of the prothonotary and the collection of the lien thereof in the manner now provided by law nor shall anything in this act be construed to repeal any local or special law providing for the taxation of any real or personal property not made taxable under this act

This act shall not repeal or modify any of the provisions of an act of Assembly adopted at the session of the General Assembly of one thousand nine hundred and twenty-three whether such act was adopted prior or subsequent to the passage of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be reconsidered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 801, as follows:

An Act to amend section four of an act approved the twenty-fifth day of June one thousand eight hundred eighty-five (Pamphlet Laws one hundred eighty-seven) entitled "An act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" by changing the time of issuing duplicates

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of an act approved the twenty-fifth day of June one thousand eight hundred and eighty-five (Pamphlet Laws one hundred eighty-seven) entitled "An act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" is hereby amended to read as follows

Section 4 The several county borough township school poor and other authorities now empowered and which may hereafter be empowered to levy taxes within the several boroughs and townships of this Commonwealth shall on or before the first day of June of each year after the first election of collector of taxes under this act issue their respective duplicates of taxes assessed to the collector of taxes of their respective boroughs and townships with their warrants attached directing and authorizing him to collect the same but road taxes may be worked out as heretofore Provided That such special and other road taxes as it may be lawful and necesary to collect in money may at the discretion of the supervisors or road commissioners be placed in the hands of the collector of taxes with their warrant for collection by him for which he shall receive five per centum of the amount collected by him or the same may be collected by the supervisors or road commissioners as heretofore Provided further That the limitations in this act as to time and the requirements hereof relating to keeping an alphabetical list of persons charged with taxes shall not apply to road taxes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be reconsidered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 739, entitled:

An Act to amend sections one, two, five and six of the act approved the sixteenth day of July, one thousand nine hundred and thirteen (Pamphlet Laws, seven hundred fifty-two), entitled "A supplement to an act entitled, 'An Act providing for the incorporation and government of cities of the third class,' approved the twenty-third day of May, Anno Domini one thousand eight hundred eighty-nine, creating a City Planning Department, defining its jurisdiction, and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the city, and for three miles beyond the city limits; and to regulate the making and use of certain public improvements until said plans are approved by said department and authorizing the exercise of the powers herein provided by a park or other municipal commission;" by providing for annual appropriations to be made by the city councils to the said commission; prohibiting the recording of deeds and transfers of certain properties until the streets and roads abutting upon or bounded within the same have been legally established or approved by the commission; and providing penalties.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the sixteenth day of July one thouand nine hundred and thirteen (Pamphlet Laws seven hundred and fifty-two) entitled "A supplement to an act entitled 'An act providing for the incorporation and government of cities of the third class' approved the twenty-third day of May Anno Domini one thousand eight hundred eighty-nine creating a city Planning Department defining its jurisdiction and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the city and for three miles beyond the city limits and to regulate the making and use of certain public improvements until said plans are approved by said department and authorizing the exercise of the powers herein provided by a park or other municipal commission" is hereby amended to read as follows

Section 1 Be it enacted et cetera That an additional executive department in the government of cities of the third class is hereby created to be known as the Department of City Planning which shall be in charge of a City Planning Commission consisting of five persons to be appointed by the mayor and councils In the first instance one member of said commission shall be appointed for one year one member for two years one member for three years one member for four years and one member for five years and annually thereafter a member of said commission shall be appointed for a term of five years An appointment to fill a casual vacancy shall be only for the unexpired portion of the term All members of the said commission shall reside within the zone of jurisdiction of said commission as hereinafter defined They may make and alter rules and regulations for their own organization and procedure consistent with the ordinances of the city and the laws of the Commonwealth They shall serve without compensation and make annually to the mayor and councils a report of their transactions They may employ engineers and other persons whose salaries and wages and other necessary expenses of the commission shall be provided for through proper appropriation by councils

On the question,

Will the House agree to the section?

Mr. HARER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 2, line 4, by striking out the word "one"

Amend section 1, page 2, lines 19 to 23, by striking out all the words in said lines both inclusive

Amend section 1, page 3, lines 1 to 19, by striking out all the words in said lines both inclusive

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 That section two of said act is hereby amended to read as follows

Section 2 The clerks of council shall upon introduction furnish to the City Planning Commission for its consideration a copy of all ordinances and bills and all amendments thereto relating to the location of any public building of the city and to the location extension widening narrowing enlargement ornamentation and parking of any street boulevard parkway park playground or other public ground and to the relocation vacation curtailment changes of use or any other alteration of the city plan with relation to any of the same and to the location of any bridge tunnel and subway or any other surface underground or elevated railway No such ordinance bill or amendment thereto shall be finally passed or approved by the council unless referred to said commission and returned therefrom with a written report or unless the commission fails too make a report within ten days from the date a copy of such ordinance bill or amendment thereto was received by it The said commission shall have the power to disapprove any of the said ordinances bills or amendments but such disapproval shall not operate as a veto

On the question,

Will the House agree to the section?

Mr. HARER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 2, page 3, lines 20 and 21, by striking out all the words in said lines both inclusive

On the question,

Will the House agree to the amendment?

It was agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 That section five of said act is hereby amended to read as follows

Section 5 All plans plots or replots of lands laid out in building lots and the streets alleys or other portions of the same intended to be dedicated to public use or for the use of purchasers or owners of lots fronting thereon or adjacent thereto and located within the city limits or for a distance of three miles outside thereof shall be submitted to the City Planning Commission and approved by it before it shall be recorded And it shall be unlawful to receive or record such plan in any public office unless the same shall bear thereon by endorsement or otherwise the approval of the City Planning Commission shall be deemed a refusal of the proposed dedication shown thereon The approval of the commission shall be deemed an acceptance of the proposed dedication but shall not impose any duty upon the city concerning the maintenance or improvement of any such dedicated parts until the proper authorities of the city shall have made actual appropriation of the same by entry use or improvement No sewer water or gasmain or pipes or other improvement shall be voted or made within the area under the jurisdiction of said commission for the use of any such purchasers or owners nor shall any permit for connection with or other use of any such improvement existing or for any other reason made be given to any such purchasers or owners until such plan is so approved It shall be unlawful to receive or record in any public office any deal or transfer of property lying within the area of jurisdiction of the City Planning Commission and abutting upon or bounded in any of its parts by a public private or proposed street or road unless such street or road shall have been either legally established or approved by the said commission as to location width and grade Where the jurisdiction limit of three miles outside of the city limits as provided in this section may conflict with the zone of similar character connected with another city of the third class the jurisdiction of said commission shall extend only to the point equidistant between the city limits and the limits of said municipality

On the question,

Will the Hous agree to the section?

Mr. HARER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 3, page 4, line 16, by striking out the figure "3" and inserting in lieu thereof the figure "2"

Amend section 3, page 5, line 1, by inserting after the word "mission" the following: "the disapproval of any such plan by the City Planning Commission"

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read as follows:

Section 4 That said act is hereby amended by adding thereto section six—a which reads as follows

Section 6—a Any person violating any of the provisions of this act or the act to which this is an amendment shall be liable to a penalty not less than twenty-five dollars nor more than two hundred dollars for every such violation Said penalties to be recovered in the manner in which similar penalties are now by law recoverable

On the question,
Will the House agree to the section?

Mr. HARER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 4 page 6, line 1, by striking out the figure "4" and inserting in lieu thereof the figure "3"

On the question,
Will the House agree to the amendment?
It was agreed to,
On the question,
Will the House agree to the section as amended?
It was agreed to.

The title was read as follows:

An Act to amend section one two and six of the act approved the sixteenth day of July one thousand nine hundred and thirteen (Pamphlet Laws seven hundred and fifty-two) entitled "A supplement to an act entitled 'An act providing for the incorporation and government of cities of the third class' approved the twenty-third day of May Anno Domini one thousand eight hundred and eighty-nine creating a City Planning Department defining its jurisdiction and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the city and for three miles beyond the city limits and to regulate the making and use of certain public improvements until said plans are approved by said department and authorizing the exercise of the powers herein provided by a park or other municipal commission" by providing for annual appropriations to be made by the city councils to the said commission prohibiting the recording of deeds and transfers of certain properties until the streets and roads abutting upon or bounded within the same have been legally established or approved by the commission and providing penalties

On the question,
Will the House agree to the title?

Mr. HARER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 1, by striking out the word "one"

On the question,
Will the House agree to the amendment?
It was agreed to,
On the question,
Will the House agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time, and agreed to,

Ordered ,To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 530, entitled:

An Act to amend section fifteen of an act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" providing for the appointment of district registrars as assessors in cities of the first class

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section fifteen of the act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" is hereby amended to read as follows

Section 15 That at each municipal election there shall be elected in each election district in the State as well in those wherein the registration of voters has heretofore been made by officers appointed and not chosen by the people to perform the duty as in all others one person as judge and two inspectors in conformity with the general laws of the Commonwealth to conduct the elections for two years and also an assessor who shall perform the duties incident to election as required by the provisions of this act Provided That in cities of the first class the separate office of assessor for election purposes in election districts is hereby abolished The county commissioners of each county containing a city of the first class shall annually immediately after the appointment by the registration commissioners of such city of district registrars designate one of such registrars in each election district of such city to be the assessor of such election district

On the question,
Will the House agree to the section?

Mr. EDMONDS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 1, page 2, line 8, by striking out the word "election" and inserting in lieu thereof the word "elections"

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The title was read and agreed to as follows:

An Act to amend section fifteen of an act approved the thirtieth day of January one thousand eight hundred and seventy-four (Pamphlet Laws thirty-one) entitled "A further supplement to the act regulating elections in this Commonwealth" providing for the appointment of district registrars as assessors in cities of the first class

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 324, entitled:

An Act providing for the collection of city and school taxes in third class cities by the city treasurer and fixing and providing for the payment of his salary and expenses and the salaries of his assistants and clerks

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cities of the third class the city treasurer shall be the collector of city and school taxes For his services in the collection of said taxes he shall receive a salary of not less than three thousand nor more than seven thousand five hundred dollars per year to be fixed by the city council Provided That the salary be fixed the year previous to an election of City Treasurer and this salary be not diminished during the term for which any Treasurer is elected

On the question,

Will the House agree to the section?

Mr. HORNE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend Sec. 1, page 1, line 12 by inserting after the word "elected" the following: And provided further, That the city council of each city of the third class in which a city treasurer is to be elected at the election to be held in the year one thousand nine hundred and twenty-three shall, during the month of July of the year one thousand nine hundred and twenty-three, fix the salary of the city treasurer so to be elected.

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 The city treasurer shall give bond for the collection of such taxes in the manner now required by law for the collection of such taxes He shall appoint such clerks and assistants as may be necessary for the performance of the duties of his office subject to the approval of the city council Such clerks and assistants shall receive such salary as may be fixed by the city council

On the question,

Will the House agree to the section?

Mr. HORNE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 2, line 2 by inserting after the word "taxes" the following: "the premium of which bond shall be included in the expenses of the said city treasurer to be paid by the city and the school district as other expenses of said city treasurer are paid."

Amend section 2, page 2, lines 4 and 5 by striking out the words "subject to the approval of the city council"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended

It was agreed to.

The third and fourth sections and title were separately read and agreed to as follows:

Section 3 The salaries of the city treasurer and of his clerks and assistants and the expenses of the city treasurer incurred in preparing and transmitting notices to taxpayers shall be paid monthly by the city

The school district shall be charged with a portion of such salaries and expenses in the same proportion as the school taxes collected bears to the total sums of money received by the treasurer from all sources and the school district's share of such salaries and expenses shall be deducted from the school taxes at the end of each quarter At the end of each month the treasurer shall furnish the school district with a statement of school taxes collected by him during the month

Section 4 All acts and parts of acts general local or special inconsistent with this act are hereby repealed This act shall not apply to city treasurers in office or elected to office before the date of the approval of this act

An Act providing for the collection of city and school taxes in third class cities by the city treasurer and fixing and providing for the payment of his salary and expenses and the salaries of his assistants and clerks

And said bill having been read at length the second time and agreed to as amended

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 661, as follows:

An Act making the report of the board of view viewers or jury of view upon appeal to the court of common pleas prima facie evidence of benefits therein assessed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at the trial of any appeal taken to the court of common pleas from any award of benefits as assessed in or by the report of any board of view viewers or jury of view appointed by the court of common pleas or the court of quarter sessions in any county of the Commonwealth to assess damages and benefits incidental to the exercise of the right of eminent domain the report of such board of view viewers or jury of view as finally approved confirmed modified or changed by the court shall be prima facie evidence of the benefits therein assessed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1349, as follows:

An Act prescribing certain fees to be charged and collected by The Public Service Commission of the Commonwealth of Pennsylvania for the testing and proving by said Commission the accuracy of gas water or electric meters and certain other apparatus appropriating the moneys received from such fees to such Commission for the expenses of conducting operating and maintaining its standardization laboratory and the other meter or apparatus testing activities of said Commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the Public Service Commission of the Commonwealth of Pennsylvania to charge and collect the following fees

For testing each watthour meter	$16 00
For testing each indicating instrument..........	10 00
For testing each instrument transformer	$10 00
For testing each standard cell	5 00
For testing each standard resistance	10 00
For testing each potentiometer	50 00
For testing each gas meter prover	35 00
For testing each calorimeter tested at the gas company's plant	35 00
For testing each calorimeter tested at the Commission laboratory	10 00
For each water meter testing apparatus tested at tht company's plant	15 00
For each water meter tested at the Commission laboratory	3 00

All moneys derived from fees herein specified shall be paid by the Commission into the State Treasury for safe keeping and shall by the State Treasurer be placed in a separate fund to be available for the use of the said Commission as hereinafter provided All such moneys so paid into the State Treasury are hereby specifically appropriated to the Public Service Commission for all character of expense necessary and proper for the efficient conduct operation and maintenance of the Commission's standardiation laboratory and for the other meter and apparatus testing and proving activities of said Commission including the payment of salaries or wages of testors assistants watchmen and other employees travelling expenses rentals maintenance equipment apparatus and supplies and including auto truck maintenance replacement and repairs

The salaries when properly certified by the Secretary of the Commission shall be audited by the Auditor General and when audited and allowed shall be paid by warrants therefor by the Auditor General upon the State Treasurer All disbursements of such a nature as to make it impracticable for the Commission to file with the Auditor General itemized receipts or vouchers prior to the advance by the accounting officer of funds sufficient to meet such expenses shall be paid out of moneys hereby appropriated in the manner provided by law

The moneys hereby appropriated shall be in addition to any moneys otherwise appropriated for any or all the purposes herein specified and the matter of which fund shall be drawn upon to pay any of such items of expense shall rest in the discretion of the said Commission

And said bill having been read at length the second time and agreed to

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1285, entitled:

An Act establishing minimum standards of plants, equipment service, administration and care and treatment for State-aided hospitals; requiring the Department of Public Welfare to investigate any hospital to which an appropriation is made and if such hospital conforms to at least the standards established by this act, to so certify to the Auditor General; and prohibiting the Auditor General from drawing a warrant upon the State Treasurer in favor of any hospital which does not conform to the standards established by this act."

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for the Auditor General to draw a warrant on the State Treasurer for the payment of any appropriation or any part thereof to any hospital within this Commonwealth unless the Auditor General shall have on file the unrevoked certificate of the Department of Public Welfare that such hospital is equipped and maintained according to at least the minimum standards of plant equipment service administration and care and treatment specified in this act

The second section was read as follows:

Section 2 In order to receive from the Commonwealth any appropriation or any part thereof made to any hospital by the General Assembly such hospital shall be equipped and maintained according to at least the following minimum standards of plant equipment service administration and care and treatment

(a) The hospital shall be incorporated with a Managing Board however designated of not less than five responsible citizens who shall hold regular meetings for the purpose of determining the policy and guiding the financial affairs of the hospital Members of the Staff shall not be members of the Managing Board

The appointment of the Medical Staff shall be vested in the Managing Board

(b) The Visiting Staff shall be composed of reputable physicians and surgeons appointed for a definite tenure of office

The Visiting Staff shall be responsible for the professional care of the patients under a policy adopted by the Managing Board

No Visiting Staff member shall receive professional fees for care of patients in the wards of the hospital unless the full cost of maintenance in the ward of the hospital has paid Provided That at the time such patient was accepted no private room was available Provided further That the patient be transferred to a private room as soon as such private room is available This shall not be construed to conflict with any provisions governing the operation of the Workmen's Compensation Act

(c) The Executive of the hospital shall be a competent man or woman capable of administering the affairs of the hospital under the direction of the Managing Board

The Executive shall be responsible for the appointment and dismissal of all employes of the hospital

(d) The Superintendent of Nurses shall be a graduate nurse registered in the State of Pennsylvania

This is not to be construed as forbidding a Registered Nurse from combining the duties of Hospital Superintendent and Superintendent of Nurses in a hospital which does not operate a training school for nurses

(e) Supervising Nurses shall be graduate nurses registered in the State of Pennsylvania

There shall be one Supervising Nurse on night duty and a sufficient number of Supervising Nurses on duty during the day to safeguard the interests of the sick patients and direct the nursing activities of the hospital

(f) All persons employed in the care of the sick in the hospital shall be over eighteen years of age and shall under competent supervision be capable of intelligently caring for the sick

(g) The general personnel of the hospital shall be a sufficient number of men and women to keep the hospital clean and sanitary and to promote the general comfort and wellbeing of the patients and professional staff

(h) The hospital buildings shall be suitable for the intended purpose the care of the sick and shall be well screened lighted heated and ventilated with proper sewage disposal and water supply

The professional and domestic staff if in residence shall be housed in sanitary comfortable rooms with adequate toilet facilities and reasonable provision for privacy and recreation

There shall be provided at least one suitable room or ward for isolation purposes

(i) The safety and sanitary appliances and regulations shall conform to the requirements of the laws of this Commonwealth and the regulations of the Department of Health the Department of Labor and Industry and the municipality in which the hospital is located

(j) The hospital equipment shall be sufficiently modern to insure proper medical and surgical diagnosis and care

(k) The fact of the inability of a patient to pay for his care either in whole or in part shall be determined by a suitable investigation either by the credit department of the hospital the social service department or by a designated member of the administrative staff or trustees of the hospital and a record of the findings upon such investigation shall be kept as hereinafter set forth

(1) Records shall be kept as follows

1 Records of the hospital shall conform to the uniform system of accounting prescribed by the Department of Public Welfare

2 Credit records of all patients received without charge or for partial payment of per diem ward rates of the hospital shall be kept upon credit cards to be supplied to the hospital by the Department of Public Welfare

3 Medical Records in easily accessible files shall be kept and the finished case record shall show the name address and civil status of the patient the facts pertinent to the disease or injury the diagnosis the nature of the treatment operations performed the results the condition of the patient on discharge All such records shall be signed by the attending staff member

4 A regular hospital register and daily census shall be kept in the office of the hospital

5 Quarterly and annual reports shall be rendered to the Department of Pubic Welfare on forms supplied by the Department

(m) Laboratory facilities shall be as follows

1 There shall be sufficient equipment and trained service available to make it possible to secure at any time a urniary analysis gastric analysis blood count haemaglobin estimation and diagnostic smears

2 There shall be established with other persons or agencies such arrangements as may be necessary to secure more elaborate diagnostic information in connection with patients needing such diagnostic service

3 A card catalogue of all diagnostic findings shall be kept in the laboratory files

On the question,

Will the House agree to the section?

Mr. McVICAR. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 2, page 5, line 3, by striking out "(1)" and inserting in lieu thereof the letter "l" in parenthesis (l)

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third and fourth sections and title were separately read and agreed to as follows:

Section 3 It shall be the duty of the Department of Public Welfare to investigate any hospital to which the General Assembly shall have made an appropriation for the purpose of determining whether it is equipped and maintained according to at least the minimum standards specified in the preceding section and if it is so equipped and maintained to issue the certificate of the Department to the Auditor General stating such fact Provided That the Department of Public Welfare shall revoke such certificate if at any time such hospital shall cease to maintain at least such minimum standards Provided That this act shall not become effective until the first day of January one thousand nine hundred and twenty-four and it shall not apply to any hospital until an examination has been made of such institution and a certificate is either granted or refused by the Department of Public Welfare And provided further That in the event the management of any such State Aid Hospitals or Institutions is not satisfied with or believes that an injustice has been done in determining whether or not said hospital or institution is equipped and maintained according to at least the minimum standards specified in this act such an appeal may be taken from the decision of the Commissioner of Public Welfare to a Board composed of the Governor ex officio the Attorney General the Commissioner of Health and Auditor General whose decision shall be final

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

An Act establishing minimum standards of plant equipment service administration and care and treatment for State-aided hospitals requiring the Department of Public Welfare to investigate any hospital to which an appropriation is made and if such hospital conforms to at least the standards established by this act to so certify to the Auditor General and prohibiting the Auditor General from drawing a warrant upon the State Treasurer in favor of any hospital which does not conform to the standards established by this act

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1291, entitled:

An Act establishing the per diem rates of payment to hospitals to which the General Assembly may appropriate money to pay for the care and treatment of indigent sick or injured persons and for that purpose classifying such hospitals, defining "indigent;" and prescribing the manner of determining whether a person is indigent and the method of calculating the number of free days of care and treatment rendered to indigent persons.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of Pennsylvania in General Assembly met and it hereby enacted by the authority of the same That in order to determine whether a person is entitled to free or part pay service in hospitals for which the General Assembly may have made an appropriation for such service an investigation shall be made either by the Credit Department or Social Service Department or by a designated member of the administrative staff or trustee of the Hospital and a record of the findings upon such investigation shall be kept upon form furnished by the Department of Public Welfare Where the record of the investigation is incomplete or insufficient the case may be subject to further investigation and review by the Department of Public Welfare Where such investigation shows that patient has no estate relative corporation or association legally responsible for the payment of or where no collection can be made of the costs or charges in whole or in part for the services rendered by any such hospital or when the investigation shows that such collection under all circumstances would be unjust or burdensome on the patient his family or dependents such patient shall be entitled to free or part pay services as the circumstances may determine Provided That an infant born to a mother in the ward of a hospital the mother being a person entitled to free or part pay service as determined under the provisions of this Act such infant shall be considered a State charge for which the hospital shall be entitled to receive compensation under this Act at one-fourth the adult per diem rate established for such hospital

On the question,

Will the House agree to the section?

Mr. McVICAR. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 2, line 27, by striking out the word "form" and inserting in lieu thereof "forms"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to as follows:

Section 2 Every such hospital shall be paid according to the per diem rate established by law for each day of service to a patient entitled to free service under this Act from or on account of whom no payment is received except from the appropriation

Every hospital shall receive for each day of part pay service to a sick or injured person entitled to part pay service under this Act who is treated in the wards thereof and unable to pay in full the regular ward charge such proportion of the maximum per diem rate to which such hospital is entitled by law as that part of the regular ward charge which the person so treated is unable to pay bears to the regular ward charge for the support care relief or treatment rendered to such person

To Class "A" hospitals one dollar and seventy cents for each day of free service to indigent sick or injured persons residents of Pennsylvania

To Class "B" hospitals one dollar and fifty-five cents for each day of such free service

To Class "C" hospitals one dollar and forty cents for each day of such free service

To Class "A-1" hospitals one dollar and fifty-five cents for each day of such free service

To Class "B-1" hospitals one dollar and forty cents for each day of such free service

The third section was read as follows:

Section 3 The Department of Public Welfare shall make and promulgate rules and regulations not inconsistent with this act for determinating the number of free days of care and treatment redered to persons entitled to free or part pay services by hospitals to which this act applies and the number of such free days and part pay service shall be calculated and determined in accordance with such rules and regulations Provided that in the event the management of any such institution is not satisfied with or believes that an injustice has been done in the making and promulgating of said regulations or in the determination of the number of such free days an appeal may be taken from the decision of the Commissioner of Public Welfare to a Board composed of the Governor ex officio the Attorney General the Commissioner of Public Health and the Auditor General whose decision shall be final

On the question,

Will the House agree to the section?

Mr. McVICAR. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 3, page 4, line 17, by striking out the bracket after the word "rates"

Amend section 3, page 5, line 18, by striking out the word "Public"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title?

It was agreed to.

The fourth section was read and agreed to as follows:

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

The title was read as follows:

An Act establishingg the per diem rates of payment to hospitals to which the General Assembly may appropriate money to pay for the care and treatment of indigent sick or injured persons and for that purpose classifying such hospitals defining "indigent" and prescribing the manner of determining whether a person is indigent and the method of calculating the number of free days of care and treatment rendered to indigent persons

On the question,

Will the House agree to the title?

Mr. McVICAR. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title by striking out the title and inserting in lieu thereof the following: "An Act prescribing the manner of determining whether a person is entitled to free or part pay service in hospitals to which the General Assembly may make appropriations providing for such service, defining such persons, and prescribing the method of paying for such service."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

On the question,

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceded to the second reading and consideration of House Bill No. 1542, (Senate Bill No. 1018) entitled:

A Joint Resolution proposing an amendment to section seven of article three of the Constitution of Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceded to the second reading and consideration of House Bill No. 1539 (Senate Bill No. 573) entitled:

A Joint Resolution proposing an amendment to section seven of article three of the Constitution of Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceded to the second reading and consideration of House Bill No. 1536, (Senate Bill No. 1140), entitled

An act giving the consent of the Comonwealth of Pennsylvania to the purchase by the United States of about one hundred and forty-seven and five hundred and forty-three thousandths acres of land in O'Hara Township Allegheny County Pennsylvania for use in the care and treatment of discharged sick and disabled soldiers or for other uses of the United States and ceding jurisdiction over such land and also providing for the retention of a concurrent jurisdiction by the Commonwealth of Pennsylvania with the United Statees on such land for the service of legal process thereupon

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceded to the second reading and consideration of House Bill No. 1507 (Senate Bill No. 1080), entitled

An Act amending section two of ARTICLE XVI of an act approved the twenty-ninth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred and eighty-one entitled "An act for the better government of cities of the first class of this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceded to the second reading and consideration of House Bill No. 1505 (Senate Bill No. 763), entitled:

An act relating to the preparation of a new Constitution of the Commonwealth by a convention and its adoption or rejection by the people.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the au-

thority of the same That at the general election for the year one thousand nine hundred and twenty-four the question "Shall a constitutional convention be held in the year one thousand nine hundred and twenty-six as provided in the act of Assembly approved the ....day of........ one thousand nine hundred and twenty-three" (intersecting the date of the approval of this act) followed by the words "yes" and "no" in appropriate voting blocks shall be printed upon the official ballots to be used at such election as provided by the election laws of the Commonwealth for the submission of questions to the vote of the people Below the said question shall appear the words "voters" favoring the holding of a constitutional convention in the year one thousand nine hundred and twenty-six will mark a cross (X) to the right of the word 'yes' those opposing the holding of a convention will mark a cross (X) to the right of the word 'no' "

On the question,

Will the House agree to the section?

MOTION TO RECOMMIT.

Mr. JOSEPH MARCUS. Mr. Speaker, I move that this bill be recommitted to the Committee on Constitutional Reform, for the purpose of amendment.

Mr. SOWERS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. McVICAR. Mr. Speaker, this is a bill providing for the holding of a constitutional convention, which originated in the Senate and which passed there by a vote of 44 to 2. The bill came over to the House and was referred to the Committee on Constitutional Reform, and at the first hearing on that bill, it was postponed for one week, so that opportunity might be given every one to be here. After the postponement of the bill for one week, a hearing was held and the committee acted upon that bill. I do not see any reason at this time, and none has been offered so far as I know. why this bill should be referred back to the Committee. If there is any objection to the bill, or to the holding of a constitutional convention, if there is any question as to the merits of the bill, that can be threshed out on third reading and final passage. It seems to me unless there is some reason offered, which has not been done thus far, that the bill should not be recommitted.

Mr. JOSEPH MARCUS. Mr. Speaker, there is a very good reason in my opinion as to why this bill should be recommitted at this time. It is true, as the gentleman from Allegheny has related that the bill was postponed for a hearing. We held a hearing and immediately after the hearing the bill was voted out favorably. There was no discussion in the committee as to the merits of the bill in so far as its provisions were concerned. In reading the bill I have come to the conclusion that there is one feature in it which should be emphasized as being a bad feature. I would prefer to present that before the committee. I have an amendment correcting that which I think should be offered at a committee hearing. That is my reason for asking to have it recommitted at this time.

Miss. McKINNEY. Mr. Speaker, as a member of the committee to which this bill was referred, we felt it was very thoroughly discussed in committee. It was brought up one week and a sub committee was appointed and they reported it and a hearing was held. The measure was reported out without only two negative votes. Therefore, I see no reason why it should go back to committee. My colleague from Philadelphia was present and had the opportunity to offer his amendments at that time. I feel that the bill should remain on the calendar and that we should act upon it. The time is growing short, and the constantly referring of bills back to committee is not a good measure at this time. I hope you will vote the motion down.

Mr. DILSHEIMER. Mr. Speaker. The session is getting late and I think we are losing too much time here arguing on bills. I think we will save time in referring bills back to the committee when it comes to making amendments to them. Therefore, I think we would facilitate matters much more and every member would have a chance to offer amendments if it should be amended in committee, and I am in accord with the motion of the gentleman from Philadelphia.

Mr. McVICAR. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Marcus.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Marcus permit himself to be interrogated?

Mr. JOSEPH MARCUS. I will, Mr. Speaker.

Mr. McVICAR. Have you drafted the amendment which you desire to insert in this bill?

Mr. JOSEPH MARCUS. I have.

Mr. McVICAR. Is there any reason why you cannot offer that amendment at this time?

Mr. JOSEPH MARCUS. Yes.

Mr. McVICAR. Will you state what that reason is?

Mr. JOSEPH MARCUS. I prefer to have it discussed before the Committee.

Mr. SOWERS. Mr. Speaker, I have possibly eigh or nine amendments, which I would like to offer, and I would like to save the time of this House. I think we ought to recommit it to the committee so that I can offer them. I have some of them here.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. ZOOK and Mr. McVICAR and were as follows:

YEAS—63.

Allman,
Baldi,
Beaver,
Behney.
Bell, W. T.,
Berger,
Betts.
Bluett,
Blumberg,
Bromley
Burchinal,
Burns,
Bush,
Chaplin,
Colville,
Conner,
Craig,
Dilsheimer,
Donahue.
Drinkhouse,
Dunn.
Eaches,
Evans, J.,
Fields,
Gibbon,
Glasgow,
Golder,
Greeby,
Guerin,
Harer,
Haws,
Heffernan.
Heyburn,
Keene.
Lafferty,
Little,
Lucas,
Lynch,
Mangan,
Marcus, J.,
Marcus, J. C.,
Mathay,
McCann,
McCaig,
Metcalf,
Millar.
Miller,
Moffatt,
Myers, P. M.,
Nolte,
Ogle,
Perry,
Sautter,
Sheridan.
Smith, H.,
Smith, J. W.,
Sowers,
Spangler,
Steedle,
Stofflet,
Stoner,
Walker,
Wettach,

NAYS—113.

Albert,
Anderson.
Armstrong,
Aston,
Bell, F. A.,
Bentley,
Bidelspacher,
Blair,
Brewster,
Brown,
Clutton,
Coldsmith,
Coyne,
de Young,
Diehm,
Dietz,
Driggs,
Edmonds,
Eshelman,
Evans, B. P.,
Flinchbaugh,
Flynn,
Grimes,
Gundy,
Haines,
Haslett,
Henderson,
Hetrick,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell
Huber,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Jones, E. P.,
Kelly.
Kennedy,
Kunkle,
McClure,
McCurdy,
McDaniel,
McDermott,
McGowan,
McVicar,
Moore,
Morrison,
Munley,
Myers, G. C.,
O'Boyle,
Parkinson,
Patterson,
Peelor.
Pitts,
Posey,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Smith, H. J.,
Soffel,
Speiser,
Stark,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. J.,
Storer,
Thomas, L. D.,
Thomas, M. G.,
Thompson,
Van Alen,
Vickerman,
Weamer,
Wells,
Wheeler,
Whitehouse,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,

Fowler, A. I.,
Fowler, D.,
Frazier,
Gallaher,
Gelder,
Goss,
Griffith,
Labar,
Lauver,
Ludlow,
MacKinney,
Malie,
Marshall, J. G.,
Marshall, W. F.
Rippman,
Sarig,
Schleiter,
Schoener,
Schwartz,
Shambach,
Smith, G. A.
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,
Will the House agree to the section?
It was agreed to.

The second section was read and agreed to as follows:

Section 2 If a majority of the electors who shall vote upon the aforesaid question shall favor the holding of a constitutional convention the said convention shall convene in the Hall of the House of Representatives in the State Capitol in the city of Harrisburg on the second Tuesday of January one thousand nine hundred and twenty-six at twelve o'clock noon and shall conclude its sessions not later than August first one thousand nine hundred and twenty-six and delegates to said convention shall be nominated and elected as hereinafter provided

The third section was read as follows:

Section 3 The said constitutional convention if authorized by the electors as hereinbefore provided shall consist of three district delegates from each Senatorial district within the Commonwealth as said districts are constituted at the time of the election A district delegate shall be at least twenty-five years of age a citizen of the United States of America for at least five years a citizen and inhabitant of the Commonwealth for at least four years but may or may not be an inhabitant of the Senatorial District from which he or she shall be elected a delegate

On the question,
Will the House agree to the section?

Mr. JOSEPH MARCUS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 3, page 2, line 27, by inserting after the word "Commonwealth" the following: "and of the Senatorial District from which he or she shall be elected a delegate".

Amend sec. 3, page 2, lines 28 and 29. by striking out lines 28 and 29.

On the question,
Will the House agree to the amendments?

Mr. McVICAR. Mr. Speaker, I desire to interrogate the gentlemen from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Joseph Marcus, permit himself to be interrogated?

Mr. JOSEPH MARCUS. I will, Mr. Speaker.

Mr. McVICAR. Does this amendment which you have just offered provide that the delegate must be resident of the senatorial district from which he is chosen?

Mr. JOSEPH MARCUS. That is the effect of it.

Mr. McVICAR. And the effect of that amendment then is to change the amendment made by the Senate that a delegate might reside within or without the senatorial district, is that correct?

Mr. JOSEPH MARCUS. Yes.

On the question recurring,
Will the House agree to the amendment?
It was agreed to.

On the question,
Will the House agree to the section as amended?

Mr. SOWERS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 3, page 2, line 20, by striking out the word "three" and inserting in lieu thereof the word "five".

On the question,
Will the House agree to the amendment?

Mr. McVICAR. Mr. Speaker, Section 3 of this bill provides as follows:

The said constitutional convention if authorized by the electors as hereinbefore provided shall consist of three district delegates from each Senatorial district within the Commonwealth as said districts are constituted at the time of the election twenty-five delegates from the Commonwealth at large chosen A district delegate shall be at least twenty-five years of age a citizen of the United States of America for at least five years a citizen and inhabitant of this Commonwealth for at least four years but may or may not be an inhabitant of the Senatorial District from which he or she shall be elected a delegate

The proposed amendment would change that number from 3 to 5. Personally, I can see no good reason why there should be such an increase in this constitutional convention from 3 delegates to 5. It would only make it a larger and more unwieldy body and would make it an additional expense to the Commonwealth. It seems to me this amendment should be voted down.

Mr. DAVID FOWLER. Mr. Speaker, I feel that this amendment is a just one because it gives a better chance for some of the working men to be elected. Where there are only three from a senatorial district, we do not have as good a chance as we would have under this amendment. I feel that in behalf of the workers it woild be a good thing to have five instead of three.

Mr. LUDLOW. Mr. Speaker, if the amendment proposed by our colleague from Philadelphia, Mr. Sowers, should prevail, there would be added to the expense of the constitutional convention, an even $100,000.00

Mr. SOWERS. Mr. Speaker, the constitution is a very important thing, and it seems to me to measure it by dollars and cents is very short sighted wisdom. Everything that occurs here that my friend from Montgomery objects to, he always measures it in dollars and cents. Human life, human happiness, human peace, cannot be measured by such a standard, and I ask this House to say to the people of Pennsylvania that we believe in an honest and fair representation of the people, and when it comes to the drafting and drawing up such an important thing to the people as a guide for our future, like a constitution, all of the people and not a few should be represented. You men and women no doubt remember two years ago when we sent out to the voters of the Commonwealth a proposed constitutional convention, and what did they do? They voted it down, and why did they vote it down, because the Governor insisted that 25 or 50 of the delegates should be chosen by him and him alone in that convention. Now, my friend here wants to save $100,000. Wont he trust the people?

Mr. SARIG. Mr. Speaker, I cannot see any other purpose in this amendment than to kill the bill. I think the gentlemen fully realize that the minority party could not vote for so humiliating a condition, giving them but one representative out of five. Under the present bill the minority is entitled to one representative out of three. Under this proposed amendment the minority would be entitled to only one out of five. As I see the situation, I think this amendment was offered simply for the purpose of driving away the minority representation from the support of this bill. There is no other purpose to it, and I think it should be voted down.

Mr. MILLER. Mr. Speaker, this is the first time in the House when the gentleman from Berks proposes to draw the party line, in my opinion, and I cannot see why this motion should be voted down. I am in perfect accord with the gentleman from Lackawanna and the gentleman from Philadelphia, that if we are going to have a constitutional convention we ought to have a fair representation in that convention. The fewer hands it is confined to, the worse it is going to be for the common people.

Mr. SARIG. Mr. Speaker, in so far as drawing the party line is connected, I simply want to say this that we feel from the minority viewpoint that in so important a matter as the holding of a constitutional convention, we should have a fair and honorable representation. Now, I see no reason, if we really want to have a constitutional convention, why the minority should be limited to one-fifth of the representation. Whether the gentleman thinks I am drawing the party line or not, does not matter to me, but I feel that we could not, without humiliating ourselves, vote for a proposition that would give us but one-fifth of the representation in so important a matter as the holding of a constitutional convention. This is a matter for all the people of Pennsylvania, and the minority party is represented by far more than one-fifth of the voting population of this state. At the present time there are about 700,000 Democrats in Pennsylvania. I feel it would be humiliating to offer a proposition to us that would give us but one fifth of the representation. I am only asking what is right, I am only asking what is fair, and if you men propose to hold a constutional convention, let us hold it along the lines that are just and fair and reasonable.

Mr. GOLDER. Mr. Speaker, I desire to interrogate the gentleman from Berks.

The SPEAKER. Will the gentleman from Berks, Mr. Sarig, permit himself to be interrogated.

Mr. SARIG. Yes.

Mr. GOLDER. Mr. Speaker, I believe the position taken by the gentleman from Berks that the minority party is entitled to more than one out of five is well taken. I desire to ask the gentleman from Berks where in the bill the minority party would be restricted to one of the five delegates.

Mr. SARIG. Well, the minority party is entitled to one out of three in the present bill. Under this bill as amended it would be entitled to one out of five.

Mr. GOLDER. Mr. Speaker, I would respectfully suggest to the gentleman from Berks that the only reason under this bill that the minority party is entitled to one is because under this bill the majority party is entitled to two. If this amendment should prevail, having five delegates, the minority party would be entitled to three and the majority party to only two. Let me read for your enlightenment: "The two candidates of any political party receiving the largest number of votes at the said primaries shall be the nominees of such party for delegates from the senatorial districts within which such candidates are nominated." It seems to me if the amendment of the gentleman from Philadelphia were to pass and it would not be subsequently amended, that the majority party would be entitled to two and the minority party to three, so it occurs to me that if we agree that five would be a better representation from a senatorial district than three, if that amendment should be adopted, another amendment would have to be inserted so that the majority party would receive three and the minority party two, instead or as at present. If the amendment carries, the majority party would have two and the minority party three.

Mr. SARIG. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Golder.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Golder, permit himself to be interrogated.

Mr. GOLDER. Yes, Mr. Speaker.

Mr. SARIG. Is such an amendment contemplated in case this amendment passes?

Mr. GOLDER. Mr. Sarig, I confess I did not know what amendments were to be offered, but I will say this, that in the event such an amendment is offered, I shall vote for it, and vote for it gladly. I believe the position of the gentleman from Berks is well taken, but I am certain that if this amendment carries that the majority party will not allow the minority party to have three as against their two delegates.

Mr. SARIG. Mr. Speaker, in case such an amendment would be offered, the effect would still be the same as I said in the beginning. The effect would then be to kill this bill from the majority side. Unless this amendment were offered as stated, and this amendment should prevail, if the other amendment which has been suggested by our friend from Philadelphia, Mr. Golder, would not be offered, then we would be in the position of almost compelling the majority to kill this bill because they would not agree to a constitutional convention in which we, the minority party had more delegates than the majority, in fact, we would not expect them to agree to that. We are not expecting to have the majority agree to that. We are only asking for what is right and fair, and under the circumstances we would not expect the majority party to hold a convention in which the minority party had the upper hand. I feel that the same objection still prevails, that unless a subsequent amendment is introduced, unless there is a gentleman's agreement that such an amendment will be introduced, the effect of this amendment would be to kill the bill from the minority side instead of from the majority.

Mr. McVICAR. Mr. Speaker, in opposing this amendment I do not do so from a personal standpoint, but it does seem to me that this bill ought to be treated in good faith. It ought to be considered whether a constitutional convention of 150 representatives or a constitutional convention of 250 representatives would be likely to produce the better results. It seems to me that the smaller body in which there would be three representatives from each senatorial district of the Commonwealth would be more likely to produce better results than the larger one would be. We have fifty senatorial districts, and that means a total representation of 150. If this amendment carries, it would mean five from each senatorial district, or a total membership in the convention of 250. It would also mean an additional cost to the Commonwealth of at least $100,000 because each delegate receives $1000 in compensation, in addition to travelling expenses. It seems to me that the amendment is not offered because it would make the bill more meritorious but as a reason for a change in this bill on third reading.

Mr. SOWERS. Mr. Speaker, I think that my friend from Allegheny and my friend from Berks are entirely mistaken when they give utterance to the thought that these amendments have not been offered in good faith. There have benn a number of amendments offered. Of course the House is only considering section 3, and there are amendments to the other sections to harmonize with this amendment. The amendments are offered in good faith and the question for this House to determine is whether so important a document as the Constitution shall be left to a small body of men or a large body of men. Why should we go back to the people with the same proposition that the people themselves defeated two years ago? We went to the people two years ago with the small convention idea, and the people defeated it, and they told us by their vote, fairly, frankly and emphatically, that they would not stand for a hand-picked convention to draw their constitution. Now are we going to repeat the same error? If this constitutional convention is to pass laws, let us have it so that it will meet with favor from the people and not merely waste the Commonwealth's money and time and energy by sending a convention idea to the people that they will not approve of. My friend speaks about the minority representation. Now as I take it, Berks county would get them all but one. Where would the majority be there and maybe the Socialists in Reading might catch that one.

Mr. LUDLOW. Mr. Speaker, I do not want to unduly tire you, but I think the remarks of the gentleman from Philadelphia really call for an answer. If you will turn to your Smull's, page 337, you will find there that the Federal constitution was signed by thirty-eight delegates. If you will turn in the same volume to page 386 you will find the Pennsylvania Constitution of 1874 was signed by 121 delegates. Now the thing concerning which Mr. Sowers speaks and which caused so much criticism when this idea was voted down a couple of years ago was the fact that there were certain hand-picked delegates. Can that accusation be made now when you elect three instead of five? Under the bill as it comes to us from the Senate they are all elected. You do not make the situation any better or worse in the point of criticism by electing five, seven, nine or eleven, and if you refer further to the seating capacity of this House with 200 members, and then turn it into a constitutional convention room with 250, you can see where you are getting. First you are spending unduly, secondly, you are requiring more men than necessary, and third, according to precedent, more important constitutions have been passed than this may be.

Mr. SOWERS. Mr. Speaker, I desire to interrogate the gentleman from Montgomery.

The SPEAKER. Will the gentleman from Montgomery, Mr. Ludlow, permit himself to be interrogated?

Mr. LUDLOW. Yes, sir, Mr. Speaker.

Mr. SOWERS. How many members of the constitutional convention refused to sign?

Mr. LUDLOW. I could not tell you. One or two states refused to sign, and New York was one.

Mr. SOWERS. You do not know the number?

Mr. LUDLOW. I could not tell you, but if you take Pennsylvania, according to the census at that time, and you could not squeeze fifty out of that convention if you had wanted to.

Mr. SOWERS. What was the population of Pennsylvania in 1874?

Mr. LUDLOW. I could not tell you that let me finish my answer. You are a good lawyer and you know the witness has a right to qualify his answer. The population in Pennsylvania is admittedly larger but the problems are not those that require a multiplication by nearly two.

Mr. SOWERS. Don't you think representation is more important, that is, the members to the constitutional convention should represent the particular people of a particular district?

Mr. LUDLOW. If the gentleman will go to Washington he will see his theory carried to the *nth* power.

Mr. SOWERS. Have you no idea what the population of the United States was at the time of the drafting of the constitution?

Mr. LUDLOW. In 1789, or in 1787?

Mr. SOWERS. In 1787.

Mr. LUDLOW. I do not want to test my memory, but you will find it in the summary in Smull's for each decade since 1790.

Mr. SOWERS. Was it as much as 5,000,000?

Mr. LUDLOW. I cannot tell you that. Your proposition provides for an increased cost of $100,000 and for fifty more than the room will hold exclusive of lobbyists.

Mr. SOWERS. Do you approve of lobbyists?

Mr. LUDLOW. Mr. Speaker, I think the gentleman's question is interesting, but not germane.

Mr. SOWERS. Mr. Speaker, I think my friend's argument is merely diverting thought from the proposition before the House. He appears to deal with dollars, my friend talks of dollars constantly. If we had had a dollar in 1787 it would have bought much more than ten dollars would now. My friend ought not to talk of the condition of money now as against then, because a dollar was worth more then than now. What has money to do with the proposition? Do you want to go back to your people and say that the cities shall come here with a big representation without you people having a good representation? Do you want to go back to your people and say "I deprived you by my vote of a fair and honest representation in a convention?" My friend seems to think that a constitutional convention should consist of only wise men. Now the wise men are only men like my friend from Montgomery would pick. Let the people pick some wise men, they very seldom go wrong. The argument has been for some time for a small convention and for a small council. When it comes to elections our friends that favor this always find out that they are wrong.

Mr. SCHLEITER. Mr. Speaker, I am always amused when my friend from Philadelphia goes into mourning in the interest of the people. A short time ago I introduced a bill that would have revolutionized the House. It provided for the introduction of an amendment to the constitution to limit the membership from its present number to one hundred. That bill was very quietly sent to the cemetery. There were only two members. I do not know whether they were democrats or republicans. That bill would have saved the Commonwealth of Pennsylvania at least $400,000 per session, about $279,000 would have been saved in salaries alone, to say nothing of what would have been saved by all this useless trash here. So after the funeral—I was not even informed of it, I did not even get to go to the funeral, I found it out afterwards, but after it had been interred I went to some of my good Philadelphia friends, and I was still in deep mourning, and they said, "Schlieter, we could not have helped you anyhow, we believe in large representation, and your bill would have had the opposite effect, therefore had it come out on the floor of the House we would have had to oppose your bill." And then I had to laugh. The very idea, my friends, that the people of Philadelphia are represented in this House. The contest is never of the people and by the people. When the primary day approaches the factions cast about for candidates.

POINT OF ORDER.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point or order.

Mr. JOSEPH C. MARCUS. Mr. Speaker, my point of order is that the gentleman is not talking upon the amendment.

The SPEAKER. The Chair rules the point of order is well taken. The gentleman will confine himself to a discussion of the question before the House.

Mr. SCHLEITER. Then, Mr. Speaker, I will talk on the amendment. The matter of five or three delegates I think makes very little difference. The people themselves will have very little to say, especially in the congested districts as to who shall represent them in this constitutional convention. They will be picked just the same as the Governor would have picked his twenty-five men, they will be picked by the bosses and the people will have very little to say. As to a minority representation, I think that is absolutely immaterial. If it is to be a constitutional convention it is to be a convention to lay down a guide for the government of the State and parties have no place in a code of that kind. Now the objection I have to the number being five is just the objection I have and the reason why I would have liked to have seen my bill pass here, reducing the number of members in this House, because the work can be done more effectively. If you had five members from each senatorial district of course you would have to place in more seats here in the House and if the same disorder took place there that is constantly taking place here, if you had one hundred you would have more than would be necessary. It is impossible to hear what is going on here now. What would it be in a constitutional convention of two hundred and fifty members? Therefore while I do not want to question the intention of those sponsoring these amendments yet I do not believe the point at this time is very well taken.

Mr. McCURDY. Mr. Speaker, I move the previous question.

The motion was seconded by the following members: Messrs. Parkinson, Walker, Moffat, David J. Jones, McVicar, Vickerman, Horne, Haws, Lucas, Fratt, Lafferty, Bidelspacher, Heffernan, Kelly, McCaig, Price, Peelor, Huber, Kennedy, Kunkle, and others.

The SPEAKER. More than twenty members having joined in moving the previous question.

On the question,

Shall the main question be put?

It was agreed to.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Mr. George N. Williams and Mr. McVicar, and were as follows:

YEAS—53.

Allman,
Baldi,
Bluett,
Blumberg,
Boback,
Brewster,
Burns,
Chaplin,
Colville,
Conner,
Diehm,
Dilsheimer,
Drinkhouse,
Dunn,
Eaches,
Fields,
Fowler, A. I.,
Fowler, D.,
Glasgow,
Golder,
Greeby,
Guerin,
Harer,
Heffernan,
Heyburn,
Huber,
Jones, E. P.,
Keene,
Kohler,
Lafferty,
Little,
Lucas,
Mangan,
Marcus, J.,
Marcus, J. C.,
Mathay,
McCaig,
McCann,
McGowan,
Millar,
Miller,
Nolte,
Perry,
Posey,
Sautter,
Smith, H. J.,
Smith, H.,
Smith, J. W.,
Soffel,
Sowers,
Steedle,
Stofflet,
Wettach,

NAYS—118.

Albert,
Alexander,
Anderson,
Armstrong,
Aston,
Beaver,
Behney,
Bell, F. A.,
Bentley,
Betts,
Bidelspacher,
Blair,
Bromley,
Brown,
Burchinal,
Clutton,
Coldsmith,
Coyne,
Craig,
Dietz,
Donahue,
Driggs,
Edmonds,
Eshelman,
Evans, B. P.,
Evans, J.,
Flinchbaugh,
Flynn,
Frazier,
Gallaher,
Gelder,
Gibbon,
Goss,
Griffith,
Grimes,
Gundy,
Haines,
Hall,
Haslett,
Henderson,
Hetrick,
Himes,
Holcombe,
Hollis,
Hontz,
Hoover,
Horne,
Howell,
Irvin,
Johnson,
Jones, C. B.,
Jones, D. J.,
Kelly,
Kennedy,
Kunkle,
Labar,
Lauver,
Ludlow,
Mack,
MacKinney,
Malie,
arshall, J. G.,
arshall, W. F.
McBride,
McClure,
McCurdy,
McDaniel,
McDermott,
McVicar,
Metcalf,
Moffatt,
Moore,
Morrison,
Myers, G. C.,
Myers, P. M.,
Ogle,
Parkinson,
Peelor,
Pitts,
Post,
Price,
Raymond,
Rhodes,
Richards,
Rinn,
Rippman,
Sarig,
Schleiter,
Schoener,
Schwartz,
Shambach,
Sheridan,
Smith, G. A.,
Speiser,
Stark,
Staudenmeier,
Stavitski,
Sterling,
Stevens, A. J.,
Storer,
Thomas, L. D.,
Thomas, M. G.
Thompson,
Van Alen,
Vickerman,
Walker,
Weamer,
Wells,
Wheeler,
Whiteman,
Williams, G. W.,
Williams, J. M.,
Woner,
Wood, N.,
Wood, W. P.,
Wright,
Zook,
Goodnough,
Speaker.

So the question was determined in the negative and the amendment was not agreed to.

On the question recurring,

Will the House agree to the section as amended?

It was agreed to.

Mr. SOWERS. Mr. Speaker, inasmuch as the expression of the House has been given on the amendment, I will withdraw the amendments which were sent to the desk because they were in harmony with the raising of the number from three to five.

The fourth, fifth, sixth, seventh and eighth sections were seperately read and agreed to as follows:

Section 4 If the electors vote in favor of the convention nominations for district delegates to the said constitutional convention shall be made at the primary election for the year one thousand nine hundred and twenty-five The names of candidates for nomination shall be printed upon the official ballot of each political party upon the filing of nomination petitions in their behalf in the office of the Secretary of the Commonwealth at least forty days before the date of the said primary Such nomination petitions for district delegates shall be in the form required by law for the nomination of candidates for the office of Senator in the General Assembly except that a candidate may or may not be an inhabitant of the Senatorial District in which he or she is a candidate and shall be signed by at least two hundred qualified electors of the Senatorial districts within which the respective candidates are to be nominated

The Secretary of the Commonwealth in forwarding to the county commissioners of each county a list of the candidates for the various offices to be nominated at the said primary election shall include the names of the candidates of each party for delegates to be the constitutional convention

Each elector voting at such primary shall be entitled to vote for two candidates for district delegates to such constitutional convention

The county commissioners or the proper return judges shall make the proper certificates of return of votes cast for the candidates for nomination for the office of delegate to the constitutional convention to the Secretary of the Commonwealth

The two candidates of any political party receiving the largest number of votes at the said primary election shall be the nominees of such party for delegates from the Senatorial district within which such candidates are nominated

Section 5 Nominations for district delegates to said constitutional convention if authorized as hereinbefore provided may also be made by nomination papers in the manner provided by law for the nomination by nomination papers of candidates for Senator in the General Assembly

Section 6 If the electors at the said election for the year one thousand nine hundred and twenty-four shall authorize the holding of a constitutional convention as hereinbefore provided district delegates to such convention shall be elected at the municipal election for the year one thousand nine hundred and twenty-five

The ballots for use at such municipal election in the several Senatorial districts of the Commonwealth shall contain the names of the Candidates for district delegates from such districts nominated as hereinbefore provided Each elector voting at such municipal election shall be entitled to vote for two district delegates to such constitutional convention and the three candidates for district delegates in each district receiving the highest vote shall be the district delegates from such district to the constitutional convention

Section 7 Returns of the said election shall be made by the proper prothonotary or return judges to the Secretary of the Commonwealth who shall certify the result to the Governor who shall thereupon declare by proclamation the names of the persons duly elected Any vacancies occurring in the office of delegate to said constitutional convention may be filled by vote of the remaining delegates

Section 8 If a constitutional convention be authorized as hereinbefore provided it shall be called to order by the Governor and it shall immediately organize by electing a president secretary and such other officers as shall be necessary for the transaction of its business It shall have the power to adopt rules of procedure finally to determine the election and qualification of delegates and generally to adjourn to such time or times and such place or places as it shall determine

The ninth section was read as follows:

Section 9 It shall be the duty of such constitutional convention to consider the constitution recommended by "The Commission on Constitutional Amendment and Revision" appointed under the act approved the fourth day of June Anno Domini one thousand nine hundred nineteen

The convention may submit a proposed constitution as a whole or may submit separately such parts thereof as it may determine Provided That one-third of all the members of the convention shall have the right to require the separate and distinct submission to a popular vote of any change and amendment proposed by the convention

The convention shall also frame the question necessary to elicit from the electors their approval or rejection of the said proposed costitution and of any parts to be separately submitted in brief form and so that they can be answered by either the word "yes" or the word "no"

On the question,

Will the House agree to the section?

Mr. SOWERS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 9, page 6, line 16, by striking out the word "one-third" and inserting in lieu thereof "five-twelfths".

On the question,

Will the House agree to the amendment?

Mr. McVICAR. Mr. Speaker, I just want to call your attention to the effect of this amendment. Section 9 provides now that the convention may submit a proposed constitution as a whole or may submit separately such parts thereof as it may determine, provided that one-third of all the members of the convention shall have the right to require the separate and distinct submission to a popular vote of any change and amendment proposed by the constitution. Now this amendment proposes to change that from one-third, or four-twelfths, to five-twelfths.

On the question recurring,

Will the House agree to the amendment?

The SPEAKER declared the "nays" appear to have it.

Whereupon a division was called for, and fifty-two members having voted in the affirmative and eigth-eight in the negative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The tenth, eleventh, twelfth and thirteenth sections were separately read and agreed to as follows:

Section 10 Such constitution as may be proposed by the constitutional convention shall be engrossed and signed by the president and secretary of the convention and shall be delivered to the Secretary of the Commonwealth not later than the first Monday of September of the year one thousand nine hundred and twenty-six The Secretary of the Commonwealth shall enter the proposed constitution upon the records of his office He shall publish the said proposed constitution in at least two newspapers in every county of the State wherein said number of newspapers may be published once during the week immediately preceding the election and shall publish the same in convenient form and send a copy thereof to every elector in the Commonwealth making application therefor He shall also cause to be sent through the county commissioners to each polling place in the Commonwealth in sufficient time to be there available to persons voting thereat at least ten copies of the proposed constitution so published for the use of voters desiring to consult the same while in the polling place

The question framed by the convention as aforesaid shall be by said convention certified to the Secretary of the Commonwealth who shall in turn at least thirty days before the general election of one thousand nine hundred and twenty-six certify the same to the county commissioners of the several counties The question so certified shall be printed on the official ballot to be used at such general election followed by the words "yes" and "no" and appropriate voting blocks as provided by the election laws of the Commonwealth for the submission of question to the vote of the people

Section 11 The constitution and any parts thereof to be submitted separately proposed by such constitutional convention shall be submitted to the qualified electors of the Commonwealth for their approval or rejection at the general election in the year one thousand nine hundred and twenty-six A majority of the electors voting upon the adoption or rejection of the proposed constitution shall be necessary for its adoption Such proposed constitution and any parts thereof submitted separately if approved by a majority of the electors voting thereon shall become effective unless the proposed constitution or the schedule thereto shall otherwise provide upon the first day of January one thousand nine hundred and twenty-seven Returns of the vote cast for and against the proposed constitution and for and against any parts thereof submitted separately as hereinbefore provided shall be canvassed as provided by law and shall be certified by the prothonotary of every county to the Secretary of the Commonwealth who shall compute the same and certify the result to the Governor If from said certificate it shall appear that the proposed constitution and any parts thereof submitted separately shall have been adopted by the people the Governor shall immediately make proclamation thereof

Section 12 The members of the constitutional convention if held as provided by this act shall receive a salary of one thousand dollars ($1,000) payable in five equal instalments an allowance for traveling expenses of twenty cents per mile circular for one session and an allowance for postage stationery and contingencies of one hundred dollars ($100)

The convention shall have the power to employ and to fix the compensation of a secretary and such officers assistants clerks and other employes as shall be deemed necessary to carry out the provisions of this act

Section 13 It is the intent of this act that the procedure provided for the nomination and election of district delegates shall be the same as that provided by law for the nomination and election of Senators in the General Assembly and matters relating to the nomination and election of delegates not expressly covered by this act shall be governed by the laws relating to the nomination and election of such Senators

Mr. SOWERS. Mr. Speaker, I offer the following amendment.

The SPEAKER. The Clerk will read the amendment.

The amendment was read as follows:

Amend bill by inserting after the end of section 13 on page 9 the following as a new section:

Section 14. The constitutional convention shall have the aid and assistance of the Legislative Reference Bureau and shall have authority to specially employ any one or more officers or employes of said bureau, and may authorize the employment by said bureau of such additional assistants as may be deemed necessary by the convention and provide for the payment of such assistants from any appropriation made by the General Assembly for the payment of the expenses of the convention.

On the question,

Will the House agree to the amendment?

Mr. SOWERS. Mr. Speaker, this amendment merely provides that the Legislative Reference Bureau shall assist the Constitutional Convention, the same as it does the Legislature now.

Mr. McVICAR. Mr. Speaker, while I am not sure that I catch the full intent of that amendment, but as I gather from the reading of it, it seems to give the assistance of the Legislative Bureau to this Convention is all right. I cannot see anything wrong with this amendment.

On the question recurring,

Will the House agree to the amendment?

It was agreed to.

The title was read and agreed to as follows:

An Act to regulate the practice of Chiropractic and to provide for the appointment and maintenance of the Board of Chiropractic Examiners To define the powers and duties of said Board of Chiropractic Examiners To provide for the examining and licensing of Chiropractors in this State and provide penalties for the violation of this act

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS SIGNED BY THE SPEAKER.

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 84.

An Act making an appropriation to the Washington Crossing Park Commission for the purpose of the acquisition of land and property and the making of improvements in accordance with the provisions of the act of July twenty-fifth, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand two hundred and nine), entitled "An act to authorize the acquisition by purchase or condemnation of land for a park and the erection of a monument commemorative of Washington Crossing the River Delaware and for the appointment of a commission to acquire said lands and erect such monument, and making an appropriation for the purposes of this act.

HOUSE BILL No. 85.

An Act making an appropriation to the Pennsylvania State Park and Harbor Commission of Erie

HOUSE BILL No. 86.

An Act making an appropriation to the several fire companies of the city of Harrisburg

HOUSE BILL No. 93.

An Act making an appropriation to carry into effect the provisions of an act, approved the tenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, eight hundred ninety-three), entitled "An act providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State Supervisor and assistants, and fixing the salaries of such State Supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties."

HOUSE BILL No. 99.

An Act making an appropriation to the Commission of Valley Forge Park

HOUSE BILL No. 112.

An Act to amend section five of the act approved June 17, 1913, (P. L. 507) entitled "An act to provide revenue for State and County purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property, providing for the assessment and collection of the same, providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes providing for the assessment of property and the collection of taxes, interest and penalties in cases of the refusal or failure of taxables to make return and in the case of false or incomplete returns.

HOUSE BILL No. 162.

An Act to amend section one thousand seven hundred and eight of the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith.

HOUSE BILL No. 216.

An act to provide for the payment of moneys by the Commonwealth to counties and townships the tax funds of which are diminished by the acquisition of lands and property by the Commonwealth for the conservation ofwater and to prevent flood conditions and making an appropriation

HOUSE BILL No. 217.

An Act making an appropriation to the Superintendent of Public Instruction to carry into effect the provisions of the act approved the twentieth day of May, one thousand nine hundred and twenty-one, (P. L. 1034), entitled, "An Act to provide for the payment of moneys to school districts the taxes of which are reduced by the acquisition of lands and property by the Commonwealth for the conservation of water and to prevent flood conditions."

HOUSE BILL No. 227.

An Act to further amend the fifth section of an act entitled "An act relating to the organization and jurisdiction of orphans' court and to establish a separate orphans' court in and for counties having more than one hundred and fifty thousand inhabitants and to provide for the election of judges thereof" approved May nineteenth Anno Domini eighteen hundred and seventy-four (Pamphlet Laws two hundred and six) as amended by fixing and determining the salaries of the assistant clerks of said court in counties of the first second third and fourth classes

HOUSE BILL No. 374.

An Act to amend Section one of an Act approved June first one thousand nine hundred and seven (Pamphlet Laws three hundred and eighty-three) entitled "An Act regulating the collection of taxes and other claims and demands due the Commonwealth and providing for six per centum interest thereon and an attorney's commission"

HOUSE BILL No. 540.

An Act prohibiting persons from concealing changing or destroying manufacturers' serial numbers or identification marks upon machines or apparatus or from taking possession of any such machine with the knowledge of such concealment change or destruction and prescribing penalties for violation thereof

HOUSE BILL No. 653.

An Act making an appropriation to the Lake Erie and Ohio River Canal Board of Pennsylvania for the payment of expenses incurred in printing, distributing and making available for public use, reports, maps, documents and records of the board, in securing the cooperation and aid of the Government of the United States and other public authorities, in the construction of the canal or waterway authorized to be constructed by the board, for the payment of incidental office expenses, and for the payment of salaries, fees and expenses.

HOUSE BILL No. 957.

An Act to provide for the laying out altering and vacating roads lying partly in one county and partly in an adjoining county forming or intended to form a continuous highway from one county to another and providing fr the location construction of a joint county bridge on said road

HOUSE BILL No. 1025.

An Act to provide a method of relieving real estate of the charge of a life interest imposed thereon by any order judgment or decree of any court in this Commonwealth in any partition proceedings

HOUSE BILL No. 1159.

An Act providing a system of registering titles to motor vehicles for the protection of owners of motor vehicles and to facilitate the recovery of motor vehicles stolen or unlawfully taken regulating the certification of such titles the purchase sale and transfer of motor vehicles and their registration providing for the collection of fees for the certification of titles and for disposition thereof forbidding the destruction removal alteration covering or defacement of any engine manufacturer's or other distinguishing number or identification mark on motor vehicles and providing for the assignment of special numbers in certain cases imposing duties on the State Highway Commissioner sheriffs constables police officers and other peace officers and providing penalties

HOUSE BILL No. 1236.

An act providing for a giant power survey creating a Giant Power Survey Board defining the powers and duties thereof requiring officers Departments Commissions and other agencies of the Commonwealth to give information thereto and making an appropriation

HOUSE BILL No. 1306.

An Act to amend section seven of an act, entitled "An act to establish a Department of Mines, in Pennsylvania; defining its purposes and authority; providing for the appointment of a chief of said Department, and assistants, and fixing their salaries and expenses;" approved the fourteenth day of April, Anno Domini one thousand nine hundred and three (Pamphlet Laws one hundred and eighty); increasing fees paid by applicants for certificates of qualification as mine foremen and assistant mine foremen in the anthracite mines; providing for the disposition of fees received and providing for copies of lost or destroyed certificates.

HOUSE BILL No. 1309.

An Act to amend Rule Thirty-four of Article XXV of an Act, approved the ninth day of June, one thousand nine hundred and eleven (Pamphlet Laws, seven hundred and fifty-six), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith;" by requiring mine operators to pay the Department of Mines for certain report and record books.

HOUSE BILL No. 1312.

An Act to amend sections one two three and four of an act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An act defining consolidating of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the tranportation of pupils to and from consolidated schools" by providing for reimbursement for certain transportation costs of schools not consolidated.

Whereupon,

The SPEAKER in the presence of the House, signed the same.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

HOUSE BILL No. 700.

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania providing for a budget system

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 1, line 5, by inserting after the word "to" the words "section fifteen of"; also in line 7 after the word thereof, by inserting the following: "That section fifteen of article three of the Constitution of the Commonwealth which reads as follows: Section 15 The General Appropriation Bill shall embrace nothing but appropriations for the ordinary expenses of the executive legislative and judicial departments of the Commonwealth interest on the public debt and for public schools all other appropriations shall be made by separate bills each embracing but one subject be and the same is hereby amended to read as follows:

Amend by striking out the numeral 34 and inserting the numeral "15"; amend by striking out all of line 14 and 15 on page two, and the words "bill containing" on line 16; also insert in line 16 before the word "the" the words "and of"; also in line 18 by striking out the words "bill embodying"; also strike out lines 19 and 20; in line 22, after the word "alter" insert the words "or amend"; strike out lines 24 to 28 inclusive on page 2, and lines 1 to 8 inclusive on page 3.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. STEEDLE. Mr. Speaker, I move that the House do non-curr in the amendments made by the Senate.

Mr. JOSEPH C. MARCUS. Mr. Speaker, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

HOUSE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1307.

An Act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the districts in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journel of the Senate, which was read as follows:

In the Senate May 21, 1923.

Resolved, (if the House of Representatives concur), That authority is hereby given to the Board of Commissioners of Public Grounds and Buildings to permit the placing without cost to the Commonwealth of a memorial tablet on the wall of the main corridor of the Capitol building, at a point just south east of the rotunda in honor of the late Dr. Joseph Trimble Rothrock a gallant and patriotic soldier and officer of the Civil War, the first Commissioner of Forestry of Pennsylvania, founder of the Mont Alto Sanatorium, and of the Mont Alto Forest School.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate May 19, 1923.

Whereas, The Federal Government in the enactment of the Weeks law after prolonged inquiry and discussion, in order to meet urgent National needs, adopted the permanent policy of purchasing lands on the watersheds of navigable rivers to be administered as National forests and for the protection and improvement of navigation, and provided for expenditure for that purpose at the rate of $2,000,000 a year; and

Whereas, Owing to the condition of the Federal Treasury resulting from the burdens of war the appropriation for said purpose for the fiscal year ending June 30, 1923, was cut down to $450,000, an amount inadequate to carry out the said policy with economy and efficiency; and

Whereas, The failing timber supply and the expense of transportation have brought the eastern part of the United States to a condition of virtual famine in this fundamental resource wherefore appropriations to correct this condition should be made with increasing liberality and considered as vital to the welfare of the Nation; and

Whereas, This Commonwealth, sensible of its own needs and its duty toward sister states in the matter of timber supply and stream regulation through forest restoration on lands more suitable for that purpose than for other uses has purchased and is administering as State forests more than 1,130,000 acres of land, chiefly on the watersheds of navigable rivers; and

Whereas, The General Asembly desiring more nearly to meet the need of forest restoration on the remaining 13, 000,000 acres of land chiefly valuable for forest production within the borders of the Commonwealth has initiated at this present Session an amendment of the Constitution of the Commonwealth to authorize a bond issue of $25,000,000 for the purchase of approximately 5,000,000 additional acres of land for State forest which will be located chiefly on the watersheds of navigable streams;

Now, Therefore, be it Resolved, (the House of Representatives concurring) That it is hereby recomended and respectfully urged upon the President, the Congress and the Federal Budget Bureau that expenditures for land purchase under the Weeks Law at the rate of $2,000,000 per year be resumed beginning with the fiscal year ending June 30, 1924, as the mimimum present contribution consistent with the performance of National duty toward the States and the people in this matter; and be it further

Resolved, That a copy of this resolution be transmitted by the Secretary of the Commonwealth to the following officers of the United States: The President of the Senate, the Speaker of the House of Representatives, the Director of the Bureau of the Budget, the Chairman of the National Forest Reservation Commission, the Chairman of the Select Committee of the Senate on Reforestation; also to each Senator and Representative representing the Commonwealth in Congress.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows

SENATE BILL No. 586. (HOUSE BILL No. 1618).

An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and certain existing and certain new Administrative Departments, Boards, Commission and Officers; abolishing, combining, changing the names of, reorganizing or authorizing the reorganization of, certain administrative Departments, Boards, Commissions, Bureaus, Divisions, offices and Agencies; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative Departments, Boards and Commissions; fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain Departments, Boards, and Commissions; and prescribing the manner in which the number and compensation of the Deputies and all other assistants and employees of certain Departments, Boards and Commissions shall be determined.

Referred to the Committee on Law and Order.

SENATE BILL No. 993. (HOUSE BILL No. 1619).

An Act to amend section seventeen of an act approved the twelfth day of July, one thousand nine hundred and thirteen (Pamphlet Laws seven hundred nineteen) entitled "An act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National party conventions and of certain party officers including State committeemen a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and the payment by the several counties and their reinbursement by the State of the expenses of the same authorizing the State committee of a political party to make and to alter amend and revoke rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation."

Referred to the Committee on Elections.

ADJOURNMENT.

Mr. DUNN. Mr. Speaker, I move that this House do now adjourn until 11:00 o'clock tomorrow morning.

The motion was agreed to, and (at 11:59 P. M.) the House adjourned until tomorrow morning at 11:00 o'clock.

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